



# Nantucket Planning Board

**Nantucket Planning Board APPROVED Minutes  
Remote Participation via Zoom Webinar  
January 9, 2023 @ 4:00 PM**

**Board Members:** John Trudel, III (Chair)(Absent), David Iverson (Vice-Chair), Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Staff:** Andrew Vorce (Planning Director) (Absent), Leslie Snell (Deputy Director of Planning), Meg Trudel (Land Use Planner) and Catherine Ancero (Administrative Specialist)

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To view the meeting only, see link below:

<https://www.youtube.com/watch?v=L8VDdYXTCGg>

## **I. Call to order:**

Acting-Chair Iverson called the meeting to order at 4:01PM.

### **Roll call of those participating:**

#### **Board members:**

Barry Rector *Aye*

Carl Borchert *Aye*

Abby De Molina *Aye*

Nat Lowell *Aye*

Stephen Welch *Aye*

Joseph Topham *Aye*

Vice- Chair Iverson *Aye*

#### **Staff:**

Meg Trudel *Aye*

Leslie Snell *Aye*

Catherine Ancero *Aye*

## **II. Approval of the agenda:**

Mr. Rector moved to approve the agenda. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 4-0.

#### **Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Chair Iverson *Aye*

### III. Minutes:

- December 12, 2022, *continued*
- November 14, 2022

Mr. Rector moved to approve the minutes of November 14<sup>th</sup>. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 4-0.

#### Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting-Chair Iverson *Aye*

### IV. Secondary Dwellings:

- Georgi Dimov – 3 Miles Court
- Nantucket 16 Quaker Project, LLC – portion of 14 Quaker Road and a portion of 22 Vestal Street
- P.S. & O.S., LLC – 105 Surfside Road
- John Buttrick, et al – 26 Warren’s Landing
- Graham Burton & Luann Burton – 55 Meadow View Drive
- Chris & Ashley Austin – Lot 7 Maple Lane

### V. Tertiary Dwellings:

- 16 Monohansett Trust, Todd Winship & Claire Winship, Trustees – 16 Monhansett Road

### VI. ANR

- Nantucket 16 Quaker Project, LLC & Nantucket 22 Vestal Project, LLC – 14 Quaker Road & 22 Vestal Street
- 5 Orange Street, LLC – 5 Orange Street
- Christopher J. Holdgate – 3 Rosebud Lane
- Town of Nantucket – Morgan Square

**Motion/Vote:** Mr. Rector moved to approve all the secondary dwellings listed above except for 14 Quaker Road and a portion of 22 Vestal Street and 50 Madequecham Valley Road, all the ANR’s listed above except for 14 Quaker Road and 22 Vestal Street and 11 Pilgrim Road and approve the tertiary dwelling in accordance with the recommendations outlined in the staff report. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

#### Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Vice- Chair Iverson *Aye*

### Second Dwellings:

- **William Waldorf – 50 Madequecham Valley Road**

Mrs. Trudel stated that this is an application for a second dwelling. Mrs. Trudel provided a little history of the property. Mrs. Trudel stated that the Board’s scope of review is typically limited to the adequacy of access. Madequecham Valley Road is a very long dirt road and in the past previous applications has been given a little extra layer of review. There has been addition of water fire hydrants it is for Board scope of review is limited to adequacy accesses. Ms. Williams stated that the Board should have received the memo today about the road being wide and graded. The Owner has taken upon himself to grade the road at least three to four times a year. Mrs. Snell stated that the Board must make sure there is adequacy of the access for the owner to be able to

drive to their house, emergency vehicles be able to locate house. Staff feels that if they are going to give a recommendation staff would recommend not to approve it. Mr. Topham stated that it is one of the best maintained roads.

**Motion/Vote:** Mr. Rector moved to approve the application with the conditions of the Owner forming an Association is directly related to road maintenance only by a date, in accordance with the recommendations and conditions outlined in the staff report road maintenance only. The motion was duly seconded by Mr. Topham and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Joseph Topham *Aye*

Nat Lowell *Aye*

Acting - Chair Iverson *Aye*

**VII. Previous Plans:**

- **Nanhumacke Preserve**, *request for partial Performance Security release*

A few line items of infrastructure to complete as part of their final lot release. They created a Performance Security account. They have completed the final paving. They are requesting for the funding for that to be released, \$88,000.00 is what was allocated and that is the amount that staff recommends that the Board approve to release. Mr. Pesce has inspected the roadway and agreed that everything is complete.

