



Updated Meeting Posting MEETING POSTING

Original Posting Time: 2020 JUL 17 PM 02:31

Original Posting Number: T 1838

****added ePermitting Numbers****

Original Posting Time: 2020 JUL 20 10:24

Original Posting Number: T 1844

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)

RECEIVED

2020 JUL 21 PM 02:05
NANTUCKET TOWN CLERK
Posting Number:T 1852

| | |
|----------------------------|---|
| Committee/Board/s | Historic District Commission (HDC) – NEW BUSINESS |
| Day, Date, and Time | Tuesday, July 21, 2020, 4:30pm |
| Location / Address | REMOTE PARTICIPATION VIA ZOOM AND YouTube Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Mee35ting Law (Attached) Information on viewing the meeting can be found at: https://www.nantucket-ma.gov/138/Boards-Commissions-Committees |

Ray Pohl, Chairman

Please note: If there is no quorum of members present, or if meeting posting is not in compliance with the OML statute, no meeting may be held.

HISTORIC DISTRICT COMMISSION

Signature of Chair/Authorized Person: Cathy Flynn, Land Use Specialist

2 Fairgrounds Road
Nantucket, Massachusetts 02554
www.nantucket-ma.gov

To watch live feed, click here: <https://www.youtube.com/watch?v=O3bBVZoZhlA>

Commissioners: Ray Pohl (Chair), Diane Coombs (Vice Chair), John McLaughlin, Abby Camp, Val Oliver

Associate Commissioners: Stephen Welch, TJ Watterson, Jesse Dutra

Staff: Terry Norton, Cathy Flynn, Holly Backus and Kadeem McCarthy

Historic Structures Advisory Board (HSAB), Sconset Advisory Board (SAB), Madaket Advisory Board (MAB), Sign Advisory Council (SAC).

AGENDA

Listed below are the topics the chair reasonably anticipates will be discussed at the meeting.

Some applications on this agenda may not be heard at this meeting due to time constraints. Please check with the office on Wednesday after the Tuesday meeting for further information.

I. PUBLIC COMMENT

II. CONSENT

| | <u>Property owner name</u> | <u>Street Address</u> | <u>Scope of work</u> | <u>Map/Parcel</u> | <u>Agent</u> |
|-----|----------------------------------|-----------------------|------------------------------|-------------------|--------------------------|
| 1. | Antone Fernandes 06-1155 | 35 Tennessee Avenue | Deck | 59.4-247 | Self |
| 2. | John Galiner 07-1294 | 34 Washing Pond Road | Rev 06-1134; win/drmr | 31.13.3 | Sophie Metz |
| 3. | William Hunter 07-1313 | 3 Sleetwing Circle | Rev 01-0500; fence chg | 74-27 | NAG |
| 4. | John Fox 07-1301 | 72 Pochick Avenue | Deck/patio | 79-154 | Val Oliver |
| 5. | T&R Realty Trust 07-1283 | 134 Old South Road | Rev 03-0818; cell tower | 67-38 | Dan Bilezikian |
| 6. | 4 Shawkemo Rd RT 07-1337 | 4 Shawkemo Road | Paint chimney grey | 43-91 | Botticelli & Pohl |
| 7. | Scott Valero 07-1321 | 9 Exeter Street | Omit shwr enclosure | 76.4.1-410.1 | Self |
| 8. | Joe Saluti 07-1319 | 174 Cliff Road | Shed | 41-63 | Emeritus |
| 9. | Ian MacTaggart 07-1335 | 1 Brooks Farm Road | Move/demo 448 sf cabana | 41-222.8 | Mark Cutone Architecture |
| 10. | Vilma Vadoklis 07-1340 | 2 Nanina Drive | Shed | 67-592 | JB Studio |
| 11. | Vilma Vadoklis 07-1347 | 2 Nanina Drive | Extend deck | 67-592 | JB Studio |
| 12. | Vilma Vadoklis 07-1331 | 2 Nanina Drive | Driveway | 67-592 | JB Studio |
| 13. | Derrymore Invest 07-1322 | 12 Derrymore Road | Rev 72936; drmr/wind | 41-241 | Workshop/APD |
| 14. | Paul Stewart Tr 07-1343 | 61 Madaket Road | Roof change | 41-201 | James Lydon |
| 15. | 12 Lincoln Ave NT 07-1327 | 12 Lincoln Avenue | Garage door clr chg | 30-183 | Emeritus |
| 16. | Melanie Brundle 07-1338 | 21 Kendrick Street | Rev 75272; wind change | 76.4.1-1 | Sanne Payne |
| 17. | 18 Orange LLC 07-1342 | 18 Orange Street | Demo blkhd – add window well | 42.3.2/15 | Emeritus |
| 18. | Stephen Frohwein 07-1284 | 32 N Liberty Street | Demo/move shed | 41-159 | Emeritus |

