MEETING POSTING
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, August 13, 2020 at 1:00 PM

Location / Address REMOTE PARTICIPATION VIA ZOOM & YouTube
Pursuant to Governor Baker’s March 12, 2020, Order Regarding Open Meeting Law (Attached)
INFORMATION on viewing the meeting can be found at https://www.nantucket-ma.gov/138/Boards-Commissions-Committees

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 FOR 08-13-2020
(Subject to change)
www.nantucket-ma.gov
YouTube Link: https://youtu.be/t0pom-oeSGs

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:
   ▪ July 9, 2020
IV. **OLD BUSINESS (CONTINUED PUBLIC HEARINGS AND VOTES MAY TAKEN)**

- **066-00** Sara Anne Brookes & Justin Robert Brooks 6 Kinikinnik Way Swain
  
  **Action Deadline August 26, 2020** to determine and notify Applicant if requested modification is deemed substantial or insubstantial

  The Applicants seek a determination that a proposed modification to the Comprehensive Permit, 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 modification for which applicants seek approval consists of relocating a driveway. The Locus is situated in the Abrem Quarry 40B, is known as 6 Kinikinnik Way, is shown on Assessor’s Map 80 as Parcel 420, and as Lot 10 upon Plan No 2006-90. Evidence of owner’s title is recorded in Book 1122, Page 151 on file at the Nantucket Registry of Deeds. The site is located in the Limited Use General One (LUG-1) zone.

- **09-20** Timothy E. Quinlisk & Elizabeth A. Quinlisk 88 Quidnet Road Alger
  
  **Action Deadline September 10, 2020**

  Applicants are seeking Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-33.A(1) to alter, extend, and change a structure, which is pre-existing nonconforming as to side yard setbacks, situated on a lot which is pre-existing nonconforming as to lot size and frontage. As proposed, the pre-existing nonconforming setback distances will not be made more nonconforming. The Locus is situated at 88 Quidnet Road, is shown on Assessor’s Map 21 as Parcels 109, 104, & 70, as Lots 5 & 6 upon Land Court Plan 8606-A and Lot 33 upon LCP 8606-B. Evidence of owner’s title is registered on Certificate of Title No. 26998 at the Nantucket County District of the Land Court. The site is zoned Residential Twenty (R-20).

- **11-20** Peter J. Mackay & Alison Mackay and David P. Mackay & Anne M. Phaneuf, Tr., Mackay/Phaneuf Family Trust 21 & 25 Monohansett Road Alger
  
  **Action Deadline September 10, 2020**

  Applicants are seeking Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-33.A(1)(a) to alter, change, and extend a preexisting nonconforming lot, or in the alternative and to the extent necessary, a Variance, or the modification of an existing Variance, under By-law Section 139-32. The locus is improved with primary and secondary dwellings, constructed as principal residences for each couple. The dwellings have been treated separately, and for all intents and purposes as separate lots and structures, each served by a separate driveway. Applicants propose to separate out their properties for estate planning and other purposes. The proposal would encompass one of the dwellings and subdivision of the property into two nonconforming lots of approximately equal land area, each containing a dwelling. No additional dwellings are proposed, and the Applicants propose to permanently restrict each lot to one dwelling and no additional ground cover above that which would be allowed by right. In the alternative, the Applicants request relief to allow them to create a two-unit condominium or cooperative. The Locus is situated at 21 & 25 Monohansett Road, is shown on Tax Assessor’s Map 27 as Parcel 31, and as Lot 2 upon Land Court Plan 39913-A and as Lot 1 in Block 262 upon Plan No. 2, Page 60. Evidence of owner’s title is registered on Certificate of Title No. 17375 at the Nantucket County District of the Land Court and in Book 1655, Page 103 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General One (LUG-1).
Applicant is requesting relief by Special Permit pursuant to Zoning By-law Sections 139-30, 139-33.A(1), and 139-17.C(7) to alter a pre-existing nonconforming light tower with decks. The alteration will consist of raising the structure, renovating the existing foundation to bring the lowest floor elevation into compliance with applicable building codes and FEMA regulations, and placing it back onto the newly constructed foundation with decks and stairs altered for access. The structure is pre-existing nonconforming as to height and front and side yard setbacks. The proposed height is roughly 36.3 feet, for an approximately 3.6-foot vertical expansion within the front and side yard setbacks without coming any closer to the lot lines. The Locus is situated at 92 Hulbert Avenue, is shown on Tax Assessor’s Map 30 as Parcel 51, and upon Plan Book 8, Page 52. Evidence of owner’s title is recorded in Book 448, Page 322 on file at the Nantucket Registry of Deeds. The site is zoned Residential One (R-1).