**Motion/Vote:** Mr. Rector moved to approve the release of the funding. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting - Chair Iverson *Aye*

- **Birdsong Lane Subdivision**, *request for Form J and creation of Performance Security Acct*

Mrs. Trudel stated that this is small two lot subdivision and they are requesting the release of their second and final lot in exchange for putting up funding to complete roadway and infrastructure improvements. There was an estimate submitted to the contractor and the amount is \$94,800 and staff recommends that if the Applicant submits a check to that amount to create the account that you would all endorse.

**Motion/Vote:** Mr. Rector moved to endorse the Form J with the requirement that the Performance Security deposit as stated. The motion was duly seconded by Mr. Topham and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Joseph Topham *Aye*

Nat Lowell *Aye*

Acting-Chair Iverson *Aye*

- **Bittersweet Lane Subdivision**, *request for extension of submission of plans and legal documents*

The Applicant is asking for an extension of submission for their final plans and legal documents for ninety (90) days and they have submitted a draft legal document for staff to review. Staff anticipate that the final version will be submitted for endorsement at the next meeting or the following meeting. Paul Santos the Surveyor and engineer has been back and forth with Ed Pesci and with the Fire Department with some minor changes, which will be addressed in the coming months to have the final plans submitted for signatures. Staff supports the request.

**Motion/Vote:** Mr. Rector moved to approve the extension for ninety (90) days. The motion was duly

seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting-Chair Iverson *Aye*

**VIII. Preliminary Plans**

• **John J. Calnan, Trustee – John J. Calnan 2015 Trust - 21 Brewster Road**

**Voting:** (Chair) John Trudel (Absent), Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** None

**Representing:** Attorney Arthur Reade

**Discussion:** Attorney Reade stated that his client owns a corridor of land that runs right through Don Allen Motors parking area that comes out of Polpis Road. Attorney Reade gave a brief history of the property. The proposal is to divide the property into three lots, which one of the lot is now accessed from Brewster Road and could continue to be and the other two lots their access coming in from the corridor roadway coming from Polpis Road. Attorney Reade stated that they have been negotiating with Don Allen Ford about the situation and proposed to them a boundary line adjustment which would result in conveying of land to them in exchange for a piece that would abut the State Forest property, enabling a roadway to come in from there slightly smaller parcel. The negotiations on that fell apart and Don Allen Ford indicated that they are not at this time interested in discussing it so they are before the Planning Board for a preliminary plan to come in with the construction of a roadway within the corridor coming out to the main part of 21 Brewster Road property with a turning circle. Acting-Chair Iverson asked how long ago the negotiation with Don Allen fell apart. Attorney Reade stated within the last year. Mr. Lowell stated that this is the craziest thing he's seen so far this year. Attorney Reade stated that this plan meets all the necessary requirements. Mr. Topham stated understands why he is here. Mr. Rector questioned the existing driveway coming off from Brewster Road. Mr. Rector stated that they are going to have to get Don Allen to clear out all of the cars to have some type of appropriate roadway running through. Mr. Rector asked if there will be any restrictions. Attorney Reade stated that he doesn't see any reason for any restrictions at this time. Mr. Rector asked if there is any thought of improvements for Polis Road or Brewster Road. Attorney Reade stated that they would not be using Brewster Road for access, Polpis Road is a county way no need for change to it. Mr. Rector asked if Brewster Road would be abandoned. Acting-Chair Iverson stated that he is hoping that Don Allen would come back to the table with the Applicant, it would be best for everyone involved. Mr. Rector expressed concern with Brewster Road as access. Mrs. Trudel stated that she did a bit of research on the history of the plan where the two lots were divided was in 1965. Don Allen does have rights to access the proposed roadway to travel to public roads that dates to Deeds dating to the 1960's. Mr. Topham stated that the proposal for the roadway says it's going to have a 12-inch Cape Cod berm, Don Allen will not be able to have access to it at all.

