

NAUSHOP CROSSING AREA PLAN WORK GROUP

Approved by the NP&EDC on March 3, 2014

Members:

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Janis Carreiro - Vice-Chairman - Naushop

Patricia Rottmeier - Naushop

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Robert Gardner - Wannacomet Water Company

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Components of the Naushop Crossing Area Plan

- 1. Goals and Policy Statement:** Identifies the goals and policies of the municipality for its future growth and development. Each community shall conduct an interactive public process to determine community values, goals, and to identify patterns of development that will be consistent with these goals.
- 2. Land Use:** Identifies present land use and designates the proposed distribution, location, and inter-relationship of public and private land uses. This element shall relate the proposed standards of population density and building intensity to the capacity of land available or planned facilities and services. A land use plan map illustrating the land use policies of the municipality shall be included.
- 3. Housing:** Identifies and analyzes existing and forecasted housing needs and objectives including programs for the preservation, improvement and development of housing. This element shall identify policies and strategies to provide a balance of local housing opportunities for all citizens.
- 4. Economic Development:** Identifies policies and strategies for the expansion or stabilization of the local economic base and the promotion of employment opportunities.
- 5. Natural and Cultural Resources:** Provides an inventory of the significant natural, cultural and historic resource areas of the municipality, and policies and strategies for the protection and management of such resources and areas.
- 6. Open Space and Recreation:** Provides an inventory of recreational and resources and open space areas of the municipality, and policies and strategies for the management and protection of such resources and areas.
- 7. Services and Facilities:** Identifies and analyzes existing and forecasted needs for facilities and services used by the public.
- 8. Circulation:** Provides an inventory of existing and proposed circulation and transportation systems.

9. Implementation: Defines and schedules the specific municipal actions necessary to achieve the objectives of each element of the master plan.

INTRODUCTION

In response to the mandate by The Commonwealth of Massachusetts that every municipality develop a Master Plan for the “orderly and coordinated development and protection of its physical, social and economic resources”, the Naushop Crossing Area Plan Work Group (“NCAPWG”) herewith offers recommendations to the Nantucket Planning & Economic Development Commission to serve as a guideline for future decisions related to issues affecting the Naushop Crossing area.

The Naushop Crossing area occupies a unique position on the Nantucket Island landscape, being situated along both the northerly and southerly sides of Old South Road, the main thoroughfare to the Nantucket Memorial Airport and points beyond. Most traffic traversing Old South Road is not related to the commercial and residential areas within Naushop Crossing, but affects the area nonetheless. Development of the largely decades long unchanged commercial tracts is potentially vital to the economic wellbeing of the community and would be a benefit not just to the Naushop Crossing area, but to the island as a whole.

The Naushop Crossing area was undeveloped for the most part prior to 1940. The corridor along Old South Road from the “airport rotary” to the Airport itself was open space with little development of any kind. In 1940 Walter Glowacki, Sr. purchased all of the land on both sides of Old South Road from Lovers Lane to the Airport from Larry Miller.

Walter Glowacki, Sr. began developing both sides of Old South Road in the Naushop Crossing area as commercial property for such uses as an asphalt plant, an excavation pit, trash collection company, a trucking company, cement plant and both commercial and residential rental properties.

In the 1960’s Walter Glowacki, Jr. bought the property on the southerly side of Old South Road from his father and continued with the commercial and residential uses then present. In 1974 a group known as the Nantucket Collaborative purchased the northerly side of Old South Road known as the “Pit” to use for a transient residential project that never took place.

In 1980, Warren G. Valero bought the first of three (3) parcels from the Nantucket Collaborative. His vision was to create and operate a full service nursery and garden center. In 1982 Valero added another parcel, completing the purchases in 1985-86 for a total of about 13 acres.

The Nantucket Collaborative lost the property to the mortgage company with the 34-acre pit area ultimately sold to a group of investors, the Valentine Realty Trust in 1989. This group initiated the Naushop residential subdivision but also lost the property to the lending institution in 1992. A new group of investors purchased the property from the bank and the property eventually became the Naushop residential development today.

More recently another private subdivision located on Witherspoon Drive to the east of Naushop was created that is comprised of single family and duplex housing. There is another smaller residential area located along Lovers Lane on the western end of the Naushop Crossing area. But the majority of land area is still zoned for commercial use.

All residential areas remained in the Residential-Commercial 2 zoning district until recently, when per a vote at the Annual Town Meeting, the zoning was changed to Residential-5 thus taking the residential neighborhoods out of commercial use zoning.

In August of 2013 the +/- 42 acres of the former Glowacki property on the southerly side of Old South Road was sold to Richmond Great Point Development LLC, a partnership comprised of long-time Nantucket summer resident Philip Pastan and lifelong Nantucket resident Shane Valero, the grandson of Warren Valero.

