

Exhibit 3-A

PB



Nantucket Planning Board

SPECIAL PERMIT DECISION WITH (MAJOR) SITE PLAN REVIEW (SPR)

“MEADOWS II” WORKFORCE RENTAL HOUSING DEVELOPMENT PROJECT

20 Davkim Lane and 20(R) Davkim Lane

Planning Board File # 40-16

Owner / Applicant: Richmond Great Point Development LLC

Nantucket Tax Assessors Map and Parcels:

Map 68, Parcel 57 (20 Davkim Lane), and Map 68, Parcel 56.1 (20(R) Davkim Lane)

Nantucket Registry District Title:

Lot 184 on Land Court Plan 16514-Z (Certificate of Title 24872) (20 Davkim Lane)
Lot 206 on Land Court Plan 16514-7 (Certificate of Title 24872) (20(R) Davkim Lane)

Applicable Zoning:

Commercial Neighborhood (CN) Zoning District - Eligible for the “Workforce Rental Community Maximum Dwelling Unit Allowance” Under Zoning Bylaw Section 139-8(D)

February 23, 2017

Project Overview:

The Planning Board of the Town of Nantucket held public hearings to consider a request by Richmond Great Point Development LLC (as Owner / Applicant) for the issuance of a Special Permit, requiring (Major) Site Plan Review, to allow for the development of eight (8) contiguous workforce rental housing communities. The project, to be known as “Meadows II”, will capitalize on an opportunity to enhance an underutilized and blighted site.

Meadows II is comprised of the development of a cumulative total of two hundred and twenty-five (225) rental apartment units, including a total of +/- 200,000 gross square feet of floor area, to be developed in thirty-eight (38) individual two-story “garden” style apartment buildings configured in a master-planned “campus” style setting, integrated with connecting roadways, parking, open space areas, pedestrian / bicycle paths, and landscaping, along with one (1) free-standing management office and maintenance building, all of which will be located on a +/- 14.7 acre sized site, located off of Davkim Lane. Twenty-five percent (25%) of the total units, or fifty-six (56) units, will be affordable to tenants who qualify under the household income limits of eighty percent (80%) or less of the Area Median Income (AMI).

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TOWN CLERK

The special permit application was filed and has been reviewed pursuant to the following sections of the Town of Nantucket Zoning Bylaw: Section 139-2 (Definitions and Word Usage); Section 139-3(A) (Districts Enumerated); Section 139-7(A) (Use Chart); Section 139-8(D) (Residential Development Options); Section 139-30 (Special Permits); Section 139-23(B)(2) (Major Site Plan Review); and Section 139-18(D) Off Street Parking Requirements.

The subject property is also located within the Town Overlay District (TOD) as described in Section 139-12E of the Zoning Bylaw and the Public Wellhead Recharge (PWR) Overlay District and, as such, any future development within the subject property / subdivision must comply with the provisions of Section 139-12(B) of the Zoning Bylaw (including the requirement that “all land uses, buildings, and accessory structures, that result in rendering impervious more than 15% or 2,500 square feet of any lot, whichever is greater” shall be prohibited “unless a system for artificial recharge of 95% of annual precipitation is provided that will not result in the degradation of groundwater quality”).

The Planning Board notes that a Definitive Subdivision Plan (AR) (Planning Board File # 8013) creating the underlying lots for this Special Permit was approved on January 26, 2017. The special permit application was filed and reviewed by the Planning Board for consistency with the Zoning Bylaw, particularly with the workforce rental community provisions of Section 139-8(D).

Project Description:

The Meadows II project implements the zoning initiative approved in Article # 2 of the November 9, 2015 Special Town Meeting, the provisions of which were subsequently codified as Section 139-8(D) (Residential Development Options) of the Zoning Bylaw.

The primary provisions of this workforce rental community initiative are comprised of the opportunity for a prospective development to be eligible for a thirty-three percent (33%) dwelling unit density bonus, above the maximum baseline dwelling unit density set forth in the underlying zoning (up to a maximum total of thirty-two (32) units per lot, as opposed to a maximum total of up to twenty-four (24) units per lot) if the prospective development reserves at least twenty-five percent (25%) of the total number of rental apartments (inclusive of the rental apartments achieved through the density bonus allowance) to be leased to tenants who qualify under the income limits and at rents that meet the local affordable housing thresholds, as established in the zoning.

In addition to the dwelling unit density bonus provision, development projects which qualify under this zoning initiative may, subject to the discretion of the Planning Board, be permitted additional relief with respect to the minimum required setbacks, and minimum required regularity factor criteria, provided the proposed project meeting the affordability requirements, in accordance with the Zoning Bylaw.

The proposed project will offer a mix / range of studio units, one bedroom units, two bedroom units, and three bedroom units.

**Meadows II Workforce Rental Community Development Project
Proposed Unit Mix**

Unit Types	Number of Units (Per Type)	Percentage of All Units (Per Type)	Total Number of Bedrooms
Studio (S) Units	17	8 %	17
One (1) Bedroom Units	89	39 %	89
Two (2) Bedroom Units	97	43 %	194
Three (3) Bedroom Units	22	10 %	66
Subtotal	225 Units	100 %	366

As indicated, the proposed project will have a cumulative total of two hundred and twenty-five (225) rental apartment units. Under the applicable zoning, a maximum cumulative total of two hundred and fifty-six (256) units could be developed (a maximum of 32 units in each of the 8 distinct qualifying workforce rental community lots). As a result, the project, as proposed, will be developed at a density that has, in the aggregate, thirty-one (31) fewer units, or approximately twelve percent (12%) fewer units, when compared to the maximum number permitted under the applicable zoning.