III. CONSENT WITH CONDITIONS

| | <u>Property owner name</u> | <u>Street Address</u> | <u>Scope of work</u> | <u>Map/Parcel</u> | <u>Agent</u> |
|----|--|-----------------------|----------------------------|-------------------|--------------------------|
| 1. | Audrey Sterk 07-1346 | 6 Marsh Hawk | Shed | 56-396 | Ethan McMorrow |
| | • Due to lack of visibility | | | | |
| 2. | Terrence Newth 07-1330 | 2 White Street | Pool/spa | 80-215.1 | BPC |
| | • Pool and Spa must not be visible at time of inspection and in perpetuity | | | | |
| 3. | Scott Bortz 07-1329 | 4 Vinecliff Lane | Pool | 39-43.2 | Emeritus |
| | • Pool must not be visible at time of inspection and in perpetuity | | | | |
| 4. | 3 Shimmo Pond Rd, LLC 07-1332 | 3 Shimmo Pond Road | Pool | 54-259 | Mark Cutone Architecture |
| | • Pool must not be visible at time of inspection and in perpetuity | | | | |
| 5. | Peter Michalowski 07-1312 | 46 Vesper Lane | Basketball court | 56-30 | Bessey Construction |
| | • Due to lack of visibility | | | | |
| 6. | 18 Meadow, LLC 07-1317 | 18 Meadow Lane | Hardscape-pool-2' ret wall | 41-406 | Atlantic Landscaping |
| | • Must not be visible at time of inspection and in perpetuity | | | | |

IV. SIGNS

| | <u>Property owner name</u> | <u>Street Address</u> | <u>Scope of work</u> | <u>Map/Parcel</u> | <u>Agent</u> |
|----|--------------------------------|-----------------------|---------------------------|-------------------|---------------|
| 1. | Francis Farrell 07-1296 | 5 India Street | Wall / RES IPA | 42.3.1-226 | Josh Moore |
| 2. | Francis Farrell 07-1297 | 5 India Street | Projected sign | 42.3.1-226 | Josh Moore |
| 3. | NIR 07-1305 | Straight Wharf | Projecting Sign / Respoke | 42.2.4-1 | Chris Bartick |
| 4. | NIR 07-1344 | Straight Wharf | Projecting Sign / Respoke | 42.2.4-1 | Chris Bartick |
| 5. | NIR 07-1304 | 2 Harbor Square | Wall / Dawn | 42.2.4 1 | Allison Deck |

V. NEW BUSINESS

| | <u>Property owner name</u> | <u>Street Address</u> | <u>Scope of work</u> | <u>Map/Parcel</u> | <u>Agent</u> |
|-----|-------------------------------------|-----------------------|----------------------------|-------------------|--------------------------|
| 1. | Martin Anguelova 07-1315 | 19B Waydale Road | Hardscape | 67-29 | Self |
| 2. | ACK 007 Prop 02-0644 | 46 Walsh Street | Shed | 29-101.1 | Lewis Kelsey |
| 3. | Thompson 07-1292 | 73 Baxter Road | Garage | 49-27 | Emeritus |
| 4. | Stephen Frohwein 07-1285 | 32 N Liberty Street | Addition | 41-159 | Emeritus |
| 5. | Kathleen Krall 06-1252 | 15 Masaquet Avenue | Demo-move MH | 80-141 | Botticelli & Pohl |
| 6. | Kathleen Krall 06-1254 | 15 Masaquet Avenue | Demo-move garage | 80-141 | Botticelli & Pohl |
| 7. | Kathleen Krall 06-1255 | 15 Masaquet Avenue | New dwelling | 80-141 | Botticelli & Pohl |
| 8. | Kathleen Krall 06-1251 | 15 Masaquet Avenue | New garage | 80-141 | Botticelli & Pohl |
| 9. | Habitat for Humanity 07-1278 | 31 Beach Grass Road | New dwelling | 68-378 | Richard Hussey |
| 10. | John Halliwell Tr 07-1277 | 2 Webster Road | Rev 02-0719; garage | 79-146 | Thornwill Design |
| 11. | 262 Polpis N.T. 07-1288 | 262 Polpis Street | Rev 72782; addition | 25-1 | Mark Cutone Architecture |
| 12. | Ross Silverstein 07-1334 | 51 Orange Street | Roof walk color change | 42.3.2-183 | Mark Cutone Architecture |
| 13. | George Hornyak 07-1281 | 61 Somerset Road | Roof top Solar | 66-89 | Sun Wind |
| 14. | Lisa Hood 07-1282 | 17 Derrymore Road | Roof top Solar | 41-114 | Sun Wind |
| 15. | Scott Bowman 07-1336 | 7 Folger Avenue | Roof top solar | 80-166 | Cotuit Solar |
| 16. | ARI. LLC 07-1318 | 10 Delaney Road | Color change | 41-120 | Self |
| 17. | Stephen Erisman 07-1302 | 2 Saccacha Avenue | Outdoor shwr/lattice fence | 82-23.2 | Val Oliver |