Parcels fronting on Old South Road in this area have historically been developed for smaller community-oriented commercial and retail uses, heading out from the downtown, to the east, towards the airport. Areas set back further from Old South Road on both the northerly and southerly parcels have historically been developed as a mix of residential uses of different densities, as well as local and service-oriented commercial uses, light industrial, warehousing, distribution, and building contractor oriented uses. Uses have also included heavier industrial uses such as the former "Glowacki" sand pit /asphalt plant.

During the initial meetings of the NCAPWG, it was realized that the Plan was covering a complex section of the Island. The NCAPWG recognized that the Naushop Crossing area was comprised of two separate and distinct components, two (2) large relatively undeveloped commercial areas, Valero & Sons, Inc. on the northerly side of Old South Road and the Richmond land holdings (formerly known as the Glowacki property) on the southerly side of Old South Road; and substantial residential areas which are situated immediately abutting the commercial properties. There are no transitional zoning districts to provide a natural buffer between the commercial and residential areas, which is a unique facet of the area.

The needs of both the commercial and residential areas had to be considered in developing the Naushop Crossing Area Plan ("Plan"), with emphasis on not unduly restricting either entity. Understanding the scope and development potential of the areas was essential in creating a plan that would benefit and address concerns of both the commercial and residential neighborhoods. The NCAPWG recommendations address the nine required elements of the 41-81D Master Plan. The goal of these recommendations and statements is to point the way to changes that the Naushop Crossing area needs to improve its commercial areas and protect the residential neighborhoods and move into the future in a using a reasoned approach. The changes to the local Zoning Bylaw which are recommended in the Plan to achieve these goals are attached as **Exhibit A**.

1. Goals and Policy Statement

The goals and policy of the Naushop Crossing Area Plan (“Plan”) are to articulate a vision for the Naushop Crossing area as a unique part of Nantucket with specific concerns and distinguishing features. The goal of the NCAPWG is to preserve both the commercial and residential character of the neighborhood, while addressing the issues and concerns of Naushop Crossing residents. The NCAPWG recommendations support this goal and endeavor to be as comprehensive and inclusive as possible, maintaining a complimentary relationship between the commercial and residential areas.

The objectives laid out in the nine (9) elements specified in the 41-81D Master Plan, as endorsed by the Nantucket Planning Board and by a vote at the Town of Nantucket (“Town”) Annual Town Meeting vote in April 2009, were considered when developing the Plan. The NCAPWG considered comments from written surveys of the area’s residents, information gained from various meetings, and from comments made once the initial draft of the Plan was made available on the Town’s website. In addition, the NCAPWG took into consideration information obtained from various Town departments and other expert sources.

2. Land Use

Naushop Crossing is a highly visible area comprised of approximately ninety-five (95) acres of land area. It is located in the central portion of Nantucket, situated on the north and south sides of a portion of Old South Road, which is the main roadway and commercial corridor to the Nantucket Memorial Airport, and points beyond.

Given that Naushop Crossing contains two of the largest remaining relatively undeveloped commercial properties on Nantucket, it is critical that this area should be viewed from a land planning standpoint as a coordinated and interdependent area.

Accordingly, all future development/redevelopment should be guided by the framework of a coordinated area plan to be formally implemented through changes to the local Zoning Bylaw, thereby facilitating a more orderly, successful and attractive pattern of development.

Principal stakeholders and landowners in the Naushop Crossing Area include:

- The Valero & Sons business, which comprises +/- 13 acres of land area located at 60-68 Old South Road. Within the Valero & Sons property is also located several small businesses and residential units;
- The Naushop residential subdivision consists of +/- 34 acres of land area with 197 residential lots;
- The Witherspoon Drive residential subdivision consists of +/- 3 acres of land area with 13 single-family and duplex residential lots;
- The +/- 1 acre parcel at 54 Old South Road, located in the northwest corner of the NCAP area, is currently occupied by “The Emporium of Nantucket”, a retail business;
- The +/- 0.2 acre parcel at 56 Old South Road is currently occupied by “Nantucket Seafood” a retail and wholesale seafood store;

- The +/- 0.2 acre parcel at 58 Old South Road currently contains an employer dormitory owned by Marine Home Center;
- Housing Nantucket (which holds ownership of its land under the name NHA Properties, Inc.) is a private, nonprofit organization dedicated to providing affordable rental housing and homeownership opportunities. Housing Nantucket currently owns a +/- 1 acre tract of land accessed from the south side of Old South Road. Housing Nantucket is in the process of constructing their administrative office on a portion of the property and has plans to construct several units of affordable rental housing on the remaining portions of the land;
- The +/- 0.5 acre parcel at 2 Lovers Lane is occupied by “Old South Liquors” and owned by Debbie Wasil; and,
- The former “Glowacki” property holdings now referred to as the “Richmond” land holdings as of August of 2013 consist of +/- 42 acres of land area (excluding roads). A substantial portion of the property fronts on Old South Road, and is generally bounded by Lover’s Lane to the west, Davkim Lane to the south, and Evergreen Way to the east. Approximately half of the Richmond land holdings are developed as a mix of commercial, industrial and residential uses. The remaining properties are vacant, underutilized, and available for development / redevelopment.

