

1. Planning Board Special Meeting For 01/28/2016

Documents: [012816 SPECIAL MEETING FINAL PACKET.PDF](#)



# Nantucket Planning Board

## **SPECIAL MEETING** Nantucket Planning Board Agenda

Thursday, January 28, 2016  
6:00 PM

4 Fairgrounds Road  
Public Safety Facility Community Room  
First Floor

[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

Video of meeting available on Town website

**(AGENDA SUBJECT TO CHANGE)**

\*The complete text, plans, application, or other material relative to each agenda items are available for inspection at the Planning Office at 2 Fairgrounds Road between the hours of 8:30 AM and 4:30 PM\*

- I. Call to order:
- II. Approval of the agenda:
- III. ANR:
  - #7920 Greg W. Glowacki, 21 Greglen Avenue (Map 68 Parcel 142)
- IV. Public Hearings:
  - **WARRANT ARTICLES for 2016 ANNUAL TOWN MEETING:**
    - Zoning Map change from Residential Commercial (RC) to Commercial Mid-Island (CMI) for properties off of Sparks Avenue, Hooper Farm Road, Sanford Road, Pleasant Street, Freedom Square, Bayberry Court, West Creek Road, Chin's Way, Orange Street, Cherry Street, and Dave Street;
    - Zoning Map change from Residential Commercial (RC) to Commercial Mid-Island (CMI) for properties off of Old South Road, Nobadeer Farm Road, Hanabea Lane, and Wampanoag Way;
    - Zoning Bylaw amendment to Chapter 139, sections 2, 7A, 8D, 17, to amend the apartment building, workforce housing and structure height regulations for the Commercial Mid-Island (CMI) district;

- Zoning Map change from Residential Commercial 2 (RC-2) to Residential-5 (R-5) and Commercial Trade, Entrepreneurship, and Craft (CTEC) for properties off of Bartlett Road and Marble Way;
- Zoning Map change from Residential Commercial 2 (RC-2) and Commercial Trade, Entrepreneurship, and Craft (CTEC) to Residential 10 (R-10) or Residential 20 (R-20) for properties off Marble Way (citizen petition);
- Zoning Map change from Residential Commercial 2 (RC-2) to Commercial Neighborhood (CN) and Residential 5 (R-5) for properties off of Fairgrounds Road, Vincent Circle, and Ticcoma Way;
- Zoning Map change from Residential 1 to Residential Old Historic (ROH) for properties off of Cliff Road, North Avenue, Prospect Street, Joy Street, Milk Street, Mt. Vernon Street, Quaker Road, Main Street, Lowell Place, Easton Street, Vestal Street, and Madaket Road;
- Zoning Map change from Residential 20 (R-20) to Village Residential (VR) for properties off of Quidnet Road, Squam Road, Sesachacha Road, Naauma Lane, Beacon Lane, and Sakedan Lane;
- Zoning Bylaw amendment to Chapter 139, section 7A, to remove the by-right allowance of residential swimming pools in the Village Residential (VR) district;
- Zoning Map change from Residential 20 (R-20) to Residential 40 (R-40) or Limited Use General 1 (LUG-1) for properties off of Crooked Lane, Grove Lane, and Madaket Road;
- Zoning Map change from Sconset Residential 20 (SR-20) to Sconset Residential 5 (SR-5) for properties off of Clifton Street, Comeau Lane, and Sconset Avenue (citizen petition);
- Zoning Map change from Commercial Downtown (CDT), Residential Old Historic (ROH), Residential-1 (R-1), Residential-20 (R-20), and Limited Use General 2 (LUG-2) to Residential 40 (R-40) Town Open Space – for open space properties in various locations;
- Zoning Map change from Residential 20 (R-20), Village Residential (VR), Limited Use General-1 (LUG-1), and Limited Use General 2 (LUG-2) to Limited Use General 3 (LUG-3) Country Open Space – for open space properties in various locations;
- Zoning Map change from Village Trade, Entrepreneurship, and Craft (VTEC) to Village Residential (VR), from Limited Use General 3 (LUG-3) to VTEC and from VTEC to LUG-3 for property at 165, 171 and 171R Hummock Pond Road;
- Zoning Map change from Limited Use General 2 (LUG-2) to Limited Use General 1 (LUG-1) for properties off Evergreen Way, Airport Road, and Daffodil Lane (citizen petition);
- Zoning Map change from Limited Use General 2 (LUG-2) to Limited Use General 1 (LUG-1) for property at 8 Masaquet Avenue (citizen petition);
- Zoning Map change from Limited Use General 2 (LUG-2) to Limited Use General 1 (LUG-1) for properties off Lovers Lane, Boulevarde, and Okorwaw Avenue (citizen petition);
- Zoning Bylaw amendment to Chapter 139, section 2, to amend the definition of tertiary dwelling;
- Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house unit (citizen petition); and
- Zoning Bylaw amendment to Chapter 139, sections 2, 7, and 18, of the Code of the Town of Nantucket to allow the creation of a tiny house village (citizen petition);
- Zoning Bylaw amendment to Chapter 139, section 8C, to amend the secondary lot regulations;
- Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition);
- Zoning Bylaw amendment to Chapter 139, sections 2 and 8, of the Code of the Town of Nantucket to allow secondary lots to be sold to qualified family members without being subject to the Nantucket Housing Needs Covenant Ownership Form (citizen petition);
- Zoning Bylaw amendment to Chapter 139, section 11, to amend the major commercial development regulations;
- Zoning Bylaw amendment to Chapter 139, sections 2 and 30, to amend the adult use definition and to clarify the issuance of a special permit;

Planning Board Agenda for Thursday, January 28, 2016

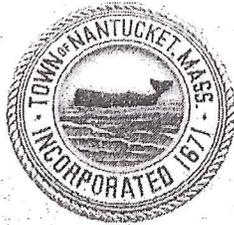
- Zoning Bylaw amendment to Chapter 139, sections 2, 16, 17, 29, 30, and 33, to make various technical amendments.

**V.Public Comments:**

**VI.Other Business:**

- **Vote to have regular Planning Board meeting for March 14<sup>th</sup> moved to March 7<sup>th</sup> at 6:30 PM.**

**VII. Adjourn:**



JAN 22 2016 AM 10:05

Town Clerk  
Town & County Building  
16 Broad St  
Nantucket, MA 02554

# Nantucket Planning Board

## Form A Application for Endorsement of a Plan Believed Not to Require Approval (ANR)

Date: 1/22/2016 \*Name of Owner(s)/Applicant(s): GREG W. GLOWACKI

\*Owner's/Applicant's address: 22A EVERGREEN WAY  
State: MA Zip Code: 02554

\*(include all names and addresses of the principals of the owner entity such as principal officer of corporation, trustees of the trust and partners of the partnership)

Location of Property (Street or Area): 21 GREGLEY AVENUE

Name of Registered Land Surveyor: HOWARD F. KING JR  
Surveyor's address: 90 OLD SOUTH ROAD NANTUCKET MA 02554

The owner's title to the land derived under deed from WALTER GLOWACKI, date 7/14/2014  
And recorded in Nantucket Registry of Deed, Book \_\_\_\_\_ Page \_\_\_\_\_ or Land Court Certificate of  
Title # 25260, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on  
Assessor's Map# 1083, Parcel # 142.  
To the Planning Board of the Town of Nantucket:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- The accompanying plan is not a subdivision because it does not show a division of land (perimeter plan).
- The division of the tract of land shown on the accompanying plan is not a subdivision because every lot on the plan has frontage of at least such distance as is presently required by the *Nantucket Zoning By-Law* under Section 5 which requires 40 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

A. a public way or a way which the City or Town Clerk certifies is maintained and used as a Public way, namely GREGLEY AVE; OR

DAVEKIM LANE

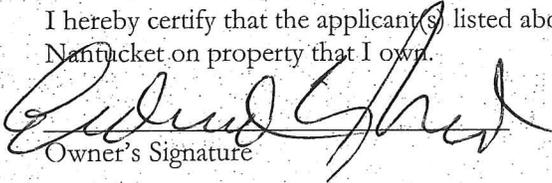
B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR

C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.

- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the *Nantucket Zoning By-Law* under Section 5, which requires \_\_\_\_\_ feet.
- The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically \_\_\_\_\_ buildings were standing on the land prior to 1955, the date when the Subdivision Control Law went into effect in the Town of Nantucket, and one of such building remains standing on each of the lots; said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted as follows: \_\_\_\_\_
- Other reasons or comments: (see M.G.L., Chapter 41, Section 81-L)

I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

 AGENT  
 Owner's Signature

Planning Board File # \_\_\_\_\_

Endorsement Date: \_\_\_\_\_



**ARTICLE \_\_**

**(Zoning Map Change: RC (Residential Commercial) to CMI (Commercial Mid-Island))**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Mid-Island (CMI) district:

Map	Lot	Number	Street
55	704.1	4A	Bayberry Court
55	704.2	4B	Bayberry Court
55	704.3	4C	Bayberry Court
55	705.1	5A	Bayberry Court
55	705.2	5B	Bayberry Court
55	705.3	5C	Bayberry Court
55	705.4	5D	Bayberry Court
55	705.5	5E	Bayberry Court
55	706.1	6A	Bayberry Court
55	706.2	6B	Bayberry Court
55	706.3	6C	Bayberry Court
55	706.4	6D	Bayberry Court
55	706.5	6E	Bayberry Court
55	706.6	6F	Bayberry Court
55	707.1	7A	Bayberry Court
55	707.2	7B	Bayberry Court
55	707.3	7C	Bayberry Court
55	707.4	7D	Bayberry Court
55	707.5	7E	Bayberry Court
55	707.6	7F	Bayberry Court
55	708.1	8A	Bayberry Court
55	708.2	8B	Bayberry Court
55	708.3	8C	Bayberry Court
55	708.4	8D	Bayberry Court
55	708.5	8E	Bayberry Court
55	708.6	8F	Bayberry Court
55	709.1	9A	Bayberry Court
55	709.2	9B	Bayberry Court
55	709.3	9C	Bayberry Court

55	709.4	9D	Bayberry Court
55	709.5	9E	Bayberry Court
55	709.6	9F	Bayberry Court
55	709.7	9G	Bayberry Court
55	377.1	1	Cherry Street
55	387	4	Cherry Street
55	163	1	Chin's Way
55	162	2	Chin's Way
55	161	4	Chin's Way
55	152	3	Dave Street
55	288	4	Dave Street
55	151	5	Dave Street
55	287.1	6	Dave Street
55	287	8	Dave Street
55	158	12	Dave Street
55	428	17	Dave Street
55	702.1	1A	Freedom Square
55	702.2	1B	Freedom Square
55	702.3	1C	Freedom Square
55	702.4	1D	Freedom Square
55	702.5	1E	Freedom Square
55	702.6	1F	Freedom Square
55	703.1	3A	Freedom Square
55	703.2	3B	Freedom Square
55	703.3	3C	Freedom Square
55	703.4	3D	Freedom Square
55	718		Freedom Square
55	228	1	Hooper Farm Road
55	227.1	3	Hooper Farm Road
55	227	5	Hooper Farm Road
55	364	115	Orange Street
55	377	117	Orange Street
55	388	119	Orange Street
55	389	121	Orange Street
55	394	125	Orange Street
55	146	127	Orange Street
55	147	129	Orange Street

55	285	135	Orange Street
55	286	137	Orange Street
55	665	137A	Orange Street
55	153	141	Orange Street
55	154	143	Orange Street
55	155	145	Orange Street
55	312	147	Orange Street
55	157	147R	Orange Street
55	311	149	Orange Street
55	170	159	Orange Street
55	171	161	Orange Street
55	176.5	163	Orange Street
55	176.3	165	Orange Street
55	176.4	167	Orange Street
55	292	171	Orange Street
55	180.2	175	Orange Street
55	701.1	96	Pleasant Street
55	701.2	96	Pleasant Street
55	701.3	96A	Pleasant Street
55	701.4	96B	Pleasant Street
55	145	100	Pleasant Street
55	912	109	Pleasant Street
55	149.1	110	Pleasant Street
55	267.9	111	Pleasant Street
55	149.2	112	Pleasant Street
55	149	112	Pleasant Street
55	267.8	113	Pleasant Street
55	267.7	115	Pleasant Street
55	267.6	117	Pleasant Street
55	267.5	119	Pleasant Street
55	160	122	Pleasant Street
55	164	130	Pleasant Street
55	270	131	Pleasant Street
55	271	135	Pleasant Street
55	176.1	140	Pleasant Street
55	176.2	144	Pleasant Street
55	806	2A#1	Sanford Road

55	807	2B#2	Sanford Road
55	808	2C#3	Sanford Road
55	809	2D#4	Sanford Road
55	810	2E#5	Sanford Road
55	811	2F#6	Sanford Road
55	180.1	1	Sparks Avenue
55	180.3	3	Sparks Avenue
55	636	5	Sparks Avenue
55	179	9	Sparks Avenue
55	229	14A	Sparks Avenue
55	229.1	14B	Sparks Avenue
55	177	15	Sparks Avenue
55	800	16A	Sparks Avenue
55	801	16B	Sparks Avenue
55	802	16C	Sparks Avenue
55	803	16D	Sparks Avenue
55	804	16E	Sparks Avenue
55	231.1	18	Sparks Avenue
55	231.2	18A	Sparks Avenue
55	307	20	Sparks Avenue
55	269.2	21	Sparks Avenue
55	308	22	Sparks Avenue
55	309	24	Sparks Avenue
155	310	26	Sparks Avenue
55	234.6	30	Sparks Avenue
55	268	31	Sparks Avenue
55	233.2	34	Sparks Avenue
55	233.1	36	Sparks Avenue
55	240.1	38	Sparks Avenue
55	267.4	41	Sparks Avenue
55	267.3	43	Sparks Avenue
55	267.2	45	Sparks Avenue
55	267.1	47	Sparks Avenue
55	266	51	Sparks Avenue
55	169	1	West Creek Road
55	168	3	West Creek Road
55	172	4	West Creek Road

55	289	5	West Creek Road
55	173	6	West Creek Road
55	167	7	West Creek Road
55	173.1	8	West Creek Road
55	174	10	West Creek Road
55	166	11	West Creek Road
55	175	12	West Creek Road
55	165	13	West Creek Road

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_ RC to CMI" dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT



**ARTICLE \_\_**  
**(Zoning Map Change: RC-2 (Residential Commercial-2) to CMI (Commercial Mid-Island))**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Mid-Island (CMI) district:

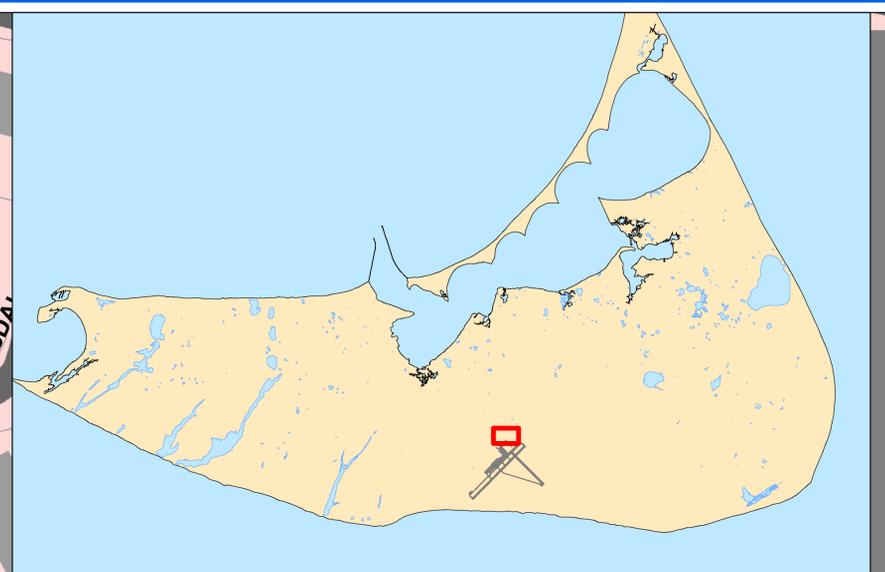
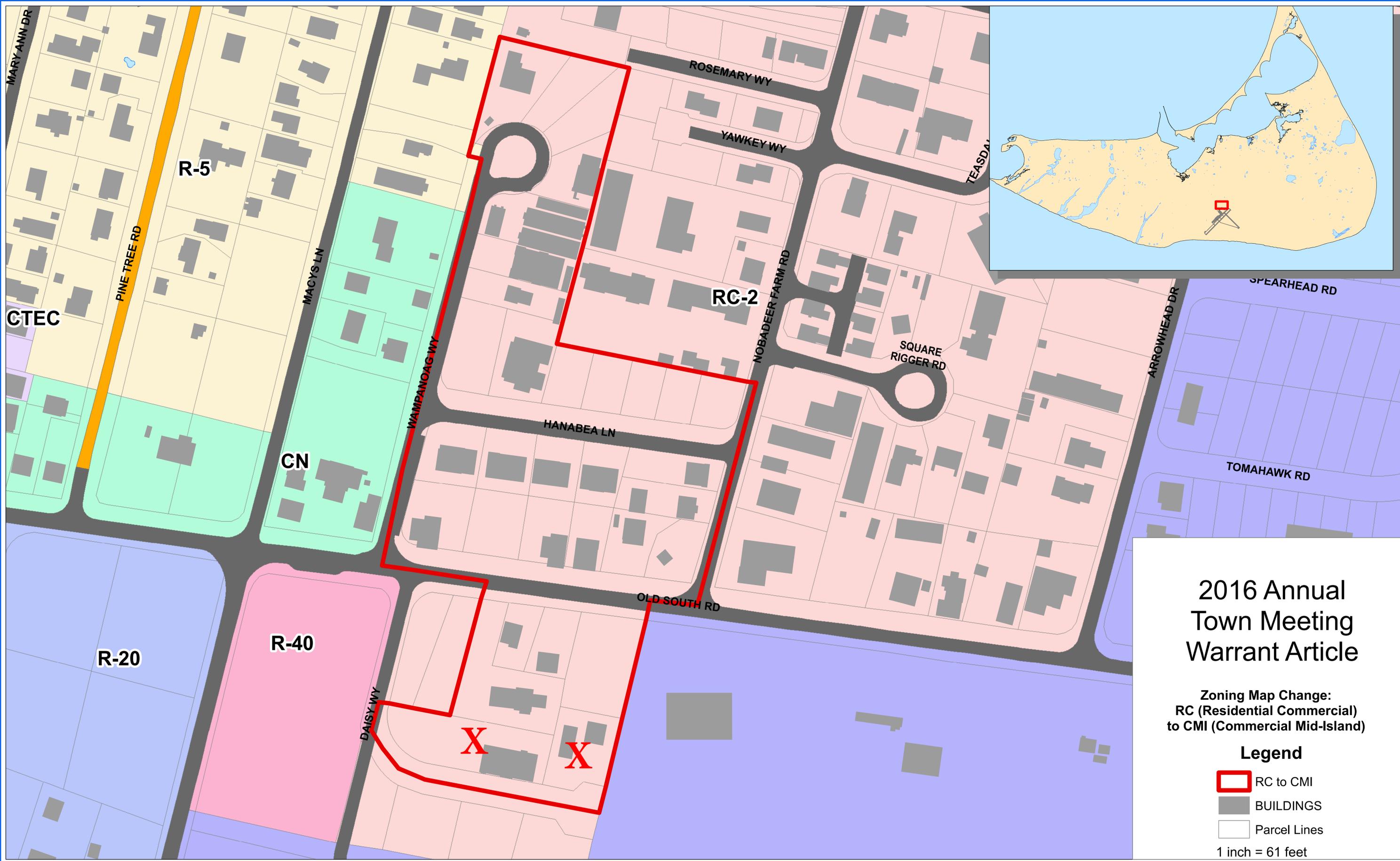
Map	Lot	Number	Street
68	966	1	Hanabea Lane
68	319	2	Hanabea Lane
68	967	3	Hanabea Lane
69	15	4	Hanabea Lane
69	271	5	Hanabea Lane
69	255	6	Hanabea Lane
69	272	7	Hanabea Lane
69	256	8	Hanabea Lane
69	257	10	Hanabea Lane
69	258	12	Hanabea Lane
69	102	47	Nobadeer Farm Road
69	101	49	Nobadeer Farm Road
69	100	51	Nobadeer Farm Road
68	300	133	Old South Road
68	968	118	Old South Road
68	969	124	Old South Road
69	273	126	Old South Road
69	274	128	Old South Road
69	14	130	Old South Road
68	46.6	135A	Old South Road
68	46.5	135B	Old South Road
68	318	5	Wampanoag Way
68	317	9	Wampanoag Way
68	316	11	Wampanoag Way
68	315	13	Wampanoag Way
68	314	15	Wampanoag Way
68	313	19	Wampanoag Way
68	312	21	Wampanoag Way
68	311	23	Wampanoag Way