**Motion/Vote:** Mr. Rector moved to authorize staff to draft an approval letter for this preliminary plan. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting -Chair Iverson *Aye*

**IX. Public Hearings (Applications):**

- **Leslie Linsley, 39 Union Street, action deadline 04-28-2023**

***REQUEST TO CONTINUE***

- **The Westmoor Club, 105 W. Chester Street, 109 W. Chester Street & 10 Westmoor Lane, action deadline 03-**

12-2023

**REQUEST TO CONTINUE**

- **Vilma Merlos, 3 Celtic Drive, action deadline 03-12-2023**

**REQUEST TO CONTINUE**

- **ACK Mid Island, LLC & ACK Offices, LLC, 18, 18A, 20, 22, 24 & 26 Sparks Avenue, action deadline 03-31-2023**

**REQUEST TO CONTINUE**

- **Fair City LLC – 115 & 117 Old South Road, action deadline 04-28-2023**

**REQUEST TO CONTINUE**

- **“Sandpiper Place I” Beach Grass 43 ACK, LLC – 43 Beach Grass, action deadline 04-28-2023**
- **“Sandpiper Place II” Nantucket Property Owner, LLC – 24 Honeysuckle Drive, action deadline 04-28-2023**

Mrs. Snell stated that she heard from Attorney Beaudette during the meeting, and he requested to have Sandpiper Place I and II be continued to the February meeting.

**Motion/Vote:** Mr. Rector moved to accept the continuance listed above for the February meeting. The motion was duly seconded by Mr. Topham and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Joseph Topham *Aye*

Nat Lowell *Aye*

Acting -Chair Iverson *Aye*

- **39 West Miacomet Road, LLC – 39 W. Miacomet Road, action deadline 04-09-2023**

**Voting:** (Chair) John Trudel (Absent), Acting-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** Carl Borchert

**Representing:** Attorney Whitney Gifford

**Discussion:** Attorney Gifford gave a brief overview of the application. Acting- Chair Iverson confirmed that all the expansions are already in the disturbed area and that there will be no expansion of landscaping beyond that. Acting-Chair Iverson opened the floor to the public. Emily Molden from Nantucket Land Council, it occurred to her in looking at the Bylaw provisions under the Moorlands Management District that there is some discussion about the Planning Board ability to condition limitations on landscaping. She questioned that in future expansion of the lawn area, would that come under the Planning Board purview or need to be reviewed by the Planning Board. Ms. Molden asked if the Board would consider if there's a request for expansion of the structural elements of a property in the Moorland Management district to condition with some future limitations on expansion of the lawn area or landscaping into the natural areas. Mrs. Trudel stated that her understanding is that you're not to touch any of the undisturbed area without permission from the Planning Board as part of the Special Permit.

**Motion/Vote:** Mr. Lowell moved to close the public hearing. The motion was duly seconded by Mr. Topham and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Joseph Topham *Aye*

Barry Rector *Aye*

Acting-Chair Iverson *Aye*

**Motion/Vote:** Mr. Lowell moved to approve the application with the following findings and conditions

outlined in the staff report. The motion was duly seconded by Mr. Topham and the motion carried unanimously 5-0.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Joseph Topham *Aye*

Carl Borchert *Aye*

Barry Rector *Aye*

Acting -Chair Iverson *Aye*

- **ACK Skibo Nominee Trust, Lester E. Lipschutz, Trustee – 9 Madaket Road, *action deadline 04-28-2022***

**Voting:** (Chair) John Trudel (Absent), Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** None

**Representing:** Dan Mulloy

**Discussion:** Mr. Mulloy gave an update. The applicant reviewed the drainage issue and have now placed a drainage system for the proposed road, and they are proposing that each lot be required to install a roof terrain system. The grade will change for the roadway driveway reconstruction. Mr. Lowell stated no berm on road, has not been mentioned. Ed Pesce has already reviewed had some minor comments. The abutters had concerns with the density, number of buildings. The Applicant is proposing to restrict one of the lots to no second dwellings. They have not determined which of the lot. Prior to a building permit the Applicant will provide which of the lot will be restricted to no second dwellings. Acting-Chair Iverson opened the floor to the public. Mr. Lowell stated that it would be nice to know which of the lot is restricted from second dwelling before making a vote. Mr. Lowell stated that water is a big issue running through, making sure correct berms are in place. Acting Chair Iverson concerned the trees, grade, and what the impact will be in the neighborhood. Mr. Welch stated that an accessory dwelling would still be viable if it's not restricted and possibly a garage apartment. Mrs. Trudel stated that no tertiary dwellings and no covenant lots allowed. Mr. Welch believes that R-1 can have duplex. Mrs. Trudel stated that R-1 can have duplex however needs to be singular ownership. Attorney Arthur Reade stated that this is not a subdividable property and that this application should be denied under the Rules and Regulations governing the subdivision of land for the width and layout of the road must be forty (40) feet, the minimum curb cut radius at the street intersection must be fifteen (15) feet and has no ability to provide a turning radius because the Owner does not own the land on either side as it abuts Madaket Road. The width of the layout of the road should be 40 feet and the minimum width of the road should be 15. No ability a turning radius. Emily Molden with the Nantucket Land Council, echoes Attorney Reade's concerns. Ms. Molden stated that this property does not meet the requirements for the roadway and agreed that it is not subdividable. Also, she would like to see both lots restricted. Mr. Mulloy stated that the intent is for a single family residential, no duplexes, with a second dwelling in one lot single family house with a garage and restricting no second dwellings on the other lots. The Applicant is fixing existing drainage problems and the density consistent with the neighborhood abutting lots. Patrick McEvoy stated that they believe this lot is undividable and that the Owners has not reached out to him. Mr. McEvoy expressed traffic safety concern.

**Motion/Vote:** Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting-Chair Iverson *Aye*

**Motion/Vote:** Mr. Rector moved to approve as submitted with the with the following findings and conditions

outlined in the staff report and add condition number 9 that Lot 2 with no second dwellings.

Mr. Lowell wanted a condition number 10 added regarding the water component and containment of the site that there will be no disturbance to create flooding during construction. Mr. Mulloy stated that they could do a site meeting, preconstruction meetings.

The motion was duly seconded by Mr. Lowell and the motion carried 3-1 with Acting-Chair Iverson not in favor.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting-Chair Iverson *Nay*

• **Nantucket Island Resorts, LLC – 98 Old South Road, action deadline 03-12-2023**

**Voting:** (Chair) John Trudel (Absent), Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** Abby De Molina

**Representing:** Attorney Rick Beaudette and Geoff Smith

**Discussion:** Attorney Beaudette gave a brief overview of the application. Acting-Chair Iverson expressed concern with the access due to density. Attorney Beaudette stated that it is to be contained within the site. Mr. Lowell asked if they move people around because they have a lot of vans. Attorney Beaudette stated that he is not sure but it's a good question. Acting-Chair Iverson opened the floor to the public. Jenn Iller an abutter expressed safety issues. Mrs. Iller stated that she is in support and the need of employee housing however additional eighteen (18) people is concerning. Mrs. Iller stated that the plan doesn't demonstrate the increase of traffic on Cardinal Way, doesn't show the traffic surveys or evaluations or demonstrate the proper entrance of how the employees should be entering and exiting Cardinal Way, which should not be through Pine Crest Drive. Mrs. Iller stated that they are adding a lot of density to a small area and would like to request a traffic evaluation for Cardinal Way for safety purposes and would like to see a lighting plan, and more solid fencing to block the lighting and consider a reduction in the number of bedrooms. Paula McQuaid stated that she wants to re-enforce what Jen just said and would like to thank Leslie and Megan for meeting with them in December. Ms. McQuaid expressed concern with the easement that is off Pine Crest Drive onto Cardinal Court would like to have looked at and concern with fire truck getting though with parked cars on the side. Mrs. Iller stated that there needs to be a designated parking spaces for 18 employees. Mrs. Trudel stated that it is appropriate to add screening as a condition. Mrs. Trudel stated that there was a misinterpretation of the bylaw, what it says is those at the residential zoning districts there shall be no more than two lots within a thousand-foot radius, this is not located within one of these districts so the 1000-foot radius rule there does not apply. Attorney Beaudette Jen brought out some good issues, no problem for screening, do have lighting plan. Attorney Beaudette stated that the purpose of the easements is because the lots are not allowed to be accessed from Old South Road. Geoff Smith, Owner of 98 Old South Road gave a brief history of the property. Mr. Smith stated that he is okay with 98 Old South Road not accessing Pine Crest Drive and having it placed as a condition. Mrs. Iller asked that planting be restored to block that off.