Land Use Framework and Strategies

The NCAPWG recommends the following goals and objectives:

- Phasing out of the RC-2 (Residential Commercial-2) zoning district in accordance with the 2009 Nantucket Master Plan. RC-2 zoning has inadvertently led to inconsistent and, in some cases, incompatible development patterns in the area. The goal of the Plan is to create orderly and attractive land use using commercial development criteria to mitigate impacts to residential neighborhoods;

- Focusing commercial development that would serve the surrounding neighborhoods and would include appropriate transportation and infrastructure improvements;
- Enhancing protection of the adjacent residential areas, most notably the Naushop and Witherspoon residential subdivisions, Lovers Lane community, and Housing Nantucket residential property. The goal is to ensure that these neighborhoods are not adversely impacted by future commercial development/redevelopment of these large tracts of land;
- Providing appropriate transitions and buffers between different land uses, particularly between commercial/retail/industrial areas and adjacent residential areas. The goal is to develop a range of permitted residential densities (higher densities located closer to commercial areas transitioning to lower densities located farther away from commercial areas);
- Creating a regulatory framework which would result in a more orderly pattern of development with sufficient areas for new and additional development. The goal is to develop consistency in permitting that would provide more appropriate and logical transitions between different land uses and densities. The NCAPWG recommends that the Planning Board be the sole permit granting authority for properties situated within the Naushop Crossing Area; and,
- Developing overall maximum density and future development capacity for this area. The goal is to eliminate RC-2 zoning designation in favor of alternative zoning districts that are more compatible with surrounding residential land uses.

Hierarchy of Development of Commercial Buildings Along Old South Road

- The development of a series of smaller, “liner” buildings along each side of Old South Road, similar in size and character to those found within the “Mashpee Commons” retail/mixed-use project located in the Town of Mashpee on Cape Cod, should be strongly encouraged, to provide greater visual articulation, to further break up the public view shed within this corridor, and to buffer and reduce the impact of the development of larger buildings within the public view shed and upon adjacent residential properties

In conjunction with the preceding objective, future development within all properties which are designated within the CN (Commercial Neighborhood) district which have frontage on Old South Road should be subject to the following additional criteria:

- No building(s) or portion of any building(s) in excess of 10,000 square feet of retail floor area shall be permitted within one hundred (100) feet of the Old South Road right of way.

Modification of the 20,000 Square Foot “Cap on Retail MCDs”

The NCAPWG notes that it is very difficult to determine what size of development above the existing cap would be appropriate for this area. The challenge is to achieve a balance between the residential and commercial uses without negatively impacting either. The NCAPWG discussed various concerns (including both pro and con positions) related to the existing cap on new major commercial developments devoted primarily to retail use with 20,000 square feet or more of gross floor area of commercial use.

As part of these discussions, the NCAPWG acknowledged that the existing 20,000 square foot cap may be seen as arbitrary and may have served to create a fundamentally non-competitive and overly restrictive environment with respect to retail uses and businesses. The NCAPWG also acknowledged that the 20,000 square foot cap does not apply in the MIPOD, thereby unfairly restricting commercial areas outside of the mid-island area.

After further discussion and the consideration of additional assurances and restrictions, the majority of these concerns were addressed, and a compromise agreement was ultimately reached between the Naushop representatives and the owners of the Valero property and the owners of the Richmond Land Holdings.

At the conclusion of these discussions, once this compromise was reached, the NCAPWG (including the representatives of the Naushop residential community) unanimously agreed to support modifications of relevant Zoning By-law sections to allow buildings exceeding 20,000 square feet of retail floor area and up to a maximum of 45,000 square feet of retail floor area (which could be located on one limited portion of the Richmond Land Holdings property, on the south side of Old South Road, and up to a maximum of 38,500 square feet of retail floor area (which could be located on one limited portion of the Valero property, on the north side of Old South Road), subject to compliance with the additional applicable development and design criteria, as further set forth in the Naushop Crossing Area Plan (NCAP). In addition or in the alternative, the NCAPWG unanimously supports an overlay district (or similar zoning mechanism) tailored specifically to designated areas within the Naushop Crossing area on both sides of Old South Road to address the above. Specific standards will need to be developed for such an overlay district. The NCAPWG unanimously recommends the development of design criteria contained within this document be included in the Zoning By-law.

To this end, the NCAPWG spent a considerable amount of time discussing and refining potential development and design criteria, utilizing a variety of mitigation measures, which could serve to achieve this objective. A graphic illustrating the major development and design criteria described in the Plan is attached as **Exhibit B**.

The Nantucket Planning & Economic Development Commission and the Nantucket Planning Board could consider these suggestions when reviewing any application for future development projects in the Naushop Crossing area.

Based on these deliberations, the NCAPWG recommends that the following criteria and mitigation measures be considered:

- Any buildings exceeding 20,000 square feet of gross retail floor area and up to 45,000 square feet of gross retail floor area should be limited to the following:
 - Such buildings should be permitted only on parcels with a minimum lot area of one (1) acre for every 10,000 square feet of retail floor area, or fraction thereof (of lot area to floor area) within the CN, CTEC (Commercial, Trade, Entrepreneurship and Craft), or CI (Commercial Industrial) districts;
 - A specific site envelope shall be developed on both the northerly and southerly sides of Old South Road (i.e. the Valero and Sons and Richmond land holdings respectively). Within each envelope only a single larger structure, with up to a maximum of 45,000 square feet of retail gross floor area (on the Richmond land holdings property) and up to a maximum of 38,500 square feet of retail gross floor area (on the Valero property) shall be permitted. No structure of these larger sizes will be permitted outside of those envelopes; and,
 - Additional mitigation measures to off-set the potential negative impacts of larger commercial developments upon abutting residential properties should include:
 - Densely planted screening between large scale commercial uses and residential properties should be maintained and replaced with like-kind material as needed. Screening may include solid board fencing as approved by the Historic District Commission (HDC);
 - Loading docks/zones should be located in the rear and or side(s) of the building(s), located the farthest possible distance from abutting residentially properties; and

- Exterior lighting should comply with Chapter 102 (Outdoor Lighting) of the Code of the Town of Nantucket. Further, small scale lighting designed to focus light where it is needed on targeted areas, rather than the utilization of more standard “security” lighting that frequently provides excess lighting beyond what is needed for safety and security, is encouraged.

Specific Criteria that Apply to Commercial Developments which Abut Residential Neighborhoods

- Commercial buildings located within one hundred (100) feet of abutting residential neighborhoods should be screened with fencing and/or densely planted landscaping, in order to minimize their impact;
- No single commercial building (or portion of any single building) located within one hundred (100) feet of the abutting residential neighborhoods should exceed 10,000 square feet of retail floor area;
- Public entrances to commercial buildings located within one hundred (100) feet of the abutting residential neighborhoods should be oriented such that their visibility and impact is minimized;
- A twenty (20) foot wide densely planted “no build” setback area from a property line should be maintained between commercial properties and abutting residential neighborhoods. The only improvements allowed within this “no build” setback area should be fencing, screening, or other appropriate measures to buffer the development from the abutting residential neighborhoods. This requirement should not apply to small scale commercial businesses, such as offices, personal services and the like that would have minimal impact on abutting residential properties;
- Commercial parking areas located within one hundred (100) feet of the abutting residential neighborhoods should be screened with landscaping and or fencing, in order to minimize impact upon the abutting residential neighborhoods. Commercial parking areas should be paved to reduce noise and dust impacts;

- The NCAPWG recommends that any commercial developments located within one hundred (100) feet of the abutting residential neighborhoods should be open to the public no earlier than 7:00 AM and no later than 10:00 PM Monday-Saturday from November 1 – March 31 of any given year; and, no earlier than 7:00 AM to no later than 11:00 PM Monday-Thursday, no earlier than 7:00 AM to no later than 12:00 AM (midnight) Friday-Saturday, and no earlier than 7:00 AM to no later than 10:00 PM Sunday from April 1 – October 31 of any given year.
- To minimize disturbance, commercial loading and service related functions of large businesses should be located so as not to face toward the abutting residential neighborhoods and commercial loading and service related functions for smaller businesses should be shared to the extent possible and located away from abutting residential neighborhoods where possible.

Related Development and Design Criteria:

- Lighting fixtures serving any commercial development should be shielded and directed to prevent the “spillage” of light or glare to adjoining properties. The design and height of such lighting should be in keeping with “Building with Nantucket in Mind” specifically the section entitled “New Commercial Design: Exterior Details”. Appropriate lighting should be installed along Old South Road to increase visibility and safety at entrances and access points;
- Bike paths, walking paths, and sidewalks should connect commercial developments with residential neighborhoods and public and private rights of way. Bicycle and pedestrian access should be encouraged as a means of reducing vehicular traffic impacts; and
- Efforts shall be made to retrofit existing multi-use paths and construct new multi-use paths incorporating design elements and other means of minimizing potential conflicts between vehicles and bicyclists. These elements may include the use of reflectors, lighting, textured paving, and tactile warning strips leading up intersections with roadways. Implementation of grade separations at major crossings or intersections, where subsurface conditions allow and where the intensity of use by bicyclists warrant, should be explored.

Issues and Criteria which are Specific to the Richmond Land Holdings

As a result of its prominent size, +/- 42 acres (excluding roads) which comprises approximately forty-five percent (45%) of the entire land area within the NCAP area, its visibility, abutting Old South Road, and its significant potential for development/redevelopment, the Richmond land holdings could have the single most significant impact on the future character and economic development of the Old South Road corridor, not just within Naushop Crossing. This area currently contains a mix of commercial, industrial and residential uses, with little or no consistent or coordinated development, design, or operational criteria.