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_ RC-2 to CMI dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT



# 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:  
RC (Residential Commercial)  
to CMI (Commercial Mid-Island)**

### Legend

- RC to CMI
- BUILDINGS
- Parcel Lines

1 inch = 61 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.  
The presence of information on this mapsheet does not necessarily imply public right-of-way or the right of public access.

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

ARTICLE \_\_\_\_\_

(Zoning Bylaw Amendment: **Commercial Mid-Island**)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikethrough; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. To amend section 2 as follows:

**APARTMENT BUILDING(S)**

A structure ~~or structures~~ containing a maximum of up to eight bedrooms in up to six dwelling units on a single lot with no commercial or other uses shall be allowed in the following districts:

(1) ~~CN/VN~~ one dwelling unit is permitted for each 2,500 square feet of lot area.

(2) ~~CMI~~ one dwelling unit is permitted for each 1,500 square feet of lot area.

The Planning Board shall be the special permit granting authority.

2. To amend section 7A by amending the Use Chart as follows:
  - a. By deleting "N" in the "CMI" column and "Apartment building" row and replacing it with "SP".
  - b. By deleting "N" in the "CMI" column and "Workforce Rental Community" row and replacing it with "SP".

3. To amend section 8D as follows:

Special permit issued by the Planning Board to create workforce homeownership housing in the R-5 zoning district through a Workforce Homeownership Housing Bonus Lots allowance and in the CN ~~and CMI~~ zoning district through a Workforce Rental Community.

4. To amend section 8D(1)(a) as follows:

The following requirements shall apply to Workforce Homeownership Housing Bonus Lots in the R-5 zoning district and to Workforce Housing Rental Community in the CN ~~and CMI~~ zoning district.

- i. Minimum lot requirement of 60,000 square feet; ~~in the CN district and 32,000 square feet in the CMI district;~~

...

5. To amend section 17A as follows:

A. Building and structure height is measured as the average height of all sides of a building or structure from the average mean grade to the highest point of the building and/or structure. There shall be only one highest point for each building and/or

structure. No one building and/or structure side shall exceed 32 feet, except in the CDT and CMI districts, or as otherwise permitted. Height limitations, except as noted in the Village Height Overlay District, shall be as follows:

	Zoning District	Maximum Height
Country Overlay District	SR-1, SOH, SR-10, SR-20, LUG-1, LUG-2, LUG-3, MMD, VN, VTEC, VR	30
Town Overlay District	R-1, ROH, R-5, R-10, R-20, R-40, CDT, CMI, CN, CTEC, CI, RC, RC-2, LC	30
Town Overlay District	CMI	40

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT

**ARTICLE \_\_**

**(Zoning Map Change: RC-2 to CTEC and R-5 - Bartlett Road)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Commercial Trade Entrepreneurship and Craft (CTEC) district:

Map	Lot	Number	Street
67	524	48	Bartlett Road
67	100 (a portion of)	54	Bartlett Road
66	101	2	Marble Way
66	101.1	2	Marble Way

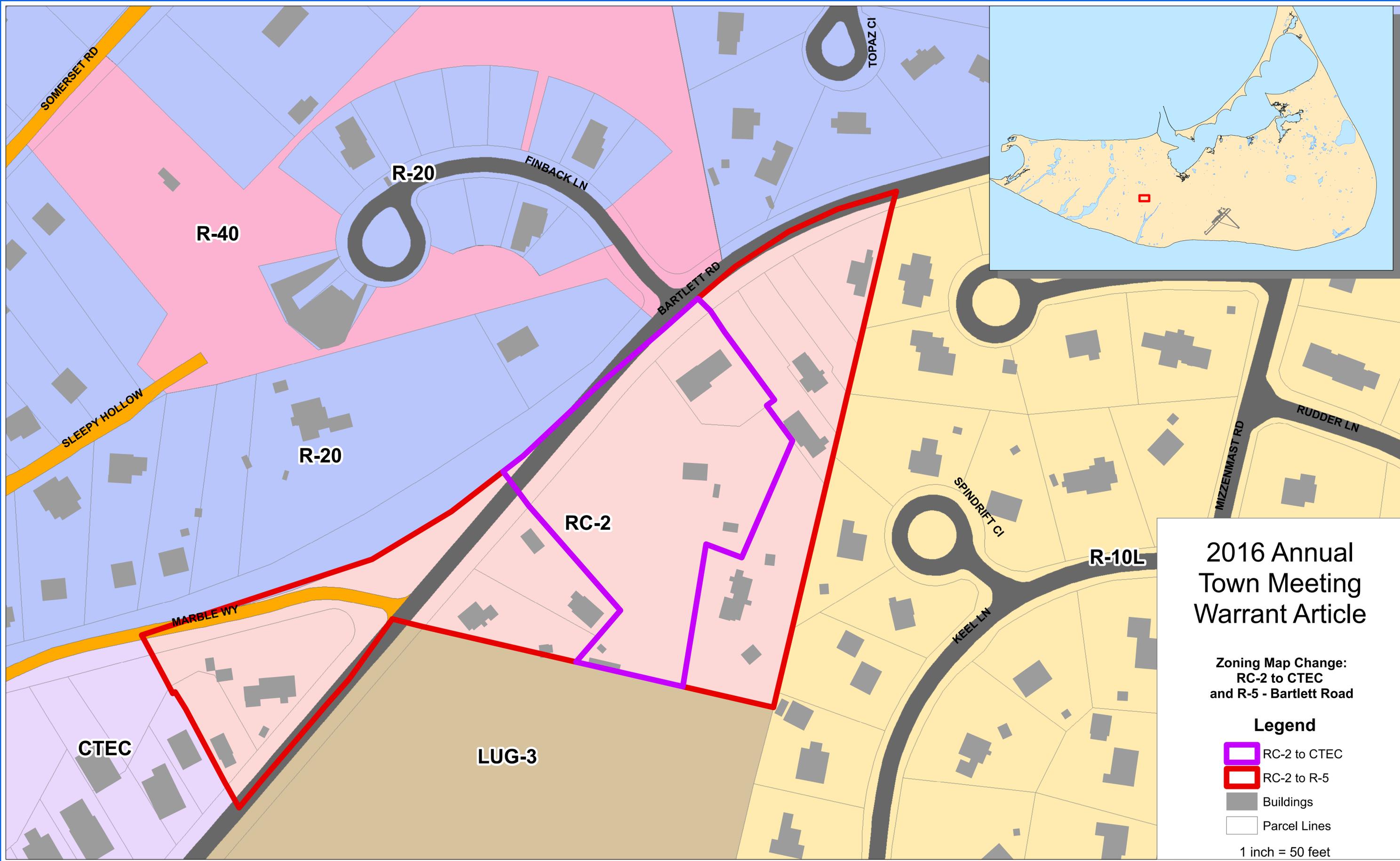
2. Placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
66	434	40	Bartlett Road
66	530	42	Bartlett Road
66	529	44	Bartlett Road
66	531	46	Bartlett Road
66	100 (a portion of)	54	Bartlett Road
66	100.2	56	Bartlett Road
66	100.1	58	Bartlett Road
66	101	2	Marble Way
66	101.1	2	Marble Way

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_ RC-2 to CTEC and R-5 dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:  
RC-2 to CTEC  
and R-5 - Bartlett Road**

### Legend

- RC-2 to CTEC
- RC-2 to R-5
- Buildings
- Parcel Lines

1 inch = 50 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



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Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE \_\_\_\_**

**(Zoning Map Change: RC-2 and CTEC to R-10 or R-20 - Marble Way)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Placing the following properties currently located in the Residential Commercial 2 (RC-2) district, in the Residential 10 (R-10) or Residential 20 (R-20) district:

Map	Lot	Number	Street
66	101 (a portion of )	2	Marble Way
66	101.1 (a portion of)		Marble Way

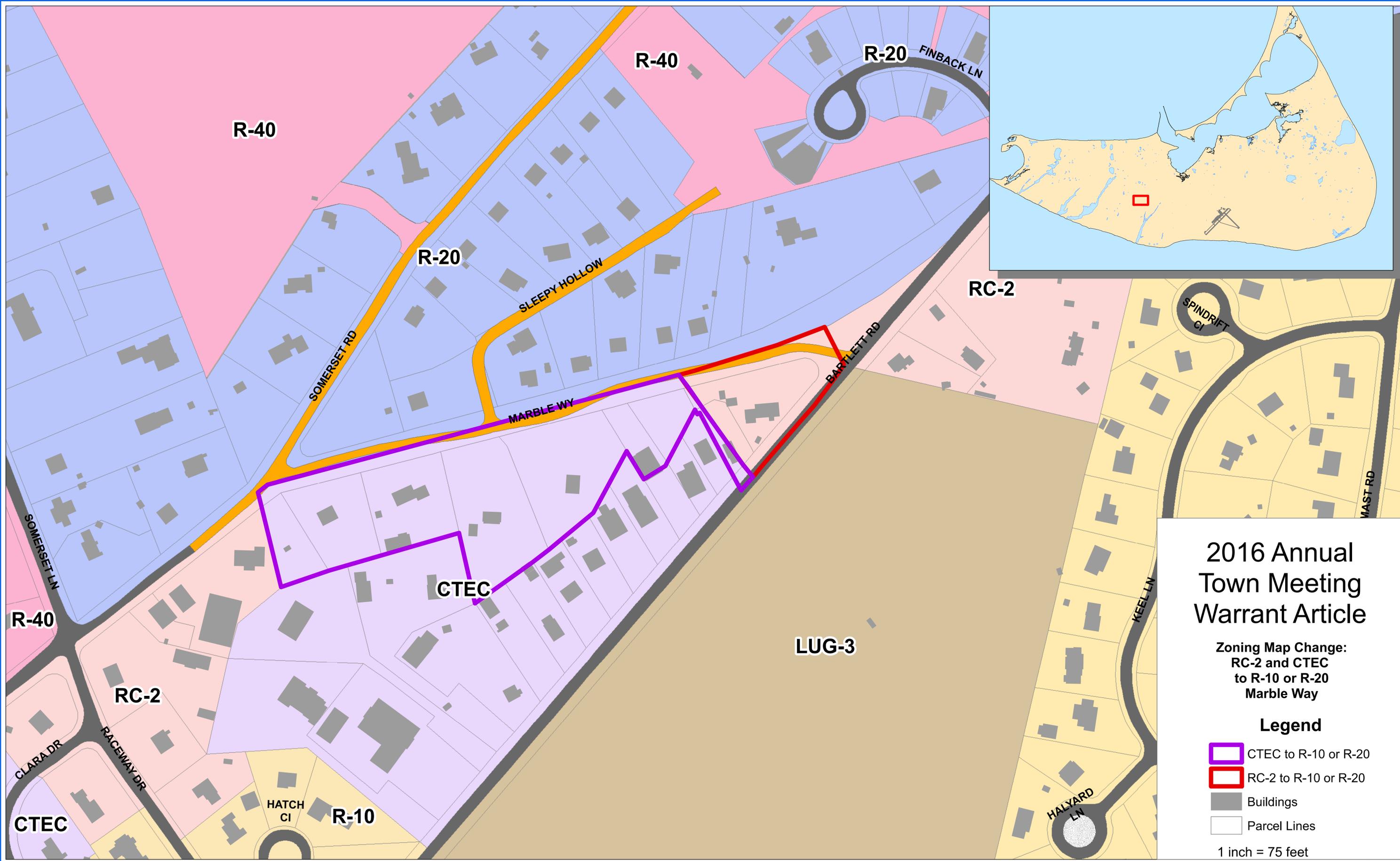
2. Placing the following properties currently located Commercial Trade Entrepreneurship and Craft (CTEC) district, in the Residential 10 (R-10) or Residential 20 (R-20) district:

Map	Lot	Number	Street
66	101 (a portion of )	2	Marble Way
66	101.1 (a portion of)		Marble Way
66	102.1	4A	Marble Way
66	102	4B	Marble Way
66	103	6 (Lots 202 and 203 on Land Court Plan 28933-6)	Marble Way
66	104	10	Marble Way
66	105	12	Marble Way
66	106	14	Marble Way
66	106.1	16	Marble Way

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_\_\_ Zoning Map Change: RC-2 and CTEC to R-10 or R-20 - Marble Way” dated October 23<sup>rd</sup>, 2015 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Samantha Parsons, et al)*



# 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
 RC-2 and CTEC  
 to R-10 or R-20  
 Marble Way

### Legend

- CTEC to R-10 or R-20
- RC-2 to R-10 or R-20
- Buildings
- Parcel Lines

1 inch = 75 feet

**Data Sources:**  
 The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

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## Town of Nantucket - GIS Mapsheet



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Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
 Town of Nantucket  
 2 Fairgrounds Road  
 Nantucket, MA 02554

**ARTICLE \_\_**

**(Zoning Map Change: RC-2 to CN and R-5 - Fairgrounds Road and Ticcoma Way)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Commercial Neighborhood (CN) district:

Map	Lot	Number	Street
67	40	2	Fairgrounds Road
67	752	4	Fairgrounds Road
67	710 (a portion of)	16	Vincent Circle

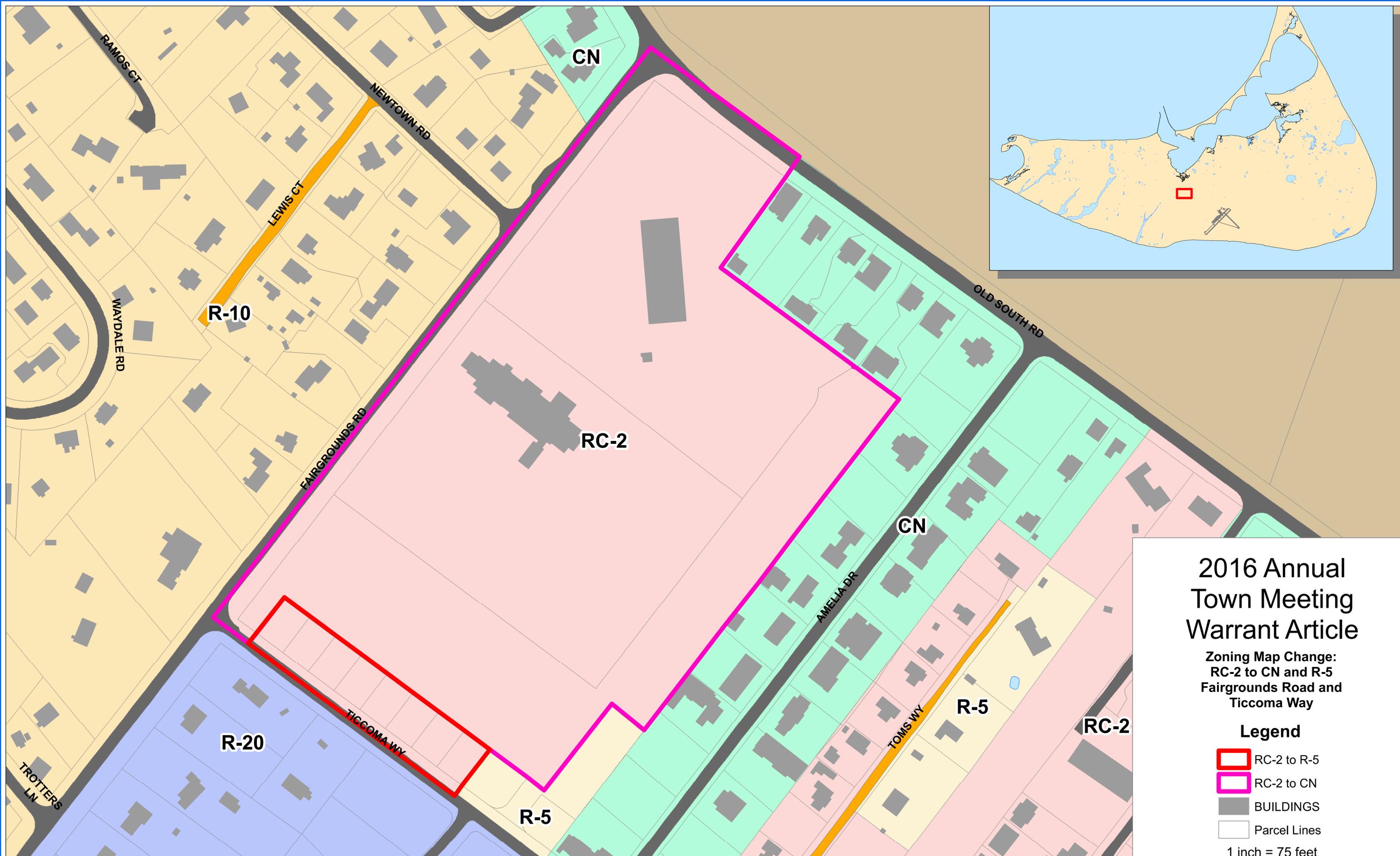
2. Placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	700	2	Ticcoma Way
67	701	4	Ticcoma Way
67	702	6	Ticcoma Way
67	703	8	Ticcoma Way
67	704	10	Ticcoma Way
67	705	12	Ticcoma Way
67	706	14	Ticcoma Way
67	707	16	Ticcoma Way

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_ RC-2 to CN and R-5 dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:  
RC-2 to CN and R-5  
Fairgrounds Road and  
Ticcoma Way**

### Legend

- RC-2 to R-5
- RC-2 to CN
- BUILDINGS
- Parcel Lines

1 inch = 75 feet

**Data Sources:**  
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# Town of Nantucket - GIS Mapsheet



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Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE \_\_**

**(Zoning Map Change: R-1 to ROH - Various Locations)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Residential 1 (R-1) district in the Residential Old Historic (ROH) district:

Map	Lot	Number	Street
42.4.4	20	3	Cliff Road
42.4.4	60	5	Cliff Road
42.4.4	59.1	7	Cliff Road
42.4.4	59	9	Cliff Road
42.4.4	21	89	Easton Street
55.4.4	42.1	1	Joy Street
55.4.4	68 (68.1)	3 (5)	Joy Street
55.4.4	32.2	7	Joy Street
41	858	1	Lowell Place
41	511	3	Lowell Place
41	293	3	Madaket Road
42.3.3	46	131	Main Street
41	455	139	Main Street
41	172	141	Main Street
41	171	145	Main Street
41	170	147	Main Street
41	289	158	Main Street
41	290	160	Main Street
41	291	162	Main Street
41	292	164	Main Street
55.4.4	1	30	Milk Street
56	321	32	Milk Street
41	41	35	Milk Street
55.4.4	10	10	Mt Vernon Street
55.4.4	10.1	10R	Mt Vernon Street
55.4.4	35	12	Mt Vernon Street
55.4.4	34	14	Mt Vernon Street
55.4.4	33	16	Mt Vernon Street
55.4.4	32.1	18	Mt Vernon Street
42.4.4	19	4	North Avenue
55.4.4	2	1	Prospect Street

55.4.4	37	1	Prospect Street
55.4.4	38	3	Prospect Street
55.4.4	39	5	Prospect Street
55.4.4	40	7	Prospect Street
55.4.4	41	9	Prospect Street
55.4.4	42	11	Prospect Street
55.4.4	88	17	Prospect Street
55.4.4	89.1	19	Prospect Street
55.4.4	89	21	Prospect Street
55.4.4	90	23	Prospect Street
55.4.4	91	25	Prospect Street
55.4.4	93	27	Prospect Street
41	178	15	Quaker Road
41	179	17	Quaker Road
41	42	19	Quaker Road
41	617	24A	Vestal Street

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_\_ R-1 to ROH dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*



**ARTICLE \_\_**  
**(Zoning Map Change: R-20 to VR - Quidnet)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Residential 20 (R-20) district in the Village Residential (VR) district:

Map	Lot	Number	Street
21	26.9 (a portion of)	3	Beacon Lane
21	26.8 (a portion of)	5	Beacon Lane
21	26.2	3	Naauma Lane
21	26.3	4	Naauma Lane
21	151	22	Quidnet Road
21	150	26	Quidnet Road
21	149	30	Quidnet Road
21	27.1	31	Quidnet Road
21	27.4	31	Quidnet Road
21	27.2	33	Quidnet Road
21	53	34	Quidnet Road
21	27.3	35	Quidnet Road
21	52	36	Quidnet Road
21	50	40	Quidnet Road
21	26.1	41	Quidnet Road
21	26.5	41	Quidnet Road
21	21 (a portion of)	45	Quidnet Road
21	143	47	Quidnet Road
21	90	50	Quidnet Road
21	91	50R	Quidnet Road
21	59	52	Quidnet Road
21	89	57	Quidnet Road
21	81.2	59	Quidnet Road
21	81.3	61	Quidnet Road
21	96	64	Quidnet Road
21	115	65	Quidnet Road
21	114	67	Quidnet Road
21	113	68	Quidnet Road
21	111	72	Quidnet Road
21	110	74	Quidnet Road
21	63	76	Quidnet Road

21	99	80	Quidnet Road
21	100	84	Quidnet Road
21	101	84	Quidnet Road
21	102	86	Quidnet Road
21	103	86	Quidnet Road
21	104	88	Quidnet Road
21	109	88	Quidnet Road
21	105	90	Quidnet Road
21	108	90	Quidnet Road
21	107 (a portion of)	94	Quidnet Road
21	73 (a portion of)	100	Quidnet Road
21	74 (a portion of)	102	Quidnet Road
21	75.1		Quidnet Road
21	26	4	Sakedan Lane
21	26.4	5	Sakedan Lane
21	26.7 (a portion of)	6	Sakedan Lane
21	26.6	7	Sakedan Lane
21	24	1	Sesachacha Road
21	88	2	Sesachacha Road
21	23	3	Sesachacha Road
21	87	6	Sesachacha Road
21	142	7	Sesachacha Road
21	85	8	Sesachacha Road
21	141	9	Sesachacha Road
21	140	11	Sesachacha Road
21	83	12	Sesachacha Road
21	82	14	Sesachacha Road
21	18	17	Sesachacha Road
21	19	17	Sesachacha Road
21	80	24	Sesachacha Road
21	79	28	Sesachacha Road
21	78	30	Sesachacha Road
21	76.4	36A	Sesachacha Road
21	76.1	36B	Sesachacha Road
21	76.2	36C	Sesachacha Road
21	76.3	36D	Sesachacha Road
21	48	2	Squam Road

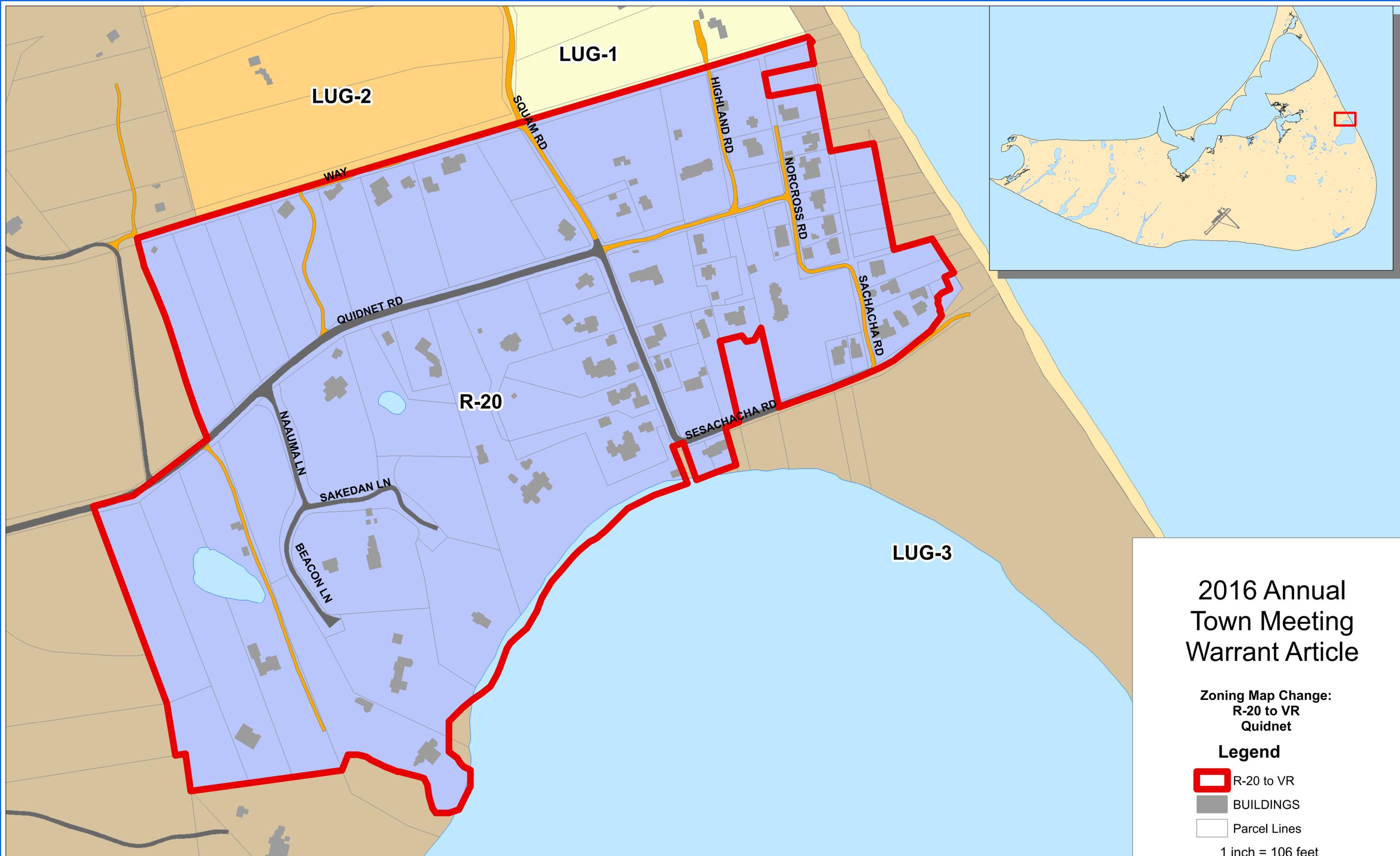
21	47	6	Squam Road
21	49	6	Squam Road
21	51	8	Squam Road

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_ R-20 to VR dated [redacted] and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
R-20 to VR  
Quidnet

### Legend

-  R-20 to VR
-  BUILDINGS
-  Parcel Lines

1 inch = 106 feet

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# Town of Nantucket - GIS Mapsheet



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GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

ARTICLE \_\_\_\_\_

**(Zoning Bylaw Amendment: Village Residential/Swimming Pool)**

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 7A, by deleting “A” in the “VR” column and “Swimming pool - residential” row and replacing it with “SP” or “N” (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*).

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT

ARTICLE \_\_\_\_

(Zoning Map Change: R-20 to R-40 or LUG-1 - Grove Lane)

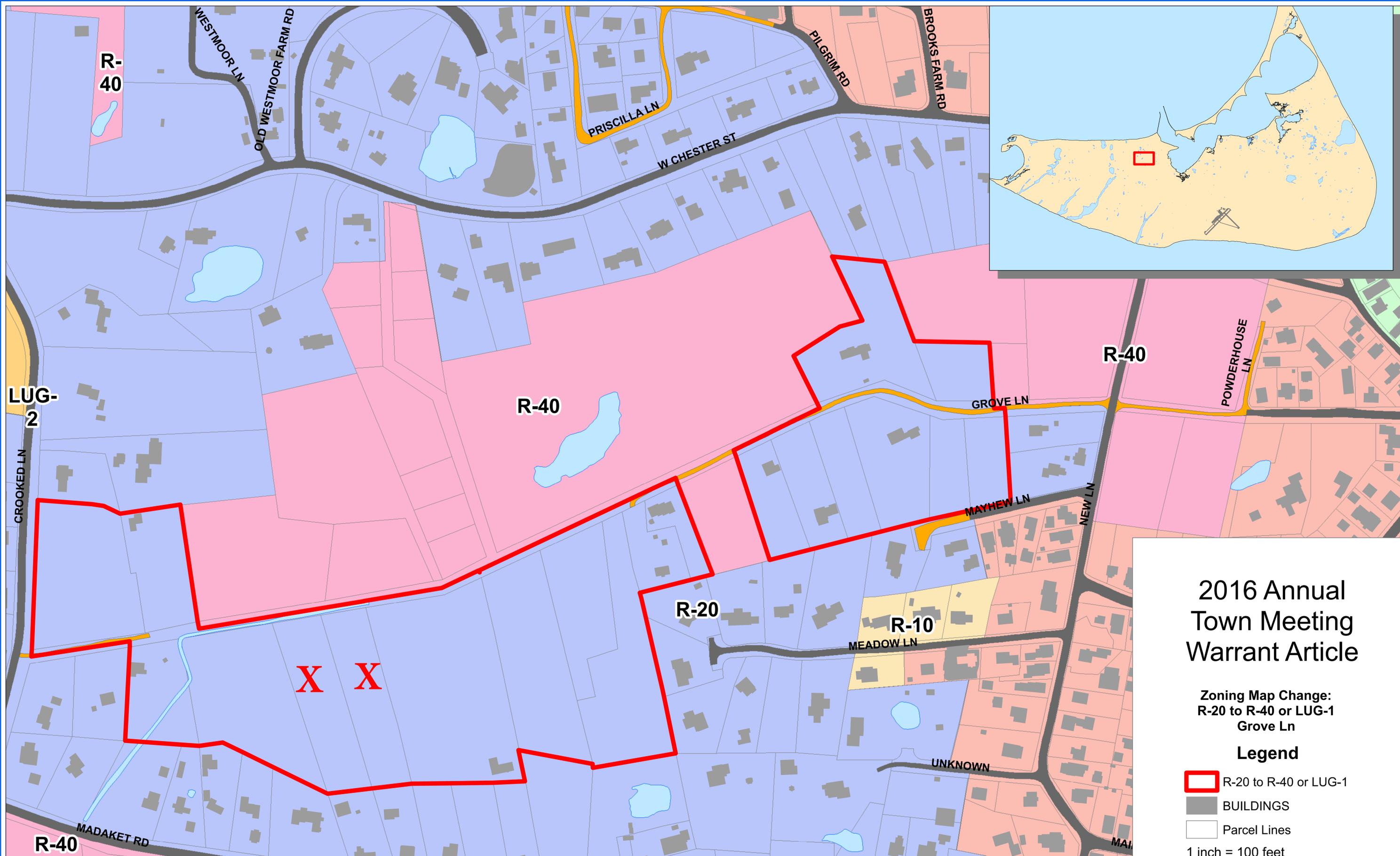
To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Residential 20 (R-20) district, in the Residential 40 (R-40) district:

Map	Lot	Number	Street
41	330	36	Crooked Lane
41	441	18	Grove Lane
41	505	19	Grove Lane
41	440	20	Grove Lane
41	438	23	Grove Lane
41	439	24	Grove Lane
41	437	26	Grove Lane
41	436	28	Grove Lane
41	435	30	Grove Lane
41	433.1	34A	Grove Lane
41	433	34B	Grove Lane
41	432	36	Grove Lane
41	431	38	Grove Lane
41	430	40	Grove Lane
41	415	54	Grove Lane
41	419	55	Grove Lane
41	416	58	Grove Lane
41	410 (portion of)	35	Madaket Road

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_\_\_ Zoning Map Change: R-20 to R-40 or LUG-1 Grove Ln," dated \_\_\_\_\_, 2015 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
R-20 to R-40 or LUG-1  
Grove Ln

### Legend

- R-20 to R-40 or LUG-1
- BUILDINGS
- Parcel Lines

1 inch = 100 feet

**Data Sources:**  
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Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE**

**(Zoning Map Change: SR-20 to SR-5/Clifton Street, Comeau Lane, Sconset Avenue)**

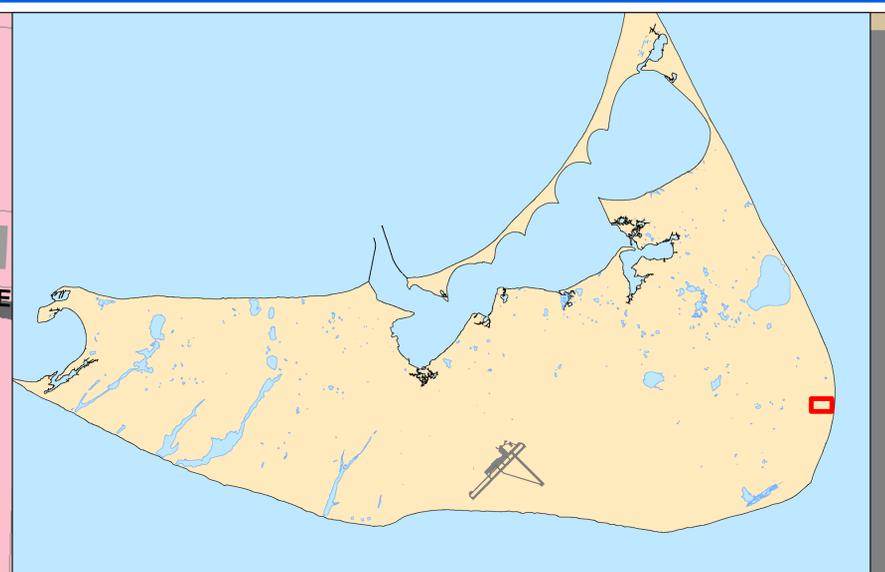
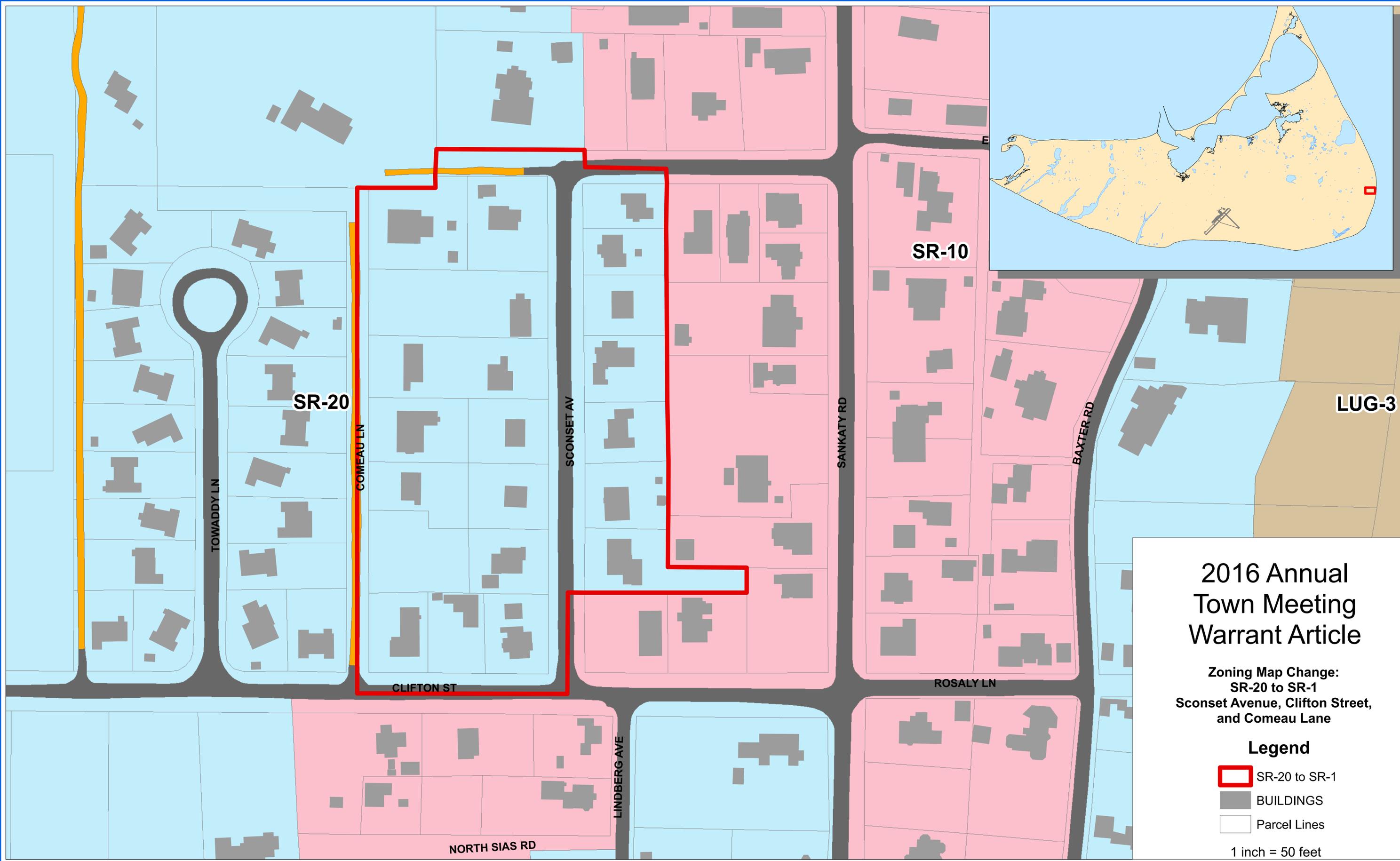
To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Placing the following properties currently located in the Sconset Residential-20 (SR-20) Zoning District in the Sconset Residential-5 (SR-5) Zoning District.

Please see attached list of parcels and map.

73.4.1	4	11	Clifton
73.4.1	27	7	Clifton
73.4.1	5	3	Comeau Ln
73.4.1	28	2	Sconset Ave
73.4.1	6	4	Sconset Ave
49.3.2	13	7	Comeau Ln
49.3.2	12	6	Sconset Ave
49.3.2	29	9	Comeau Ln
49.3.2	28	8	Sconset Ave
49.3.2	27	10	Sconset Ave
49.3.2	25	12	Sconset Ave
49.3.2	32	16	Sconset Ave
49.3.2	24	14	Sconset Ave
73.4.1	7	3	Sconset Ave
49.3.2	11	5	Sconset Ave
49.3.2	10	7	Sconset Ave
49.3.2	9	9	Sconset Ave
49.3.2	8	11	Sconset Ave
49.3.2	7	13	Sconset Ave
49.3.2	6	15	Sconset Ave

*(John B. Brescher, et al)*



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
SR-20 to SR-1  
Sconset Avenue, Clifton Street,  
and Comeau Lane

### Legend

- SR-20 to SR-1
- BUILDINGS
- Parcel Lines

1 inch = 50 feet

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2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE \_\_**

**(Zoning Map Change: CDT, ROH, R-1, R-20 and LUG-2 to R-40 - Town Open Space)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Place the following properties currently located in the Commercial Downtown (CDT) district in the Residential-40 (R-40) district.

Map	Lot	Number	Street
42.4.2	18	27	Easy Street

2. Place the following properties currently located in the Residential Old Historic (ROH) district in the Residential-40 (R-40) district.

Map	Lot	Number	Street
42.3.3	179	106	Main Street

3. Place the following properties currently located in the Residential-1 (R-1) district in the Residential-40 (R-40) district.

Map	Lot	Number	Street
30	608	2	Nantucket Avenue
42.4.4	54.1		North Avenue
42.4.4	54.2		North Avenue

4. Place the following properties currently located in the Residential-20 (R-20) district in the Residential-40 (R-40) district.

Map	Lot	Number	Street
56	452	1	Aurora Way
56	456	2	Aurora Way
41	480 (portion of)	21	Crooked Lane
56	372	12	High Brush Path
56	387	20	High Brush Path
56	114	14	Oak Hollow
68	826	126	Old South Road
68	827	127	Old South Road
68	828	128	Old South Road

5. Place the following properties currently located in the Limited Use General-2 (LUG-2) district in the Residential-40 (R-40) district.

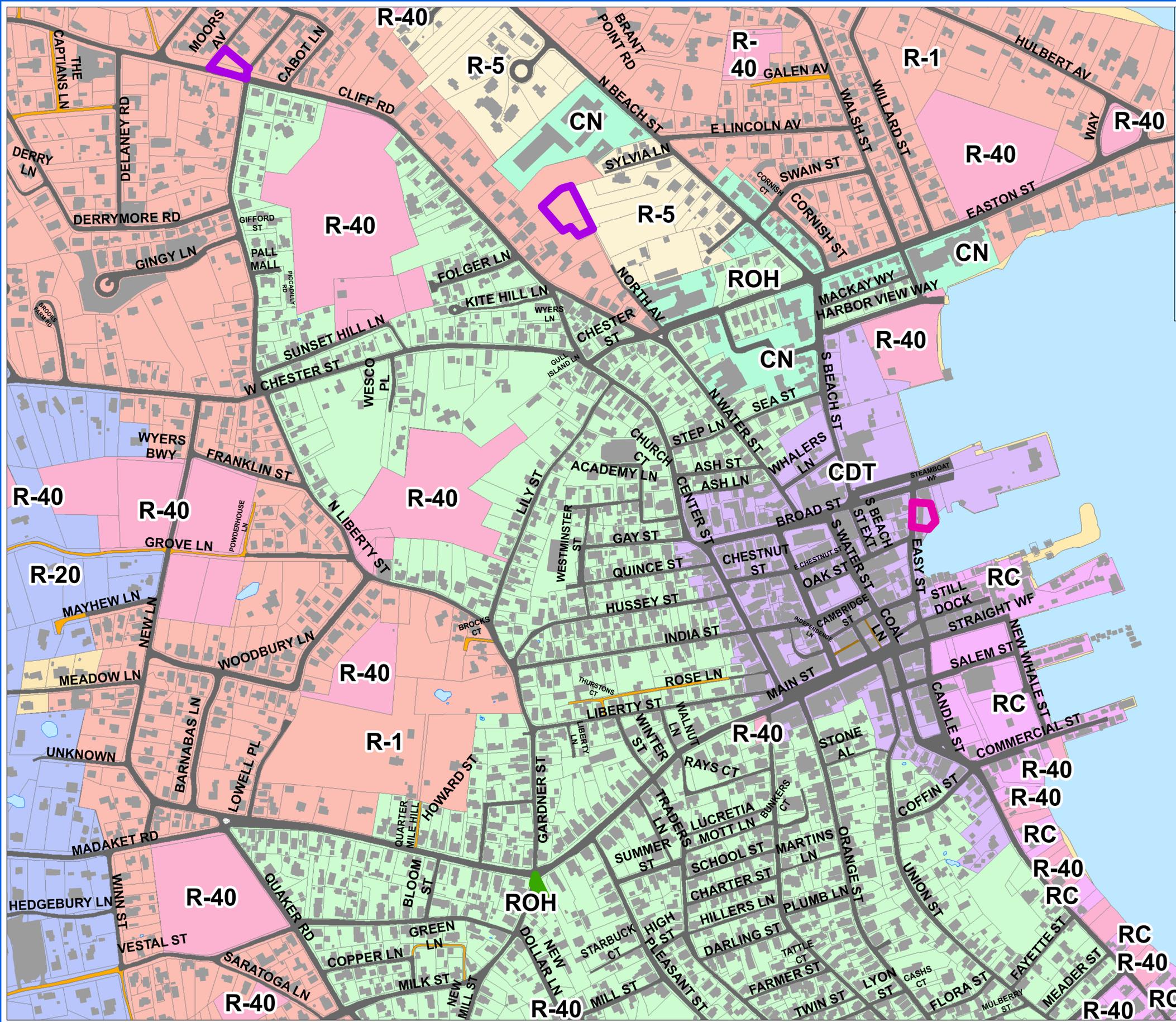
Map	Lot	Number	Street
67	82.1		Surfside Road

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_ CDT, ROH, R-1, R-20 and LUG-2 to R-40 -Town Open Space” dated January 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT



# 2016 Annual Town Meeting Warrant Article Map 1

Zoning Map Change:  
CDT, ROH, R-1, R-20,  
and LUG-2 to R-40  
Town Open Space

### Legend

- Zoning Change**
- CDT to R-40
  - LUG-2 to R-40
  - R-1 to R-40
  - R-20 to R-40
  - ROH to R-40
  - BUILDINGS
  - Parcel Lines

1 inch = 206 feet

**Data Sources:**  
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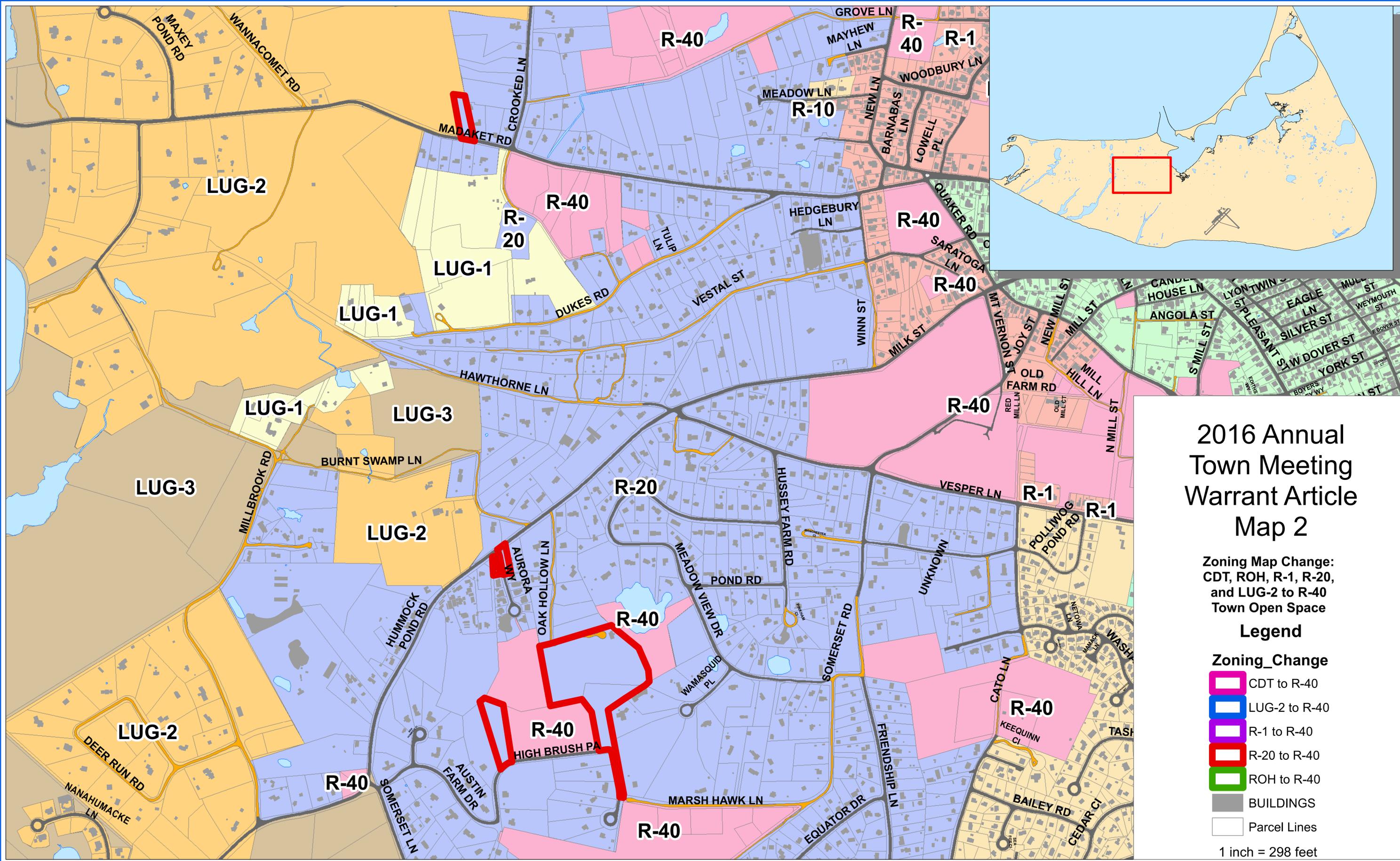
## Town of Nantucket - GIS Mapsheet



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2 Fairgrounds Road  
Nantucket, MA 02554



## 2016 Annual Town Meeting Warrant Article Map 2

Zoning Map Change:  
CDT, ROH, R-1, R-20,  
and LUG-2 to R-40  
Town Open Space

### Legend

#### Zoning\_Change

- CDT to R-40
- LUG-2 to R-40
- R-1 to R-40
- R-20 to R-40
- ROH to R-40
- BUILDINGS
- Parcel Lines

1 inch = 298 feet

**Data Sources:**  
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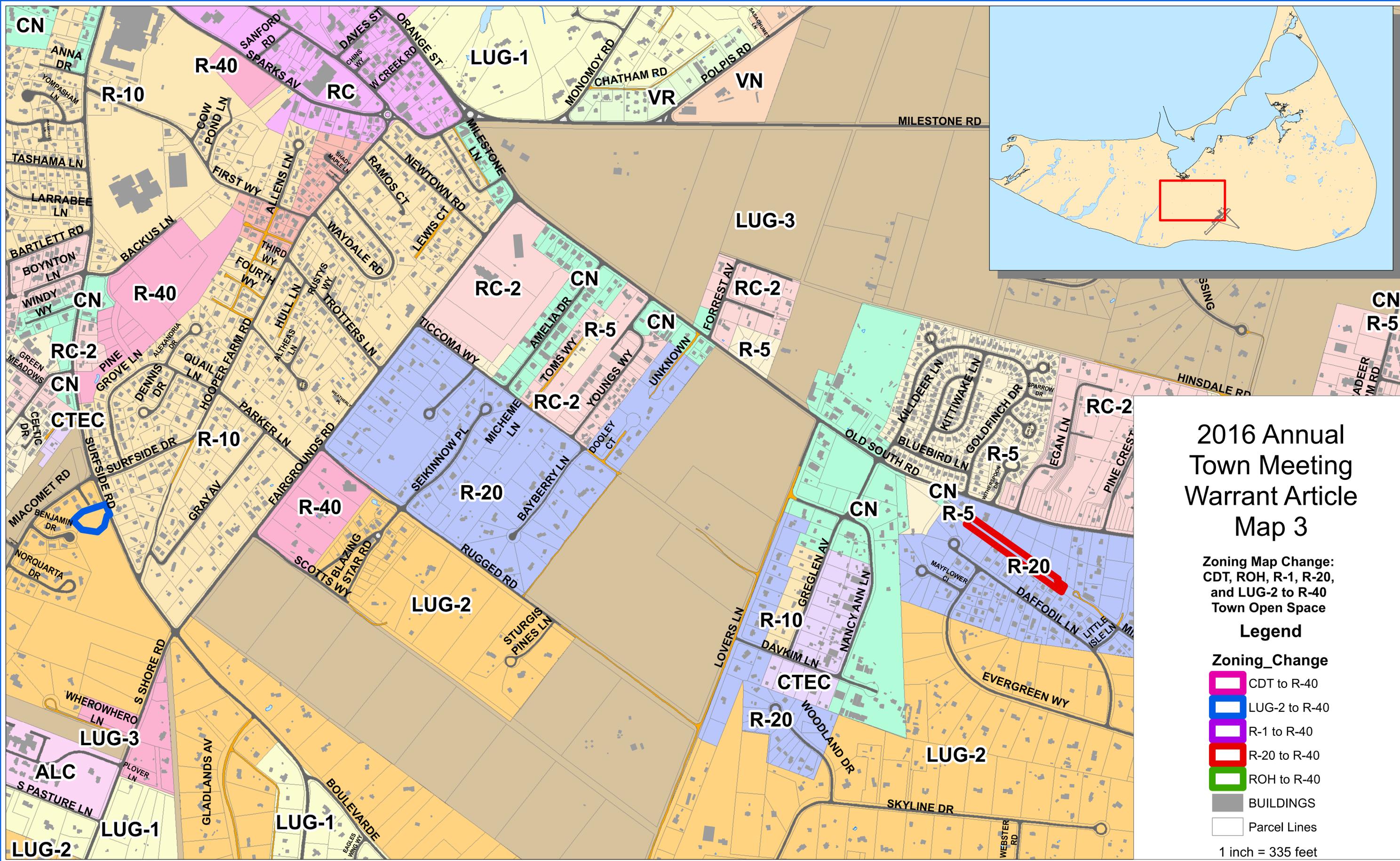
# Town of Nantucket - GIS Mapsheet



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GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554



# 2016 Annual Town Meeting Warrant Article Map 3

Zoning Map Change:  
CDT, ROH, R-1, R-20,  
and LUG-2 to R-40  
Town Open Space

### Legend

#### Zoning\_Change

- CDT to R-40
- LUG-2 to R-40
- R-1 to R-40
- R-20 to R-40
- ROH to R-40
- BUILDINGS
- Parcel Lines

1 inch = 335 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

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## Town of Nantucket - GIS Mapsheet



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GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE \_\_\_**

**(Zoning Map Change: R-20, VR, LUG-1, and LUG-2 to LUG-3 - Country Open Space)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Place the following properties currently located in the Residential-20 (R-20) district in the Limited Use General-3 (LUG-3) district:

Map	Lot	Number	Street
21	75 (portion of)	Rear	Quidnet Road
21	98	78	Quidnet Road
21	81.1	18	Sesachacha Road
87	81 (portion of)	32	Western Avenue

2. Place the following properties currently located in the Village Residential (VR) district in the Limited Use General-3 (LUG-3) district:

Map	Lot	Number	Street
60.2.4	34	10	Ames Avenue
60.2.4	60		Ames Avenue
59.3	71		Arkansas Avenue
59.3	72		Arkansas Avenue
59.3	74		Arkansas Avenue
59.3	75		Arkansas Avenue
59.3	76		Arkansas Avenue
59.3	77		Arkansas Avenue
59.4	238		Madaket
59.4	327	272	Madaket Road
59.4	328	272	Madaket Road
59.4	289	276	Madaket Road
59.4	179		Mississippi Avenue
59.4	280		Mississippi Avenue
59.4	281		Mississippi Avenue
59.4	282		Mississippi Avenue
59.4	323		Mississippi Avenue
59.4	324		Mississippi Avenue
59.4	325		Mississippi Avenue
59.4	326		Mississippi Avenue
59.4	178		Mississippi Avenue
60.3.1	192	43	New Hampshire Avenue

59.3	92		North Carolina Avenue
59.3	188		North Carolina Avenue
59.3	189		North Carolina Avenue
59.3	190		North Carolina Avenue
59.3	266		North Carolina Avenue
59.3	267		North Carolina Avenue
59.3	269		North Carolina Avenue
60.3.1	24		Rhode Island Avenue
59.3	248		South Carolina Avenue
59.3	47		Starbuck Road
59.3	70		Starbuck Road
59.3	142		Starbuck Road
60	24	9	Starbuck Road
60	110	17R	Starbuck Road
60.1.2	56	21	Tennessee Avenue
60.1.2	57	23	Tennessee Avenue

3. Place the following properties currently located in the Limited Use General-1 (LUG-1) district in the Limited Use General-3 (LUG-3) district:

Map	Lot	Number	Street
59	1.3	225	Madaket Road
54	204	21	Monomoy Road
55	61.1	158	Orange Street
43	14	56	Polpis Road
43	168	30	Shimmo Pond Road
43	169	32	Shimmo Pond Road
59.3	42	48	South Cambridge Street

4. Place the following properties currently located in the Limited Use General-2 (LUG-2) district in the Limited Use General-3 (LUG-3) district:

Map	Lot	Number	Street
41	480 (portion of)	21	Crooked Lane
31	25.2	10	East Tristram Avenue
39	31.1	9	Greenleaf Road
87	86	1	Hillside Avenue
87	2	7	Hillside Avenue
38	111	38	Ridge Lane
41	536	3	Wannacomet Road
41	532		West Chester Street

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_\_, Zoning Map Change: R-20, VR, LUG-1, and LUG-2 to LUG-3 - Country Open Space” dated January 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT



# 2016 Annual Town Meeting Warrant Article Map 1

**Zoning Map Change:**  
R-20, VR, LUG-1,  
and LUG-2 to LUG-3  
Country Open Space

## Legend

- Zoning Change**
- LUG-1 to LUG-3
  - LUG-2 to LUG-3
  - LUG-3 to LUG-3
  - R-20 to LUG-3
  - VR to LUG-3
  - BUILDINGS
  - Parcel Lines

1 inch = 75 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

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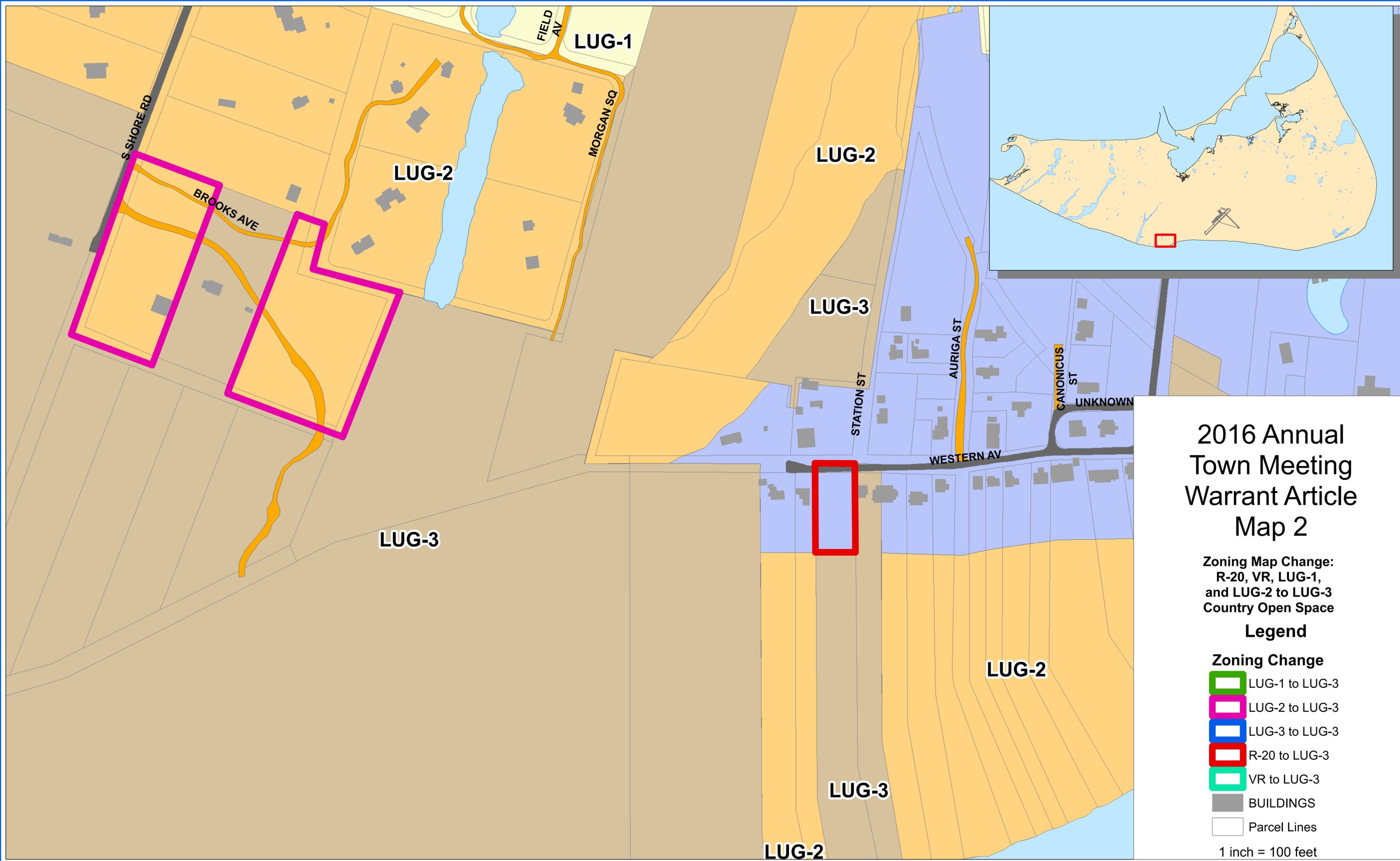
## Town of Nantucket - GIS Mapsheet



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Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554



## 2016 Annual Town Meeting Warrant Article Map 2

**Zoning Map Change:  
R-20, VR, LUG-1,  
and LUG-2 to LUG-3  
Country Open Space**

### Legend

#### Zoning Change

- LUG-1 to LUG-3
- LUG-2 to LUG-3
- LUG-3 to LUG-3
- R-20 to LUG-3
- VR to LUG-3
- BUILDINGS
- Parcel Lines

1 inch = 100 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

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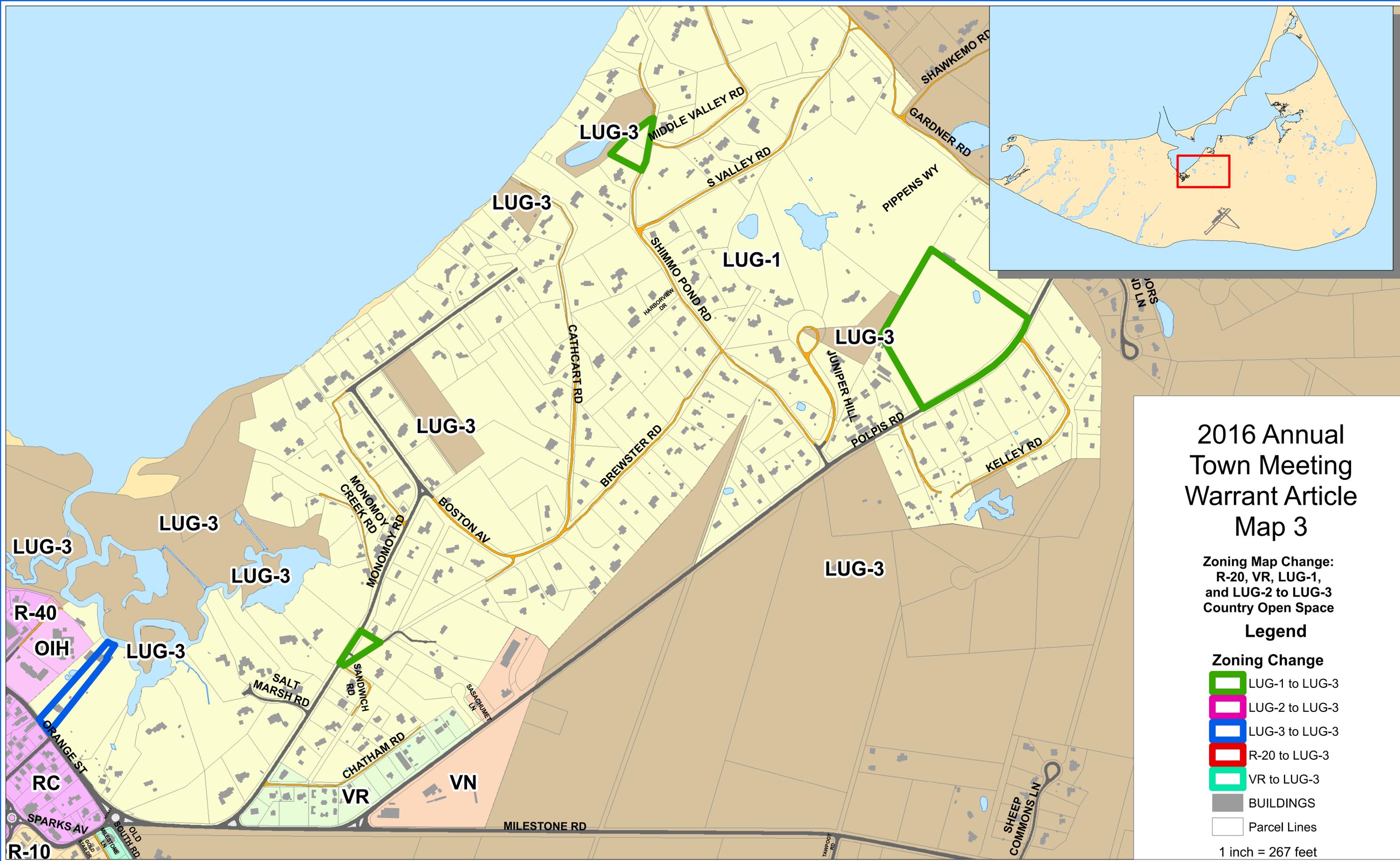
# Town of Nantucket - GIS Mapsheet



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Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554



## 2016 Annual Town Meeting Warrant Article Map 3

**Zoning Map Change:**  
R-20, VR, LUG-1,  
and LUG-2 to LUG-3  
Country Open Space

### Legend

- Zoning Change**
- LUG-1 to LUG-3
  - LUG-2 to LUG-3
  - LUG-3 to LUG-3
  - R-20 to LUG-3
  - VR to LUG-3
  - BUILDINGS
  - Parcel Lines

1 inch = 267 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

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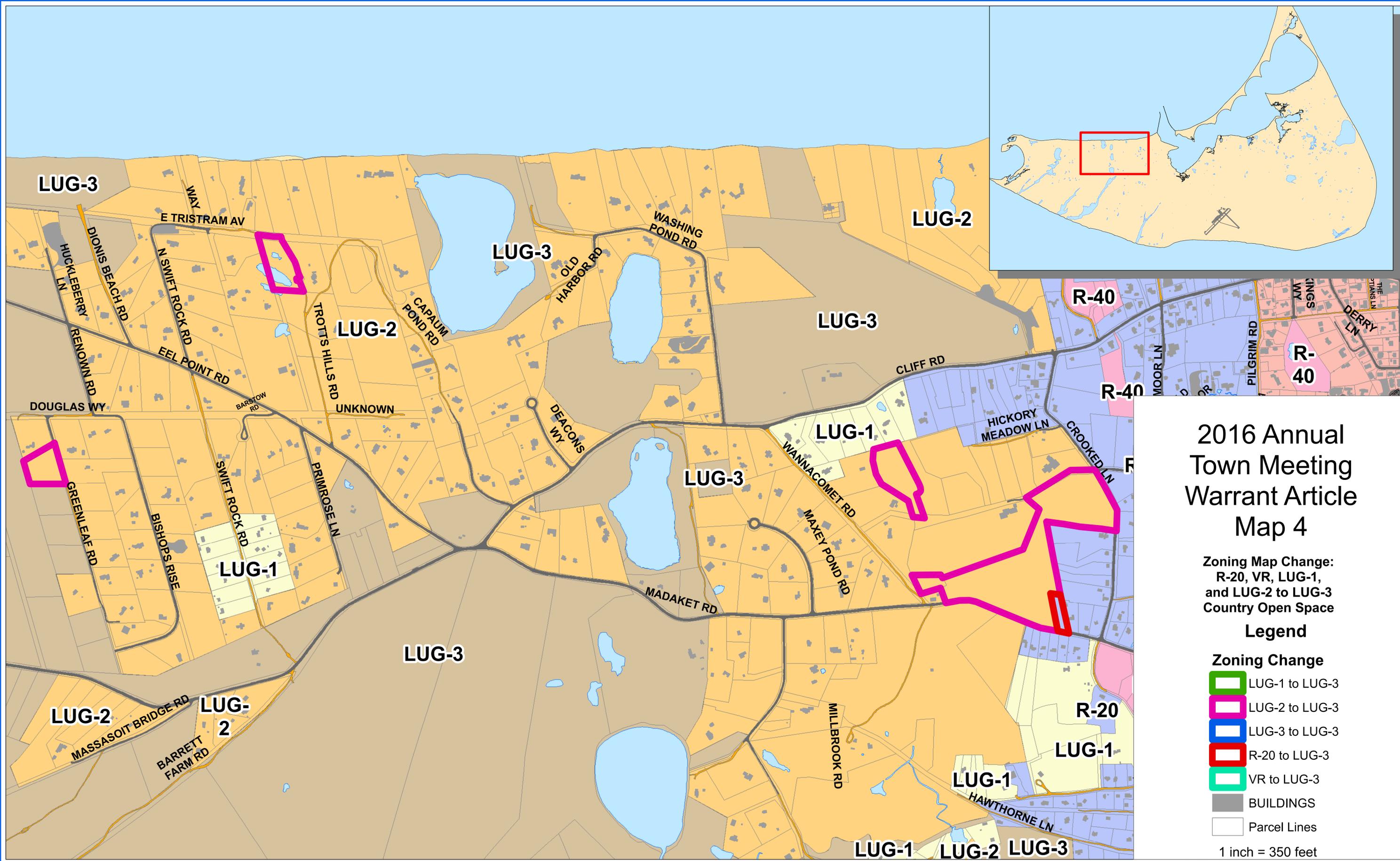
# Town of Nantucket - GIS Mapsheet



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Town of Nantucket  
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## 2016 Annual Town Meeting Warrant Article Map 4

**Zoning Map Change:**  
R-20, VR, LUG-1,  
and LUG-2 to LUG-3  
Country Open Space

### Legend

- Zoning Change**
- LUG-1 to LUG-3
  - LUG-2 to LUG-3
  - LUG-3 to LUG-3
  - R-20 to LUG-3
  - VR to LUG-3
  - BUILDINGS
  - Parcel Lines

1 inch = 350 feet

**Data Sources:**  
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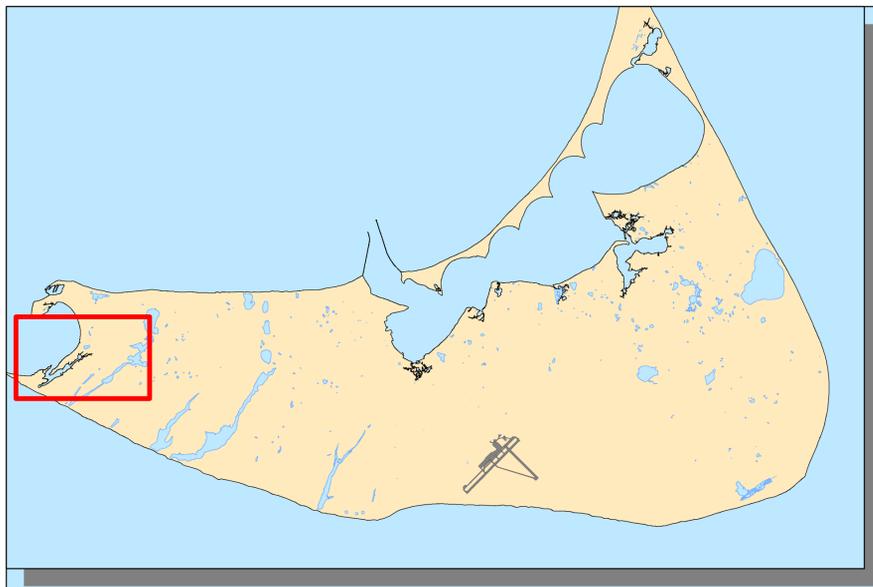
# Town of Nantucket - GIS Mapsheet