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

- 08-20 Nantucket Westmoor Farms, LLC (Appellant) 6 & 8 Old Westmoor Farm Rd. REQUEST TO WITHDRAW WITHOUT PREJUDICE
  Appellant brings an appeal, pursuant to M.G.L. c.40A, Sections 8 & 15 and Zoning By-law Sections 139-29.E and 139-31, of a decision by the Building Commissioner to issue a Cease and Desist Order alleging zoning violations. Appellant requests that the Zoning Board of Appeals reverse the Order and render a decision that the Appellant’s use of the property is in compliance with the Zoning By-law and consistent with the Planning Board’s July 2016 decision that special event uses on the property are not commercial in nature. Locus is situated at 6 & 8 Old Westmoor Farm Road, shown on Assessor’s Map 41 as Parcels 821 & 822, as Lot 22 upon Land Court Plan 13328-M and Lot 35 upon LCP 13328-N. Evidence of owner’s title is registered on Certificate of Title No. 21835 at the Nantucket County District of the Land Court. The site is zoned Residential Twenty (R-20).

- 15-20 Mark M. Dowley & Megan Wiesen Dowley, Tr., Megan Wiesen Dowley Revocable Trust 31 & 33 North Pasture Lane Dale
  Action Deadline November 11, 2020
  The Applicant is requesting Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-33.A(2) or, in the alternative, relief by Variance pursuant to Section 139-32, in order to extend the pre-existing, nonconforming ground cover. Specifically, Applicant requests permission to keep a 242 sq. ft. detached shed on the premises. The pre-existing nonconforming ground cover, including the shed, is approximately 5,539 sq. ft. for a ground cover ratio of 7.4% where 7% (5,233 sq. ft.) is maximum allowed by virtue of a Cluster Subdivision approval. Locus is situated at 31 & 33 North Pasture Lane, shown on Assessor’s Map 44 as Parcels 78 & 79, as Lots 18 & 19 upon Land Court Plan 5388-E. Evidence of owner’s title is registered on Certificate of Title No.s 27182 and 25285 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

- 16-20 David M. Bradt, Jr. & Diane Tipton Bradt, Tr., 123 Madaket Road Nominee Trust 123 Madaket Road Reade
  Action Deadline November 11, 2020
  The Applicant is requesting Special Permit relief pursuant to Zoning By-law Sections 139-30 and 139-33.A in order to alter the pre-existing, nonconforming ground cover. The pre-existing nonconforming ground cover is approximately 3,355 sq. ft. for a ground cover ratio of 4.12%
where 4% is maximum allowed. The ground cover of the altered dwelling structure would
decrease by 21 sq. ft. to roughly 3,334 sq. ft., for a reduced GCR of 4.09%. Locus is situated at
123 Madaket Road, shown on Assessor’s Map 40 as Parcel 60, as Lot 1 upon Land Court Plan
12324-B. Evidence of owner’s title is registered on Certificate of Title No. 21476 at the
Nantucket County District of the Land Court. The site is zoned Limited Use General 2 (LUG-2).

- 17-20 Robert C. Crowley, Jane P. Quirk, & William M. Quirk, Tr., John A. Confalone
1994 Revocable Trust 30 Cliff Road Brescher
Action Deadline November 11, 2020
The Applicant is requesting Special Permit relief pursuant to Zoning By-law Sections 139-30
and 139-33.A in order to alter the pre-existing, nonconforming dwelling on the pre-existing,
nonconforming lot. Applicant proposes to lift the structure in order to install a crawl space,
basement, and new foundation. As a result of the project, there will be a vertical extension
within the pre-existing nonconforming side yard setback, although there will be no change in
footprint. Locus, pre-existing nonconforming as to frontage, is situated at 30 Cliff Road shown
on Assessor’s Map 42.4.4 as Parcel 36, as Lot 2 upon Land Court Plan 15414-B. Evidence of
owner’s title is registered on Certificate of Title No. 19851 at the Nantucket County District of
the Land Court. The site is zoned Residential Old Historic (ROH).

VI. OTHER (VOTES MAY BE TAKEN)
- ELECTION OF OFFICERS (Chairman, Vice Chairman, and Clerk positions)
  CONTINUED TO SEPTEMBER 10, 2020

VII. ADJOURNMENT (VOTE WILL BE TAKEN)