This dynamic has occurred as a result of a combination of the following factors: (a) historical development of portions of the property which have been grandfathered prior to the existence of local zoning controls; and, (b) the current zoning designation of the majority of this area as RC-2, which has led to inconsistent, and, in some cases, incompatible development patterns in the area (including the combination of immediately adjacent commercial, residential, and industrial development).

As a result of its size and visibility and the magnitude of significance of the opportunity for potential development/redevelopment, the NCAPWG supports the implementation of the following zoning changes for the Richmond land holdings and the immediate areas adjacent to it, as described below:

- A small (+/- 1 acre) area should be designated within the R-5 (Residential-5) zoning district. This area has frontage on Old South Road and comprises the eastern portion of the parcel located at # 73 Old South Road. This area was specifically considered as appropriate for this R-5 designation in order to create a similar density, character, and appearance to that of the Naushop and Witherspoon Drive residential subdivisions;
- A small (+/- 3 acre) area should be designated within the R-10 (Residential-10) zoning district. This area is comprised of land located west of Greglen Avenue, south of Nancy Ann Lane, north of Davkim Lane, and east of Lover's Lane. This designation would provide a transition between the residential areas and the land to be designated within the CTEC and CN zoning districts, to the east, and the residential land located within the R-20 (Residential-20) district, to the west;

- A contiguous (+/- 12 acre) area, including the property developed as Old South Liquors, the property developed as Nantucket Parcel Plus, and the two vacant lots located at 4 Greglen Avenue and 3 Nancy Ann Lane should be designated within the CN district. This area is primarily comprised of the parcels bounded by Old South Road, Lover's Lane, and Nancy Ann Lane and is currently designated within the RC-2 - district. This new zoning designation would promote the coordinated development of neighborhood oriented commercial uses in this highly visible area located along Old South Road;
- A contiguous (+/- 2 acre) area located at the northwest corner of Greglen Avenue and Nancy Ann Lane and running south in the direction of Davkim Lane, currently designated within the R-20 district, should also be designated within the CN district. This change would provide a transition between the larger blocks of commercially zoned land, located to the south, along Greglen Avenue and Nancy Ann Lane, and the parcels designated within the residential districts (Residential-10 and Residential-20) which are located in the remainder of the block formed and bounded by Lover's Lane, to the west, Davkim Lane, to the south, Greglen Avenue, to the east, and Nancy Ann Lane, to the north;
- The two areas which comprise the remainder of the Richmond land holdings should be designated as a combination of CI and CTEC districts, which would replace the RC-2 district;
- After the new zoning designations are in place, residential development as a primary use on any land designated within the CI and CTEC districts would no longer be permitted; and,
- The principals of the Richmond land holdings have expressed an interest in changing the proposed CTEC and CI zoning districts at some point in the future to CN. The NCAPWG supports such changes.

All future commercial development located within the entirety of the Richmond Land Holdings and the immediately adjacent areas to it should be subject to "Specific Criteria that Applies to Commercial Developments which Abut Residential Neighborhoods" which are set forth and described in detail in the earlier sections of this document.

Prospective Rezoning Specific to the Housing Nantucket (NHA Properties, Inc.) Land Holdings

As previously described above, Housing Nantucket currently owns a +/- 1 acre of land on the south side of Old South Road. Rezoning Housing Nantucket property from RC-2 to a combination of CN and R-5 is consistent with the planned use of the property, the proposed use of the adjacent Richmond Land Holdings and the existing pattern of development across Old South Road in the Naushop and Witherspoon residential subdivisions.

Zoning and Redevelopment of Properties Located on the North Side of Old South Road

Both the residential and commercial properties on the north side of Old South Road collectively total +/- 51 acres of land area (which comprises approximately 55% of the entire land area within the NCAP area). These properties include two major existing residential developments, the Naushop, and Witherspoon Drive subdivisions. The area also contains other commercial and mixed-use properties: Valero & Sons, Inc., The Emporium of Nantucket, Nantucket Seafoods, and an employee dormitory owned by Marine Home Center.

NCAPWG recommends the following:

- No changes to the R-5 zoning designation for the Naushop and Witherspoon Drive subdivisions should be undertaken;
- Although Valero & Sons, Inc., The Emporium of Nantucket, Nantucket Seafoods, and the employee dormitory owned by Marine Home Center are all properties that are candidates for development / redevelopment, efforts should be made to consider these properties as part of a single, interrelated commercial node, in terms of coordinated and mutually beneficial access/transportation improvements and development/design criteria; and

- Zoning designations of all four of these properties should be changed from RC-2 to the CN district. In addition, any future development of any of the four of these properties should also be subject to “Specific Criteria that Applies to Commercial Developments which Abut Residential Neighborhoods” as well as the recommendations related to the “Hierarchy of Development of Commercial Buildings along Old South Road” both of which are set forth and described in detail in the earlier sections of this plan.