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Nantucket, MA 02554



## 2016 Annual Town Meeting Warrant Article Map 5

Zoning Map Change:  
R-20, VR, LUG-1,  
and LUG-2 to LUG-3  
Country Open Space

### Legend

- Zoning Change**
- LUG-1 to LUG-3
  - LUG-2 to LUG-3
  - LUG-3 to LUG-3
  - R-20 to LUG-3
  - VR to LUG-3
  - BUILDINGS
  - Parcel Lines

1 inch = 324 feet

**Data Sources:**  
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# Town of Nantucket - GIS Mapsheet



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GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

ARTICLE \_\_

**(Zoning Map Change: VTEC to VR , VTEC to LUG-3, and LUG-3 to VTEC - Hummock Pond Road)**

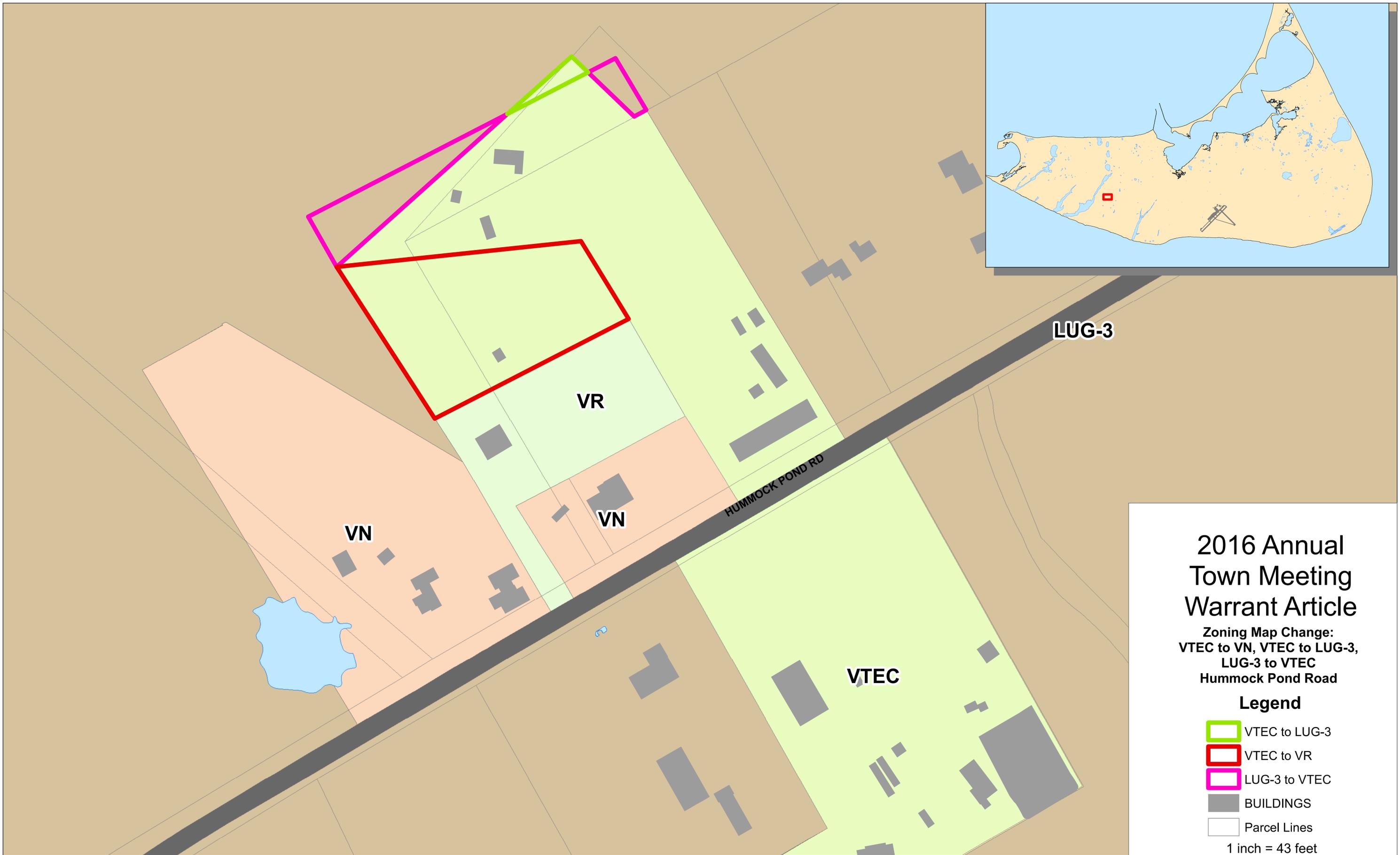
To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. Placing portions of property known as Assessor Map 65, lot 38, 165 Hummock Pond Road, currently located in the Village Trade Entrepreneurship and Craft (VTEC) district in the Village Residential (VR) district and;
2. Placing portions of property known as Assessor Map 65, lot 1.1, 171R Hummock Pond Road, currently located in the Limited Use General-3 (LUG) district in the Village Trade Entrepreneurship and Craft (VTEC) district and;
3. Placing portions of property known as Assessor Map 65, lot 1, 171 Hummock Pond Road, currently located in the Village Trade Entrepreneurship and Craft (VTEC) district in the Limited Use General-3 (LUG) district;

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_ Zoning Map Change: VTEC to VR , VTEC to LUG-3, and LUG-3 to VTEC - Hummock Pond Road” dated      and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*



## 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
 VTEC to VN, VTEC to LUG-3,  
 LUG-3 to VTEC  
 Hummock Pond Road

### Legend

- VTEC to LUG-3
- VTEC to VR
- LUG-3 to VTEC
- BUILDINGS
- Parcel Lines

1 inch = 43 feet

**Data Sources:**  
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# Town of Nantucket - GIS Mapsheet



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 Town of Nantucket  
 2 Fairgrounds Road  
 Nantucket, MA 02554

**ARTICLE**

**(Zoning Map Change: LUG-2 to R-40 - Evergreen Way, Daffodil Lane, and Airport Road)**

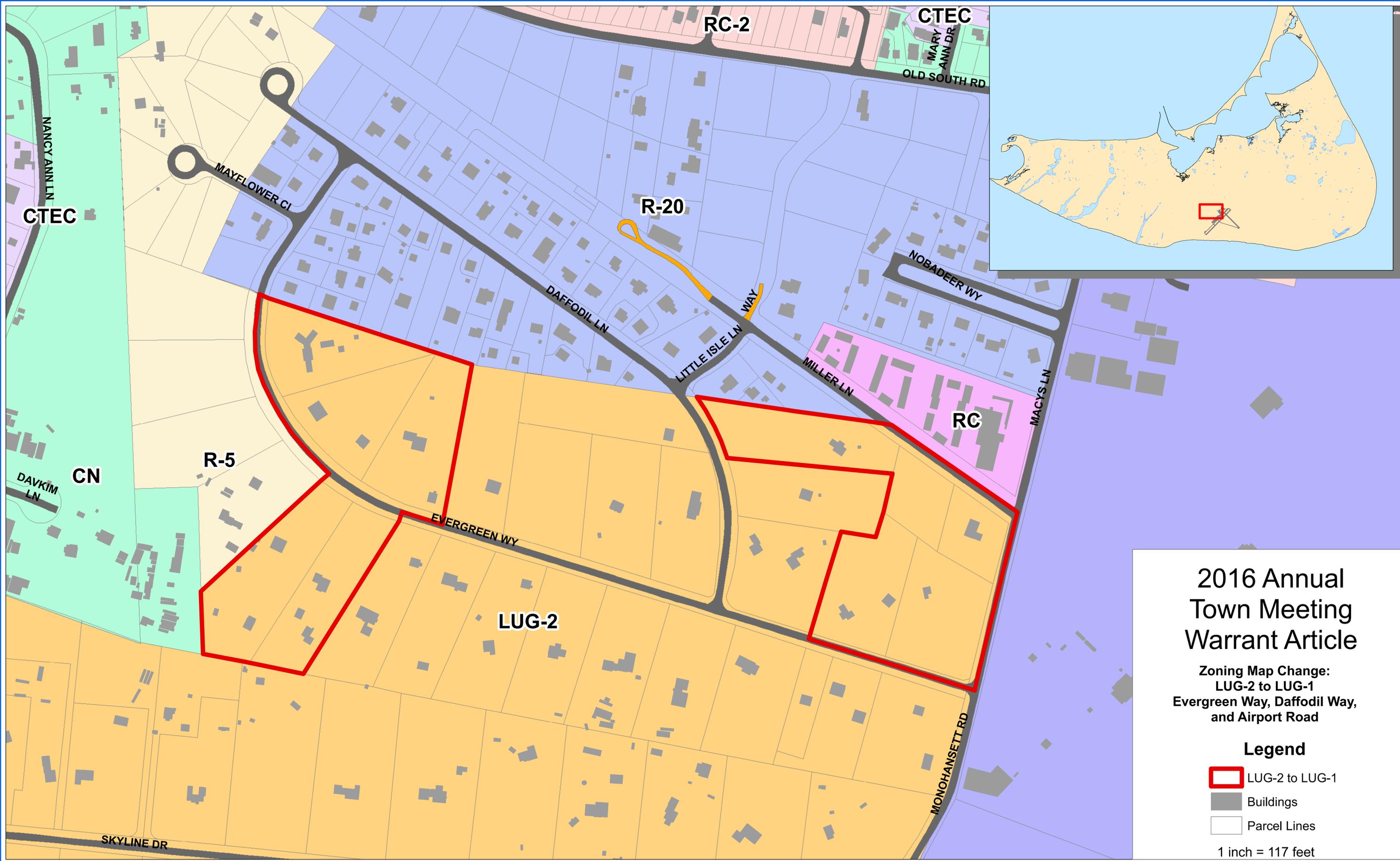
To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Limited Use General 2 (LUG-2) district, in the Residential 40 (R-40) district:

Map	Lot	Number	Street
68	726	3	Evergreen Way
68	727	1	Evergreen Way
68	54	21	Airport Road
68	55	23	Airport Road
68	723	5	Daffodil Lane
68	717.1	15A	Evergreen Way
68	717.2	15B	Evergreen Way
68	716	17	Evergreen Way
68	715	19	Evergreen Way
68	709	20	Evergreen Way
68	710	22	Evergreen Way

All as shown on a map entitled “2016 Annual Town Meeting Warrant Article \_\_\_ Zoning Map Change: LUG-2 to R-40 - Evergreen Way, Daffodil Lane, and Airport Road” dated \_\_\_\_\_, 2015 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(James Lydon, et al)*



# 2016 Annual Town Meeting Warrant Article

**Zoning Map Change:**  
LUG-2 to LUG-1  
Evergreen Way, Daffodil Way,  
and Airport Road

### Legend

- LUG-2 to LUG-1
- Buildings
- Parcel Lines

1 inch = 117 feet

**Data Sources:**  
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## Town of Nantucket - GIS Mapsheet



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Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

**ARTICLE \_\_\_\_**

**(Zoning Map Change: LUG-2 to LUG-1; 8 Masaquet Avenue)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing 8 Masaquet Avenue (Assessor Map 80 Lot 193), currently located in the Limited Use General 2 (LUG-2) district, in the Limited Use General (LUG-1) district, as shown on a map entitled "2016 Annual Town Meeting Warrant Article \_\_\_\_ Zoning Map Change: LUG-2 to LUG-1; 8 Masaquet Avenue" dated August 6, 2015 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Ronald Santos, et al)*

DRAFT

**ARTICLE \_\_\_\_**  
**(Zoning Map Change: LUG-2 to LUG-1 Surfside South - Boulevarde, Okorwaw Avenue, and Lover's Lane)**

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties identified in the Surfside Area Plan as a portion of "Surfside South", currently located in the Limited Use General 2 (LUG-2) district, in the Limited Use General (LUG-1) district:

Map	Lot	Number	Street
79	3	40	Lover's Lane
79	28	1	Okorwaw Avenue
79	31	44	Lover's Lane
79	80	54	Lover's Lane
79	81	52	Lover's Lane
79	82	50	Lover's Lane
79	83	48	Lover's Lane
79	84	46	Lover's Lane
79	131 (a portion of)	4	Okorwaw Avenue
80	214	44	Boulevarde
80	215	61	Lover's Lane

Or to take any other action related thereto.

Or, to take any other action related thereto.

*(Leslie Kennie, et al)*

ARTICLE \_\_\_\_\_

(Zoning Bylaw Amendment: Tertiary Dwelling)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 2, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

**TERTIARY DWELLING**

~~(1) No more than 120 building permits for a tertiary dwelling shall be granted in any calendar year.~~

(1) The tertiary dwelling shall be in the same ownership as at least one other owner-occupied dwelling unit on the lot, or shall be owned by a not-for-profit, religious, or educational entity, or shall be subject to a restriction limiting occupancy to a year-round household.

~~(2) A third dwelling unit located on a lot. The tertiary dwelling shall be in the same ownership as at least one other owner-occupied dwelling unit on the lot, and including the following options:~~

~~(a) A garage apartment not exceeding 550 650 square feet of gross floor area.~~

(b) A dwelling unit attached to or within a single-family dwelling, duplex, or an outbuilding or a dwelling unit attached to a studio or shed. The ground cover of the existing building shall not increase more than 550 650 square feet and the dwelling unit shall not contain more than 550 650 square feet of gross floor area.

(c) A detached building containing not more than 550 650 square feet of ground cover and not more than 550 650 square feet of gross floor area.

...

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

ARTICLE \_\_\_\_\_

(Zoning Bylaw Amendment: 'Tiny House Unit' District)

To see if the Town will vote to:

In order to relieve some of the pressure for affordable, available housing for year-round residents and seasonal workers, a new Zoning District shall be established.

1. To amend section 2, definitions, as follows:

TINY HOUSE UNIT OWNER OCCUPIED

The primary residence of a person(s) or the individual beneficiaries of a legal entity that holds title, common title or land lease to the property, where such persons are year-round residents, listed in the Town Clerk's Street List, physically present and living within dwelling units on said property or any direct relative of that individual. Properties owned by corporations and the like, time sharing interval dwelling units, or where all units are made available for rent do not qualify as tiny house owner occupied.

TINY HOUSE UNIT

A detached structure of less than 500 square feet containing a single tiny house unit owner occupied dwelling unit, constructed on a moveable trailer, or a slab foundation. A tiny house may be accessory to an existing dwelling(s) on a lot at a density of one unit for each lot area. No commercial or other non-residential uses shall be permitted on a lot containing a tiny house. The Planning Board shall be the special permit granting authority.

2. To amend section 7A, use chart, by inserting in the "Use" column between "accessory apartment" and "garage apartment" a new use "Tiny House" to be allowed by Special Permit (SP) or as an Accessory Use (A) in all zoning districts.
3. To amend section 7B, prohibited uses in all districts, as follows:
  - (2) Use of a trailer or a building-like container for residential purposes or as a principal or accessory building or structure except such structures designated as "Tiny House Units" or as necessary for storage of chemicals and/or equipment by the Nantucket Fire Department.
4. To amend section 18B, table of parking requirements" by inserting a new column "Tiny House" with a parking requirement of 1 space in all districts.

Or to take any other action related thereto,

*(Isaiah J. Stover, et al)*

## ARTICLE

### (Zoning Bylaw Amendment: 'Tiny House Village' District)

To see if the Town will vote to:

In order to relieve some of the pressure for affordable, available housing for year-round residents and seasonal workers, a new Zoning District shall be established.

1. To amend section 2, definitions, as follows:

#### TINY HOUSE UNIT OWNER OCCUPIED

The primary residence of a person(s) or the individual beneficiaries of a legal entity that holds title, common title or land lease to the property, where such persons are year-round residents, listed in the Town Clerk's Street List, physically present and living within dwelling units on said property or any direct relative of that individual. Properties owned by corporations and the like, time sharing interval dwelling units, or where all units are made available for rent do not qualify as tiny house owner occupied.

#### TINY HOUSE VILLAGE

A detached structure of less than 500 square feet containing a single tiny house unit owner occupied dwelling unit, constructed on a moveable trailer, or a slab foundation. A tiny house may be accessory to an existing dwelling(s) on a lot, or constructed on a lot with multiple tiny house dwellings at a density of one unit for each 2,500 square feet of lot area. No commercial or other non-residential uses shall be permitted on a lot containing a tiny house. The Planning Board shall be the special permit granting authority.

2. To amend section 7A, use chart, by inserting in the "Use" column between "accessory apartment" and "garage apartment" a new use "Tiny House" to be allowed by Special Permit (SP) or as an Accessory Use (A) in all zoning districts.
3. To amend section 7B, prohibited uses in all districts, as follows:
  - (2) Use of a trailer or a building-like container for residential purposes or as a principal or accessory building or structure except such structures designated as "Tiny House Units" or as necessary for storage of chemicals and/or equipment by the Nantucket Fire Department.
4. To amend section 18B, table of parking requirements" by inserting a new column "Tiny House" with a parking requirement of 1 space in all districts.

Or to take any other action related thereto,

*(Isaiah J. Stover, et al)*

ARTICLE \_\_\_\_\_

(Zoning Bylaw Amendment: Secondary Lots)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikethrough; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. To amend section 2, as follows:

ORIGINAL LOT

An existing lot, conforming to the dimensional requirements of § 139-8D, and other applicable requirements hereof, dividable into a primary lot and a secondary lot two lots pursuant to § 139-8DC.

PRIMARY LOT

The larger of the lots created by the division of the original lot pursuant to § 139-8D.

SECONDARY LOTS

The smaller of the lots created by the division of the original lot into two lots pursuant to § 139-8DC. The secondary One of the two lots shall be subject to an NHNC-Ownership Form.

2. To amend section 8C, as follows:

C. Special permit to create secondary residential lots for year-round residents.

(1) Purpose: to create, make available and maintain housing that is affordable to those who earn at or below 150% of the Nantucket County median household income; to help those people or households to continue to reside on Nantucket if they wish to do so; to generate and preserve affordable housing in the Town of Nantucket in perpetuity, all in order to maintain Nantucket's diversity and unique sense of community.

(2) Secondary lots may be permitted in the following zoning districts: ROH, R-5, R-10, R-20, R-40, VR, LUG-1, LUG-2, and LUG-3.

(23) As authorized by MGL c. 40A, § 9, Paragraph 2, the Planning Board acting as the special permit granting authority, in its discretion, pursuant to and subject to this § 139-8C, may issue a special permit, with conditions, authorizing the division of the original a lot into two a primary lot and a secondary lots, which special permit may include approval and endorsement of a plan not requiring approval under the Subdivision Control Law as such plan is defined and described in MGL c. 41, § 81P, provided the following requirements and/or conditions shall apply to all applications for relief hereunder and all special permits granted hereunder, as the case may be:

(a) The original lot shall not be subject to any covenants, restrictions or similar encumbrances, whether appearing in a deed, easement, land-use permit or any other instrument, pertaining to the placement, use or occupancy of second dwellings on said prohibition of more than one dwelling unit on the original lot.

(b) The secondary lot One of the two lots shall be subject to an NHNC-Ownership Form, which shall provide, without limitation, that the owner of the secondary that lot, and any occupant of any dwelling erected thereon, shall earn at or below 150% of the Nantucket County median household income.

(c) No more than one dwelling shall be permitted on the primary lot A tertiary dwelling may be permitted on one of the two lots.

(d) No more than one dwelling shall be permitted on the secondary lot.

(e) Except for pre-existing nonconforming lots, in which case the Planning Board may issue a special permit defining the lot areas, the lot area for the smaller of the two lots shall be at least 40% of the minimum lot size for the district in which the lot is located, except in the LUG-2 and LUG-3 districts, where the secondary lot may be reduced to 20,000 square feet. the minimum area for the original lot, the primary lot and the secondary lot shall be as follows:

Zoning District	Minimum Original Lot Size (\$ 139-16A)	Minimum Secondary Lot Size	Minimum Primary Lot Size
LUG-1	40,000	15,000	25,000
LUG-2	80,000	25,000	55,000
LUG-3	120,000	35,000	85,000
R-40	40,000	15,000	25,000
R-10	10,000	4,000	6,000
R-20/SR-20	20,000	8,000	12,000
VR	20,000	8,000	12,000
ROH/SOH	5,000	2,000	3,000
R-5	5,000	2,000	3,000

(f) The primary lot and the secondary lots shall comply with the ground cover ratio, front setback, and side setback and rear setback requirements of the underlying zoning district, including any provisions of this chapter for pre-existing nonconforming lots, except as follows: with the exception that the ground cover ratio solely for a secondary lot in the R-1 Zoning District shall be 36%. The Planning Board may waive the setback requirements only as they apply to the lot line(s) between the primary and secondary lot.

i. The Planning Board may waive by the issuance of a special permit the setback requirements only as they apply to the lot line(s) between the secondary lots;

ii. The Planning Board may waive by the issuance of a special permit the ground cover ratio requirement for the secondary lots, provided that the

total ground cover ratio does not exceed the amount that would have been allowed for the original lot;

(g) The primary lot and the secondary lots each must have a minimum of 20 feet of frontage or an easement of sufficient width and grade to provide access.

(h) The primary lot and the secondary lots shall share a single driveway access. The Planning Board must be provided with an instrument, in recordable form, evidencing the common access rights to said access in accordance with this subsection. The Planning Board may grant a special permit to waive the requirement for shared driveway access based upon a finding that separate driveway access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic or safety considerations.

(34) This § 139-8C shall not apply to major commercial developments (§ 139-11); flex development and open space residential development options (§ 139-8A); and are not permitted in the following zoning districts: Commercial Downtown (CDT); Moorlands Management (MMD).

(45) The Planning Board may grant a special permit for the division of a duplex into two attached single-family dwellings, provided that one of the dwellings is subject to a NHNC-Ownership Form covenant. Subsection D(2)(e) and (f) above shall not apply and the Planning Board shall establish minimum lot size, ground cover ratio, and setbacks during the special permit review. Ground cover ratios for the primary and secondary lot combined shall not exceed the maximum allowed in the underlying zoning district.

(56) Section 139-16D, Regularity formula, shall not apply to this § 139-8C.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

ARTICLE \_\_\_\_\_

**(Zoning Bylaw Amendment: Secondary Lots - Qualified Family Member)**

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. To amend Section 2, Definitions, as follows:

SECONDARY LOT

The smaller of the lots created by the division of the original lot pursuant to § 139-8D. The secondary lot shall be subject to an NHNC-Ownership Form-~~or owner~~ occupied by Qualified Family Member.

2. To amend Section 8B(2), Nantucket Housing Needs Program, by inserting a new definition in alphabetical order:

QUALIFIED FAMILY MEMBER

The legal father, mother, grandfather, grandmother, son, daughter, or sibling of the owner of the lot at the time the lot was subdivided into primary and secondary lots.

3. To amend Section 8C(2)b), Secondary Residential Lots, as follows:

(b) The secondary lot shall be subject to an NHNC-Ownership Form, which shall provide, without limitation, that the owner of the secondary lot, and any occupant of any dwelling erected thereon, shall earn at or below 150% of the Nantucket County median household income. Secondary lots sold to Qualified Family Members shall not be subject to an NHNC-Ownership Form. Upon resale, transfer, or gift of the secondary lot to a non Qualified Family Member the lot shall be subject to an NHNC-Ownership Form and the requirements set forth therein.

Or, to take any other action related thereto.

*(David Fredericks, et al)*

ARTICLE \_\_\_\_

(Zoning Bylaw Amendment: Secondary Lots - Qualified Family Member)

To see if the Town will vote to change the Town of Nantucket Zoning By-law by adding the attached language in red

139-2 Definitions

SECONDARY LOT

The smaller of the lots created by the division of the original lot pursuant to § 139-8D. The secondary lot shall be subject to an NHNC-Ownership Form **or owner occupied by a Qualified Family Member.**

[Added 4-6-2009 ATM by Art. 27, AG approval 8-10-2009]

139-8B

B.

Nantucket Housing Needs Program.

(1) Purpose. To create, make available and maintain housing that is affordable to people who earn less than 150% of the Nantucket County median household income; to maintain Nantucket's diversity and unique sense of community; to encourage moderate-income families to continue to reside on Nantucket; and to generate a supply of housing that will remain affordable.

(2) Definitions. The following definitions only apply to this § 139-8C:

HOUSING AUTHORITY

The Nantucket Housing Authority (NHA) or its designee.

MAXIMUM RENTAL PRICE

Shall be no more than the fair market rent established for Nantucket County as published by the U.S. Department of Housing and Urban Development in Federal Register, Vol. 65 No. 185 (September 25, 2000) and as may hereafter be amended from time to time.

MAXIMUM RESALE PRICE

The greater of the maximum sales price or price the current Nantucket Housing Needs Covenant unit owner paid for the Nantucket Housing Needs Covenant unit.

MAXIMUM SALES PRICE

Shall be calculated by assuming a ten-percent down payment and an annual debt service (at prevailing thirty-year fixed interest rates) that is equal to 30% of the gross annual income of a household earning up to 125% of median income.

MEDIAN INCOME

Median family income for Nantucket County as published from time to time by the U.S. Department of Housing and Urban Development.

NANTUCKET HOUSING NEEDS COVENANT

A covenant placed on housing, which property owners choose to execute and which shall be enforceable by the NHA, to be recorded in the Registry of Deeds or the Land Court Registry District.

PRINCIPAL RESIDENCE

The locality where a person resides with the present intent to make it the person's fixed and permanent home. The person's physical presence alone will not establish a principal residence. In ascertaining one's intent, the Housing Authority shall consider, among other things, the person's employment status, voter registration, driver's license, motor vehicle registration, real property ownership, income tax returns, or the filing with the Housing Authority of a written declaration to establish or maintain a principal residence.

**QUALIFIED FAMILY MEMBER**

The legal child, grandchild, father, mother, brother or sister, of the owner of the lot at the time the lot was subdivided into primary and secondary lots.

**QUALIFIED PURCHASER HOUSEHOLD**

A household whose gross annual income is less than 150% of median income.

**QUALIFIED RENTER HOUSEHOLD**

A household whose gross annual income is not more than 100% of median income.

**(3) General requirements.**

**(a)** Housing subject to the Nantucket Housing Needs Covenant shall be:

**[1]** Occupied by a qualified renter or qualified purchaser household

**[2]** The principal residence of the qualified renter or qualified purchaser household

**[3]** Enforceable for the greater of 99 years or the maximum time period allowable by law.

**[4]** The price of the unit shall not exceed the maximum sales price, or, in the case of resale, the maximum resale price.

**[5]** The unit rent shall not exceed the maximum rental price.

**[6]** The owner of a unit being rented shall provide the Housing Authority with an annual certification of compliance with the terms of the covenant.

**(4) Monitoring and administration.**

**(a)** The Housing Authority shall monitor and administer the Nantucket Housing Needs Program and may promulgate rules and regulations to implement it. Prior to promulgating such rules and regulations and prior to completing a model Nantucket Housing Needs Covenant, the Housing Authority shall hold a public hearing or hearings to solicit advice from the public. The Housing Authority shall publish notice of these hearings prominently in a newspaper of general circulation on Nantucket for two successive weeks.

**(b)** All legal documentation shall be submitted to the Housing Authority for review and approval.

**C.**

Special permit to create secondary residential lots for year-round residents.

**(1)**

Purpose: to create, make available and maintain housing that is affordable to those who earn at or below 150% of the Nantucket County median household income; to help those people or households to continue to reside on Nantucket if they wish to do so; to generate and preserve affordable housing in the Town of Nantucket in perpetuity, all in order to maintain Nantucket's diversity and unique sense of community.

**(2)**

As authorized by MGL c. 40A, § 9, Paragraph 2, the Planning Board as special permit granting authority, in its discretion, pursuant to and subject to this § [139-8C](#), may issue a special permit, with conditions, authorizing the division of the original lot into a primary lot and a secondary lot, which special permit may include approval and endorsement of a plan not requiring approval under the Subdivision Control Law as such plan is defined and described in MGL c. 41, § 81P, provided the following requirements and/or conditions shall apply to all applications for relief hereunder and all special permits granted hereunder, as the case may be:

[Amended 4-5-2014 ATM by Art. 63, AG approval 5-7-2014]

[\(a\)](#) The original lot shall not be subject to any covenants, restrictions or similar encumbrances, whether appearing in a deed, easement, land-use permit or any other instrument, pertaining to the placement, use or occupancy of second dwellings on said original lot.

[\(b\)](#) The secondary lot shall be subject to an NHNC-Ownership Form, which shall provide, without limitation, that the owner of the secondary lot, and any occupant of any dwelling erected thereon, shall earn at or below 150% of the Nantucket County median household income. **Secondary lots sold to Qualified Family Members shall not be subject to an NHNC-Ownership Form. Upon resale, transfer, or gift of the secondary lot to a non Qualified Family member the lot shall then be subject to an NHNC-Ownership form and the requirements set forth herein.**

[\(c\)](#) No more than one dwelling shall be permitted on the primary lot.

[\(d\)](#) No more than one dwelling shall be permitted on the secondary lot.

[\(e\)](#) Except for pre-existing nonconforming lots, in which case the Planning Board may issue a special permit defining the lot areas, the minimum area for the original lot, the primary lot and the secondary lot shall be as follows:

Zoning District	Minimum Original Lot Size (\$ <a href="#">139-16A</a> )	Minimum Secondary Lot Size	Minimum Primary Lot Size
LUG-1	40,000	15,000	25,000
LUG-2	80,000	25,000	55,000
LUG-3	120,000	35,000	85,000
R-40	40,000	15,000	25,000
R-10	10,000	4,000	6,000
R-20/SR-20	20,000	8,000	12,000
VR	20,000	8,000	12,000
ROH/SOH	5,000	2,000	3,000
R-5	5,000	2,000	3,000

[\(f\)](#) The primary lot and the secondary lot shall comply with the ground cover, front setback, side setback and rear setback requirements of the underlying zoning district, including any provisions of this chapter for pre-existing nonconforming lots, with the exception that the ground cover ratio solely for a secondary lot in the R-1 Zoning District shall be 36%. The Planning Board may waive the setback requirements only as they apply to the lot line(s) between the primary and secondary lot.

[\(g\)](#) The primary lot and the secondary lot each must have a minimum of 20 feet of frontage or an easement of sufficient width and grade to provide access.

[\(h\)](#) The primary lot and the secondary lot shall share a single driveway access. The Planning Board must be provided with an instrument, in recordable form, evidencing the common access rights to said access in accordance with this subsection. The Planning Board may grant a special permit to waive the requirement for shared driveway access based upon a finding that separate driveway access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic or safety considerations.

[\(3\)](#) This § [139-8C](#) shall not apply to major commercial developments (§ [139-11](#)); flex development and open space residential development options (§ [139-8A](#)); and are not permitted in the following zoning districts: Commercial Downtown (CDT); Moorlands Management (MMD).

[Amended 4-5-2014 ATM by Art. 63, AG approval 5-7-2014]

[\(4\)](#) The Planning Board may grant a special permit for the division of a duplex into two attached single-family dwellings, provided that one of the dwellings is subject to a NHNC covenant. Subsection D(2)(e) and (f) above shall not apply and the Planning Board shall establish minimum lot size, ground cover ratio, and setbacks during the special permit review. Ground cover ratios for the primary and secondary lot combined shall not exceed the maximum allowed in the underlying zoning district.

[\(5\)](#) Section [139-16D](#), Regularity formula, shall not apply to this § [139-8C](#).

[Amended 4-5-2014 ATM by Art. 63, AG approval 5-7-2014]

*(Cormac Collier, et al)*

ARTICLE \_\_\_\_\_

(Zoning Bylaw Amendment: Major Commercial Development)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 11, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

A. ~~The Planning Board shall be the special permit granting authority for any “major commercial development” (or “MCD”). Every commercial use which constitutes a major commercial development, as defined in Subsection B below, shall require the grant of a special permit and major site plan review by the Planning Board under this § 139-11:~~  
(1) ~~Notwithstanding the fact that such use or uses may be listed elsewhere in this chapter as a permitted use or a use by exception requiring a special permit; and~~  
(2) ~~Whether or not it is located in a commercial zoning district (RC, RC-2, CDT or LC); for example, if it is a preexisting nonconforming commercial use in a residential district and, pursuant to §§ 139-33A and 139-11C below, has or will become a major commercial development.~~

B. A "major commercial development" (or "MCD") shall be defined as a single commercial structure or use, or a group of commercial structures or uses, which is proposed to be constructed on a single lot or tract of land or on contiguous tracts of land and held in common ownership or control, meeting, in the aggregate, any one or more of the following criteria:

(1) Five thousand square feet of commercial use, including, but not limited to the total of the following:

- (a) Gross floor area of ~~interior~~ commercial use, including roofed-over storage areas;
- (b) Outdoor commercial use, including but not limited to sand, gravel or topsoil borrow operations and asphalt plants; land used commercially for recreation; and land used for the exterior storage or display of merchandise, equipment or material.

(2) Four thousand square feet or more of gross floor area of commercial use, including roofed-over storage areas.

(3) ~~A commercial use requiring twenty or more off-street parking spaces as required by pursuant to § 139-18, whether or not provided. A motor vehicle parking lot as defined in § 139-2 which contains twenty or more parking spaces shall not be considered an MCD.~~

(4) Auditorium, theater or place of public assembly use with a rated legal occupancy of 100 or more persons.

(5) Restaurant, club and/or bar use ~~which, taken together, have a~~ ~~with a combined~~ rated legal occupancy of 100 or more.

(6) Developments which generate an estimated 10,000 gallons per day of wastewater.

(7) Marinas, wharfs and piers containing 250 lineal feet or more of tie-up space for vessels.

(8) Transient residential facilities with 10 or more guest rooms or units.

C. ~~Preexisting and nonconforming uses under this § 139-11 shall be subject to the requirement of a special permit hereunder this subsection only on and after the point in time when any extended or altered portion of the commercial use(s), added together starting from the effective date (April 4, 1979, as or subsequently for amendments) of the applicable provisions of this § 139-11, meets or exceeds the criteria of Subsection B above, which defines a major commercial development MCD.~~

~~D. The Planning Board shall be the sole special permit granting authority for major commercial developments.~~

~~(1) In instances where all or a portion of a major commercial development, in addition to requiring a special permit as a major commercial development, also requires a special permit pursuant to any provisions of this chapter other than this § 139-11, the Planning Board shall serve as the special permit granting authority for such relief, which relief may be a matter for consideration concurrent with its review of the major commercial development application.~~

~~(2) Any relief associated with a major commercial development requiring a variance shall remain solely within the power of the Board of Appeals.~~

~~(3) An application to the Planning Board for a special permit for a major development shall be in accordance with submission requirements adopted by the Planning Board, as amended. The Planning Board shall adopt design guidelines for major commercial developments, a copy of which shall be filed with the office of the Town Clerk.~~

~~(4) The Planning Board shall require that plans for major commercial developments be consistent with its design guidelines adopted pursuant to Subsection D(3) above; provided, however, waivers from strict compliance with the design guidelines may be granted when a finding is made by the Planning Board that it is in the public interest to do so.~~

~~(5) Prior to submitting an application for a major commercial development and prior to incurring significant design expenses, the applicant is strongly urged to meet with the Planning Board's professional staff at a preapplication conference and site visit to discuss the Planning Board's procedural requirements, to review the Board's design guidelines with respect to the proposed project, and to identify any issues of concern at the staff level prior to formal review by the Board in the public hearing process.~~

~~(6) Depending on the size and complexity of the project, the preapplication conference may also be attended by other staff level personnel representing other Town boards in order to coordinate and expedite the review and approval process.~~

~~E. Land owned by the Town of Nantucket (including any of its agencies) shall not be exempt from major commercial development requirements for commercial uses or structures which are operated, maintained or managed by others under leases or other right to use agreements with the Town.~~

**FD. Conditions.** The Planning Board shall have the right, in granting special permits for major commercial developments, to impose conditions, safeguards and limitations, including, but not limited to the following requirements:

(1) ~~Require the implementation of a~~ **A** landscaping and planting plan, including indicating the location, species, and size of trees and shrubs by species and the location and type of fencing.

