

CITIZEN PETITION SUMMARY – LWS 120419

I – Zoning Map amendment from LUG-3 to SOH for 10 Ocean Avenue (east side of road). The parcel contains approximately 5,200 square feet of land and is currently pre-existing nonconforming. No additional lots could be created if this rezoning is approved.

S – Zoning Bylaw amendment to reduce the maximum allowed height in the CMI district from 40 feet to 30 feet. The increase in allowed height in the CMI district was approved at the 2018 ATM and the intent was to allow for more design flexibility and more usable interior space within the mid island area, where mixed use and affordable housing development has been encouraged through the adoption of numerous bylaw changes over the past decade. To date, no structures have been constructed taking advantage of the height increase, therefore opposition to the allowance seems premature. Further, the height allowance through zoning does not diminish the review or authority of the Historic District Commission to approve a lower structure height.

U – Zoning Map amendment from R-5 to CTEC for 3 properties on the west side of Maryanne Drive. This rezoning would extend the CTEC district north from its current terminus. CTEC would increase the minimum lot size, maintain the current ground cover allowance, and change the potential uses from exclusively residential to either multi-family residential, mixed use, or commercial.

X – Zoning Map amendment from R-10 to CN for a single parcel at 3 Cobble Court. This rezoning would extend the CN district west to this parcel, which contains approximately 15,000 square feet of area and a garage. The site abuts the CN district and is adjacent to other commercial uses including a medical clinic (dentist office) and a beauty salon. If this rezoning is approved, one new lot could be created (check plan to confirm frontage and area).

HH – Zoning Bylaw amendment to change the calculation for ground cover ratio. The purpose of this article is to reduce the ground cover allowance in all zoning districts by applying the allowed ground cover ratio ONLY to buildable area of a lot (meaning, the area of the lot within the required yard setbacks is excluded from the ground cover ratio calculation). Based on a preliminary review by staff, this change would present a variety of issues including, but not limited to the following:

- Ground cover ratio is currently a simple calculation based on the total lot area and the percentage of ground cover allowed in a district. This new methodology would require a surveyor to determine the exact ground cover allowed for a lot, placing a significant cost and time burden on a property owner.
- The effect of the ground cover reduction is fairly dramatic in all districts and would create many nonconformities, resulting in increased permitting requirements for any changes to either existing or proposed structures.

- Owners of properties may have invested with the intent of future improvements, which would no longer be possible and they would have no opportunity to make arrangements in advance of this change.

PP – Zoning Bylaw amendment to create a rural affordable development option. The purpose of this article is to create a new residential development option through the issuance of a special permit by the Planning Board for lots 120,000 square feet or larger in the LUG-2 and LUG-3 zoning districts. At least 50% of the newly created lots would be required to be subject to the Nantucket Housing Needs Covenant for either home ownership or rental. The market rate lot would be at least 40,000 square feet in area and the income restricted lot would be at least 20,000 square feet in area, with all lots being restricted to a single dwelling unit.

QQ – Zoning Bylaw amendment to restrict events in residential zoning districts. The purpose of this article is to add a new use “residential event facility” to the bylaw to regulate events meeting certain criteria within residential zoning districts. One event meeting the criteria outlined would be permitted for each property, and the second within a single calendar year would require the issuance of a special permit by the Planning Board. The restrictions on the use of tents have long been utilized to limit events in residential districts, however, those restrictions do not capture situations where there are contiguous properties in common ownership or where a tent is not required.

TT – Zoning Map amendment to rezone 3 properties on Driscoll Way from LUG-3 to LUG-1.

UU – Zoning Map amendment to rezone 8 properties on the north side of Polpis Road from VR to VN. The properties included in this article are primarily residential in character and they abut the LUG-1 district to the north. This rezoning would result in a reduction in the required minimum lot size from 20,000 square feet to 10,000 square feet, a reduction in required frontage from 100 feet to 50 feet, a reduction in front yard setback from 20 feet to 10 feet, and an increase in allowable ground cover ratio from 10% to 30%. If this rezoning is approved, new lots could potentially be created.

VV – Zoning Map amendment to rezone 25 Rugged Road from LUG-2 to R-20. The parcel is approximately 217,000 square feet in area and it contains a single family dwelling, a barn, and several outbuildings. If this rezoning is approved, approximately 8-9 additional lots could be created. The property is adjacent to the Beachplum Village 40B, which is developed at a density more consistent with R-5, and the R-20 district is located directly across Rugged Road and includes several neighborhoods developed at a density consistent with the R-20 standards.

XX – Zoning Bylaw amendment (and Home Rule Petition) to add a requirement for a liability waiver granted by the property owner in favor of the Town of Nantucket prior to the issuance of a building permit for construction on lots on “shorefront land” or within 300 feet of “shorefront land”. This article

was considered by the Planning Board for the 2016 ATM and it received a negative recommendation. Primarily, the Planning Board opposed the article because they determined that the applicability of the proposed Bylaw far exceeded the intended purpose, which was represented to be protecting the Town from damages created by construction in vulnerable coastal location. Some “shorefront land” or properties within 300 feet of “shorefront land” extends far inland to locations that are not subject to the same issues as land in close proximity to the coastal bank.

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