Based on the preliminary unit mix described above, the proposed project will have a cumulative total of three hundred and sixty-one (361) bedrooms, which is equal to a bedroom per unit ratio of 1.60 bedrooms per unit. Under the applicable zoning, a maximum cumulative total of four hundred and fifty-six (456) bedrooms could be developed (a maximum of 57 bedrooms in each of the 8 distinct qualifying workforce rental community lots). As a result, the project, as proposed, will be developed at a density that has ninety-five (95) fewer bedrooms, or approximately twenty-one percent (21%) fewer bedrooms, when compared to the maximum number of possible bedrooms permitted under the applicable zoning.

Based on the building configuration and building layouts shown on the proposed plans, as referenced herein, which is comprised of thirty-eight (38) individual buildings, the proposed project will have a total ground cover of +/- 100,000 square feet, generating an overall ground cover ratio of approximately seventeen percent (17%) (this is based on the cumulative net land area of the proposed project site, equal to +/- 13.2 acres, excluding subdivision rights-of-way and other ways serving the project).

Under the applicable zoning, a maximum of +/- 287,500 square feet could be developed, equal to the maximum ground cover of fifty percent (50%). As a result, the project, as proposed, will be developed at a density that has +/- 187,500 square feet less ground cover, or approximately sixty-five percent (65%) less ground cover than the maximum ground cover permitted under the applicable zoning. The ground cover ratios and the compliance of each of the eight (8) distinct workforce rental housing community lots are similarly below the maximum permitted thresholds (as shown on the spreadsheet attached as Exhibit A to this Decision).

Summary of Applicable Affordable Housing Provisions

An increment of seventy percent (70%) of the fifty-six (56) total affordable units within the proposed project, equal to an increment of thirty-nine (39) of the affordable units, the maximum increment allowed under state law, will be leased to tenants who qualify for the “local preference” including individuals who are: (1) current local residents, (2) current municipal employees, (3) employees of any local private businesses, and (4) non-resident households with children attending local schools.

Accordingly, as a result of the designation of the twenty-five percent (25%) increment of the total number of affordable units, all of the (225) units to be developed within the project will be eligible to qualify as Local Approval Units (LAU’s) under the Local Initiative Program (LIP) for inclusion on the Subsidized Housing Inventory (SHI) of the Town of Nantucket as such programs are administered and as such inventory is maintained by the Commonwealth of Massachusetts Department of Housing Community Development (DHCD), a status that is particularly important in the Town’s objective of achieving a greater supply of affordable housing within the community.

Basis of the Findings:

The Planning Board based its decision after considering the following documents:

- A “*Memorandum of Agreement*” dated November 9, 2015 between Richmond Great Point Development LLC and the Town of Nantucket Board of Selectmen.
- An “*Application for a Special Permit*” form, dated June 13, 2016 (and as time stamped as received by the Town of Nantucket Town Clerk and the Town of Nantucket Planning and Land Use Services (PLUS) Department on June 15, 2016).
- A cover letter including a variety of detailed project description and technical information entitled “*Submittal of Application for Special Permit (Workforce Rental Community)*” dated June 10, 2016 (and as time stamped as received by the Town of Nantucket Town Clerk and the Town of Nantucket Planning and Land Use Services (PLUS) Department on June 15, 2016).
- A plan set entitled *Definitive Subdivision Plan, “Sandpiper Place” Single Family Homeownership Project* as prepared by Green Seal Environmental, Inc., dated August 3, 2016, depicting the subdivision of the lots along with the applicable / customary notes and details (totaling 31 sheets).

- A plan set entitled Definitive Subdivision Plan, "Sandpiper Place" Single Family Homeownership Project as prepared by Bohler Engineering, dated December 5, 2016, depicting the subdivision of the lots along with the applicable / customary notes and details (totaling 31 sheets) (this superseded the plan set described above, prepared by Green Seal Environmental, Inc., dated August 3, 2016).
- The "Master Plan" Richmond Great Point Development LLC Old South Road Properties Nantucket MA (multiple revisions, with most recent revision dated January 26, 2017), prepared by Bohler Engineering (Exhibit - Plan / 1 Sheet).
- The "Potential Roadway Categorization Exhibit" (Exhibit) Richmond Great Point Development LLC Old South Road Properties Nantucket MA, dated January 9, 2017, prepared by Bohler Engineering (Exhibit - Plan / 1 Sheet).
- The "Typical Roadway Section" (Exhibit) Richmond Great Point Development LLC Old South Road Properties Nantucket MA, dated January 9, 2017, prepared by Bohler Engineering (Exhibit - Plan / 1 Sheet).
- The "Traffic Impact and Access Study" Old South Road Mixed-Use Development Nantucket, Massachusetts, dated August 26, 2016, prepared by Ron Muller & Associates (Including Various Conceptual Design Plans), the "Peer Review" (Letter) Old South Road Mixed-Use Development Nantucket, Massachusetts, dated October 21, 2016, prepared by Tetra Tech, the "Response to Traffic Peer Review Comments" (Including Various Updated Conceptual Design Plans) Old South Road Mixed-Use Development Nantucket, Massachusetts, dated January 12, 2017, prepared by Ron Muller & Associates, and the "Peer Review (2nd Letter)" (Letter) Old South Road Mixed-Use Development Nantucket, Massachusetts, dated February 7, 2017, prepared by Tetra Tech.
- The "Supplemental Trip Generation and Traffic Impact Sensitivity Analysis" Prospective Development of Accessory, Secondary, Tertiary, or Duplex Dwellings Proposed "Sandpiper Place" Single Family Housing Subdivisions, Nantucket MA, dated January 17, 2017, prepared by Ron Muller & Associates, and the "Trip Generation Request" (Letter) Old South Road Mixed-Use Development Nantucket, Massachusetts, dated January 25, 2017, prepared by Tetra Tech.
- The "Fiscal Impact Analysis" Meadows II and Sandpiper Place Development Project, Nantucket Massachusetts, dated September 21, 2016, prepared by Connery Associates, and the "Review of Sandpiper Place, Meadows II Fiscal Impact Analysis", dated January 25, 2017, prepared by RKG Associates, Inc.
- The technical review and comments and input provided to the owner / applicant at a series of three "coordinated review meetings" conducted on July 5, 2016, October 2, 2016, and December 20, 2016 by the Nantucket Planning and Land Use (PLUS) Department staff with input provided by staff representatives of other Town departments (including, but not limited to the: Nantucket Department of Public Works, Nantucket Fire Department, Nantucket Police Department, Nantucket Health Department, and the Nantucket Department of Natural Resources).

- Assorted correspondence and documents that are on file with the Planning Board, File # 40-16

In addition, the Planning Board considered Representation, testimony, and correspondence received and made part of the record in connection with the public hearings held by the Planning Board on July 11, 2016, August 8, 2016, August 25, 2016, September 12, 2016, September 28, 2016, October 13, 2016, October 27, 2016, November 14, 2016, January 9, 2017, January 19, 2017, January 26, 2017, February 2, 2017, February 13, 2017, February 16, 2017, and February 23, 2017. Minutes of these meetings are on file with the Planning Board.

Findings:

Based on its review of the application in accordance with the Zoning Act (MGL c. 40A), the Zoning Bylaw, the above-referenced documents, plans, and other materials submitted by the Applicant, et al., and the testimony received at the public hearings, the Planning Board find that:

- a. The proposed development is consistent with the provisions of The Zoning Act of the Commonwealth of Massachusetts (MGL c. 40A) and the Zoning Bylaw of the Town of Nantucket (Ch. 139).
- b. The development provides a greater diversity of housing opportunities to residents in fulfillment of the objectives cited in the Nantucket Master Plan, as adopted by Article 26 at the 2009 Annual Town Meeting.
- c. The residential dwelling / Apartment Building use, and the structures proposed for development are in harmony with the general purpose and intent of Article # 2 as approved at the November 9, 2015 Special Town Meeting and Section 139-8D of the Zoning Bylaw incentivizing the creation of workforce and affordable rental housing opportunities.
- d. Implementation of the development will create a compact neighborhood having consistency and flexibility in its layout and design, proximate to compatible adjacent commercial uses for the convenience of its occupants.
- e. The eight (8) individual lots comply with the workforce rental community minimum lot size requirement of sixty thousand (60,000) square feet each in the Commercial Neighborhood (CN) Zoning District.
- f. The requirements of Section 139-18 of the Zoning Bylaw have been met by the provision of a total of three hundred seventy-seven (377) off-street parking spaces. The Planning Board finds that the required minimum number of off-street parking spaces of one (1) space per bedroom, equal to three hundred sixty-one (361) spaces, has been exceeded by sixteen (16) spaces.
- g. The conditions imposed hereby ensure that certain units in the proposed project will be eligible for approval as Local Action Units (LAU) through the Local Initiative Program (LIP) and will be included on the Town's Subsidized Housing Inventory.

- h. The project approved hereby furthers the objectives of and serves to implement the Housing Goals and Implementation Strategies of the Nantucket Chapter 40B Housing Production Plan, dated July 2016, by RKG Associates Inc., as prepared for the Nantucket Affordable Housing Trust and Nantucket Planning and Land Use Services Department.
- i. The project complies with the following review objectives contained within Section 139-23E of the Zoning Bylaw, as modified and/or conditioned as applicable:
 - 1. *Protection of public amenities and abutting properties through the mitigation of any detrimental impacts of any proposed use:* adjacent public facilities and roadways are enhanced and new public facilities are introduced within the project area to serve existing and future residents. Effects to abutting residential properties are minimized through the location of structures, rather than parking areas, in closest proximity to existing and future residential uses (in most locations);
 - 2. *Protection of unique, natural, scenic, or historic features of the site, and the minimization of the obstruction of scenic views, where applicable:* not applicable.
 - 3. *Safety and convenience of pedestrian and vehicular movement within the site, and in relation to rights-of-way and properties in proximity to the site:* sidewalks and pedestrian access points connecting the development to adjacent existing and proposed neighborhoods, and to Old South Road, are required and will be provided by the Applicant. Throughout the development, parking areas are internal to the lots and are screened by the proposed buildings and landscaping. Roadway width and design is appropriate for the scale and density of the development. In accordance with the *Rules and Regulations Governing the Subdivision of Land*, roadway connections are reserved for future implementation and where possible, roadway connections will be constructed.
 - 4. *Adequacy of proposed sewage and refuse disposal, and drainage of surface and subsurface water:* all units within the development will be served by municipal water and sewer systems. Stormwater management was reviewed for conformance with Section 139-12B of the Bylaw and the "*Rules and Regulations Governing the Subdivision of Land*". Refuse disposal for the individual lots will be handled consistent with established residential practices.
 - 5. *Adequacy of off-street parking and loading:* on-site parking for each lot will be provided pursuant to Section 139-18, with some parking areas servicing more than one lot. In addition, on-street parking has been included as part of the roadway design for the development.
 - 6. *Minimization of traffic and safety impacts upon public and private rights-of-way:* vehicular and pedestrian improvements are consistent with the "*Traffic Impact and Access Study*" referenced in the "Basis of the Findings" section of this decision. Proposed vehicular and pedestrian improvements, as detailed herein, will serve to mitigate traffic congestion and reduce the need for additional vehicle trips to already congested areas of the Town of Nantucket.

7. *Adequacy of Town services and infrastructure*: based on the conclusions of the “*Fiscal Impact Analysis*”, as reviewed by RKG Associates, this development provides needed housing and does not render Town services or infrastructure to be inadequate in any way.
- j. The project complies with the following performance standards pursuant to Section 139-23F of the Zoning Bylaw, as modified and/or conditioned as applicable:
 1. *To the extent feasible, access to the site shall be provided utilizing a common driveway or a side street;*
 2. *Driveway accesses shall be limited to the minimum width necessary for safe entering and exiting, and shall be designed to provide adequate sight distances;*
 3. *The project design shall ensure safe pedestrian and vehicular circulation within the site;*
 4. *The special permit granting authority may require that a traffic mitigation plan be submitted, which addresses the traffic impacts of a project through alternative physical layouts, staggered employee work schedules; public transit incentive programs for both employees and customers; or other innovative means of reducing traffic impacts.*
 5. *Sidewalks and/or bicycle paths may be required by the special permit granting authority.*
 6. *Parking areas shall be designed to reduce their visual impact from public and private rights-of-way.*
 7. *The special permit granting authority may, at its discretion, require enhanced landscaping features based on a determination that additional landscaping is necessary to protect abutting properties and public and private roads from incompatible development.*
 8. *All stormwater runoff from impervious surfaces shall be recharged on-site, unless, during the course of site plan review, it is determined by the review authority that recharge is infeasible or is undesirable because of risks to water quality from such recharge.*
 9. *Collection systems for stormwater runoff shall be designed for at least a twenty-five-year storm.*
 10. *The erosion and sedimentation control plan shall be designed to protect drainage systems, surface waters, public and private roads, and abutting properties from site-generated erosion and sedimentation.*
 11. *Utilities shall be installed underground where physically and environmentally feasible. Any aboveground improvements ancillary to utility services to a site shall be depicted on the plan, and shall be properly screened.*

12. *Outdoor storage areas must be identified on the plan and details concerning the screening of the storage area from public or private roads shall be provided.*

Performance standards 1, 2, 5, and 6 are addressed by requiring parking areas to be primarily screened from view by the proposed structures, with some parking areas being screened by vegetation which will minimize visual impacts from adjacent ways.

Performance standards 3, 4, and 5 have been addressed in the required roadway elements of the project.

Performance standards 6 and 7 have been addressed through the requirement of extensive street tree plantings, including roadway median features.

Performance standards 8, 9, and 10 have been addressed through stormwater management systems meeting Section 139-12B of the Zoning Bylaw and the "Rules and Regulations Governing the Subdivision of Land". Erosion and sedimentation control was reviewed by the Planning Board consulting engineer and is shown on the definitive subdivision plans.

Performance standard 11 is addressed, as all utilities serving the development will be installed underground in accordance with the requirements of each respective utility.

Performance standard 12 does not apply.

Based on the findings above, the project, as approved hereby, meets the required Site Plan Review guidelines; which supports the Planning Board's grant of special permit relief.

Decision and Conditions of Approval:

The Planning Board is required to render a decision on the application based on the provisions of Section 139-8(D) (Residential Development Options) of the Zoning Bylaw and Section 139-23 (Site Plan Review) of the Zoning Bylaw.

Based on the foregoing application / proposal, the findings, the above referenced documents and the testimony given at the public hearings, the Nantucket Planning Board hereby APPROVES this application based on 5 - 0 vote in favor of approval. Finding that the application is in harmony with the general purposes and intent of the Zoning Bylaw, the Planning Board hereby GRANTS to Owner / Applicant, the following Special Permits and approvals:

1. Special Permit issued to allow for the creation of the Meadows II Workforce Rental Housing Development Project, comprised of a total of eight (8) distinct but contiguous workforce rental community lots pursuant to Section 139-8(D) of the Nantucket Zoning Bylaw.
2. Special Permit issued to allow for the development of up to a cumulative total of two hundred and twenty-five (225) rental apartment units, to be located in a series of up to thirty-eight (38) individual apartment buildings and one (1) leasing / management building, as further described herein, in accordance with Section 139-7(A), Section 139-8(D) and Section 139-2(A) of the Zoning Bylaw.

3. Special Permit issued to grant relief from Section 139-18(A)(4) of the Zoning Bylaw, in accordance with and as a result of the findings required under Section 139-18(D) of the Zoning Bylaw, to allow for the provision of a portion of the required off street parking on different (adjacent) lots from the principal or accessory use that they are required to serve.
4. Major Site Plan Review approval, allowing for the development of the project as shown on the project plans, and in accordance with the conditions of approval set forth herein.
5. All other permits and/or approvals, not otherwise specifically enumerated, but which are deemed incidentally necessary or convenient to effectuate the intents of the relief granted hereby.

The Planning Board sets forth the following conditions to its approval:

A. Density and Affordability Conditions

1. The total number of workforce rental community dwelling units in the project shall be limited to a maximum of two hundred twenty-five (225) dwelling units. The total number of dwelling units within any workforce rental housing community shall not exceed thirty-two (32). The total number of bedrooms within any individual workforce rental community, as such term is defined in Section 139-8(D) of the Zoning Bylaw, shall not exceed fifty-seven (57).
2. The unit-mix within any building, or subset of buildings, within any workforce rental community approved hereby, (i.e., the number of three (3) bedroom, two (2) bedroom and one (1) bedroom units, or any studio unit), may be altered or amended at the sole and absolute discretion of the Applicant without any further review or action of the Planning Board, so long as the aggregate bedroom limit of fifty-seven (57) bedrooms is not exceeded in any one discrete workforce rental community, and that all workforce rental communities taken as a whole, provide for not less than ten (10%) percent three (3) bedroom units.
3. Fifty-six (56) of the total two hundred twenty-five (225) dwelling units located in the Meadows II Workforce Rental Housing Development Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than eighty (80%) percent of the Area Median Income (AMI), adjusted for household size, as determined consistent with the income limits issued by the U.S. Department of Housing and Urban Development (HUD), updated annually, as set forth in the "Guidelines for G.L. c. 40B Comprehensive Permit Projects and the Subsidized Housing Inventory" dated December 2014, as issued by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), as amended through the date of this Decision (the "DHCD 40B Guidelines"). Rents payable for workforce rental housing dwelling units which are subject to the eighty (80%) percent AMI income limits shall not exceed the maximum allowable rents as determined in accordance with the calculation methodology and formulas as set forth in the DHCD 40B Guidelines.

4. The remaining one hundred sixty-nine (169) dwelling units shall not be subject to any of the income limit, qualification or maximum rent limitations referenced herein, and shall be considered “market-rate” units.
5. All dwelling units which are subject to the eighty (80%) percent AMI income limits shall be distributed proportionately throughout the project in accordance with Section VI(B)(4)(d) of the DHCD 40B Guidelines, including confirming that the unit-mix allocation (i.e., the number of bedrooms per unit) is proportionally distributed between the market rate and the affordable rate units within the project, and shall be depicted upon plans submitted to the Planning Board, or their designee, for review and approval prior to the filing of final plans. All dwelling units which are subject to the eighty (80%) percent AMI income limitations shall be indistinguishable from the market-rate units of the same unit type on the exterior and shall contain comparable base fixtures and finishes on the interior in accordance with Section VI(B)(4) of the DCHD 40B Guidelines. Any alteration of the location of the dwelling units which are subject to the eighty (80%) percent AMI income limits, or their disbursement throughout the project, shall be submitted to the Planning Board, or their designee, for review and approval.

B. Utility, Infrastructure and Improvements

1. The Planning Board notes that a total of nine (9) building types are currently shown on the plans. The Planning Board encourages the Applicant to be more creative with the design and to vary the building typology and arrangement, and to consider other types of varied designs. The Planning Board specifically encourages the Applicant to pursue an alternative approach that would reduce the contrast in structure design and size between the multi-family and single-family phases of the Meadows II, Sandpiper I (South), and Sandpiper II (North) developments (all of which are being developed concurrently by the Applicant). The Planning Board encourages the Applicant to explore varied housing types and materials to broaden the architectural palette. Any changes to the building type or configuration shall be shown on the final plans. Following approval of the final plans, any modification to the building configuration and / or exterior design of the project that results from the ongoing review of the project by the Nantucket Historic District Commission (HDC) shall not be deemed substantial under this Condition Number B-1 and shall not require additional Planning Board review unless such modification increases the total ground cover for an individual building to a total in excess of twenty percent (20%), or reduces any yard setbacks (front, rear, or sides) by five (5) linear feet or more.
2. The final plans shall depict and/or note the following:
 - a. Lot 1
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The parking area will connect to the rear access lane behind lots 59-63, and will also connect between Lots 62 and 63 to Roadway E, all within the Applicant’s adjacent Sandpiper Place II (North) Workforce Homeownership Development Project.

- c. The parking area shall be paved.
 - d. Consolidated mailbox and dumpster locations shall be identified.
- b. Lot 2
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The parking area will be integrated with the parking area for Lot 4, and will connect to the rear access lane behind lots 56-58 which will connect between Lots 53 and 54 to Roadway E, all within the Applicant's adjacent Sandpiper Place I (South) Workforce Homeownership Development Project.
 - c. The twelve (12) space parking lot shared with Lot 4 shall be reduced or substantially eliminated, and these shall spaces shall be distributed in other locations throughout the project.
 - d. The parking area shall be paved.
 - e. Consolidated mailbox and dumpster locations shall be identified.
- c. Lot 3
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The parking area will be integrated with the parking areas for Lots 4 and 5.
 - c. The parking area shall be paved.
 - d. Consolidated mailbox and dumpster locations shall be identified.
- d. Lot 4
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The parking area will be integrated with the parking areas for Lots 2 and 5.
 - c. The twelve (12) space parking lot shared with Lot 2 shall be reduced or substantially eliminated, and these spaces shall be distributed in other locations throughout the project.
 - d. The parking area adjacent to Roadway E shall be rotated so that the access point is directly across from Roadway I. This parking area shall not be constructed until such time that the Planning Board determines that additional parking is necessary to adequately serve the project.
 - e. The parking area shall be paved.
 - f. Consolidated mailbox and dumpster locations shall be identified.

- e. Lot 5
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The parking area will be integrated with the parking areas for Lots 3 and 4, with a connection to Nancy Ann Lane and to the eastern extension of Davkim Lane.
 - c. The parking area shall be paved.
 - d. Consolidated mailbox and dumpster locations shall be identified.

- f. Lot 6
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The orientation of the structures around the pocket park should face the park or the road, rather than the parking area.
 - c. The parking area will be integrated with the parking areas for Lot 7, with a connection to the eastern extension of Davkim Lane .
 - d. The parking area shall be paved.
 - e. Consolidated mailbox and dumpster locations shall be identified.

- g. Lot 7
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The community garden shall not be located within the easement area prospectively connecting to and through Clay Street.
 - c. The orientation of the structures around the pocket park should face the park or the road, rather than the parking area.
 - d. The parking area will be integrated with the parking areas for Lot 6, with a connection to the eastern extension of Davkim Lane .
 - e. The parking area shall be paved.
 - f. Consolidated mailbox and dumpster locations shall be identified.

- h. Lot 8
 - a. The reservation of open space should be maximized to the greatest extent possible. Specific details shall be included about the use of the open space, the age bracket of who it is intended for (which shall be varied), and the types of materials/equipment that will be installed.
 - b. The community garden shall not be located within the easement area prospectively connecting to and through Clay Street.
 - c. A combination of fencing and landscaping shall be installed along the rear lot line (behind Lots 31-34 in the Applicant's adjacent Sandpiper Place I (South) Workforce Homeownership Development Project and the northern side line (along Lot 36 in the Applicant's adjacent

Sandpiper Place I (South) Workforce Homeownership Development Project.

- d. The parking area shall be paved.
 - e. Consolidated mailbox and dumpster locations shall be identified.
3. All buildings within the Meadows II Workforce Rental Housing Development Project hereby approved in this Decision shall be connected to municipal water and sewer service, subject to the payment of all applicable connection fees and other fees (except as may be waived by the Board of Selectmen, acting as the Nantucket Sewer Commission, in accordance with its adopted policy).
 4. Prior to the Planning Board approval of final plans, the Applicant shall obtain a Certificate of Water Quality Compliance (CWQC) from the Wannacomet Water Company.

C. Phasing and Implementation of Development

1. The Applicant shall be permitted to phase the construction of the project, subject to the submittal of a subsequent phasing plan, or plans, to the Planning Board or their designee for review and approval.
2. A pre-construction meeting shall take place on site. The pre-construction meeting will be organized by the Planning & Land Use Services (PLUS) Department staff upon notification from the applicant that construction of the project is commencing.
3. The Applicant, or its successors or assigns, shall ensure that for every three (3) market-rate dwelling units for which a Certificate of Occupancy is issued, a Certificate of Occupancy for one (1) workforce rental housing dwelling unit which is subject to the eighty (80%) percent AMI Income limit shall be issued. However, despite the generality of this Condition Number C-3, in the event a Regulatory Agreement has not been executed and Applicant has otherwise complied with Condition Number E-5 below, the Applicant shall not be restricted from requesting or being issued Certificates of Occupancy for market-rate units, only to the extent that Applicant is not otherwise prohibited from being issued a Certificate of Occupancy based upon the provisions of Condition Number D-1 concerning the Traffic Mitigation and Improvements. Due to the mathematical effects of aggregation and rounding relative to the fixed ratio established under this Condition Number C-3, specifying the number of Certificates of Occupancy issued for market-rate units relative to those issued for units which are subject to the eighty (80%) AMI Income limit, particularly in the instance where individual buildings or individual phases may have an odd numbered integer, the exact ratio may be unachievable within individual buildings or within any individual phase or combination of phases of the project. Therefore, notwithstanding this requirement, Certificates of Occupancy for any individual building(s) or individual phase(s) containing an incrementally higher ratio of market-rate units shall not be withheld, provided that the overall ratio required by this Condition Number C-3 at any given time shall not be greater than five (5) Certificates of Occupancy for market rate units to every one (1) Certificate of Occupancy for a unit which is subject to the eighty (80%) AMI Income limit.