~~(2) Require structures, access streets and interior ways open to the public, parking and loading facilities, outdoor recreational facilities, and utilities to be laid out in a manner which is safe, consistent with sound planning practice and which preserves the integrity of adjacent uses and neighborhoods, including the requirement that open areas be placed as suitable buffers to conflicting adjacent uses and structures.~~

~~(32) Control~~ **An exterior** lighting plan indicating the size and type of any proposed fixtures exterior lighting of grounds, parking areas and buildings.

~~(43) Require~~ **t**he installation of underground utilities.

~~(5) Require public sewer and water facilities, if necessary, and require appropriate storm drainage facilities.~~

~~(6) The preservation of certain natural features, including but not limited to ponds, wetlands, dunes and beaches.~~

~~(7) Specify the type of surfacing and curbing for accessways, driveways, parking areas, sidewalks and bicycle paths.~~

~~(84) A plan indicating~~ **Specify** the type, size and location of all exterior signs.

~~(5) The days and hours of operation may be limited based on the type of business, the character of the surrounding areas, and the potential impacts to adjacent properties or the surrounding neighborhood.~~

**GE. Open area for major commercial developments.**

(1) ~~Except for lots located within the CDT district, A lot or tract of land containing a commercial building, structure or use shall have a minimum of 320% of the lot(s) land as open area shall be landscaped and free from impervious surfaces maintained as open land.~~

~~(2) Impervious surfaces here include, but are not limited to, paved and gravelled areas, walkways and sidewalks, patios, decking, game courts, pools, buildings and other~~

structures, and areas designated for parking or loading; provided however, that in computing the percentage of open area land, brick stone sidewalks and patios may be counted as open area included up to a maximum of 10% of the lot(s) or site.

(32) The Planning Board may grant a special permit to waive a reduction of the above stated requirement in § 139-11G(1) the requirement for open land, provided that it makes the express finding the Board finds that the applicant has provided sufficient and appropriate landscaping will be provided; and further provided that it makes the finding that the benefits to the community and the neighborhood from the reduction of open land area requirements, as conditioned by the decision granting the special permit, will outweigh the benefits that would be derived from the provision of the open area land requirements as would otherwise be required. The special permit granting authority shall may impose appropriate conditions for the granting of such a special permit, including, but not limited to, the substitution for of off-site landscaping elements, the a financial or other type of contribution of the applicant toward the creation of common public space(s), and requirements for the permanent maintenance of landscaping features within the site by the applicant and its successors.

H.F. Any expansion or reconstruction of, or any changes to, a major commercial development for which a special permit has been granted shall require its modification or issuance of a new special permit by the Planning Board subject to the procedural and substantive requirements of §§ 139-11 and 139-30. However, the Planning Board may, by majority vote, waive the requirements for such modified or new special permit when it finds that the expansion, reconstruction or change proposed does not materially affect the findings and conclusions upon which the Planning Board's previous decision to approve the development was based.

I.G. Setbacks. The Planning Board may specify, as part of its decision to grant a special permit under this § 139-11, that a reduction of up to 100% in the side and rear lot line yard setback requirement be permitted-reduced to 0 feet, provided that the Planning Board finds that such a reduction will preserve the integrity of adjacent uses and the neighborhood, and will promote the purposes and intent of this chapter.

J.H. In order to further the availability of housing for persons and households of all income levels, to encourage the most appropriate use of land throughout the Town of Nantucket, to preserve and increase the amenities in the Town of Nantucket, to avoid undue concentration of population, and mitigate the impacts of major commercial developments on the supply and cost of housing in a Town with unique and special qualities, the Planning Board may, as a condition of granting a permit for a major commercial development (MCD), require applicants to provide inclusionary housing in accordance with the following standards:

(1) The Planning Board may require the provision of up to eOne inclusionary unit for each 4,000 feet of gross floor area of interior commercial use or one inclusionary unit per major commercial development, whichever is greater.

(2) The inclusionary unit(s) shall may be located on the MCD site unless the Planning Board determines that the public benefits to be gained by providing the inclusionary

units or at an off-site outweigh those to be gained from providing them on-site location. Inclusionary units located off-site must comply in all respects with the zoning in effect for the off-site area.

~~(3) The Planning Board may require or allow employer dormitories to be substituted for all or part of the inclusionary unit requirement set forth in § 139-11J(1) above, provided that a finding is made by the Planning Board that the public benefits to be gained by the substitution outweigh possible detriments and that such substitution occurs at a rate not to exceed one inclusionary unit for each six persons of rated occupancy of employer dormitory use.~~

~~(4) In lieu of providing inclusionary units or employer dormitories as outlined in Subsection J(1) to (3), above, an applicant may provide a monetary contribution of equivalent value to the Town of Nantucket, to be placed in a fund for the development of affordable housing administered by the Nantucket Housing Authority Affordable Housing Trust Fund or such other housing fund as may be designated by the Planning Board. The amount of such contribution shall be agreed upon between the Planning Board and the applicant, and shall be equivalent to the average sale price of nonexempt residential property with 5,000 to 10,000 square foot lot sizes in the R-5-RC-2-D district as recorded by the Nantucket Islands Land Bank during the one-year period prior to approval of the special permit. This payment may be used only for the planning, development and administration and maintenance of affordable housing outside the limits of the major commercial development.~~

~~(5) Where the inclusionary units are provided on the MCD site, the Planning Board may allow a bonus permitting the approval of multiple inclusionary units to be located on one lot, provided that the total number of inclusionary units located on the lot does not exceed the total number of units otherwise allowed by zoning on the lot and the units comply with the Planning Board's MCD guidelines, as amended from time to time.~~

~~(65) Where the inclusionary units are provided on the MCD site, the Planning Board may allow a bonus permitting an increase in the number of units that may be permitted within a single structure or upon a single lot beyond that which is permitted in the zoning district where in which the units are located, provided that no more than eight units may be permitted within any one structure and the units comply with the Planning Board's MCD design guidelines, as amended from time to time.~~

~~(76) Inclusionary units shall be subject to a deed restriction, enforceable by the Planning Board or its designee, to be in effect during the thirty-year period which commences from the date of the initial sale or the date of the first issuance of the certificate of occupancy for the building in which the unit(s) is located, whichever is earlier, which shall include a resale restriction requiring that any increase in the selling price of the inclusionary unit not exceed the initial sale price of the unit plus the cost of capital improvements, each adjusted to reflect changes in the CPI, but in no event shall the resale price exceed the owner's purchase price plus 5% per annum compounded annually; shall include an option to purchase the inclusionary units created pursuant to this section; and may include a right of first refusal.~~

~~(8) The inclusionary units shall be subject to use restrictions limiting occupancy of said units to eligible households. The Planning Board or its designee shall establish regulations governing eligible households and inclusionary units as defined in this chapter, including tenant and buyer eligibility and selection, occupancy limitations, lease agreements and such other occupancy requirements as may be permitted by law.~~

~~(9) The requirements contained in this section, and the rules and regulations and design guidelines promulgated pursuant thereto, shall be subject to review by the Planning Board every five years from the effective date of this section. Such review shall take into account the supply of inclusionary housing, the rental vacancy rate, and the overall condition and strength of the housing market.~~

~~(10) No building permit shall be issued for an MCD unless the Planning Board has certified that the applicant has provided legal assurances that the obligations under this section will be satisfied. No certificate of occupancy will be issued for any building within an MCD unless the required inclusionary unit(s) are is also eligible for such certificate, or unless the Planning Board has approved its issuance. a schedule linking a portion of the required inclusionary units to specified portions of the overall MCD, allowing phases of the MCD to become eligible for certificates of occupancy as the inclusionary units become eligible for such certificates.~~

~~Kl. Cap on retail MCDs.~~

~~(1) Except in the following approved area plan location: Mid-Island Planned Overlay District (MIPOD), a special permit shall not be granted for:~~

~~(a) A new major commercial development which is devoted primarily to retail use and which has 20,000 square feet or more of gross floor area of commercial use, including roofed-over storage areas.~~

~~(b) Expansion of an existing commercial development whenever the expanded portion of the development, added together starting from the effective date of this § 139-11K, is devoted primarily to retail use and has 10,000 square feet or more of gross floor area of commercial use, including roofed-over storage areas.~~

~~Or to take any other action related thereto.~~

~~(Board of Selectmen for Planning Board)~~

ARTICLE \_\_\_\_\_  
(Zoning Bylaw Amendment: Adult Use)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikethrough; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. To amend section 2 as follows:

**ADULT USES**

All uses as described and defined in MGL c. 40A, § 9A, as may be amended from time to time to include: Any establishment which has 10% of its stock-in-trade on hand; whose sales, including rentals from such a portion of stock equals or exceeds 10% of monthly sales; or has 10% or greater floor area open to and observable by customers used for the display or storage of adult-oriented material, or as presentation time of live or recorded performances, shall be defined as an adult use. Adult uses are subject to the following standards:

~~(1) A minimum lot area of 20,000 square feet is required for adult uses.~~

~~(21) Adult uses shall be located in stand-alone facilities and shall not be allowed within a building or structure containing other retail, commercial, residential, industrial or other uses.~~

~~(32) A minimum separation of 300 feet, measured between lot lines, is required between adult uses and the following uses or areas: state-certified public or private schools or state-licensed day-care centers.~~

<del>Use/Area</del>	<del>Minimum Separation (feet)</del>
<del>State-certified public or private school</del>	<del>300</del>
<del>State-licensed day-care center</del>	<del>300</del>
<del>Religious institution</del>	<del>1,000</del>
<del>Public library</del>	<del>1,000</del>
<del>Other adult uses</del>	<del>500</del>

~~(4) A minimum ten-foot-wide vegetative buffer consisting of evergreen shrubs and trees not less than five feet in height at the time of the planting shall provide screening from adjacent lots, with exceptions for minimal driveway and utility access.~~

2. To amend section 30A(1) as follows:

~~(1) The special permit granting authority may~~ shall issue special permits for structures and uses which are in harmony with the general purpose and intent of this chapter subject to the provisions of such chapter.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT

ARTICLE \_\_\_\_

(Zoning Bylaw Amendment: Abandoned Vehicles )

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 7B(5), as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

A motor vehicle which is and for the immediately preceding thirty-day period has been **unregistered**, disabled, dismantled or inoperative shall not be stored on any land or lot unless such vehicle is enclosed within a building ~~or covered by a tarpaulin and screened from surrounding residential properties by a fence or hedge.~~

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT

## ARTICLE \_\_\_\_\_

### (Zoning Bylaw Amendment: Miscellaneous Technical Changes)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. Amend section 2 (Definitions), as follows:

#### **APARTMENT BUILDING(S)**

A structure ~~or structures~~...

#### **BUILDING AND STRUCTURE HEIGHT**

(1) The height of the building or structure shall be established for each side. ~~There shall only be one highest point for each building or structure.~~

(2) ~~There shall only be one highest point for each building or structure.~~

(3) ~~No one building and/or structure side shall exceed 32 feet.~~

~~(2) Where a side does not have continuous existing and/or finish grade lines, the average mean grade shall be the average of separately calculated average mean grades of each separate continuous median grade line.~~

#### **BUILDING COMMISSIONER**

The administrative chief of the Building Department ~~official of the Town of Nantucket who is in charge of~~ responsible for the administration and enforcement of Code of Massachusetts Regulations 780, State Board Building Regulations and Standards.

#### **MOTOR VEHICLE PARKING LOTS OR STRUCTURES**

A commercial use dedicated to exterior or interior vehicular parking. Motor vehicle parking lots or structures that are constructed to meet the off-street parking requirements of § 139-18 of this Chapter shall not be considered a separate use from the use requiring the off-street parking.

#### **YARD**

The area of a lot to be kept free of buildings and other structures (except fences, fence gates, landscape retaining walls, mail and lamp posts, utility service poles, and pedestals, lot accessways, and docks, bulkheads, groins and other coastal engineering structures). ~~The setback distance from any required front, side, or rear yard shall be measured from the corner board of the structure, if applicable, or the closest point (excluding the eaves) between the structure and the lot line.~~

2. Amend section 17 (Height limitations), as follows:

~~A. Building and structure height is measured as the average height of all sides of a building or structure from the average mean grade to the highest point of the building and/or structure. There shall be only one highest point for each building and/or structure. No one building and/or structure side shall exceed 32 feet.~~  
Height limitations, except as noted in the Village Height Overlay District, shall be as follows: ...

3. Amend 139-17 (Height limitations), as follows:

The height of a structure which is situated within the "Areas of one-hundred-year Flood" and/or the "Areas of 100-Year Coastal Flood with Velocity" as established by the Federal Emergency Management Agency ("FEMA") and depicted upon the Flood Insurance Rate Map promulgated by FEMA, as from time to time revised, shall not exceed ~~28~~ 30 feet above the minimum height at which the first floor of the structure will conform with all applicable building codes and FEMA requirements, except in the CDT district where a maximum height may be determined by special permit.

4. Amend sections 29B(2) and 29D (Zoning Board of Appeals), by deleting them in their entirety;
5. Amend section 30J (Alternate Members of the Planning Board) by deleting it in its entirety;
6. Amend section 33A(3) as follows:

... Lots created pursuant to MGL c. 41, § 81P, based upon the exception in the clause of MGL c. 41, § 81L for lots containing two or more structures that predate the adoption of subdivision control in the Town, shall have the same status as preexisting, nonconforming lots, and any structures thereon, which predate the adoption of subdivision control in the Town, shall have the status of preexisting nonconforming structures. The removal of structures to facilitate an alteration or change to an existing structure, the relocation of the structure upon the lot, or the construction of a new structure, shall not cause the lot to be merged with an abutting lot in common ownership, provided that the lot remains vacant for less than 6 months.

7. Amend section 33E(1)(b) as follows:

In the case of a lot containing at least 5,000 square feet, ~~the greater of 1,500 square feet of ground cover or the amount determined in accordance with the maximum ground cover ratio requirement for the zoning district in which the lot is situated, whichever is greater;~~ In the LUG-2 and LUG-3 districts only, a lot containing at least 40,000 square feet shall be permitted 2,000 square feet of ground cover or the amount determined in accordance with the maximum ground cover ratio requirement for the zoning district in which the lot is situated, whichever is greater; and

8. Amend section 16E(1) as follows:

Except for lots within the CDT district, A lot containing a commercial building, structure or use shall have a minimum of 20% of the land as open area free from impervious surfaces.

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

DRAFT

## CMI and RC Comparison

Use	District	
	CMI	RC
Primary dwelling	A	Y
Secondary dwelling	N	Y
Accessory apartment	Y	Y
Apartment	Y	N
Apartment building	N	N
Garage apartment	Y	Y
Duplex	Y	Y
Elder housing facilities	SP	SP
Studio	Y	Y
Garage – residential	N	A
Shed	N	A
Outbuildings – other	N	A
Swimming pool - residential	A	A
Home occupations	Y	Y
Keeping of pets for personal use	Y	Y
Retail sales	Y	Y
Convenience store	Y	Y
Alcohol sales	Y	Y
Bakery	Y	SP/A
Open-air market	Y	Y
Pharmacy	Y	Y
Registered marijuana dispensary	N	N
Supermarket	Y	Y
Restaurants		
Small (up to 70 seats)	Y	Y
Large (71-200 seats)	SP	Y

Use	District	
	CMI	RC
Take-out food establishment	Y	SP
Drive-through take-out food	N	SP
Tavern/Bar	Y	SP
Formula businesses		
Retail (includes: bakery, convenience store and pharmacy)	Y	S N in FBED
Supermarket	Y	Y
Restaurant		
Small (up to 70 seats)	SP	S /N in FBED
Large (71-200 seats)	SP	S /N in FBED
Take-out food establishment	SP	Y N in FBED
Tavern/Bar	SP	Y N in FBED
Offices	Y	Y
Theatres, auditoriums, or other places of public assembly	SP	Y
Personal services	Y	Y
Print shop	Y	SP
Laundromat or dry-cleaning establishment	SP	SP
Bank	Y	Y
Automated teller machine	Y/A	Y
Arcade	SP/A	A
Art gallery	Y	SP
Museum	N	Y
Catering	Y	SP/A
Crematorium	N	A
Funeral home	Y	Y
Health spa	Y	Y
Medical clinic	SP	Y
Hospital	N	N
Transient residential facilities		
Hotel or inn	SP	Y
Rooming, lodging, or guest house	Y	Y
Time-sharing/Interval dwelling units	Y	Y
Contractor shop	N	SP
Lumberyard	N	N
Bulk merchandise retail	Y	N
Landscape contractor	N	SP
Light manufacturing	N	SP
Food processing	N	SP
Shed - commercial	A	N
Interior or exterior storage or warehousing	N	SP
Motor vehicle sales	SP	SP
Motor vehicle rental	N	SP
Motor vehicle repair or painting	SP	SP
Motor vehicle service station	SP	SP

Use	District	
	CMI	RC
Motor vehicle parking lots or structures	Y	Y
Car wash	SP	SP
Taxicab business	Y	SP
Bicycle rental or sale	N	SP
Maritime service station	Y	Y
Yacht/Sailing clubs and marinas	N	Y
Adult uses	N	N
Asphalt/Batching plant	N	N
Licensed junkyard	N	N
Transfer station	N	N
Petroleum product storage or distribution facility (i.e. tank farm)	N	N
Utility production/distribution (does not include WECS)	SP	N
Mining	N	N
Truck/Bus terminal	N	N
Boat-related storage	N	Y
Preservation of a lot in its natural condition	Y	Y
Care and propagation of fish and shellfish	Y	Y
All agricultural uses allowed by Ch. 590 of the Acts of 1989, effective 3-8-1990 (including keeping of farm animals, greenhouses, truck gardens, farms, orchards and nurseries)	Y	Y
Cemeteries	Y	Y
Municipal uses (any)	Y	Y
Tents	Y	Y
Day-care center	Y	Y
Kennel	SP	SP
Public stable	SP	SP
Employer dormitory	N	N
Neighborhood employee housing	SP	SP
Swimming pool - commercial	SP/A	SP/A
Recreational facilities	SP	SP
Club	Y	Y