**Motion/Vote:** Mr. Lowell moved to close the public hearing. The motion was duly seconded by Mr. Topham and the carried unanimously 4-0 in favor.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Joseph Topham *Aye*

Barry Rector *Aye*

Acting-Chair Iverson *Aye*

Mr. Topham expressed concern with parking should it ever be sold. Mr. Welch stated that this application

should apply special conditions due to it being next door to other property such conditions that should be looked at are overnight guests in the house should be closing guest at 9:00PM and none before 7:00AM and having a place for people to be outdoors to kind of congregate. There was a brief discussion of having condition be in place for. Mr. Rector questioned if there is legal access. Acting-Chair Iverson suggested adding to the management plan to let employees know regarding access where to enter and leave the property. Mr. Welch suggesting making a one way. Mr. Borchert stated that he appreciates the effort NIR providing employee housing and reminding of the horror stories of people living in illegal basements.

**Motion/Vote:** Mr. Lowell moved to approve the application with the following findings and conditions outlined in the staff report. Condition number four and five be added. The management plan be adjusted for condition number 6 that the hours be between 10:00PM to 7:00AM, and that the Special Permit only applies to NIR due to future owner change would need to come back to Panning Board. Also, to add the five additional parking spaces if need be. The motion was duly seconded by Mr. Rector and the motion carried unanimously 5-0.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Barry Rector *Aye*

Joseph Topham *Aye*

Abby De Molina *Aye*

Acting-Chair Iverson *Aye*

• **Nantucket 16 Quaker Project, LLC – 16 Quaker Road (a portion of 14 Quaker Road & 22 Vestal Street), *action deadline 04-09-2023***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** Stephen Welch

**Representing:** Linda Williams

**Discussion:** Ms. Williams corrected that there was an error on the staff report. The cottage is moving from 22 Vestal Street to what is going to become 16 Quaker Road. Ms. Williams gave a brief overview of the application. The lot lines were adjusted earlier in the meeting through an ANR process. Mr. Lowell asked that everything that is being moved is existing. Ms. Williams said yes. Mr. Rector expressed concern with the driveway. Ms. Williams stated that they are forbidden of backing out, they will have to use the turnaround to get out. Mr. Welch appreciated that the small structures are being retained. Acting-Chair Iverson stated that the Board received a couple of letters that was against the project from Mr. Platt and Maureen McAllister. Acting-Chair Iverson spoke with Mr. Platt before the meeting and since then he wrote another letter and Acting-Chair Iverson asked to put up on the screen for Board members to read for the record. Acting-Chair Iverson opened the floor to the public. Michael Angelastro stated that there is no reason to waive the 20% differential and the proposed parking is an issue. Mr. Angelastro feels that they don't need a special permit could solve themselves. Mr. Welch not familiar with the property questioned why relocating the access the way it is. Ms. Williams stated that they have tried every angle and that this was the only way it would work. Acting-Chair Iverson stated that.

the driveway is not perfect, but it serves its purpose. Mrs. Snell stated that this is a modest application. Mr. Angelastro stated that the Board reviews the safety and suggest doing a site view.

**Motion/Vote:** Mr. Rector moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 5-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*



Acting -Chair Iverson *Aye*

**Motion/Vote:** Mr. Welch moved to approve the application with the following findings and conditions outlined in the staff report. The motion was duly seconded by Mr. Topham and the motion carried unanimously 5-0.

**Vote taken by Roll Call:**

Stephen Welch *Aye*

Joseph Topham *Aye*

Barry Rector *Aye*

Nat Lowell *Aye*

Acting - Chair Iverson *Aye*

**Second Dwellings:**

- **Nantucket 16 Quaker Project, LLC – portion of 14 Quaker Road and a portion of 22 Vestal Street**

**Motion/Vote:** Mr. Rector moved to approve the second dwelling application in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

Acting-Chair Iverson *Aye*

- **Theodore A. Lee – 39 Fair Street, *action deadline 04-09-2023***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Barry Rector and Joseph Topham

**Alternates:** Stephen Welch, Carl Borchert and Abby De Molina

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Activated:** None

**Representing:** Attorney Rick Beaudette

**Discussion:** Attorney Beaudette gave a brief overview of the application. Acting-Chair Iverson opened the floor to the public. Ken Beaugrand stated that the Cattle Court is a public road and not a private road. Mr. Beaugrand suggest that the application be denied. Aleks Istanbulu expressed concern with the two parking spaces that is in front of his house. Campbell Sutton concern the increase of curb cuts going over the sidewalks. Acting-Chair Iverson stated that the HDC has approved the curb cut, they are historically conscience and if they are ok with it then he would side with them. Acting-Chair Iverson stated that he is concern with the width and if will lose a parking spot.

**Motion/Vote:** Mr. Topham moved to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion carried unanimously 4-0.

**Vote taken by Roll Call:**

Joseph Topham *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Acting -Chair Iverson *Aye*

**Motion/Vote:** Mr. Lowell moved to approve the application with the following findings and conditions

outlined in the staff report and that the curving slightly raised from the street. The motion was duly seconded by Mr. Borchert and the motion carried unanimously 5-0.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Carl Borchert *Aye*

Barry Rector *Aye*

Joseph Topham *Aye*

Acting -Chair Iverson *Aye*

**X. Public Comment for items not listed on the agenda**

There was no public comment.

**XI. Other Business:**

• **Additional Planning Board Sponsored Warrant Article Concepts for ATM 2023**

○ **Rachel Drive & South Shore Road**

Acting-Chair Iverson recused and will not return from the meeting due to being an abutter (Acting-Chair Iverson left meeting at 7:48PM). Mr. Lowell will be the Acting-Chairman. This is a discussion amongst the Board. Mrs. Snell stated that the property owners the Viscos are requesting that the Board sponsor this article on their behalf because they missed the deadline for citizen petition, the warrant is set to be adopted by the Select Board next week or possibly the following week. The Select Board prefers that they do not want to be introduced with a new concept at the end unless it's something really pressing. The Planning Board has an option to not sponsor it right now due to it being at the last minute or to have them submit it as a citizen petition at a future Town Meeting. The proposal would be going from LUG-1 to VR, which VR is consistent with the Town and Country Overlay district. Mr. Rector stated that if they are going to advance this concept before the Select Board it would be the current three Board members sitting to move ahead. Mr. Topham stated that he doesn't want to rush with this, it might have an impact and cause more problems. Mr. Rector stated that when the Board proposed things, they look into how it's going to affect the area whether there's potential subdivision involved, how is it affected in terms of whether there's sewer, water or if it's septic. Mr. Rector would like to see them resubmit this with them having discussion with Planning staff and be able to articulate what it is they are proposing. Mrs. Snell stated that it sounds like the Board is not inclined to sponsor this article for them at this time will need more information and not have the Select Board put it on the warrant. Mr. Welch stated that he agrees with the discussion that the Board had and that there could be tools that could be used to accomplish. Ms. De Molina stated that the Board needs more information, need to have a full understanding of exactly what they are asking and need to analyze once all the information is available. Mr. Borchert stated that we need to prepare a case and not rush into this. Mrs. Snell stated that the consensus is fine and no need to vote that it is obvious.

- **Planning Board special meeting – Thursday, January 12, 2023, at 4pm via Zoom**
- **Planning Board special meeting – Thursday, January 26, 2023, at 4pm via Zoom**
- **Planning Board special meeting – Thursday, February 9, 2023, at 4pm via Zoom**
- **Planning Board regular meeting – Monday, February 13, 2023, at 4pm via Zoom**
- **Planning Board special meeting – Thursday, March 9, 2023, at 4pm via Zoom**

Mrs. Trudel stated that the alternates can attend these special meetings and will include on the panelists list however not required to be there. The five Board members can vote, alternates cannot be activated.

**XI. Adjournment:**

Mr. Rector moved to adjourn the meeting at 8:22PM. The motion was duly seconded by Mr. Topham and the motion was carried unanimously 3-0.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Joseph Topham *Aye*