4. The Applicant, or its property manager, shall ensure that a written lease for any tenant, or tenants, of a workforce rental community dwelling unit, whether or not subject to the eighty (80%) percent AMI income limits, has a term or duration of not less than one (1) year.
5. The Applicant, or its property manager, shall ensure that any written lease for any tenant, or tenants, of any dwelling unit, whether or not such is subject to the eighty (80%) percent AMI income limitations, prohibits the subsequent subletting of the dwelling unit for any period, or periods, of time.

D. Traffic Mitigation and Improvements

1. All of the traffic mitigation and improvement requirements set forth as Condition D 1(A through E, inclusive) within the Sandpiper I (South) Workforce Homeownership Development Project Definitive Subdivision Plan Decision, also dated January 26, 2017, are hereby incorporated by reference into this Decision, in their entirety. In the interest of brevity, the full text of the condition is not repeated herein.

E. General, Regulatory & Miscellaneous Conditions

1. Within six (6) months of the date of this Decision, the Applicant shall submit a fully engineered final plan set. This plan set shall address any final comments from Pesce Engineering & Associates (the Planning Board's consulting engineer) and shall specifically include the location of all parking areas, common areas, recreational/open space areas, building locations, landscaping elements, and all other requirements noted in the Section 139-23 of the Zoning Bylaw.
2. That the lots, buildings, and dwelling units within the Meadows II Workforce Rental Housing Development Project shall be held in common ownership and shall be managed by a single entity. Once an increment of more than one hundred (100) units within the project have been issued certificates of occupancy, the Applicant shall, at all subsequent times, be required to employ a full-time, year-round, property or maintenance manager who resides within the project, in order to facilitate timely responses to resident requests and management / maintenance issues.
3. If the rental / sales office is not built and occupied prior to the issuance of a Certificate of Occupancy for the first apartment building, the name and telephone number of the property manager on call shall be provided to the Planning Board prior to the issuance of a Certificate of Occupancy for the first apartment building.
4. The applicant agrees to stipulate and enforce, through written rules and regulations to be provided to all tenants, and through its management of the rental units, the following prohibitions or restrictions:
 - a. No parking or storage of vehicles, including those containing trailers, boats, attachments or the like which exceed the length of the defined parking space markings / stripes shall be permitted within either the on-street or off-street parking spaces within the property.

- b. The on-site parking or storage of boats or commercial scale vehicles such as: box trucks, flatbed trucks, trailers (open or enclosed) or equipment shall be permitted only in distinct, separate parking and storage areas, to be specifically identified by the Applicant on the final plans required herein;
 - c. No abandoned or unregistered vehicles shall be permitted within the property;
 - d. No exterior storage of any kind shall be permitted in the parking or lawn areas within the property;
 - e. No satellite dishes, clothes drying lines, seasonal or other themed decorations, or other such equipment or materials shall be attached to or visible on the exterior of any buildings and / or windows within the project.
5. This Decision is conditioned upon the Applicant's preparation and submission for approval of a Regulatory Agreement by the Town of Nantucket, acting by and through its Board of Selectmen, and the Department of Housing and Community Development (DHCD). Provided that the Applicant has prepared and submitted the same for approval and uses good-faith efforts in negotiating toward the mutually satisfactory execution thereof, the Applicant shall not be restricted from requesting or being issued Certificates of Occupancy for market-rate units, subject only to the aggregate limit imposed in this Decision relative to Certificates of Occupancy issued in the event that the Town or County of Nantucket, as the case may be, of Nantucket accepts the Applicant's offer of performance of the Traffic Mitigation Improvements more particularly described in Condition Number D-1 hereof.
6. Provided that a Regulatory Agreement is executed, this Decision is conditioned upon the Applicant preparing, filing and observing all necessary or requisite formalities of the Local Initiative Program (LIP), as such is administered by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD) such that Local Action Units (LAU) (i.e., the workforce rental housing dwelling units which are subject to the eighty (80%) percent AMI income limits) are included in the Subsidized Housing Inventory (SHI) list for the Town of Nantucket.
7. Subject to federal and state fair housing guidelines, regulations and laws, any prospective tenant, or tenants, eligible to rent any dwelling unit which is subject to the eighty (80%) percent AMI income limits under Section III(D)(3) of the DHCD 40B Guidelines shall be placed within the local preference lottery pool for up to seventy (70%) percent of the aforementioned units, as so permitted.
8. Any prospective tenant, or tenants, of the dwelling units which are subject to the eighty (80%) percent AMI income limits shall be solicited and qualified through an affirmative fair housing marketing and resident selection plan and then selected by a lottery conducted by a qualified third-party in accordance with Section III(C) and Section III(F) of the DHCD 40B Guidelines, respectively, and all costs thereof shall be borne by the Applicant, or the Applicant's successors and assigns.

9. To the extent the Applicant believes that any of the comments and / or recommendations of the Town's Consulting Engineer or any Director of an authoritative agency or board of the Town of Nantucket given certain discretionary review authority hereby cannot be satisfied or resolved between such person and the Applicant, the Applicant may request a clarification, interpretation or decision by the Planning Board. Any such request shall be submitted, in writing, to the Planning Board, and the foregoing shall not be construed to require that the Applicant's request for clarification, interpretation or decision be considered at a public hearing, unless required by law. Where not otherwise specifically stated, the Planning Board may, at its discretion, grant an extension or extensions to any deadline imposed in this Decision, upon written request of the Applicant, by action taken in conformity with the provisions of this Condition Number E-9.
10. The Applicant agrees to continue to work with the Nantucket Regional Transportation Authority (NRTA) to analyze prospective future usage and specific ridership demands on NRTA services and design, and shall mutually determine any potential service routes and facility locations utilizing the Meadows II Workforce Rental Housing Development Project private roadways.
11. The Planning Board agrees that the commencement of substantial use or construction as such is contemplated in MGL c. 40A Section 9, shall mean the installation and pouring of footings for one (1) apartment building, upon one (1) workforce rental community lot.

RECORD OF VOTE AND SIGNATURE PAGE FOLLOWS

Record of Vote: On February 23, 2017 the Planning Board voted 5 - 0 to **CLOSE** the public hearing, and voted 5 - 0 to **APPROVE** the Meadows II Workforce Rental Housing Development Project Special Permit and (Major) Site Plan Review and to **ENDORSE** this Decision.



Barry G. Rector APPROVED



Nathaniel Lowell APPROVED



Linda F. Williams APPROVED

Joseph Marcklinger APPROVED



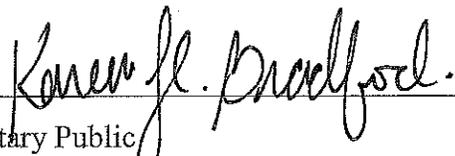
John Trudell, III APPROVED

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

March 8th, 2017

On the 8th day of March, 2017, before me, the undersigned notary public, personally appeared Nathaniel Lowell, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that ~~he~~^{she} signed the foregoing instrument voluntarily for the purposes therein expressed.



Notary Public

12/18/2020

My Commission Expires

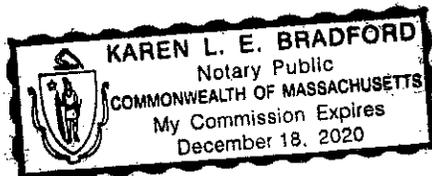


EXHIBIT "A"

Richmond Nantucket - "Meadows II" Rental Apartment Development Project Summary of Proposed Lots (Definitive Subdivision) and Compliance with Workforce Rental Community Zoning Bylaw Re

Lot Number / Location	Lot / Land Area (in Sq. Feet)	Lot / Land Area (in Acres)	Regularity Factor (f)	Proposed Number of Apt. Buildings	Maximum Number of Units Allowed	Proposed Number of Units	Maximum Number of Bedrooms Allowed	Proposed Number of Bedrooms
Lot # 1 - Northernmost	65,253	1.50	0.82	3	32	22	57	30
Lot # 2 - Center Area / North Side	64,125	1.47	0.87	4	32	26	57	42
Lot # 3 - Center Area / West Side	66,599	1.53	0.83	5	32	32	57	56
Lot # 4 - Center Area / East Side	92,232	2.12	0.57	6	32	31	57	46
Lot # 5 - Center Area / South Side	69,685	1.60	0.83	5	32	28	57	52
Lot # 6 - Southern Area / West Side	61,173	1.40	0.89	5	32	32	57	42
Lot # 7 - Southern Area / Center	66,491	1.53	0.92	4	32	24	57	44
Lot # 8 - Southern Area / East Side	89,413	2.05	0.69	6	32	30	57	54
Project Total / Averages (8 Lots)	574,971	13.20	0.80	38	256	225	456	368

Summary of Ground Cover Ratio (Broken Out by Individual Workforce Rental Community Lot and Cumulative Project Total)

Lot Number / Location	Proposed Number of Apt. Buildings	Total Ground Cover (in Gross S.F.)	Lot / Land Area (in Sq. Feet)	Ground Cover Ratio	Compliant with Zoning (Yes / No)
Lot # 1 - Northernmost	3	8,830	65,253	13.5%	Yes (less than 50%)
Lot # 2 - Center Area / North Side	4	11,700	64,125	18.2%	Yes (less than 50%)
Lot # 3 - Center Area / West Side	5	15,040	66,599	22.6%	Yes (less than 50%)
Lot # 4 - Center Area / East Side	6	12,980	92,232	14.1%	Yes (less than 50%)
Lot # 5 - Center Area / South Side	5	13,615	69,685	19.5%	Yes (less than 50%)
Lot # 6 - Southern Area / West Side	5	12,325	61,173	20.1%	Yes (less than 50%)
Lot # 7 - Southern Area / Center	4	11,540	66,491	17.4%	Yes (less than 50%)
Lot # 8 - Southern Area / East Side	6	14,425	89,413	16.1%	Yes (less than 50%)
Project Total (Cumulative)	38	100,455	574,971	17.5%	Yes (less than 50%)