Circulation Related Concerns Pertaining Land Use

- The NCAPWG supports the effort by the Board of Selectmen to acquire the unimproved segment of Hinsdale Road located on the north side of the Valero and Sons property and the Naushop residential subdivision for open space. Although the NCAPWG generally does not support the use of Hinsdale Road as a means of access from the commercial development on the north side of Old South Road to Milestone Road or Nobadeer Farm Road given the strong concerns expressed by members of the NCAPWG and residents of Naushop, regarding the viability of Old South Road to handle additional capacity safely, all options should remain open for future consideration by the appropriate authorities; and,
- Residents of the Tawpoot/Sesapana area, which are not included in the area covered by the NCAP, have expressed concerns about traffic mitigation including the construction of a new roadway from Hinsdale Road to Milestone Road utilizing the way known as Tawpoot Road. The NCAPWG does not support this option.

Land Use Related Issues

- The NCAPWG supports a Zoning Bylaw amendment which would include a provision to allow apartments to be permitted on a lot in the CN district as a primary use. Currently, apartments are only allowed above or below a commercial use, but not as a primary use.

Additional (Private and Voluntary) More Detailed Land Use Guidelines Related to the Valero Property, the Richmond Land Holdings, and the Naushop Residential Community

As previously indicated, the Valero property and the Richmond Land Holdings are by far the two largest undeveloped or underdeveloped assemblages of land within the Naushop Crossing Area. These properties are also located either directly adjacent to (in the case of the Valero property) or directly across Old South Road (in the case of the Richmond Land Holdings) from Naushop, which is by far the largest existing residential community in the area.

As a result of these factors, based on the potential impact that the development of these properties could have on Naushop, during the course of the NCAPWG deliberations, the Valero representative, the Richmond representative, and the Naushop representatives who were appointed to the work group have discussed and agreed upon certain more detailed and, in some cases, more restrictive additional restrictions that would apply to the future development of the Valero property and the Richmond land holdings. These additional restrictions will supplement the recommendations that have been incorporated into the NCAP as well as any future zoning modification which might be adopted which would apply to the respective properties.

These restrictions will address additional retail building location restrictions and retail square footage limitations, particularly in certain specific portions of the respective properties, and will also set forth the protocol as to how the parties will work together as and when any zoning warrant articles or project-specific approvals and permits are considered and processed in the future for the respective properties. The parties have agreed that these additional guidelines will be incorporated into a binding Memorandum of Understanding (MOU) which will be entered into by and between the parties and which will be incorporated into covenants that will be recorded against the title of the Valero property and the title of the Richmond land holdings, to facilitate future transparency and enforcement.

The restrictions (covenants) which have been agreed to are not personal to the existing owners; they will run with the land, regardless of whether the land is sold to new owners or leased to third-party tenants. The parties have also agreed that any sunset provisions which customarily apply to deed restrictions which would otherwise permit the restrictions (covenants) to expire (generally after a period of thirty years) will be renewed or extended by the parties, when and as appropriate.

3. Housing

The NCAPWG is home to a densely developed residential area, Naushop residential development. Over the last 40 years, this area has seen substantially increased commercial and residential development as a majority of the area is situated within the Residential-Commercial 2 zoning district since the 1972 enactment of the Zoning By-law. A significant portion of the area (Naushop, Witherspoon and Lovers Lane) is developed residentially, thus precluding further commercial development in those areas. However, the remaining area continued to be largely commercial in nature.

The Naushop Crossing residential areas are comprised of a mix of year-round and seasonal housing, both owner-occupied and leased. Portions of the commercial northerly side of Old South Road, which bi-sects the area covered by this Plan and running east and west, were converted to planned residential developments, i.e., Naushop, with 197 single-family lots, and Witherspoon, with 14 lots with a mix of duplex and single-family homes. Each of the residential subdivisions is governed by privately enforceable design standards and other deed restrictions that regulate use and appearance of the structures. The residential uses on the southerly side of Old South Road are larger lot scattered single-family home sites.

Currently, with recent zoning changes, a substantial majority of the residential areas have been converted to residential use only zoning districts. The remaining commercial properties have the potential to be either developed as residential or commercial uses. Zoning changes proposed in the Land Use Section of this Plan would allow a mix of commercial uses with ancillary residential uses in some of the proposed new commercial zones.

Proximate to Old South Road there is a multi-family apartment building, affordable housing complex, and other apartments over existing commercial businesses. NCAPWG supports efforts to provide affordable housing in this area. Portions of the area are serviced by water and sewer, are on the bike path, with public transportation stops along the route, are accessible to the United States Postal Service and are on a school bus route. The area lends itself to the development of affordable housing.

The NCAPWG supports the creation of and maintenance of a balance of residential and commercial uses, through the development of plans that would mitigate the impact of commercial activities on the residential area. Such mitigation would help to protect the quality of life and character of the residential areas.

4. Economic Development

The objective of the Plan is to create zoning that would define, and preserve the residential and commercial areas. Existing commercially zoned land has not been fully developed. The current intensity of use is not indicative of the potential build out of the commercial properties under current zoning. Any proposed expansion of existing commercial uses by applicants and any new commercial uses should be thoroughly reviewed by the applicable boards and commissions, with the impact on the surrounding residential areas carefully considered. The NCAPWG encourages compatible commercial uses in the CN districts, which are immediately proximate residential neighborhoods in the Naushop Crossing area.

The historic pattern of commercial development has been inconsistent as to scope, size and location. Commercial enterprises have ranged from an asphalt plant to office building. Smaller businesses have tended to operate from smaller structures along Old South Road and larger businesses have been generally located to the rear of the large commercial properties on both sides of Old South Road.

Zoning changes should promote orderly commercial development while minimizing impact on surrounding residential neighborhoods. The scale of future commercial developments should be assessed for their impact on carrying capacity of the roadways in and around the Naushop Crossing area. The Valero and Sons property on the northerly side of Old South Road and the Richmond land holdings on the southerly side of Old South Road are important commercial properties as they are among the last of the large relatively undeveloped commercial properties left on the island.

The area that is to be designated CTEC on the southerly side of Old South Road would provide opportunities for certain commercial businesses like contractors to operate with minimal impact on residential property owners. The less intense CN zoning district would be imposed along Old South Road in part to minimize impact, maintain smaller commercial businesses that would serve the neighborhood and community at large.

The goal is to not unduly restrict these large commercial tracts, but to provide guidance to the permit granting authorities and standards that would mitigate impacts on the surrounding residential neighborhoods. Commercial development could benefit not just the neighborhood but the island community as a whole.

5. Natural and Cultural Resources

Naushop Crossing has developed both commercially and residentially over the past 40 years from a time that saw little residential development and more commercial development. As of the date of adoption of this Plan, there is no historic context or historically significant structures located within this mid-island area that could be considered as cultural resources. There is also little open space, with no conservation land or wetland areas that could be considered natural resources within the area covered by this Plan.

However, although this particular area will continue to be built out over time, it is surrounded by significant conservation land that has open space, recreation and other restrictions imposed upon it. This land will benefit the residents and businesses in the area covered by this Plan.

6. Open Space and Recreation

The NCAPWG supports implementation of appropriate measures to preserve open space, while mitigating the impact of heavy commercial and residential use in the Naushop Crossing area. The NCAPWG supports all conservation efforts, enforcement measures and programs that further the goals of maintaining open spaces both within the area and immediately adjacent which enables reasonable public access to those areas. Though there is no protected open space in the Naushop Crossing area, the quality of life of Naushop Crossing residents is enhanced by the proximity to significant open space and recreational opportunities within Holdgate Trails and Fields owned by the Nantucket Islands Land Bank, the Massachusetts State Forest and other property held for conservation purposes.

Open Space

1. The NCAPWG recommends the creation of meaningful open/green space in future residential and commercial development. Although we recognize that the Zoning By-law may contain minimal requirements, we encourage the review boards to thoughtfully consider the impact of the open/green space that is proposed and how it can be enhanced to improve the quality of the proposed project particularly when adjacent to a residential area; and,
2. The NCAPWG recommends the elimination of use of that undeveloped portion of Hinsdale Road that borders the Naushop Crossing area on the northerly side as a roadway and dedicate the road to open space. Specifically, we recommend that the Town utilize the land taking provisions of the April 2013 Town Meeting that approved Article 81 to convert the unpaved portion of Hinsdale Road to open space and recreational use.

Recreation

1. The NCAPWG recommends that the Old South Road bike path, currently running along the northerly side of Old South Road, be enhanced by providing lighting where needed and that the Town perform at a minimum a semi-annual inspection of the path to remove brush and tree limbs that block or overhang onto the path;
2. The NCAPWG recommends mitigation measures such as bike path rumble strips before intersections with heavily traveled roadways, along with more clearly visible stop signs and reflectors to indicate said intersections, in order to improve safety;
3. The NCAPWG recommends installation of a water fountain along that portion of the Old South Road bike path located within Naushop Crossing and supports similar efforts along the portions of the bike path that do not lie within Naushop Crossing; and,
4. The NCAPWG recommends that the Nantucket Islands Land Bank work with the Town to expand the Holdgate Fields and Walking Trails to include a path within the Hinsdale Road layout that would create pedestrian connections to adjacent open space.

7. Services and Facilities

The commercial and residential character of the Naushop Crossing area is impacted by numerous internal and external forces, primarily due to Old South Road bisecting the area covered by the Plan. Old South Road is the main thoroughfare to the Nantucket Memorial Airport and points beyond, including the playing fields, schools and daycare facility. Thus a substantial portion of the traffic on Old South Road is generated by vehicles not related to residences or commercial businesses in the Naushop Crossing area but simply passing through to other destinations.

1. The NCAPWG supports the stringent enforcement of existing laws and regulations as to speeding along Old South Road, with particular emphasis during the summer months and at night;
2. The NCAPWG recommends extending the municipal water lines to the Naushop Crossing area in order to provide an adequate system of hydrants to aid in fire suppression;
3. The NCAPWG recommends extending the sewer line to areas that are not currently serviced by sewer within the Naushop Crossing area subject to future capacity constraints. Increased development would increase the need for sewer as the area is situated within the aquifer protection zone. The lack of these services would also unfairly result in restriction of development of any kind;
4. The NCAPWG recommends expansion of the sewer needs district to include all of the Naushop Crossing area subject to future capacity constraints;
5. The NCAPWG recommends regular inspection and servicing of the pump station related to the Naushop residential development;
6. The NCAPWG recommends that all traveled ways in the Naushop Crossing area be marked with appropriate signage and supports enforcement of the Town Code that requires all houses to be clearly marked with street numbers;

7. The NCAPWG recommends the burial of remaining utility service lines in the Naushop Crossing area, in order to protect utility service from the elements and lessen visual impact on the character of the area;
8. The NCAPWG recommends that the NRTA provide regular service to the Old South Road corridor and further recommends the expansion of service to run earlier and later in the shoulder seasons;
9. The NCAPWG recommends that drainage on Old South Road be improved and regularly maintained to eliminate the excess water pooling on the road. In the winter months there is a safety issue with ice forming on the road surface. If there is increased development, particularly on the southerly side of Old South Road, that would require increased use of Lovers Lane, any improvements should include proper drainage; and,
10. The NCAPWG supports continuing efforts by Richmond land holdings to remove surplus material from the commercial area south of Old South Road to further protect the integrity of the aquifer.

8. Circulation

All roadways in the Naushop Crossing area are paved, with the exception of a portion of Lovers Lane. However, several issues impact circulation at times, including excessive speed on the main travelled ways, traffic and obstructed sight lines due to overgrowth of vegetation and activity on the bike path. Old South Road is the main thoroughfare to the Nantucket Memorial Airport and points beyond. The secondary roadways in the Naushop Crossing area are subdivision roadways that provide access to properties but do not generally connect this area to any other area, other than Lovers Lane to another large planned subdivision in the Surfside area. However, there is adequate circulation within the subdivisions and the large commercial area on the south side of Old South Road.

1. The NCAPWG recommends that the Town undertake the removal of plantings that impede sight lines at intersections, particularly with the Old South Road bike path; in addition, the NCAPWG supports a review of the layout of the bike path on the northerly side of Old South Road to include possible straightening out of the route to eliminate bends that make it difficult for vehicles and bikes to see each other;
2. The NCAPWG recommends that the Town maintain drainage systems, sight lines, road markings and signage particularly on the bike path and at any pedestrian crossings;
3. The NCAPWG supports speed mitigation measures such as mobile speed monitoring devices, reduced speed limits and increased law enforcement presence to improve safety;
4. The NCAPWG recommends enhancement of the street lighting to increase safety along Old South Road particularly at the intersections with the Naushop entrance and exit and Witherspoon, Greglen Avenue and Lovers Lane access points;

5. Due to the potential development of large tracts of commercial property on the northerly and southerly sides of Old South Road, future improvements would need to be made to meet the traffic demand. The NCAPWG supports such efforts;
6. Should there be further development of the large commercial tract on the southerly side of Old South Road, NCAPWG recommends that there be a multi-use path on the southerly side of Old South Road;
7. The NCAPWG supports efforts to pave Lovers Lane to improve circulation and provide a safe alternative access to the Naushop Crossing Area. Should Lovers Lane be improved, a multiuse path on the east side should be provided to improve safety. Said improvements would need to be maintained at the expense of the commercial development principals. Speed mitigation measures should be installed to reduce speed on that section; Lovers Lane residents expressed concern about paving beyond the intersection of Nancy Ann Lane and Lovers Lane in a southerly direction. However, the NCAPWG does support improvements made to stabilize the unpaved section of Lovers Lane between Nancy Ann Lane and Davkim Lane with emphasis on improved drainage;
8. NCAPWG recommends increased public transit service to the area particularly if there is increased commercial development. NCAPWG also supports private commercial property owners' efforts to provide shuttle service to their establishments to decrease traffic on Old South Road;
9. NCAPWG recommends that a formal NRTA stop be provided on both sides of Old South Road that would allow the bus to pull off of Old South Road completely to allow traffic to flow unimpeded and provide a safe location for users to wait and access the buses; and,

10. NCAPWG recommends that the private commercial property owners provide pedestrian infrastructure within the developments that would connect with those that are and would be provided along Old South Road.

9. Implementation

The Implementation Program element defines and schedules the specific actions necessary to achieve the objectives of each element of the Plan that may include warrant articles to alter zoning districts, Town Code changes and other such actions that may be needed to further the Plan recommendations.