| | | | | |
|--|----------------------|----------------------------|-----------|----------------------|
| 18. Doug Raymond 07-1324 | 5 Cornish Street | Addition | 42.4.1-95 | SMRD |
| 19. Leah Cabral 07-1336 | 7 Marble Way | Roof top solar | 66-443.1 | Karen Alence |
| 20. Blackberry Prep 07-1309 | 26 W Chester Street | Hardscape-spa-ret wall 30" | 42.4.3-56 | Atlantic Landscaping |
| 21. Kamadif, LLC 07-1310 | 32 Dukes Road | Patio/ret wall 30" high | 56-188 | Atlantic Landscaping |
| 22. Rodney Goldstein 07-1311 | 6 Sankaty Road | Addition | 73.1.4-38 | Botticelli & Pohl |
| 23. Kevin Dale Tr 07-1299 | 7 King Street | Move building | 73.1.3-41 | Botticelli & Pohl |
| 24. Nant. 62 Walsh, LLC 07-1286 | 60 Walsh Street | Move/demo dwelling | 29-85.2 | Botticelli & Pohl |
| 25. 62 Walsh, LLC 07-1349 | 62 Walsh Street | Demo/move cottage | 29-85 | Botticelli & Pohl |
| 26. 62 Walsh, LLC 07-1348 | 62 Walsh Street | Move/demo garage | 29-85 | Botticelli & Pohl |
| 27. Audrey Sterk 07-1345 | 6 Marsh Hawk Lane | Rev 0325; rotate/windows | 56-396 | Ethan McMorrow |
| 28. Woodie Stevenson 07-1333 | 75 N. Liberty Street | Front porch railing | 41-140 | Val Oliver |
| 29. 202 Eel Point LLC 07-1341 | 202 Eel Point Road | Rev 11-0103; roof walk | 3/-2.3 | Sanne Payne |
| 30. Eliza & David Silva 07-1316 | 16 Helen's Drive | Re-site/fenes chgs | 66-53 | Self |
| 31. Eliza & David Silva 07-1303 | 16 Helen's Drive | New dwelling | 66-53 | Self |
| 32. Eliza & David Silva 07-1320 | 16 Helen's Drive | Pool-hardscape | 66-53 | Self |

VI. OTHER BUSINESS

| | |
|---------------------|--|
| Approve Minutes - | June 1, 4, 8 & 16, 2020 |
| Review Minutes- | June 23 & 30, July 2, 6, 10 & 13, 2020 |
| Other Business - | <ul style="list-style-type: none"> • Discussion of Certified Local Government (CLG) and possible vote • HDC review of revisions to HDC Background Summary to finalize for web page |
| Commission Comments | |

VII. EXECUTIVE SESSION, PURSUANT TO MGL C. 30A § 21(A)

1. Purpose 3: To discuss strategy with respect to potential litigation regarding Vineyard Wind-Wind Farm, where the Chair has determined that an open session meeting may have a detrimental effect on the litigating position of Nantucket Historic District Commission's effort to provide protection to the National Historic Landmark.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

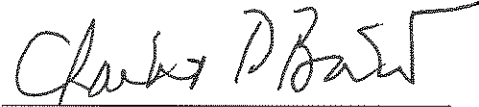
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script that reads "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts