

1. 020816 PLANNING BOARD MEETING PACKET

Documents: [020816 FINAL PACKET\\_PART1.PDF](#), [020816 FINAL PACKET\\_PART2.PDF](#)



# Nantucket Planning Board

## STAFF REPORT

Date: February 1, 2016  
To: Planning Board  
From: Holly E. Backus  
Land Use Specialist  
Re: Staff Report for February 8, 2016 Planning Board Meeting

---

### Guest Speaker:

Judi Barrett and Jennifer Goldson will present the **DRAFT Housing Production Plan**.

### Public Hearings:

#### Warrant Articles:

- **Article 37:** 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  
*Since the last meeting, staff confirmed that the owner of 2 Marble Way prefers to be included in the CTEC district. The Board should discuss Articles 37 and 38 together, since there is some overlap between the articles.*
- **Article 38:** 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)  
*This continues to be a controversial proposal with no agreement between the residential owners who proposed the article and the commercial property owners who will be affected if this zoning change is passed. Some of the commercial property owners have submitted ANR plans to freeze the uses allowed in the CTEC district, but a perimeter plan will not protect changes to ground cover, setbacks, or frontage. As a member of the public stated at the last meeting, this area was in the RC-2 district prior to inclusion in the CTEC district, which was approved via Article 45 at the 2012 ATM.*
- **Article 43:** Zoning Map change from Residential-20 (R-20) to Residential-40 (R-40) for properties off of Crooked Lane, Grove Lane, and Madaket Road  
*Staff will provide a recommendation at the meeting.*
- **Article 49:** 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)  
*We anticipate that the proponent of this article will be present to discuss their proposal.*
- **Article 50:** 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)  
*We anticipate that the proponent of this article will be present to discuss their proposal.*

- **Article 55:** 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);  
 Staff, with the assistance of Town Counsel, is in the process of researching an appropriate definition for the term “family”. This requires balancing potential legal issues with maintaining the intent of the proposed Bylaw changes. This matter should be continued to the March 7 meeting.
- **Article 56:** 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)  
 Staff, with the assistance of Town Counsel, is in the process of researching an appropriate definition for the term “family”. This requires balancing potential legal issues with maintaining the intent of the proposed Bylaw changes. This matter should be continued to the March 7 meeting.
- **Article 57:** Zoning Bylaw amendment to Chapter 139, section 11, to amend the major commercial development regulations  
 Staff supports a positive recommendation for this article.
- **Article 60:** Zoning Bylaw amendment to Chapter 139, sections 2, 16, 17, 29, 30, and 33, to make various technical amendments.  
 Staff supports a positive recommendation for this article with a few minor changes. We proposed “clean-up” of definitions related to height, and some of the proposed deletions need to stay in the Bylaw.
- **#7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road, action deadline 02-29-16**  
**CONTINUED TO 03-07-16**  
*This Application was not heard at the December & January meetings.*
- **#7771 White Elephant Hotel LLC, 50 Easton Street, action deadline 02-29-16**  
*This Application was not heard at the December & January meetings.*
- **#7916 Mark A. Lombardi & Maureen Lombardi, Trustees of Lombardi Realty Trust, 1 Pochick Avenue, action deadline 04-10-16** **CONTINUED TO 03-07-16**  
*This Application was heard at the January meeting; however the board had questions regarding potential zoning and wetland issues.*
- **#16-15 Brotherhood of Thieves, 23 Broad Street, action deadline 02-29-16**  
**CONTINUED TO 03-07-16**  
*This Application was not heard at the December & January meetings.*
- **#08-16 – Richard E. Lewis Jr., & Sylvia I. Lewis, 37 Cato Lane**  
 The Applicant requested to withdraw this application.
- **#05-16 Nantucket Boating Club, Inc., owner and John B. Brescher, applicant, 6B Greglen Avenue, action deadline 04-10-16** **CONTINUED TO 03-07-16**  
*This Application was not heard at the January meeting.*
- **#21-15 46 Surfside Road, LLC, 46 Surfside Road, action deadline 03-31-16**  
*(This Application was last heard at the October 2015 meeting and was not heard at the November, December & January meetings.)*  
 Staff received a revised site plan via email on February 4, 2016 entitled, “Major Commercial Development Site Development Plan, 46 and 46A Surfside Road in Nantucket, Massachusetts,” by Nantucket Surveyors, LLC, dated February 1, 2016. A copy is included in your packet. This project has been considered by the Board at several meetings, and over time the site plan has slightly changed. Staff does not have a recommendation at this time. This is a proposal that the Board has shown a particular interest in and the site plan has not changed much since your last review.

- **#44-15 Arthur I Reade, Jr. And Peter D. Kyburg, Trustees of Auction House Realty Trust, As Owners, and Walter Glowacki, As Applicant, 4 Lovers Lane,** *action deadline 01-13-16*

*(This Application was heard at the January meeting, but was continued to provide more information.)*

FROM 1/5/16 STAFF REPORT:

The new plans received by Staff on January 5<sup>th</sup> show existing pavement in front of the building to be removed and a proposed dumpster enclosure on a concrete pad with an enclosed cedar fence to the rear of the building, visible from Lovers Lane. The Board previously questioned the applicant about a variety of operational issues and we have not received responses. Staff notes that the gravel parking area that is secured by an easement was approved by the Board when the business was intended to be an auction house. That type of business is significantly less intense than the current proposal of a 70 seat restaurant. Aside from the general operational questions that need to be discussed, the Board should also evaluate whether or not a gravel parking lot is appropriate for the current proposal.

UPDATE:

Staff met with representatives of the Applicant, which resulted in the submission of a revised plan indicating additional information about the dumpster area, open space, loading zone, lighting, and drainage. Although adequate parking will be available for the proposed restaurant, the gravel surface of the overflow lot should be evaluated as to whether or not it is appropriate for the proposed use. The proposed restaurant is a higher intensity use and the existing parking easement may or may not be sufficient.

- **#61-15 Seamus M. Crowley & Elizabeth Gennaro, 46 Nobadeer Farm Road,** *action deadline 03-13-16*

*(This Application was heard at the January meeting; however the board had questions regarding the parking maneuvering throughout the site. Also, the applicant, staff, and the board were waiting on Pesce's review comments.)*

FROM 1/5/16 STAFF REPORT:

The Applicant is requesting a Special Permit for a Major Commercial Development for Nantucket Windows & Doors, Inc. This business exists in this location; however they plan to expand and renovate the existing commercial building for the existing business of a contractor shop with light manufacturing (fabrication of cabinets, windows and doors.) More specifically, the existing business "Nantucket Windows and Door, Inc" is reconstructing their existing site by building an addition to their existing warehouse and by doing so, removing all their exterior storage; including existing storage containers and dumpsters. There is no retail sales existing at this site, nor proposed. Customers (contractors or architects) stop by appointment and meet with the owner.

The Applicant proposes to have approximately 5,494 square feet of contractor shop on the first floor and approximately 3,223 square feet of storage on the second floor. The Applicant is requesting a waiver on the open space requirement of 30% (Section 139-11,) a waiver to forego the inclusionary housing requirement (Section 139-11,) and a waiver to forego a traffic study (Section 139-23.B.2(b).) The proposal provides a total of seven (6) parking spaces (with one ADA space) and a loading zone space. The site will consist of a combination of both gravel and concrete driveway/parking lot area. The Applicant proposes to widen the existing apron, giving a better site distance. The MCD requires a 30% open space, however as a result of the proposed addition; the Applicant is proposing 20% with the inclusion of additional trees along the front of the site. The total proposed ground cover will be 49.8% (out of the 50% allowed.)

Planning Staff met with the Applicant's project engineer and council on January 7<sup>th</sup> to go over the proposed application. At this meeting, staff was notified of the Applicant's wiliness and proposal to extend the bike path along Nobadeer Farm Road. The bike path extension will match the existing grade, surface, etc along their property. The Applicant/Owner is also willing to get the Board of Selectman's approval for the bike path, if necessary. Staff feels this contribution to the area is a great example of an applicant willing to provide something to their adjacent community while asking for waiver(s) from the board. The application has not been reviewed by our consulting engineer, Mr. Ed Pesce; however the application and materials has been emailed to him by the Applicant's engineer. If the board is to be so inclined to approve, staff respectfully requests that the board motions that the approval is condition upon addressing any comments Mr. Pesce, PE and his office may have for the Applicant and the project engineer.

UPDATE:

The project engineer provided an updated site plan based on the last Planning Board meeting. Staff had a conference call with the project engineer and the board's consultant engineer, Mr. Ed Pece to review these plans. Mr. Pesce had questions regarding the grading and the existing and proposed run-off of the site. As of the date of this report, staff has not received Mr. Pesce's review comments.

The project engineer has revised the plan to accommodate the board's comments regarding circulation and maneuvering within the site. The removal of the handicap ramp and reduction of the existing porch has provided a space for any delivery trucks to turn around and not force trucks to back up into Nobadeer Farm Road or the proposed multi-path extension. Based on this new plan, staff provided the following comments to the project engineer:

- (1) Does the proposed location of the handicap parking space meet ADA requirements under the Building Code? IE: "quickest accessible route;" location, surface?
- (2) Were there thoughts of moving the handicap parking space to the rear (on the concrete?)
- (3) Were there thoughts of moving the proposed loading zone?

Staff has received a forwarded email where the Applicant mentioned he spoke to the Building Commissioner regarding the ADA accessibility of the front building. Staff has confirmed with the Building Commissioner; as long as the existing building is clearly identified for employees only and not for the public, the existing ramp can be removed. The Building Department would need something for their files to be received during the building permit process. The Certificate of Water Quality Compliance from Wannacomet Water Company has been received for this project and is included in your packet. Again, if the board is so inclined to approve the revised plans, staff respectfully requests that the board conditions the approval upon addressing any comments from Mr. Pecse.

▪ **#07-16 – Brass Lantern, LLC, owner, 11 North Water Street**

Staff notes that any changes will effectively modify prior relief granted by the ZBA. The Applicant is seeking a Special Permit to alter and extend a preexisting nonconforming structure by demolishing a portion of the existing structure and constructing an addition. The Applicant also seeks a special permit to reconfigure and increase the number of guest rooms from seventeen (17) to twenty-four (24), to add a one (1) bedroom manager's apartment with kitchen, and to add a commercial kitchen for the preparation of food for guests. Applicant proposes to remove the existing parking area and provide two (2) stacked parking spaces, where thirteen (13) are required. Staff notes that this site is directly across the street from properties within the CDT district, where no off-street parking is required. The proposal is consistent with the use and intensity of surrounding properties and staff is supportive of this application.

▪ **#7917 – 4 North Mill Court, LLC – 11 Mill Hill**

The Applicant is requesting to amend paragraph 12 of the Planning Board's decision to allow a portion of a structure, patio, and swimming pool to be sited within the required 10' buffer affecting Lot 15. For your reference, the language contained within Paragraph 12 is pasted below:

*"That a ten (10) foot wide, densely vegetated buffer including a mixture of coniferous and deciduous plant material, shall be established and permanently maintained along the southern and eastern limits of the subdivision, specifically affecting Lots 18,14,15,16, and 17, but excluding the drainage easement area within Lots 18, 16, and 17. This restriction shall be included in future deeds and included within the legal documents, with enforcement granted to the Town of Nantucket. On an as-needed basis, plantings shall be replaced within a year of their removal/deterioration/demise..."*

The site is currently vacant; therefore the applicant could comply with the buffer requirement. Staff notes that a prior applicant was unsuccessful with obtaining a waiver from the Board and the Board expressed very strong feelings about maintaining the required buffers.

▪ **#7918 – Richmond Great Point Development, LLC, owner, 42, 46, 48, 54 Skyline Drive & 20 Davkim Lane**

The Applicant is seeking approval of a Definitive Subdivision Plan for properties along Skyline Drive and Davkim Lane. The Applicant proposes to create a new roadway known as Clay Street to access one (1) new buildable lot containing portions of 42, 46, 48 and 54 Skyline Drive and to connect Skyline Drive to Davkim Lane. A reconfiguration of the 20 Davkim Lane lot to accommodate the proposed roadway will result in the creation of an additional lot with frontage on proposed Clay Street. A copy of Mr. Ed Pesce's report is included in your packet. A letter in opposition to this proposal is also included in your packet.

Staff does not have a recommendation at this time. This proposal will significantly impact future development in that area, particularly relevant to the workforce housing project that the applicant has publicly committed to building. The Board should thoroughly discuss this proposal and the future potential that will be created.

- **#7919 – Hatikva Way Subdivision, Surf Act, LLC, owner, 82 & 84 Surfside Road, *action deadline***  
The Applicant is seeking approval of a Definitive Subdivision Plan for 82 and 84 Surfside Road. The Applicant proposes to subdivide two (2) lots into four (4) lots, three (3) of which will be buildable and the remainder will be for the roadway. Two (2) existing dwellings will be relocated to accommodate the proposed subdivision layout. The proposed roadway will be 14 feet in width and surfaced with gravel. A paved apron will be installed at the roadways intersection with Surfside Road. The site is zoned R-10 and is located within the Town Overlay District and the Public Wellhead Recharge Overlay District. Plans have been provided to Mr. Ed Pesce for review and we anticipate a positive report prior to the meeting. Staff recommends approval of the proposal and the requested waivers.

**ANR:**

- **#7922 – Michael Sullivan, 4 Reacher Lane (Map 68 Parcel 336)**  
Staff will provide a recommendation at the meeting.
- **#7923 – Town of Nantucket, Mequash Avenue, Laurel Street, School Street, & Copeland Street (Map 80)**  
The purpose of this “Roadway Acquisition Plan” is to create an unbuildable lot from unconstructed portions of Mequash Avenue, Laurel Street, School Street, and Copeland Street (Lots A through J). This acquisition was authorized by approval of Articles 76 & 77 of the April 2010 Annual Town Meeting. Staff recommends endorsement.
- **#7924 – Ebayliss, LLC – 52 Eel Point Road (Map 32 Parcel 25)**  
The purpose of this plan is to divide an existing lot to create another buildable lot shown as Lot 2. Both lots will meet the minimum lot size and frontage for the LUG-2 district. Staff recommends endorsement.
- **#7925 – James P. Manchester & Helen B. Manchester, 1 Manchester Circle (Map 56 Parcel 94.1)**  
The purpose of this plan is to create an additional lot pursuant to the Secondary Residential Lot provision of the Bylaw. The Special Permit (PB #62-15) was approved in December 2015. Staff recommends endorsement.
- **#7926 – Richard & Elizabeth Anderson, 45 Macy’s Lane (Map 68 Parcel 33)**  
The purpose of this plan is to divide an existing lot to create two (2) buildable lots. The lots meet the minimum requirements for the RC-2 and R-5 districts. Although Hinsdale is generally in poor condition, this section is adequate for access to the proposed lots. Staff recommends endorsement.
- **#7927 – Steven W. Burbage & Susan C. Burbage, 47 Quidnet Road (Map 21 Parcel 143)**  
This is a perimeter plan. Staff recommends endorsement.
- **#7928 – Robert T. Petrini, Trustees of the Robert T. Petrini Revocable Trust, 22 Quidnet Path (Map 21 Parcel 151)**  
This is a perimeter plan. Staff recommends endorsement.
- **#7929 – Russell Simpson, 6 Marble Way (Map 66 Parcel 103)**  
This is a perimeter plan to freeze the uses allowed in the CTEC district. Staff recommends endorsement.
- **#7930 – Town of Nantucket, Unnamed Way between Eel Point Road & Madaket Road (Map 33)**  
The purpose of this plan is to create unbuildable lots from unconstructed portions of an unnamed way between Eel Point Road and Madaket Road. This acquisition authorized by the approval of Article 102 at the 2015 ATM. Staff recommends endorsement.

**Second Dwellings:**

- **Ram Island, LLC, 27 Monomoy Road (Map 54 Parcel 207)**
  - **Marybeth & Peter Wise, 16 Cliff Road (Map 42.4.4 Parcel 69)**
  - **Sarah Minella, 15 Gingy Lane (Map 41 Parcel 849)**
- Reports issued by Holly E. Backus are included in your packet.

**Tertiary Dwelling:**

- **John Roberts, 15 Helens Drive (Map 66 Parcel 46)**  
Reports issued by Holly E. Backus are included in your packet.

**Previous Plans:**

- **#7084 WB Nantucket Holdings, Arrowhead Drive, release escrow (\$2,500.00)**  
The Planning Board's consulting engineer, Mr. Ed Pesce, has provided a final sign-off of all subdivision improvements and all the lots have been released from the covenant. Staff recommends release of the escrow funds.
- **#7661 Woodland Hill, Form J (Lot 10)**  
*\*\*\* This agenda item was not anticipated by the Chairman 48 hours in advance\*\*\**  
Staff will provide a recommendation at the meeting.
- **#7924 Zeke Dog, 31 Quidnet Road, endorse plans**  
Staff recommends endorsement.
- **#26-15 Richmond Great Point Development LLC, 1, 3 & 5 Greglen Avenue, landscaping plan**  
Staff recommends endorsement.

**ZBA:**

- **01-16 Ann N. Apgar & Mahlon Apgar, Trustees of 22 Broadway Trust, 22 Broadway (Map 73.1.3 Parcel 117)**
- **#02-16 Daniel G. Counihan, 11 Swain Street (Map 42.4.1 Parcel 77 portion of)**
- **#03-16 Brandt C. Gould & Gabrielle M. Gould, 15 Margaret's Way (Map 20 Parcel 64)**
- **#04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – aka SURFSIDE COMMONS 40b, 106 Surfside Road (Map 67 Parcel 80)**  
***\*\*RE-AFFIRM VOTE FROM THE JANUARY MEETING\*\****

**Other Business:**

- Discuss second dwelling conditions such as:
  - adding condition regarding travelled way
  - lot line clearings of obstruction such as boulders
  - clarify aprons being built to the edge of the travelled way
  - add language regarding apron to the approval letter
- **REMINDER: Regular Planning Board Meeting on MARCH 7, 2016 at 6:30PM.**



# Nantucket Planning Board

## Nantucket Planning Board Agenda

Monday, February 8, 2016

6:30PM

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. Minutes:
  - December 14, 2014  
*\*\*\* This agenda item was not anticipated by the Chairman 48 hours in advance*
  - October 10, 2015  
*\*\*\* This agenda item was not anticipated by the Chairman 48 hours in advance*
  - January 11, 2016
  - January 28, 2016
- IV. Other Business I:
  - Special guest speakers – Review draft of Housing Production plan with Judi Barrett and Jennifer Goldson.
- V. Public Hearings:
  - #7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road, *action deadline 02-29-16,*

***CONTINUED TO 03-07-16***

- #7771 White Elephant Hotel LLC, 50 Easton Street, *action deadline 02-29-16, CONTINUED TO 03-07-16*
- #7916 Mark A. Lombardi & Maureen Lombardi, Trustees of Lombardi Realty Trust, 1 Pochick Avenue, *action deadline 4-10-16, CONTINUED TO 03-07-16*
- #16-15 Brotherhood of Thieves, 23 Broad Street, *action deadline 02-29-16, CONTINUED TO 03-07-16*
- #08-16 Richard E. Lewis, Jr & Sylvia I. Lewis, 37 Cato Lane, *action deadline, REQUEST FOR WITHDRAWAL.*
- #05-16 Nantucket Boating Club, Inc., as Owner and John B. Brescher, as Applicant, 6B Greglen Avenue, *action deadline 4-10-16, CONTINUED TO 03-07-16*
- **WARRANT ARTICLES FOR 2016 ANNUAL TOWN MEETING TO BE DISCUSSED (CONTINUED FROM THE 01-11-16 MEETING):**
  - **ARTICLE #37:** 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;
  - **ARTICLE #38:** 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);
  - **ARTICLE #43:** 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;
  - **ARTICLE #49:** 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);
  - **ARTICLE #50:** 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);
  - **ARTICLE #55:** 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);
  - **ARTICLE #56:** 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);
  - **ARTICLE #57:** Zoning Bylaw amendment to Chapter 139, section 11, to amend the major commercial development regulations; AND
  - **ARTICLE #60:** Zoning Bylaw amendment to Chapter 139, sections 2, 16, 17, 29, 30, and 33, to make various technical amendments.
- #21-15 46 Surfside Road, LLC, 46 Surfside Road, *action deadline 03-31-16*
- #44-15 Arthur I. Reade, Jr. And Peter D. Kyburg, Trustees Of Auction House Realty Trust, As Owners, And Walter J. Glowacki, As Applicant, 4 Lovers Lane, *action deadline 03-31-16*
- #61-15 Seamus M. Crowley & Elizabeth Gennaro, 46 Nobadeer Farm Road, *action deadline 03-13-16*
- #07-16 Brass Lantern, LLC – 11 North Water Street, *action deadline 05-08-16*
- #7917 4 North Mill Court LLC, 11 Mill Hill, *action deadline 05-25-16*
- #7918 Richmond Great Point Development, LLC – 42, 48, 54 Skyline Drive & 20 Davkim Lane, *action deadline 05-25-16*
- #7919 Hatikva Way Subdivision, 82 & 84 Surfside Road, *action deadline 05-25-16*

**VI. ANR:**

- #7922 Michael Sullivan, 4 Reacher Lane (Map 68 Parcel 336)
- #7923 Town of Nantucket, Mequash Avenue, Laurel Street, School Street, & Copeland Street (Map 80)
- #7924 Ebayliss, LLC – 52 Eel Point Road (Map 32 Parcel 25)
- #7925 James P. Manchester & Helen B. Manchester, 1 Manchester Circle (Map 56 Parcel 94.1)
- #7926 Richard & Elizabeth Anderson, 45 Macy's Lane (Map 68 Parcel 33)
- #7927 Steven W. Burbage & Susan C. Burbage, 47 Quidnet Road (Map 21 Parcel 143)
- #7928 Robert T. Petrini, Trustees of The Robert T. Petrini Revocable Trust, 22 Quidnet Path (Map 21 Parcel 151)
- #7929 Russell Simpson, 6 Marble Way (Map 66 Parcel 103)
- #7930 Town of Nantucket, Unnamed Way between Eel Point Road & Madaket Road (Map 33)

**VII. Second Dwellings:**

- Ram Island, LLC, 27 Monomoy Road (Map 54 Parcel 207)
- Marybeth Wise, 16 Cliff Road (Map 42.4.4 Parcel 69)
- Sarah Minella, 15 Gingy Lane (Map 41 Parcel 849)

**VIII. Tertiary Dwellings:**

- John Roberts, 15 Helens Drive (Map 66 Parcel 46)

**IX. Previous Plans:**

- #7084 WB Nantucket Holdings, Arrowhead Drive, *release escrow (\$2,500.00 )*
- #7661 Woodland Hill, *Form J (Lot 10)*  
***\*\*\* This agenda item was not anticipated by the Chairman 48 hours in advance***
- #7924 Zeke Dog, 31 Quidnet Road, *endorse plans*
- #26-15 Richmond Great Point Development LLC, 1, 3 & 5 Greglen Avenue, *landscaping plan*

**X. ZBA:**

- 01-16 Ann N. Apgar & Mahlon Apgar, Trustees of 22 Broadway Trust, 22 Broadway (Map 73.1.3 Parcel 117)
- #02-16 Daniel G. Counihan, 11 Swain Street (Map 42.4.1 Parcel 77 portion of )
- #03-16 Brandt C. Gould & Gabrielle M. Gould, 15 Margaret's Way (Map 20 Parcel 64)
- #04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – aka SURFSIDE COMMONS 40b, 106 Surfside Road (Map 67 Parcel 80)

***\*\*RE-AFFIRM VOTE FROM 01-11-16***

**XI. Public Comments:**

**XII. Other Business II:**

- Discuss second dwelling conditions such as:
  1. encroachment policy
  2. adding condition regarding travelled way
  3. lot line clearings of obstruction such as boulders
  4. clarify aprons being built to the edge of the travelled way
  5. add language regarding apron to the approval letter
- REMINDER REGULAR PLANNING BOARD MEETING ON MARCH 7, 2016 AT 6:30PM.

**XIII. Adjourn:**



The Richmond Company, Inc.  
23 Concord Street  
Wilmington, Massachusetts 01887  
(979) 988-3900

February 1, 2016

TOWN OF NANTUCKET  
PLANNING BOARD  
2 Fairgrounds Road  
Nantucket, Massachusetts 02554

Attention: Leslie Woodson Snell, AICP, LEED AP, Deputy Director of Planning

Subject: Request for Continuation of February 8, 2016 Public Hearing  
Processing of "Valero Road" Definitive Subdivision  
Valero Properties - # 60, # 62, # 64, # 66, and # 68 Old South Road

Dear Ms. Snell:

The purpose of this correspondence, issued in our capacity as the applicant and development manager, on behalf of the two owners of the subject properties (Old South Road Trust and Valero Realty Trust) is to respectfully request a further continuance of the public hearing related to the Planning Board's consideration and processing of the "Valero Road" definitive subdivision that has been submitted for the Valero properties located at 60, 62, 64, and 68 Old South Road.

As you know, the Planning Board re-opened the public hearing on this matter at its June 8, 2015 meeting and the Board, as well as you and Mr. Vorce, provided us with some preliminary input on certain changes that should be made to the subdivision plans and also asked a series of questions that would need to be addressed before the Board would be expected to close the public hearing and take action on the matter. Immediately prior to the June 8, 2015 meeting, we also received the "Engineering Review" letter issued by Pesce Engineering & Associates, Inc. containing the Town consulting engineer's comments and requests for certain technical clarifications and information with respect to some aspects of the design of the subdivision.

We are continuing to review this information and these questions with our civil engineer (Hayes Engineering) and with the property owners. A final decision with respect to the pending definitive subdivision has also been further complicated by the Valero's need to consider the prospective impacts of the zoning bylaw changes that were approved at the November 9, 2015 Special Town Meeting on the future use and development of the subject property.

Accordingly, in order to allow us further time to complete this process, and to make any changes that may be necessary to the design and plans, we are respectfully requesting a further continuance of the public hearing related to the definitive subdivision from the February 8, 2016 meeting of the Planning Board to the March 7, 2016 meeting of the Planning Board.

Valero / Old South Road Properties  
Definitive Subdivision – Continuance Request  
February 1, 2016  
Page Two

We appreciate your consideration and that of the Planning Board with respect to our request, and we look forward to continuing to work with you and Mr. Vorce, the Planning Board, and all the involved parties as the review of the matter progresses.

If you any immediate questions with respect to either this request or the matter in general, please feel free to contact me at 978-988-3900, Extension # 12.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Armanetti', is displayed on a light-colored rectangular background.

David J. Armanetti  
Director of Real Estate Development  
The Richmond Company, Inc.  
On Behalf of Old South Road Trust and Valero Realty Trust

Cc: Town of Nantucket Board of Health  
Richard Valero, OSRT / VRT  
Kenneth Valero, OSRT / VRT  
Eliot Brais, Esq.  
Philip Pastan, TRC  
Kathryn Fossa, TRC  
Andrew Burek, Esq., TRC  
John Ogren, Hayes Engineering

VAUGHAN, DALE, HUNTER AND BEAUDETTE

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

WHALER'S LANE

P.O. BOX 659

NANTUCKET, MASSACHUSETTS 02554

TEL: (508) 228-4455

FAX: (508) 228-3070

EDWARD FOLEY VAUGHAN

KEVIN F. DALE

RICHARD P. BEAUDETTE

—  
LORI D'ELLA

BRYAN J. SWAIN

WILLIAM F. HUNTER

OF COUNSEL

January 27, 2016

Leslie Woodson Snell  
Deputy Director of Planning  
Nantucket Planning Board  
2 Fairgrounds Road  
Nantucket, Massachusetts 02554

Re: Continuance of the White Elephant Hotel LLC,  
50 Easton Street  
Planning Board File# 7771  
Nantucket, MA 02554

Dear Leslie:

As you are aware, I represent the White Elephant Hotel, LLC in the above referenced matter. It is scheduled to be heard at the next Planning Board Meeting. I would like to request a continuance of this matter until the March 14, 2016 public hearing. I appreciate your attention to this matter. If you have any questions please feel free to contact me.

Sincerely,



Richard P. Beaudette

RPB/BJs

Cc: White Elephant Hotel, LLC.

**Catherine Ancero**

---

**From:** Marianne Hanley [mh@readelaw.com]  
**Sent:** Tuesday, February 02, 2016 10:34 AM  
**To:** Catherine Ancero  
**Cc:** M. Lombardi; Arthur Reade  
**Subject:** Lombardi, One Pochick, PB File #2-16

Please note on the agenda for next week's Planning Board meeting that we have requested a continuance of the hearing on the subdivision modification to the Board's March 14 meeting. We are still gathering information as requested at the last meeting. Thanks, and let me know if you have any questions.

Marianne Hanley, Attorney  
Reade, Gullicksen, Hanley, & Gifford, LLP  
PO Box 2669  
Nantucket, MA 02584  
Tel (508)228-3128  
Fax (508)228-5630  
[mh@readelaw.com](mailto:mh@readelaw.com)

*Please consider the environment before printing this email.*

The information transmitted is intended solely for the individual or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of or taking action in reliance upon this information by persons or entities other than the intended receiver is prohibited. If you have received this email in error please contact the sender and delete the material from any computer.

**Catherine Ancero**

---

**From:** Rhoda H. Weinman [weinman@nantucketislandlaw.net]  
**Sent:** Monday, February 01, 2016 6:35 PM  
**To:** Catherine Ancero

Hi Catherine,

Please put the Brotherhood on the March agenda instead of February. Thank you.

Rhoda H. Weinman, Attorney at Law  
36 Centre Street, Post Office Box 1365  
Nantucket Island, Massachusetts 02554  
(508) 228-9600  
(508) 228-8926 fax  
[weinman@nantucketislandlaw.net](mailto:weinman@nantucketislandlaw.net)

## Holly Backus

---

**From:** Sarah F. Alger [sfa@sfapc.com]  
**Sent:** Wednesday, January 27, 2016 7:14 PM  
**To:** Catherine Ancero  
**Cc:** Holly Backus; 'psantos@nantucketsurveyors.com'; Marianne Hanley (mh@readelaw.com); Jeremy Leventhal (jleventhal@farosproperties.com); Alexander Leventhal (aleventhal@farosproperties.com); Richard Beaudette (rick@vdhlaw.com); Elliot Gould (egould@farosproperties.com); steve@wesquo.com; Ken Withrow (Ken@UnionInn.com); 'MacEachern Matt' (matt@emeritusdevelopment.com); Leslie Snell  
**Subject:** RE: 37 Cato Lane

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Planning Board Matters

Catherine,

Our agreement with the seller/property owner did not come together as we had hoped, and I have been able to confirm with my clients that they are not proceeding with the purchase. As a result, we are not planning to go forward with the pending application to the Board. Please consider it withdrawn.

Thank you for your attention.

Regards,

Sarah

Sarah F. Alger, PC

Two South Water Street  
Nantucket, Massachusetts 02554  
508-228-1118 telephone  
508-228-8004 fax

Five Parker Road  
Osterville, Massachusetts 02655  
508-428-8594 telephone  
508-420-3162 fax

---

**From:** Catherine Ancero [<mailto:CAncero@nantucket-ma.gov>]  
**Sent:** Tuesday, January 26, 2016 15:45  
**To:** Sarah F. Alger <[sfa@sfapc.com](mailto:sfa@sfapc.com)>  
**Cc:** Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)>; 'psantos@nantucketsurveyors.com' <[psantos@nantucketsurveyors.com](mailto:psantos@nantucketsurveyors.com)>  
**Subject:** RE: 37 Cato Lane

Hi Sarah-

I just received an email from an abutter questioning if the applicant is withdrawing the application. I am following up and want to make sure I give the right information. Could you please confirm and let me know as soon as possible if this is correct?

*Thank you,*

*Catherine Ancero,  
Administrative Specialist  
Planning Board*

*Planning and Land Use Services (PLUS)  
Planning Board Office  
2 Fairgrounds Road  
Nantucket, MA 02554*

*Telephone#: 508.325.7587 (PLUS) Ext. 7008  
Facsimile#: 508.228.7298*

*Email: [cancero@nantucket-ma.gov](mailto:cancero@nantucket-ma.gov)*

*Town website: <http://www.nantucket-ma.gov>*



## Holly Backus

---

**From:** John Brescher [john@gliddenandglidden.com]  
**Sent:** Thursday, February 04, 2016 2:51 PM  
**To:** Holly Backus  
**Subject:** RE: Greglen Ave - MCD

We're going to continue this until March. Sorry for the late notice.

Best,  
John

John B. Brescher, Esquire  
Glidden & Glidden, P.C.  
37 Centre Street / PO Box 1079  
Nantucket, Massachusetts 02554  
508-228-0771  
508-228-6205 (fax)  
[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)

---

**From:** Holly Backus [mailto:hbackus@nantucket-ma.gov]  
**Sent:** Tuesday, February 02, 2016 3:33 PM  
**To:** John Brescher <john@gliddenandglidden.com>  
**Subject:** RE: Greglen Ave - MCD

Thanks! I'll mark it on the calendar.

Indecisiveness doesn't help!

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** John Brescher [mailto:john@gliddenandglidden.com]  
**Sent:** Tuesday, February 02, 2016 3:32 PM  
**To:** Holly Backus  
**Subject:** RE: Greglen Ave - MCD

Perfect. 10:00 am works for me.

I'll check re: Greglen. I think it's just getting the information to Mike Connolly and my client deciding what he wants to do. That's just my sense though...

Best,  
John

John B. Brescher, Esquire  
Glidden & Glidden, P.C.  
37 Centre Street / PO Box 1079  
Nantucket, Massachusetts 02554  
508-228-0771  
508-228-6205 (fax)  
[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** John Brescher [<mailto:john@gliddenandglidden.com>]  
**Sent:** Tuesday, February 02, 2016 3:06 PM  
**To:** Holly Backus  
**Subject:** RE: Greglen Ave - MCD

I emailed Fitch again, but never heard back. I'll let you know as soon as I do.

Let me know when you and Leslie have time to meet re: that potential subdivision. I think I know the answer, but just want to double-check.

Thanks!

Best,  
John

John B. Brescher, Esquire  
Glidden & Glidden, P.C.  
37 Centre Street / PO Box 1079  
Nantucket, Massachusetts 02554  
508-228-0771  
508-228-6205 (fax)  
[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)

---

**From:** Holly Backus [<mailto:hbackus@nantucket-ma.gov>]  
**Sent:** Tuesday, February 02, 2016 10:32 AM  
**To:** John Brescher <[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)>  
**Cc:** Leslie Snell <[LSnell@nantucket-ma.gov](mailto:LSnell@nantucket-ma.gov)>; Catherine Ancero <[CAncero@nantucket-ma.gov](mailto:CAncero@nantucket-ma.gov)>  
**Subject:** RE: Greglen Ave - MCD

Thanks John.

The March Planning Board Meeting has been moved to March 7<sup>th</sup>.

Thanks,  
Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** John Brescher [<mailto:john@gliddenandglidden.com>]  
**Sent:** Tuesday, February 02, 2016 10:30 AM  
**To:** Holly Backus  
**Cc:** Leslie Snell; Catherine Ancero  
**Subject:** RE: Greglen Ave - MCD

Hi Holly,

I actually asked this same question to my client yesterday, but haven't heard back from him. I'll reach out to him again...

Thanks!

**#05-16 Nantucket Boating Club, Inc., as Owner & John B. Brescher, as Applicant - 6B Greglen Av.**

Also, is the March meeting on the 7<sup>th</sup> or the 14<sup>th</sup>? Inquiring minds would like to know!

Best,  
John

John B. Brescher, Esquire  
Glidden & Glidden, P.C.  
37 Centre Street / PO Box 1079  
Nantucket, Massachusetts 02554  
508-228-0771  
508-228-6205 (fax)  
[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)

---

**From:** Holly Backus [<mailto:hbackus@nantucket-ma.gov>]  
**Sent:** Tuesday, February 02, 2016 10:03 AM  
**To:** Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)>; John Brescher <[john@gliddenandglidden.com](mailto:john@gliddenandglidden.com)>  
**Cc:** Leslie Snell <[LSnell@nantucket-ma.gov](mailto:LSnell@nantucket-ma.gov)>; Catherine Ancero <[CAncero@nantucket-ma.gov](mailto:CAncero@nantucket-ma.gov)>  
**Subject:** RE: Greglen Ave - MCD

Good Morning John,

I just wanted to touch base with you on this project.  
Is there a revised site plan available (based on our meeting) ?  
Or will this be continued to March?

If you could let me know, I would be most appreciative.

Thanks!!

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Holly Backus  
**Sent:** Thursday, January 21, 2016 11:14 AM  
**To:** 'John Brescher'  
**Cc:** Leslie Snell; Catherine Ancero  
**Subject:** RE: Greglen Ave - MCD

Hi John,

I just wanted to touch base with you after the meeting we just had.

1. Revised site plan will need to be submitted by February 1<sup>st</sup> for staff review prior to February 8<sup>th</sup> Meeting.
  - a. Move building to the front
  - b. Put parking to the rear
  - c. Provide a landscape plan
  - d. Provide the Open Space % proposed / required
2. Because of the new waiver request, the application for the February Meeting can obviously be discussed, however it will need to be *continued* to the March Meeting to advertize again.
3. In the meantime, we will need an addendum, of some sort ,with the revised waiver request (30' required buffer) and the applicable abutters fees to resend.

Thanks!!

\* = FEB 8<sup>th</sup>

## Annual Town Meeting 2016



**Article 34:** 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;

**Article 35:** 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;

**Article 36:** Zoning Bylaw amendment to Chapter 139, Section 2, of the Code of the Town of Nantucket to amend the definition of "apartment building;"

\* **Article 37:** 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;

\* **Article 38:** 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);

**Article 39:** 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;

**Article 40:** 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.

**Article 41:** 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;

**Article 42:** Zoning Bylaw amendment to Chapter 139, section 7A, to remove the by-right allowance of residential swimming pools in the Village Residential (VR) district;

\* **Article 43:** Zoning Map change from Residential-20 (R-20) to Residential-40 (R-40) for properties off of Crooked Lane, Grove Lane, and Madaket Road;

**Article 44:** 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);

**Article 45:** 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;

**Article 46:** 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;

**Article 47:** Zoning Map change from Village Trade, Entrepreneurship, and Craft (VTEC) to Village Residential (VR), from Limited Use Gen-3 (LUG-3) to VTEC and from VTEC to LUG-3 for property at 165, 171 and 171R Hummock Pond Road;

**Article 48:** 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);

\* **Article 49:** 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);

\* **Article 50:** Zoning Map change from Limited Use General 2 (LUG-2) to Limited Use General 1 (LUG-1) for properties off Lovers Lane, Boulevard, and Okorwaw Avenue (citizen petition);

**Article 51:** Zoning Bylaw amendment to Chapter 139, section 2, to amend the definition of tertiary dwelling;

**Article 52:** 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

**Article 53:** 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);

**Article 54:** Zoning Bylaw amendment to Chapter 139, section 8, to amend the secondary lot regulations;

\* **Article 55:** 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);

## Annual Town Meeting 2016



- \* **Article 56:** 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);
- \* **Article 57:** Zoning Bylaw amendment to Chapter 139, section 11, to amend the major commercial development regulations;
- Article 58:** Zoning Bylaw amendment to Chapter 139, sections 2 and 30, to amend the adult use definition and to clarify the issuance of special permits by the special permit granting authority;
- Article 59:** Zoning Bylaw amendment to Chapter 139, Section 7B (5), of the Code of the Town of Nantucket to amend “abandoned vehicles;”
- \* **Article 60:** Zoning Bylaw amendment to Chapter 139, sections 2, 16, 17, 29, 30, and 33, to make various technical amendments;

**ARTICLE 37**

**(Zoning Map Change: RC-2 to CTEC and R-5 - Bartlett Road and 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 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 37 RC-2 to CTEC and R-5 - Bartlett Road and Marble Way" 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)*

**ARTICLE 38**

**(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)*

#### ARTICLE 39

#### **(Zoning Map Change: RC-2 to CN and R-5 - Fairgrounds Road, Vincent Circle 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:

21	51	8	Squam Road
----	----	---	------------

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article 41 R-20 to VR - Quidnet" 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)*

**ARTICLE 42**

**(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)*

**ARTICLE 43**

**(Zoning Map Change: R-20 to R-40 or LUG-1 - Crooked Lane, Grove Lane and Madaket 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 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 43 R-20 to R-40 or LUG-1 - Crooked Lane, Grove Lane and Madaket Road" 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)*

#### ARTICLE 44

#### **(Zoning Map Change: SR-20 to SR-5/Clifton Street, Comeau Lane and 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

#### ARTICLE 48

##### (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)*

#### ARTICLE 49

##### (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)*

#### ARTICLE 50

##### (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 51  
(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.

~~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 55

### (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 56**

**(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		Minimum Secondary Lot Size	Minimum Primary Lot Size
	Size	(§ 139-16A)		
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

Zoning District	Minimum Original Lot Size (\$ 139-16A)	Minimum Secondary Lot Size	Minimum Primary Lot Size
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 57

### (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 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):*

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.

~~F~~D. 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 the 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 ~~t~~he 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 e~~One 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.~~

~~(6) 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.~~

~~(7) 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.~~

~~K]. 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 58

### (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 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 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.~~

~~(2)~~ 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.

~~(3)~~ 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.

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

~~(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)*

#### ARTICLE 59

##### (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 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):*

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)*

#### ARTICLE 60

##### (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 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. 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:

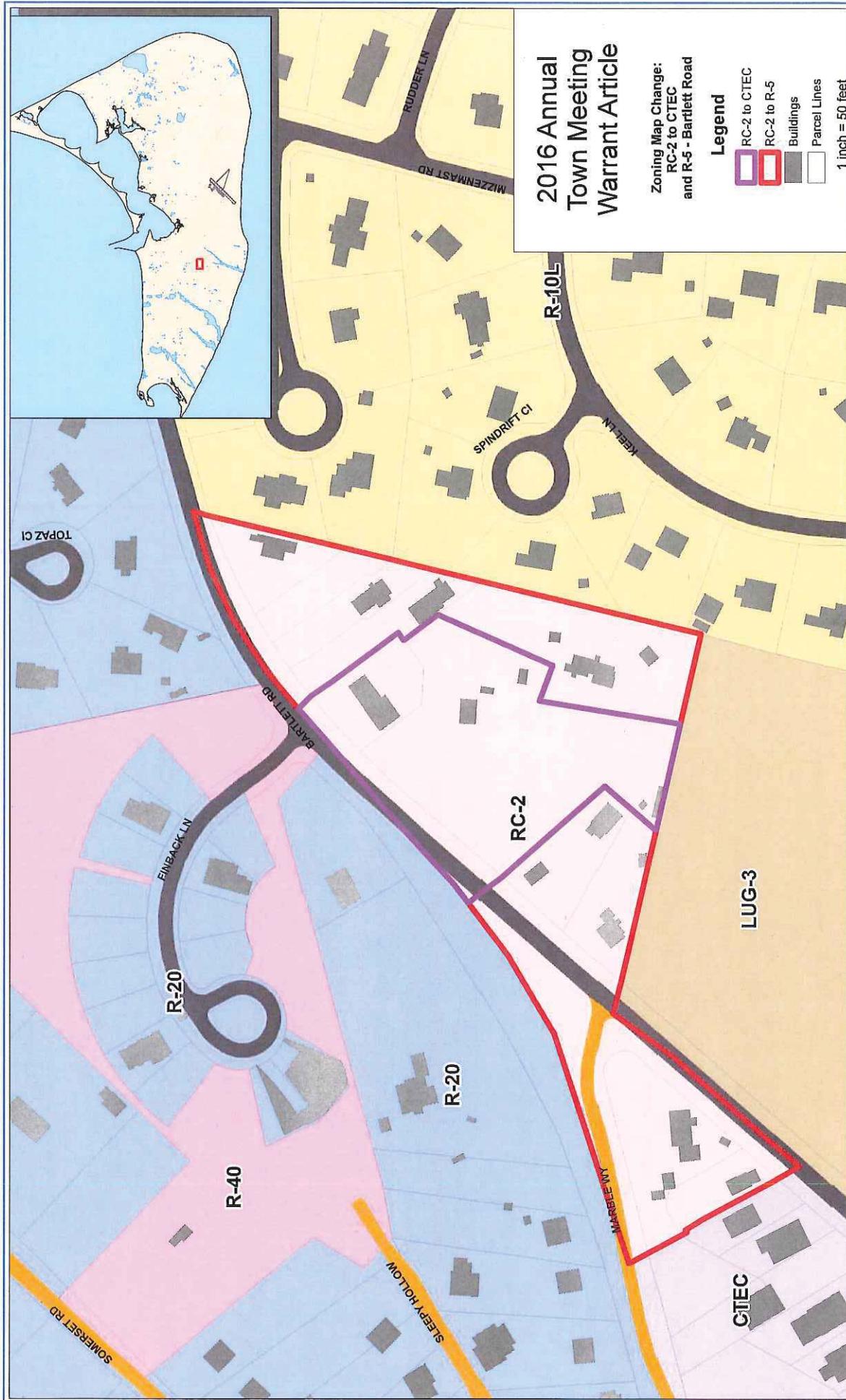
In the case of a lot containing at least 5,000 square feet, ~~the greater of 1,500 square feet of ground cover or the amount determined in accordance with the maximum ground cover ratio requirement for the zoning district in which the lot is situated, whichever is greater;~~ In the LUG-2 and LUG-3 districts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



# 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

Please send identification of any errors and corresponding corrections to:  
 GIS Coordinator  
 2 Fairgrounds Road  
 Nantucket, MA 02554

Map data provided by Esri, DeLorme, GeoEye, IGN, Aerotech, Earthstar, CNES, Swire, GEBCO, US Coast Guard, AeroGRID, IGN, Esri, and the GIS User Community  
 All other data provided by the Nantucket GIS Department  
 All other data provided by the Nantucket GIS Department

October 2016



## Town of Nantucket - GIS Mapsheet



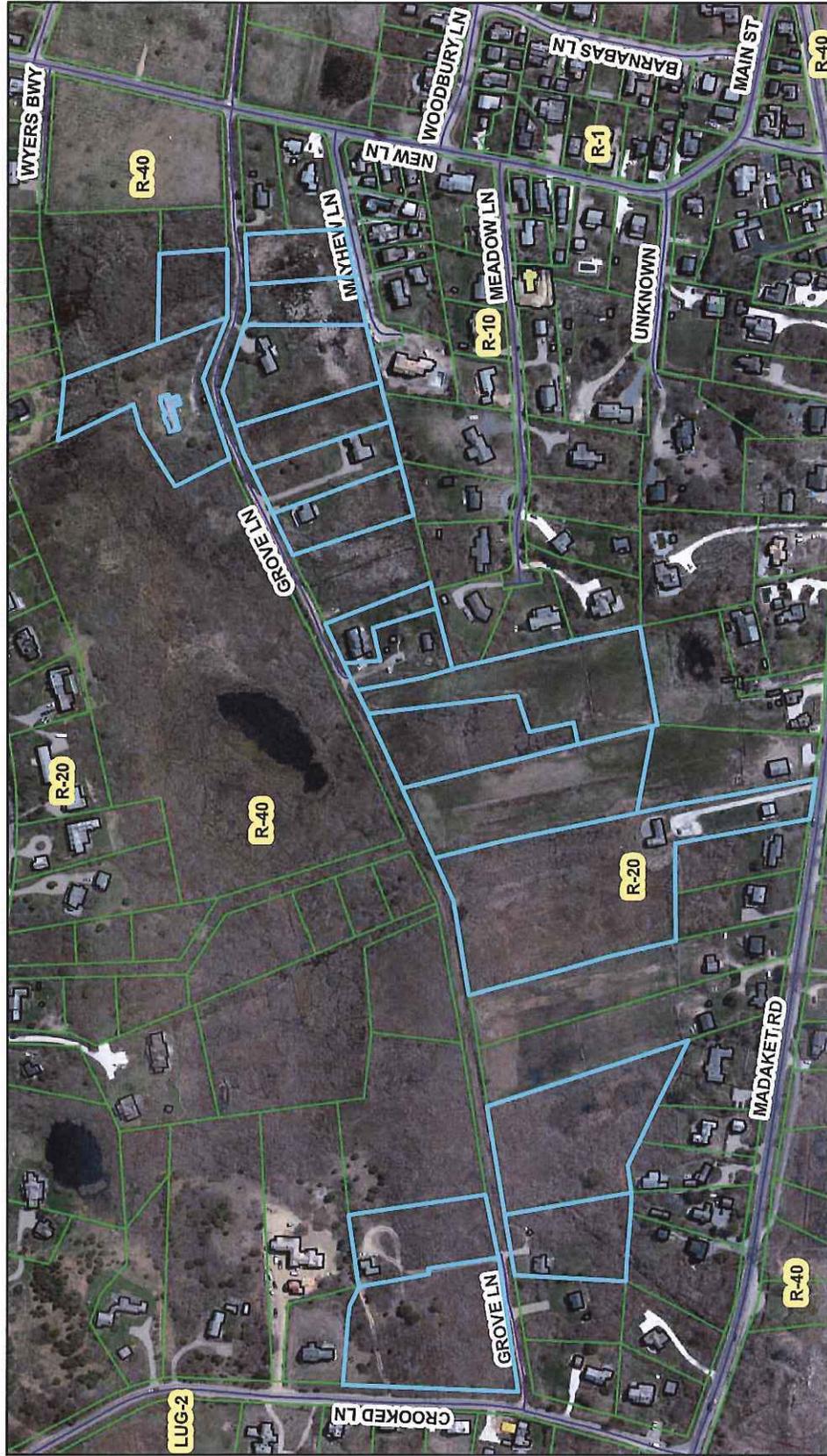
The data on this mapsheet represents the efforts of the GIS Department to provide accurate and up-to-date information to the public. The GIS Department is committed to providing the highest quality information possible. The GIS Department is committed to providing the highest quality information possible. The GIS Department is committed to providing the highest quality information possible.

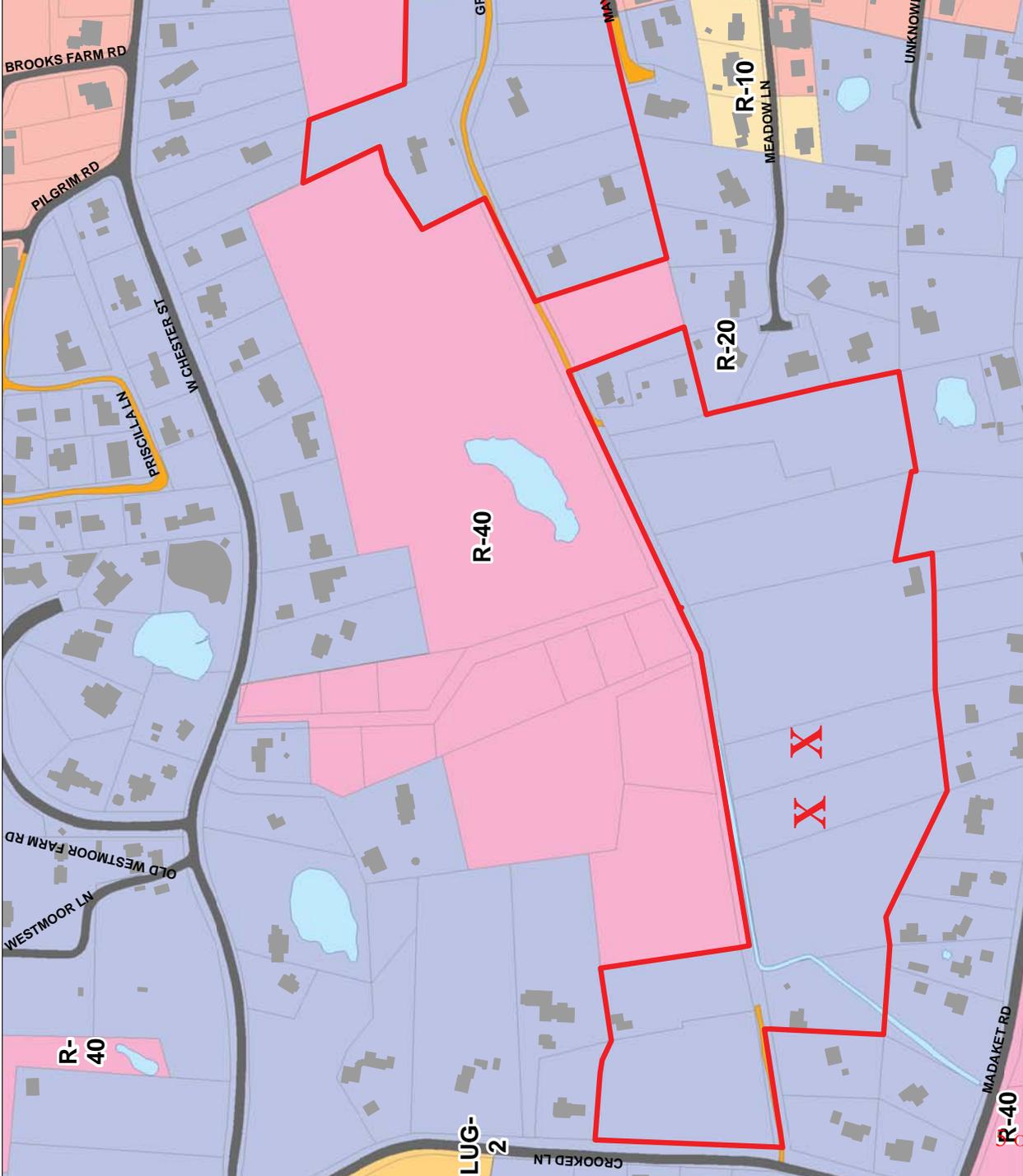
Map data provided by Esri, DeLorme, GeoEye, IGN, Aerotech, Earthstar, CNES, Swire, GEBCO, US Coast Guard, AeroGRID, IGN, Esri, and the GIS User Community  
 All other data provided by the Nantucket GIS Department  
 All other data provided by the Nantucket GIS Department





Article 43:  
R-20 to R-40  
Crooked Lane, Grove Lane & Madaket Road





## 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

Please send identification of any errors and corresponding corrections to:  
GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

January, 2016



# Town of Nantucket - GIS Mapsheet

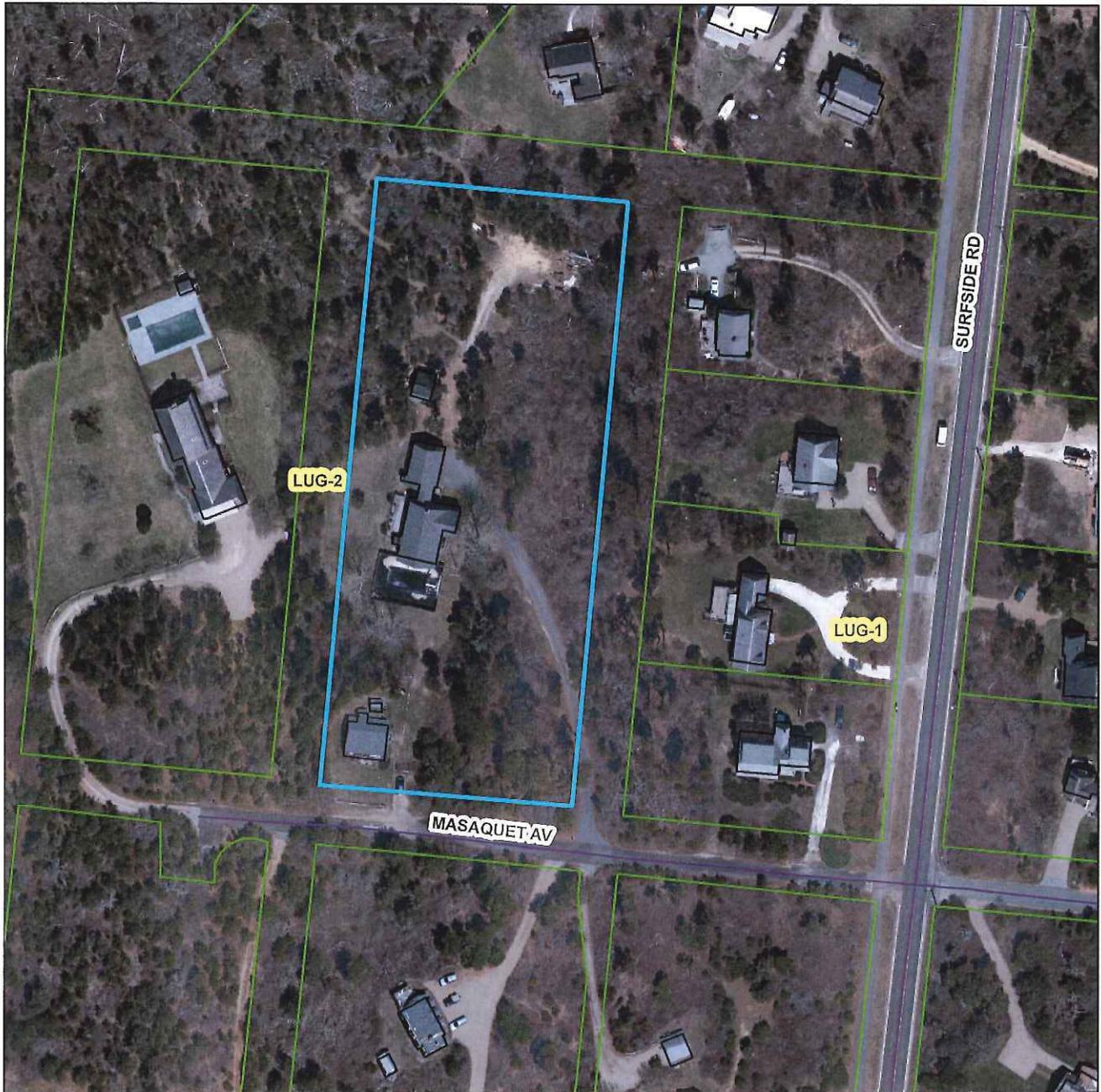


The data on this mapsheet is provided to the public in accordance with the Freedom of Information Act. The Town of Nantucket and other cooperating organizations do not warrant the accuracy or completeness of the geographic information systems (GIS). The GIS staff maintains an ongoing effort to update the data. The Town of Nantucket makes no claims as to the absolute veracity or reliability of these data or their fitness for any particular use.

**Data Sources:**  
The data on this mapsheet is based primarily on the GIS data maintained by the Town of Nantucket. The GIS staff maintains an ongoing effort to update the data. The Town of Nantucket makes no claims as to the absolute veracity or reliability of these data or their fitness for any particular use.

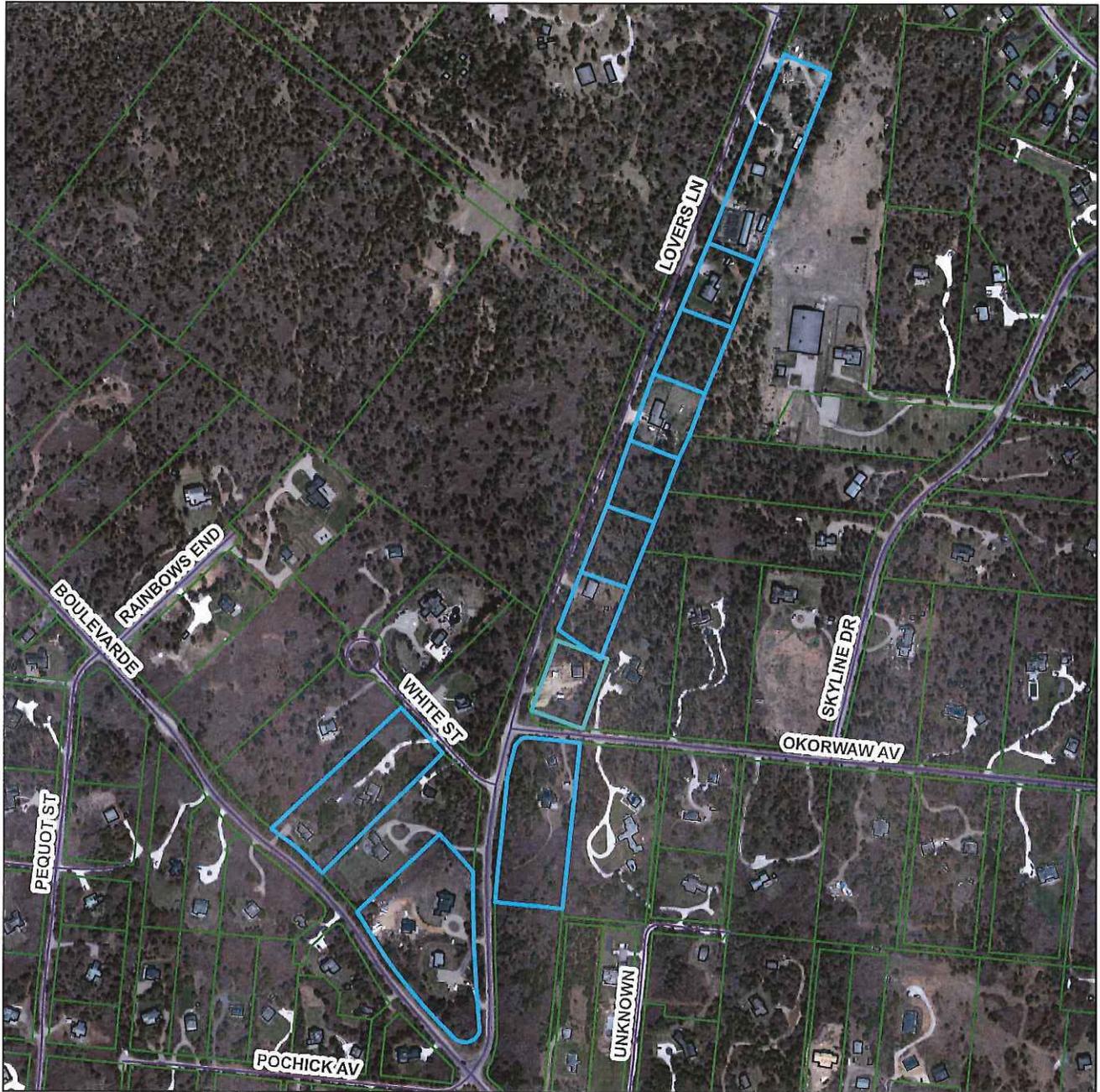


Article 49:  
LUG-2 to LUG-1  
8 Masaquet Ave





Article 50:  
LUG-2 to LUG-1  
Boulevarde, Okorwaw Avenue & Lover's Lane





Article 50:  
LUG-2 to LUG-1  
Boulevard, Okorwaw Avenue & Lover's Lane



## Annual Town Meeting 2016



- \* **Article 56:** 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);
- \* **Article 57:** Zoning Bylaw amendment to Chapter 139, section 11, to amend the major commercial development regulations;
- Article 58:** Zoning Bylaw amendment to Chapter 139, sections 2 and 30, to amend the adult use definition and to clarify the issuance of special permits by the special permit granting authority;
- Article 59:** Zoning Bylaw amendment to Chapter 139, Section 7B (5), of the Code of the Town of Nantucket to amend “abandoned vehicles;”
- \* **Article 60:** Zoning Bylaw amendment to Chapter 139, sections 2, 16, 17, 29, 30, and 33, to make various technical amendments;

**ARTICLE 37**

**(Zoning Map Change: RC-2 to CTEC and R-5 - Bartlett Road and 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 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 37 RC-2 to CTEC and R-5 - Bartlett Road and Marble Way" 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)*

**ARTICLE 38**

**(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)*

#### ARTICLE 39

#### **(Zoning Map Change: RC-2 to CN and R-5 - Fairgrounds Road, Vincent Circle 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:

21	51	8	Squam Road
----	----	---	------------

All as shown on a map entitled "2016 Annual Town Meeting Warrant Article 41 R-20 to VR - Quidnet" 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)*

**ARTICLE 42**

**(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 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*).

Or to take any other action related thereto.

*(Board of Selectmen for Planning Board)*

**ARTICLE 43**

**(Zoning Map Change: R-20 to R-40 or LUG-1 - Crooked Lane, Grove Lane and Madaket 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 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 43 R-20 to R-40 or LUG-1 - Crooked Lane, Grove Lane and Madaket Road" 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)*

**ARTICLE 44**

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

### ARTICLE 48

#### (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)*

### ARTICLE 49

#### (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)*

### ARTICLE 50

#### (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 51  
(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.

~~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 55

### (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 56**

**(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		Minimum Secondary Lot Size	Minimum Primary Lot Size
	Size	(§ 139-16A)		
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

Zoning District	Minimum Original Lot Size (§ 139-16A)	Minimum Secondary Lot Size	Minimum Primary Lot Size
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 57

### (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 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):*

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.~~

~~F. 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 the 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 ~~t~~he 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 e~~One 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.~~

~~(6) 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.~~

~~(7) 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.~~

~~K]. 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 58

### (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 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 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.~~

~~(2)~~ 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.

~~(3)~~ 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.

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

~~(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)*

#### ARTICLE 59

##### **(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 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):*

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)*

#### ARTICLE 60

##### **(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 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. 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)*



#21-15  
46 Surfside Road, LLC  
46 & 46A Surfside Road  
Map 67 Parcels 120.3 & 773





MAP 67 PARCELS 120.3 & 773  
 TOTAL AREA=16,844.5 SF.  
 PROPERTY REZONED RC-2 TO ON 2012 ATM  
 ZONING CLASSIFICATION: NEIGHBORHOOD  
 (PINE OVERLY DISTRICT)  
 MINIMUM FRONT SETBACK = 10'  
 FRONT YARD SETBACK = 10'  
 REAR YARD SETBACK = 10'  
 MAX. GROUND COVER RATIO = 40%

**GROUND COVER/OPEN SPACE SUMMARY**

PROPOSED GROUND COVER RATIO #46	13%
PROPOSED GROUND COVER RATIO #46A	13%
#46 & 46A SURFSIDE ROAD PROPOSED OPEN SPACE	32.5%
MINIMUM OPEN SPACE REQUIRED 30% (SECT. 139-110)	

**PARKING SUMMARY**  
 (REF. NANTUCKET ZONING BYLAW S.139-18)

PARKING SPACES REQUIRED	
#46 SURFSIDE ROAD	
RESTAURANT 30 SEATS 1 SP/3 SEATS	10
5 EMPLOYEES X 1 SP/3 EMPLOYEES ON PEAK SHIFT	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	15
#46A SURFSIDE ROAD	
OFFICES 600 SF X 1 SP/200 SF GFA	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	5

PARKING SPACES	
STANDARD	19
ACCESSIBLE	2
TOTAL	21

\*TWO SPACES EXIST AT LOADING ZONE TO BE UTILIZED UPON ESTABLISHMENT OF LOADING ZONE SCHEDULE.  
 \*TWO SPACES EXIST AT LOADING ZONE TO BE CONSTRUCTED UPON REQUEST OF THE PLANNING BOARD AFTER ONE YEAR OF FACILITY OPERATION.

**SOIL EROSION/SEDIMENT CONTROL NOTES:**

1. LAND DISTURBANCE WILL BE KEPT TO A MINIMUM NECESSARY FOR CONSTRUCTION OPERATIONS; RESTABILIZATION WILL BE SCHEDULED AS SOON AS PRACTICAL.
2. CATCH BASINS WILL BE PROTECTED WITH PRODUCT KNOWN AS 'SILT DISTURBED AREAS ARE THOROUGHLY STABILIZED.'
3. EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO CONSTRUCTION.
4. ALL CONTROL MEASURES WILL BE MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
5. ADDITIONAL CONTROL MEASURES WILL BE INSTALLED DURING THE CONSTRUCTION PERIOD IF NECESSARY OR REQUIRED.
6. IN A MANNER WHICH PROVIDES PROTECTION TO THE RESULT OF THE PLAN.
7. OUR MASTER (60%) HAS BEEN AS THE OWNER OF EROSION CONTROL PLAN. THIS RESPONSIBILITY INCLUDES THE INSTALLATION AND MAINTENANCE OF THE EROSION CONTROL MEASURES AND THE BOARD OF ANY TRANSFER OF THIS RESPONSIBILITY AND FOR CONVEYING A COPY OF THE EROSION AND SEDIMENT PLAN IF THE TITLE TO THE LAND IS TRANSFERRED.

**CONSTRUCTION AND STABILIZATION SOURCE: INNOVATIVE.**

PRE-CONSTRUCTION MEETING WITH TOWN DEPARTMENTS, APPLICANT, CONTRACTOR AND SITE ENGINEER.

**PHASE I SITE CLEARING:**

1. INSTALL ANTI-TRACKING PAD AT CONSTRUCTION ENTRANCE.
2. INSTALL SEDIMENT CONTROL BARRIER AS DIRECTED BY THE ENGINEER. UNTIL PROJECT IS COMPLETED.

**PHASE II SITE CONSTRUCTION:**

1. PROCEED WITH EXCAVATION FOR FOUNDATION.
2. PROTECT ALL CATCH BASINS WITH SEDIMENTATION CONTROL UNITS UNTIL PROJECT IS COMPLETED.
3. PLACE FOOTING.
4. POUR FOUNDATION WALL.
5. INSTALL DRAIN SYSTEM.
6. INSTALL UNDERGROUND BACKFILL SITE, GRADE AS REQUIRED.
7. INSTALL LANDSCAPING.
8. LOAM AND SEED, STABILIZE SITE.

**PHASE III SITE STABILIZATION:**

1. REMOVE ALL CONSTRUCTION DEBRIS.
2. MAINTAIN ALL EROSION CONTROL UNTIL DISTURBED AREAS HAVE BEEN STABILIZED WITH NEW GROWTH FOR A PERIOD OF 60 DAYS.
3. REMOVE ALL EROSION CONTROL AND CLEAN UP SITE.

**MAJOR COMMERCIAL DEVELOPMENT SITE DEVELOPMENT PLAN**

#46 & 46A SURFSIDE ROAD  
 NANTUCKET, MASSACHUSETTS  
 SCALE: 1"=10'  
 DATE: MAY 11, 2015  
 REVISIONS: SEPTEMBER 11, 2015 SCREENING  
 REVISIONS: FEBRUARY 1, 2016

PREPARED FOR:  
 CMP MASTER ARCHITECTURE  
 NANTUCKET, MASSACHUSETTS, LLC  
 5 WINDY WAY  
 NANTUCKET, MA 02544  
 (508) 225-4824



**GROUND COVER/OPEN SPACE SUMMARY**

PROPOSED GROUND COVER RATIO #46	13%
PROPOSED GROUND COVER RATIO #46A	13%
#46 & 46A SURFSIDE ROAD PROPOSED OPEN SPACE	32.5%
MINIMUM OPEN SPACE REQUIRED 30% (SECT. 139-110)	

**PARKING SUMMARY**  
 (REF. NANTUCKET ZONING BYLAW S.139-18)

PARKING SPACES REQUIRED	
#46 SURFSIDE ROAD	
RESTAURANT 30 SEATS 1 SP/3 SEATS	10
5 EMPLOYEES X 1 SP/3 EMPLOYEES ON PEAK SHIFT	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	15
#46A SURFSIDE ROAD	
OFFICES 600 SF X 1 SP/200 SF GFA	3
APARTMENTS 2 BEDROOMS X 1 SP/BEDROOM	2
TOTAL	5

PARKING SPACES	
STANDARD	19
ACCESSIBLE	2
TOTAL	21

\*TWO SPACES EXIST AT LOADING ZONE TO BE UTILIZED UPON ESTABLISHMENT OF LOADING ZONE SCHEDULE.  
 \*TWO SPACES EXIST AT LOADING ZONE TO BE CONSTRUCTED UPON REQUEST OF THE PLANNING BOARD AFTER ONE YEAR OF FACILITY OPERATION.

**SOIL EROSION/SEDIMENT CONTROL NOTES:**

1. LAND DISTURBANCE WILL BE KEPT TO A MINIMUM NECESSARY FOR CONSTRUCTION OPERATIONS; RESTABILIZATION WILL BE SCHEDULED AS SOON AS PRACTICAL.
2. CATCH BASINS WILL BE PROTECTED WITH PRODUCT KNOWN AS 'SILT DISTURBED AREAS ARE THOROUGHLY STABILIZED.'
3. EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO CONSTRUCTION.
4. ALL CONTROL MEASURES WILL BE MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
5. ADDITIONAL CONTROL MEASURES WILL BE INSTALLED DURING THE CONSTRUCTION PERIOD IF NECESSARY OR REQUIRED.
6. IN A MANNER WHICH PROVIDES PROTECTION TO THE RESULT OF THE PLAN.
7. OUR MASTER (60%) HAS BEEN AS THE OWNER OF EROSION CONTROL PLAN. THIS RESPONSIBILITY INCLUDES THE INSTALLATION AND MAINTENANCE OF THE EROSION CONTROL MEASURES AND THE BOARD OF ANY TRANSFER OF THIS RESPONSIBILITY AND FOR CONVEYING A COPY OF THE EROSION AND SEDIMENT PLAN IF THE TITLE TO THE LAND IS TRANSFERRED.

**CONSTRUCTION AND STABILIZATION SOURCE: INNOVATIVE.**

PRE-CONSTRUCTION MEETING WITH TOWN DEPARTMENTS, APPLICANT, CONTRACTOR AND SITE ENGINEER.

**PHASE I SITE CLEARING:**

1. INSTALL ANTI-TRACKING PAD AT CONSTRUCTION ENTRANCE.
2. INSTALL SEDIMENT CONTROL BARRIER AS DIRECTED BY THE ENGINEER. UNTIL PROJECT IS COMPLETED.

**PHASE II SITE CONSTRUCTION:**

1. PROCEED WITH EXCAVATION FOR FOUNDATION.
2. PROTECT ALL CATCH BASINS WITH SEDIMENTATION CONTROL UNITS UNTIL PROJECT IS COMPLETED.
3. PLACE FOOTING.
4. POUR FOUNDATION WALL.
5. INSTALL DRAIN SYSTEM.
6. INSTALL UNDERGROUND BACKFILL SITE, GRADE AS REQUIRED.
7. INSTALL LANDSCAPING.
8. LOAM AND SEED, STABILIZE SITE.

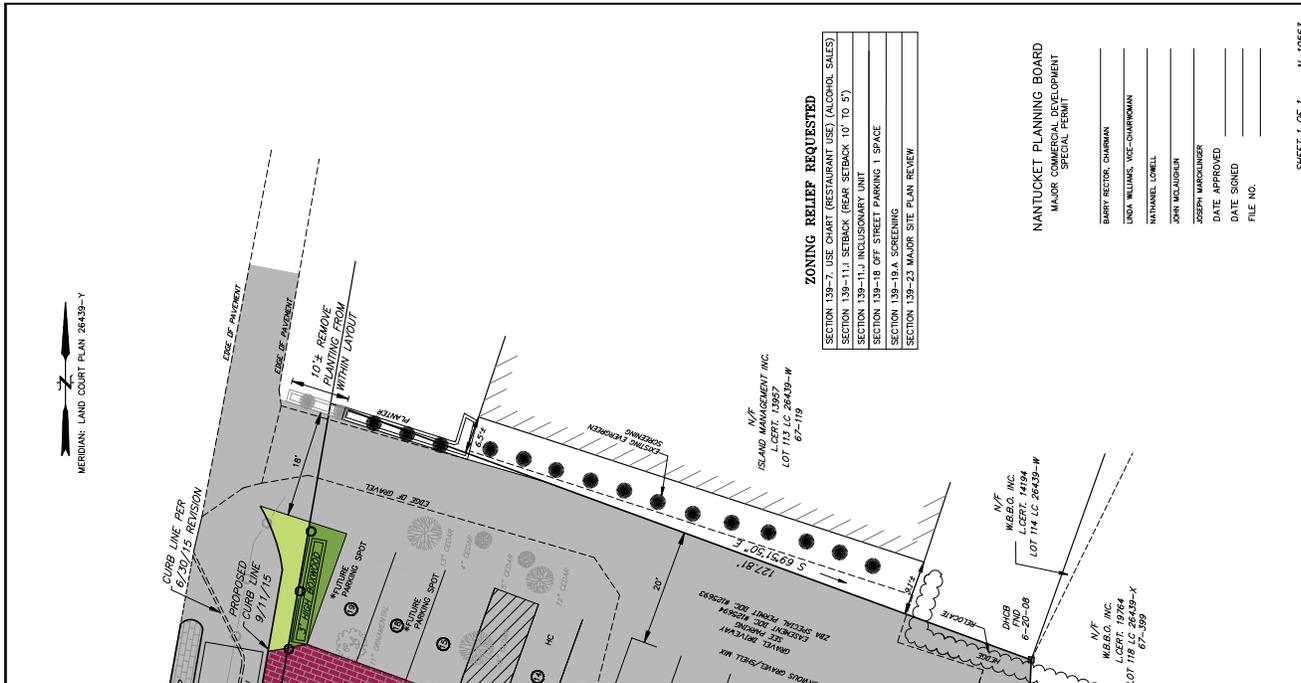
**PHASE III SITE STABILIZATION:**

1. REMOVE ALL CONSTRUCTION DEBRIS.
2. MAINTAIN ALL EROSION CONTROL UNTIL DISTURBED AREAS HAVE BEEN STABILIZED WITH NEW GROWTH FOR A PERIOD OF 60 DAYS.
3. REMOVE ALL EROSION CONTROL AND CLEAN UP SITE.

**MAJOR COMMERCIAL DEVELOPMENT SITE DEVELOPMENT PLAN**

#46 & 46A SURFSIDE ROAD  
 NANTUCKET, MASSACHUSETTS  
 SCALE: 1"=10'  
 DATE: MAY 11, 2015  
 REVISIONS: SEPTEMBER 11, 2015 SCREENING  
 REVISIONS: FEBRUARY 1, 2016

PREPARED FOR:  
 CMP MASTER ARCHITECTURE  
 NANTUCKET, MASSACHUSETTS, LLC  
 5 WINDY WAY  
 NANTUCKET, MA 02544  
 (508) 225-4824



MAP 67 PARCELS 120.3 & 773  
 TOTAL AREA=16,844.5 SF.  
 PROPERTY REZONED RC-2 TO ON 2012 ATM  
 ZONING CLASSIFICATION: NEIGHBORHOOD  
 (PINE OVERLY DISTRICT)  
 MINIMUM FRONT SETBACK = 10'  
 FRONT YARD SETBACK = 10'  
 REAR YARD SETBACK = 10'  
 MAX. GROUND COVER RATIO = 40%

MANUEL F. VAS, TRUSTEE  
 MANUEL F. DAS REVOCABLE TRUST  
 LOT 41 LC 26439-1  
 LOT 41 LC 26439-1  
 LOT 41 LC 26439-1

ISLAND MANAGEMENT INC.  
 L.CERT. 1967  
 LOT 119 LC 26439-W  
 67-119

ISLANDS LAND BANK  
 LOT 118 LC 26439-Y  
 LOT 118 LC 26439-Y  
 LOT 118 LC 26439-Y

ISLANDS LAND BANK  
 LOT 114 LC 26439-W  
 LOT 114 LC 26439-W  
 LOT 114 LC 26439-W

ISLANDS LAND BANK  
 LOT 116 LC 26439-Z  
 LOT 116 LC 26439-Z  
 LOT 116 LC 26439-Z

ISLANDS LAND BANK  
 LOT 117 LC 26439-A  
 LOT 117 LC 26439-A  
 LOT 117 LC 26439-A

ISLANDS LAND BANK  
 LOT 115 LC 26439-X  
 LOT 115 LC 26439-X  
 LOT 115 LC 26439-X

ISLANDS LAND BANK  
 LOT 113 LC 26439-V  
 LOT 113 LC 26439-V  
 LOT 113 LC 26439-V

ISLANDS LAND BANK  
 LOT 112 LC 26439-U  
 LOT 112 LC 26439-U  
 LOT 112 LC 26439-U

ISLANDS LAND BANK  
 LOT 111 LC 26439-T  
 LOT 111 LC 26439-T  
 LOT 111 LC 26439-T

ISLANDS LAND BANK  
 LOT 110 LC 26439-S  
 LOT 110 LC 26439-S  
 LOT 110 LC 26439-S

ISLANDS LAND BANK  
 LOT 109 LC 26439-R  
 LOT 109 LC 26439-R  
 LOT 109 LC 26439-R

ISLANDS LAND BANK  
 LOT 108 LC 26439-Q  
 LOT 108 LC 26439-Q  
 LOT 108 LC 26439-Q

ISLANDS LAND BANK  
 LOT 107 LC 26439-P  
 LOT 107 LC 26439-P  
 LOT 107 LC 26439-P

ISLANDS LAND BANK  
 LOT 106 LC 26439-O  
 LOT 106 LC 26439-O  
 LOT 106 LC 26439-O

ISLANDS LAND BANK  
 LOT 105 LC 26439-N  
 LOT 105 LC 26439-N  
 LOT 105 LC 26439-N

ISLANDS LAND BANK  
 LOT 104 LC 26439-M  
 LOT 104 LC 26439-M  
 LOT 104 LC 26439-M

ISLANDS LAND BANK  
 LOT 103 LC 26439-L  
 LOT 103 LC 26439-L  
 LOT 103 LC 26439-L

ISLANDS LAND BANK  
 LOT 102 LC 26439-K  
 LOT 102 LC 26439-K  
 LOT 102 LC 26439-K

ISLANDS LAND BANK  
 LOT 101 LC 26439-J  
 LOT 101 LC 26439-J  
 LOT 101 LC 26439-J

ISLANDS LAND BANK  
 LOT 100 LC 26439-I  
 LOT 100 LC 26439-I  
 LOT 100 LC 26439-I

ISLANDS LAND BANK  
 LOT 99 LC 26439-H  
 LOT 99 LC 26439-H  
 LOT 99 LC 26439-H

ISLANDS LAND BANK  
 LOT 98 LC 26439-G  
 LOT 98 LC 26439-G  
 LOT 98 LC 26439-G

ISLANDS LAND BANK  
 LOT 97 LC 26439-F  
 LOT 97 LC 26439-F  
 LOT 97 LC 26439-F

ISLANDS LAND BANK  
 LOT 96 LC 26439-E  
 LOT 96 LC 26439-E  
 LOT 96 LC 26439-E

ISLANDS LAND BANK  
 LOT 95 LC 26439-D  
 LOT 95 LC 26439-D  
 LOT 95 LC 26439-D

ISLANDS LAND BANK  
 LOT 94 LC 26439-C  
 LOT 94 LC 26439-C  
 LOT 94 LC 26439-C

ISLANDS LAND BANK  
 LOT 93 LC 26439-B  
 LOT 93 LC 26439-B  
 LOT 93 LC 26439-B

ISLANDS LAND BANK  
 LOT 92 LC 26439-A  
 LOT 92 LC 26439-A  
 LOT 92 LC 26439-A

ISLANDS LAND BANK  
 LOT 91 LC 26439-Z  
 LOT 91 LC 26439-Z  
 LOT 91 LC 26439-Z

ISLANDS LAND BANK  
 LOT 90 LC 26439-Y  
 LOT 90 LC 26439-Y  
 LOT 90 LC 26439-Y

ISLANDS LAND BANK  
 LOT 89 LC 26439-X  
 LOT 89 LC 26439-X  
 LOT 89 LC 26439-X

ISLANDS LAND BANK  
 LOT 88 LC 26439-W  
 LOT 88 LC 26439-W  
 LOT 88 LC 26439-W

ISLANDS LAND BANK  
 LOT 87 LC 26439-V  
 LOT 87 LC 26439-V  
 LOT 87 LC 26439-V

ISLANDS LAND BANK  
 LOT 86 LC 26439-U  
 LOT 86 LC 26439-U  
 LOT 86 LC 26439-U

ISLANDS LAND BANK  
 LOT 85 LC 26439-T  
 LOT 85 LC 26439-T  
 LOT 85 LC 26439-T

ISLANDS LAND BANK  
 LOT 84 LC 26439-S  
 LOT 84 LC 26439-S  
 LOT 84 LC 26439-S

ISLANDS LAND BANK  
 LOT 83 LC 26439-R  
 LOT 83 LC 26439-R  
 LOT 83 LC 26439-R

ISLANDS LAND BANK  
 LOT 82 LC 26439-Q  
 LOT 82 LC 26439-Q  
 LOT 82 LC 26439-Q

ISLANDS LAND BANK  
 LOT 81 LC 26439-P  
 LOT 81 LC 26439-P  
 LOT 81 LC 26439-P

ISLANDS LAND BANK  
 LOT 80 LC 26439-O  
 LOT 80 LC 26439-O  
 LOT 80 LC 26439-O

ISLANDS LAND BANK  
 LOT 79 LC 26439-N  
 LOT 79 LC 26439-N  
 LOT 79 LC 26439-N

ISLANDS LAND BANK  
 LOT 78 LC 26439-M  
 LOT 78 LC 26439-M  
 LOT 78 LC 26439-M

ISLANDS LAND BANK  
 LOT 77 LC 26439-L  
 LOT 77 LC 26439-L  
 LOT 77 LC 26439-L

ISLANDS LAND BANK  
 LOT 76 LC 26439-K  
 LOT 76 LC 26439-K  
 LOT 76 LC 26439-K

ISLANDS LAND BANK  
 LOT 75 LC 26439-J  
 LOT 75 LC 26439-J  
 LOT 75 LC 26439-J

ISLANDS LAND BANK  
 LOT 74 LC 26439-I  
 LOT 74 LC 26439-I  
 LOT 74 LC 26439-I

ISLANDS LAND BANK  
 LOT 73 LC 26439-H  
 LOT 73 LC 26439-H  
 LOT 73 LC 26439-H

ISLANDS LAND BANK  
 LOT 72 LC 26439-G  
 LOT 72 LC 26439-G  
 LOT 72 LC 26439-G

ISLANDS LAND BANK  
 LOT 71 LC 26439-F  
 LOT 71 LC 26439-F  
 LOT 71 LC 26439-F

ISLANDS LAND BANK  
 LOT 70 LC 26439-E  
 LOT 70 LC 26439-E  
 LOT 70 LC 26439-E

ISLANDS LAND BANK  
 LOT 69 LC 26439-D  
 LOT 69 LC 26439-D  
 LOT 69 LC 26439-D

ISLANDS LAND BANK  
 LOT 68 LC 26439-C  
 LOT 68 LC 26439-C  
 LOT 68 LC 26439-C

ISLANDS LAND BANK  
 LOT 67 LC 26439-B  
 LOT 67 LC 26439-B  
 LOT 67 LC 26439-B

ISLANDS LAND BANK  
 LOT 66 LC 26439-A  
 LOT 66 LC 26439-A  
 LOT 66 LC 26439-A

ISLANDS LAND BANK  
 LOT 65 LC 26439-Z  
 LOT 65 LC 26439-Z  
 LOT 65 LC 26439-Z

ISLANDS LAND BANK  
 LOT 64 LC 26439-Y  
 LOT 64 LC 26439-Y  
 LOT 64 LC 26439-Y

ISLANDS LAND BANK  
 LOT 63 LC 26439-X  
 LOT 63 LC 26439-X  
 LOT 63 LC 26439-X

ISLANDS LAND BANK  
 LOT 62 LC 26439-W  
 LOT 62 LC 26439-W  
 LOT 62 LC 26439-W

ISLANDS LAND BANK  
 LOT 61 LC 26439-V  
 LOT 61 LC 26439-V  
 LOT 61 LC 26439-V

ISLANDS LAND BANK  
 LOT 60 LC 26439-U  
 LOT 60 LC 26439-U  
 LOT 60 LC 26439-U

ISLANDS LAND BANK  
 LOT 59 LC 26439-T  
 LOT 59 LC 26439-T  
 LOT 59 LC 26439-T

ISLANDS LAND BANK  
 LOT 58 LC 26439-S  
 LOT 58 LC 26439-S  
 LOT 58 LC 26439-S

ISLANDS LAND BANK  
 LOT 57 LC 26439-R  
 LOT 57 LC 26439-R  
 LOT 57 LC 26439-R

ISLANDS LAND BANK  
 LOT 56 LC 26439-Q  
 LOT 56 LC 26439-Q  
 LOT 56 LC 26439-Q

ISLANDS LAND BANK  
 LOT 55 LC 26439-P  
 LOT 55 LC 26439-P  
 LOT 55 LC 26439-P

ISLANDS LAND BANK  
 LOT 54 LC 26439-O  
 LOT 54 LC 26439-O  
 LOT 54 LC 26439-O

ISLANDS LAND BANK  
 LOT 53 LC 26439-N  
 LOT 53 LC 26439-N  
 LOT 53 LC 26439-N

ISLANDS LAND BANK  
 LOT 52 LC 26439-M  
 LOT 52 LC 26439-M  
 LOT 52 LC 26439-M

ISLANDS LAND BANK  
 LOT 51 LC 26439-L  
 LOT 51 LC 26439-L  
 LOT 51 LC 26439-L

ISLANDS LAND BANK  
 LOT 50 LC 26439-K  
 LOT 50 LC 26439-K  
 LOT 50 LC 26439-K

ISLANDS LAND BANK  
 LOT 49 LC 26439-J  
 LOT 49 LC 26439-J  
 LOT 49 LC 26439-J

ISLANDS LAND BANK  
 LOT 48 LC 26439-I  
 LOT 48 LC 26439-I  
 LOT 48 LC 26439-I

ISLANDS LAND BANK  
 LOT 47 LC 26439-H  
 LOT 47 LC 26439-H  
 LOT 47 LC 26439-H

ISLANDS LAND BANK  
 LOT 46 LC 26439-G  
 LOT 46 LC 26439-G  
 LOT 46 LC 26439-G

ISLANDS LAND BANK  
 LOT 45 LC 26439-F  
 LOT 45 LC 26439-F  
 LOT 45 LC 26439-F

ISLANDS LAND BANK  
 LOT 44 LC 26439-E  
 LOT 44 LC 26439-E  
 LOT 44 LC 26439-E

ISLANDS LAND BANK  
 LOT 43 LC 26439-D  
 LOT 43 LC 26439-D  
 LOT 43 LC 26439-D

ISLANDS LAND BANK  
 LOT 42 LC 26439-C  
 LOT 42 LC 26439-C  
 LOT 42 LC 26439-C

ISLANDS LAND BANK  
 LOT 41 LC 26439-B  
 LOT 41 LC 26439-B  
 LOT 41 LC 26439-B

ISLANDS LAND BANK  
 LOT 40 LC 26439-A

## Holly Backus

---

**From:** Paul Santos [psantos@nantucketsurveyors.com]  
**Sent:** Thursday, February 04, 2016 11:23 AM  
**To:** Holly Backus; Catherine Ancero; chip@chipwebster.com  
**Cc:** 'Steven Cohen'  
**Subject:** RE: 46 Surfside

Holly,

We would like to use the meeting as in informational update with a request for feedback. Changes are:  
46A the designation of a handicapped space.  
46 the addition of two designated "future" on-site parking spaces and clarification and layout of the proposed loading zone within the Surfside Road Layout. (hardscape, screening and signage. Hope this helps.

Paul

---

**From:** Holly Backus [<mailto:hbackus@nantucket-ma.gov>]  
**Sent:** Thursday, February 04, 2016 11:12 AM  
**To:** [psantos@nantucketsurveyors.com](mailto:psantos@nantucketsurveyors.com); Catherine Ancero; [chip@chipwebster.com](mailto:chip@chipwebster.com)  
**Cc:** 'Steven Cohen'  
**Subject:** RE: 46 Surfside

Good Morning Paul,

Since it's been some time since this application has been heard at the Planning Board, and so I can accurately indicate in our staff report the proposed plan; what has been changed to the plan since the last meeting?

I appreciate any information you can give.  
Thanks,

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Paul Santos [<mailto:psantos@nantucketsurveyors.com>]  
**Sent:** Thursday, February 04, 2016 10:47 AM  
**To:** Catherine Ancero; [chip@chipwebster.com](mailto:chip@chipwebster.com)  
**Cc:** 'Steven Cohen'; Holly Backus  
**Subject:** RE: 46 Surfside

Plan attached.

---

**From:** Catherine Ancero [<mailto:CAncero@nantucket-ma.gov>]  
**Sent:** Thursday, February 04, 2016 9:55 AM  
**To:** 'psantos@nantucketsurveyors.com'; 'chip@chipwebster.com'  
**Cc:** 'Steven Cohen'; Holly Backus  
**Subject:** FW: 46 Surfside

Paul & Chip-  
Please submit as soon as possible. We are trying to send the packet out TODAY!

*Thank you,*

*Catherine Ancero,  
Administrative Specialist  
Planning Board*

*Planning and Land Use Services (PLUS)  
Planning Board Office  
2 Fairgrounds Road  
Nantucket, MA 02554*

*Telephone#: 508.325.7587 (PLUS) Ext. 7008  
Facsimile#: 508.228.7298*

*Email: [cancero@nantucket-ma.gov](mailto:cancero@nantucket-ma.gov)*

*Town website: <http://www.nantucket-ma.gov>*



---

**From:** Steven Cohen [<mailto:steven@cohenlegal.net>]  
**Sent:** Thursday, February 04, 2016 9:52 AM  
**To:** 'psantos@nantucketsurveyors.com'; Chip Webster  
**Cc:** Catherine Ancero  
**Subject:** 46 Surfside

Paul and Chip,

I have confirmed to Catherine that we will be proceeding at the next Planning Board meeting. She needs the plan and a short explanation today if we have it. Chip, I think that you have both?

**Steven L. Cohen, Partner**  
Cohen & Cohen Law PC  
34 Main Street, 2<sup>nd</sup> Floor  
Mail: Post Office Box 786  
Nantucket, Massachusetts 02554  
Tel. (508) 228-0337  
Fax (508) 228-0970  
[Steven@Cohenlegal.net](mailto:Steven@Cohenlegal.net)  
<http://cohenlegal.net>

**STATEMENT OF CONFIDENTIALITY:**

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the persons responsible for delivering the email to the intended recipient, be advised you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Please contact Cohen & Cohen Law PC immediately at either (508) 228-0337 or [Steven@Cohenlegal.net](mailto:Steven@Cohenlegal.net) and destroy all copies of this message and any attachments. You will be reimbursed for reasonable costs incurred in notifying us.



Planning Board #44-15  
Trustees of Auction House Realty Trust  
4 Lovers Lane  
Map 68 Parcel 202



## Holly Backus

---

**From:** P. John Ogren, Jr. [JOgren@hayeseng.com]  
**Sent:** Friday, January 29, 2016 10:05 AM  
**To:** Holly Backus  
**Subject:** RE: #44-15 - Glowacki - 4 Lovers Lane  
**Attachments:** SP4lovers-PROP.pdf

Holly

Attached is the revise site plan for your review.

Thanks.

*John Ogren*  
Hayes Engineering, Inc.  
781-246-2800

---

**From:** Holly Backus [<mailto:hbackus@nantucket-ma.gov>]  
**Sent:** Thursday, January 28, 2016 4:20 PM  
**To:** P. John Ogren, Jr. <[JOgren@hayeseng.com](mailto:JOgren@hayeseng.com)>  
**Subject:** FW: #44-15 - Glowacki - 4 Lovers Lane

FYI

Thanks!

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Holly Backus  
**Sent:** Monday, January 25, 2016 3:37 PM  
**To:** 'pkyburg@gmail.com'  
**Cc:** Catherine Ancero; Leslie Snell; Andrew Vorce  
**Subject:** #44-15 - Glowacki - 4 Lovers Lane

Good Afternoon Peter,

Per our meeting this afternoon, staff has the following comments/questions regarding the plans that were provided January 5<sup>th</sup>:

- (1) Dumpster enclosure – please provide detail of the cedar fence; dimensions, opaque? Please be prepared to provide additional vegetation screening along Lover’s Lane view, as the board may bring up the fact that the proposed dumpster will be visible from Lover’s Lane.
- (2) Open Space - Staff was aware of the pavement in the front was removed in order to reach the 30% open space requirement, however please be advised of Section 139-11G2, where “brick sidewalks may be counted as open area up to a maximum of 10% of the lot or site.” The total amount of pavement removal may not be needed. Also, it should be clear on the plans as to how the 30% of the site is met as open space. Currently, the plans indicate only the existing 794 square feet of arborvitae.
- (3) Loading zone –please provide.
- (4) Drainage – does this site currently address drainage?

- (5) Lighting – staff is aware that there are (3) existing light poles on the site, along with recessed lighting on the building’s overhangs, however what about lighting in the gravel parking lot area?
- (6) Parking – currently, there is enough parking available for the proposed restaurant, however please be advised that the gravel parking lot was provided for a significantly less intense use. A restaurant is a use that produces a greater amount of traffic than an auction house. The present parking easement for the property may or may not be sufficient enough for the proposed restaurant use.

Per our discussion, please feel free to provide these comments to Hayes Engineering. I will be more than happy to discuss any questions or comments they may have.

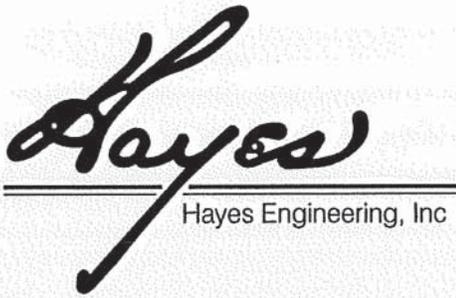
I look forward to the revised plans and responses prior to the February 8<sup>th</sup> meeting.  
Thank you,

Holly E. Backus  
Land Use Specialist

Town of Nantucket  
Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

Tel: 508-325-7587 X 7026  
Fax: 508-228-7298  
[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)  
<http://www.nantucket-ma.gov>





603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

Nantucket, MA 02554  
Tel: (508) 228-7909

Refer to File No. NAN-0142

January 29, 2016

Holly E. Backus  
Land Use Specialist  
Town of Nantucket  
Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

RE: Revised Site Plan  
Glowacki - 4 Lovers Lane

Dear Holly:

Below are the responses and plan changes based on your email dated: January 25, 2016:

- (1) Dumpster enclosure – a narrative detail of the type of cedar fencing has been added to the plan along with the length, width and height of the dumpster enclosure.
- (2) Open Space – The brick sidewalks were included in the calculations of the Open Area showing 30.2% on the site plan. I have included a highlighted plan showing the existing Open Areas and the proposed pavement to be removed.
- (3) Loading zone – The loading area has been labeled on the plan at the rear of the building.
- (4) Drainage – There is currently no drainage on the property and drainage was not proposed on the prior MCD approval. Runoff from the site generally flows from the front of the building out to Lovers Lane with the majority of the remainder of the site flowing toward the rear of the property. We are proposing the removal of some paved areas which will reduce the site runoff.
- (5) Lighting – Four additional light poles are proposed in the area of the gravel parking. These lights will be the same as currently exist along the southern property line.
- (6) Parking – No revisions to plan.



Planning & Land Use Services  
RE: 4 Lovers Lane  
January 29, 2016

Accompanying this letter please find revised plan sheets E1 and SP1 for your review. Should you have any questions or concerns please do not hesitate to contact me using the provided telephone number or via electronic mail at [jogren@hayeseng.com](mailto:jogren@hayeseng.com).

Best Regards,

**HAYES ENGINEERING, INC.**

P. John Ogren, Jr.  
*Project Manager*

Enclosures

Cc: Peter D. Kyburg, Esq.

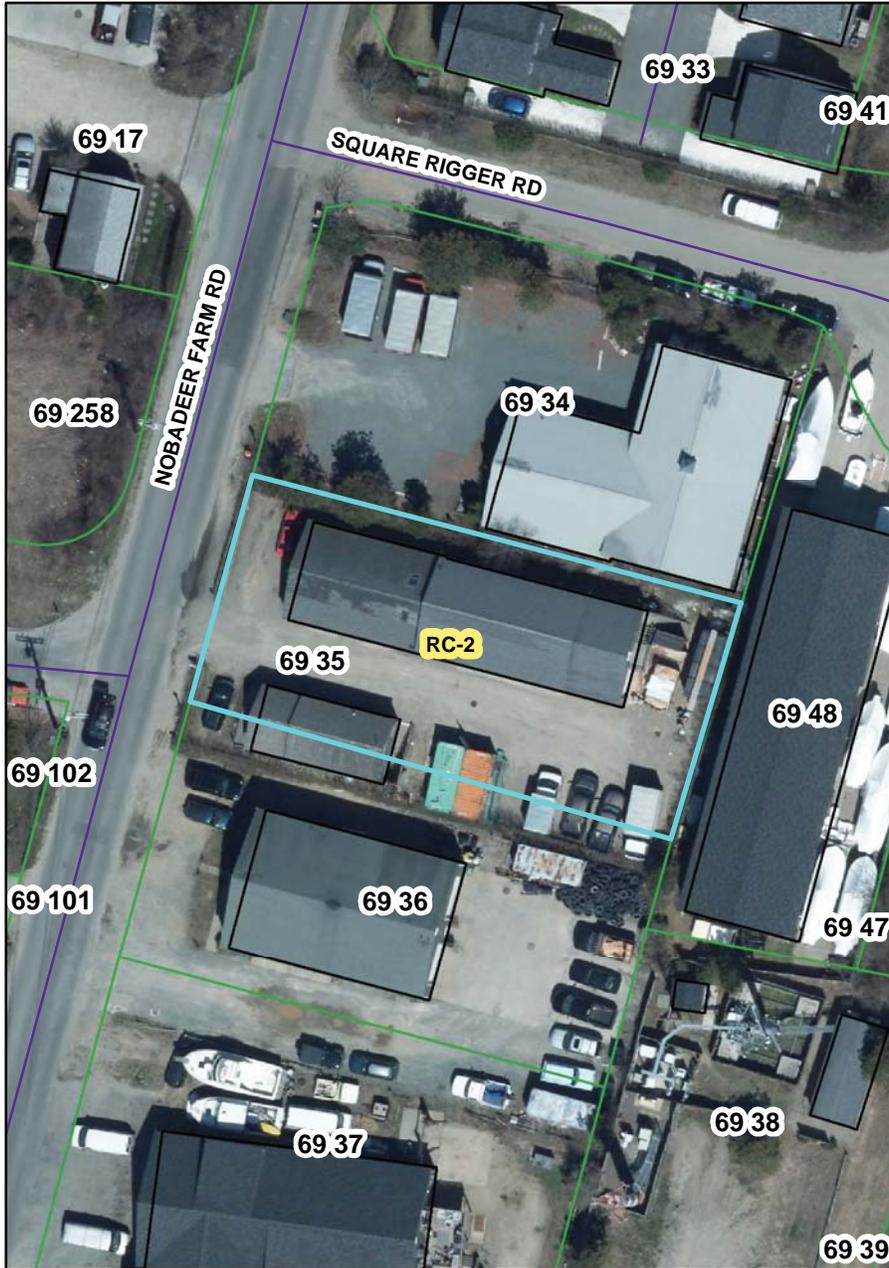








Planning Board #61-15  
Seamus M. Crowley & Elizabeth Gennaro  
46 Nobadeer Farm Road  
Map 69 Parcel 35



## Holly Backus

---

**From:** Holly Backus  
**Sent:** Thursday, January 28, 2016 2:23 PM  
**To:** 'Arthur Gasbarro'  
**Subject:** RE: Planning Board Mtg

Hi Art,

Not a problem. Thank you for the email. I will provide to the board for their info.

I look forward to the revised plans by Monday.

Thanks again,

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Arthur Gasbarro [<mailto:art@blackwellsurvey.com>]  
**Sent:** Thursday, January 28, 2016 2:17 PM  
**To:** Holly Backus  
**Subject:** FW: Planning Board Mtg

Holly,

Thanks for your time today. Please refer to the below email, and feel free to contact me with any questions or concerns.

Art

-----  
Blackwell & Associates, Inc.  
By: Arthur D. Gasbarro, PE, PLS, LEED AP  
20 Teasdale Circle  
Nantucket, MA 02554  
508-228-9026 x13

**From:** Seamus Crowley [<mailto:crowleyconstruction@gmail.com>]  
**Sent:** Monday, January 18, 2016 1:10 PM  
**To:** Bill Hunter  
**Cc:** Arthur Gasbarro  
**Subject:** Re: Planning Board Mtg

Gentlemen .I spoke with Steve Butler about the ramp in front of the office building .He said the ramp could go only if the building was used by employees only .This is along the lines of what we were thinking .The building becomes a storage room or Crowleys office .Anybody coming to the property would be going into the shop .The covered porch is 12 ft deep, we could cut 6 or 7 ft off of it no problem ....BEST SC

--

Seamus Crowley  
Seamus Crowley Construction Inc.  
18 Daffodil Lane

**BLACKWELL & ASSOCIATES, INC**  
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

B8216

February 1, 2016

Nantucket Planning Board  
Attn: Holly Backus  
2 Fairgrounds Road  
Nantucket, MA 02554

Re: Nantucket Windows & Doors, Inc. MCD  
46 Nobadeer Farm Road – Map 69 - 35  
P.B. File # 61-15

Dear Ms. Backus:

Attached is an updated site plan in response to Board comments at the first public hearing. The plan now shows Hannabea Lane on the opposite side of Nobadeer Farm Road, and a crosswalk to the sidewalk on that road. Also, the handicap ramp and a portion of the porch are proposed to be removed from the existing smaller structure. In their place is an expanded driveway area to allow for backing into, in order to facilitate pulling out into the road, opposed to backing out. This space will be signed No Parking. Also, since the last hearing, a Certificate of Water Quality has been received from the Wannacomet Water Company regarding the proposed stormwater system.

We will also be available at the next Public Hearing to present this information. In the meantime, please feel free to contact me should you have any questions, concerns or comments.

Sincerely,  
Blackwell & Associates, Inc.  
By: Arthur D. Gasbarro, PE, PLS, LEED AP



Cc: Ed Pesce, P.E. (Via Email)  
Seamus Crowley  
Richard Beaudette

# WANNACOMET WATER COMPANY



Nantucket Water Commission

Nelson K. Eldridge  
Allen Reinhard  
Noreen Slavitz

Robert L. Gardner  
General Manager

1 Milestone Road  
Nantucket, MA 02554

Telephone (508) 228-0022  
Facsimile (508) 325-5344  
[www.wannacomet.org](http://www.wannacomet.org)

January 31, 2016

**Via E-mail**

Ms. Holly Backus  
Land Use Specialist  
Nantucket Planning and Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

RE: Certificate of Water Quality Compliance: Major Commercial Development Special Application  
Forty Six Nobadeer Farm Road Condominium; 46 Nobadeer Farm Road

Dear Holly,

I have reviewed the MCD Special Permit Application for the above referenced location including the site plan prepared by Blackwell and Associates, Inc. entitled *MCD Site Plan review, Forty Six Nobadeer Farm Road Condominium, dated January 7, 2016 with the latest revisions dated January 25, 2016* which shows the existing and proposed stormwater collection, treatment, and recharge systems and find the proposed system to be acceptable.

I have also reviewed the Drainage Analysis & Stormwater Management Operation and Maintenance Plan which was prepared by Blackwell & Associates, Inc. and dated January 4, 2016. Wannacomet Water Company concurs with the conclusions of the drainage analysis and also finds that the proposed maintenance and operation plan to be practical approach to maintenance of the system. I am requesting that copies of the findings of any routine and/or non-routine inspections, as well as any corrective actions that might be required, be provided to the Wannacomet Water Company.

## Summary

The Wannacomet Water Company finds that the stormwater collection, treatment and recharge system designed for this project meets the requirements of §139-12 of the *Town of Nantucket Zoning By-laws*. Therefore the Wannacomet Water Company issues a Certificate of Water Quality Compliance in accordance with §139-12B(3)(a) of the *Town of Nantucket Zoning By-laws*.

Sincerely,  
WANNACOMET WATER COMPANY

Robert L. Gardner  
General Manager

Cc: Mr. Arthur Gasbarro, PE, Blackwell & Associates, Inc.  
Mr. William F. Hunter, Esq.; Vaughn, Dale, Hunter and Beaudette

Via E-mail  
Via E-Mail







#07-16 Brass Lantern Inn  
Brass Lantern, LLC  
11 North Water Street  
Map 42.4.2 Parcel 54.1



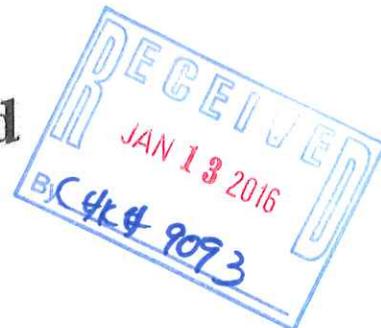
Town Clerk  
Town & County Building  
16 Broad St  
Nantucket, MA 02554



JAN 13 2016 PM 3:16

# Nantucket Planning Board

## Application for a Special Permit



Date: January 11, 2016

File #: 07-16

Name of development: Brass Lantern Inn

Owner(s) name(s): Brass Lantern LLC

Mailing address: c/o Sarah F. Alger, P.C., 2 South Water Street, Nantucket, MA 02554  
Phone number: 508-228-1118 Fax number: 508-228-8004 E-mail: sfa@sfapc.com

Applicant's name: Same as above.

Mailing address: \_\_\_\_\_  
Phone number: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Engineer / surveyor's name: Nantucket Surveyors LLC

Mailing address: 5 Windy Way, Nantucket, MA 02554  
Phone number: 508-228-0240 Fax number: 508-228-9856 E-mail: psantos@nantucketsurveyors.com

Location of lot(s):

Street address 11 North Water Street, Nantucket, Massachusetts

Tax Assessors Map 42.4.2 Parcel 54.1

Nantucket Registry of Deed: Plan Book 20 and Page 2 **OR**  
Plan File # \_\_\_\_\_ **OR** Land Court Plan # \_\_\_\_\_ at Certificate # \_\_\_\_\_

Size of parcel: 0.17 acres sq. ft. Zoning District: Residential Old Historic (ROH)

Special Permit sought: (check one)

- Cluster subdivision
- Commercial WECS
- Driveway Access/Curb Cut Special Permit
- Harbor Overlay District (HOD)
- Major Commercial Development (MCD)

- Multi-family Special Permit
- Moorlands Management District Subdivision or Construction (MMD)
- NEHOD (Neighborhood Employee Housing Overlay District)
- MRD (Major Residential Development)
- MIPOD (Mid-Island Planned Overlay District)
- Other Uses Requiring a Special Permit (specify all uses and *Nantucket Code* sections)

Section	Description
139-2	Definitions and word usage-Transient Residential Facilities
139-16.C.(2)	Intensity Regulations- unintentional setback intrusions
139-18	Off-street parking requirements
139-23	Site plan review
139-33	Alteration and extension of a pre-existing nonconforming structure and use

Specify all associated Zoning Code relief sought:

Section	Description
See attached Addendum.	

*Only the zoning relief expressly requested above will be considered as part of this application.*

If applying for a Major Commercial Development, specify how the application will comply with Section 139-11 (J) of the *Zoning Code of the Town of Nantucket*, also known as the Town's Affordable Housing Effort:

---



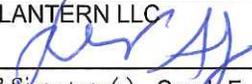
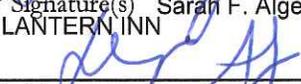
---

Planning Board filing fee due: \$ 250.00

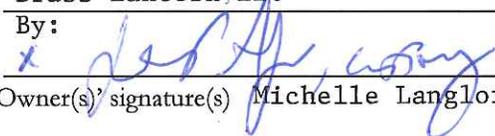
Engineering Inspection Escrow Deposit due: \$ \_\_\_\_\_

I/ we hereby certify that the applicant(s) cited above have been authorized by me/ us to file a Special Permit application with the Planning Board on property that I/ we own.

Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

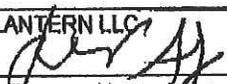
BRASS LANTERN LLC  
By:   
Owner(s)' Signature(s) Sarah F. Alger, its attorney  
BRASS LANTERN INN  
by:   
Applicant's Signature Sarah F. Alger, its attorney

I/we Michelle Langlois, as Manager, the undersigned, hereby authorize  
Sarah F. Alger to act as agent(s) on my/our behalf and to  
make any necessary revisions on this filed application as they may be requested by the Board to meet its governing  
rules and guidelines.

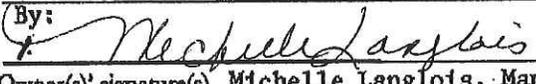
Brass Lantern, LLC  
By:   
Owner(s)' signature(s) Michelle Langlois, Manager

**Check List:**

- Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- Completed application form entitled "Application to the Planning Board for a Special Permit"
- Application fee of \$250.00 payable to Town of Nantucket
- Abutters fee of \$6.11 per abutters payable to Pitney Bowes Reserved Funds
- Four (4) sets of mailing labels with each abutter's name and address
  - 1" x 2 5/8" size, typed labels, are preferred
  - duplicate labels are not necessary if the same owner is listed for more than one abutting property
- Completed application form
- Town Clerk's stamped application (provide 2 copies-one for Town Clerk and one for Planning Board)

BRASS LANTERN LLC  
 By:   
 Owner(s)' Signature(s) Sarah F. Alger, its attorney  
 BRASS LANTERN INN  
 by:   
 Applicant's Signature Sarah F. Alger, its attorney

I/we Michelle Langlois, as Manager, the undersigned, hereby authorize  
Sarah F. Alger to act as agent(s) on my/our behalf and to  
 make any necessary revisions on this filed application as they may be requested by the Board to meet its governing  
 rules and guidelines.

Brass Lantern, LLC  
 By:   
 Owner(s)' signature(s) Michelle Langlois, Manager

Check List:

- Planning Board Special Permit abutters list – to be obtained at the Tax Assessor's office
- Completed application form entitled "Application to the Planning Board for a Special Permit"
- Application fee of \$250.00 payable to Town of Nantucket
- Abutters fee of \$6.11 per abutters payable to Pitney Bowes Reserved Funds
- Four (4) sets of mailing labels with each abutter's name and address
  - 1" x 2 5/8" size, typed labels, are preferred
  - duplicate labels are not necessary if the same owner is listed for more than one abutting property
- Completed application form
- Town Clerk's stamped application (provide 2 copies-one for Town Clerk and one for Planning Board)

ADDENDUM

11 North Water Street  
Nantucket Planning Board  
Special Permit

The Applicant proposes to alter and extend the preexisting, nonconforming transient residential facility (inn) on the locus by demolishing a portion of the existing structure, constructing an addition, reconfiguring and increasing the number of guest rooms by seven (7) from seventeen (17) to twenty-four (24), and adding one (1) one-bedroom manager's apartment with kitchen and a commercial kitchen. As so improved, the inn will have a total of twenty-four guest (24) rooms, one (1) one-bedroom manager's apartment with kitchen, three (3) staff sleeping rooms with kitchen, and a commercial kitchen. The existing structure is nonconforming as to height, having height of about thirty-four (34) feet, and the structure as proposed will be no higher. Two (2) stacked parking spaces will be provided on site, where thirteen (13) are required as follows:

<b>Parking Table</b>			
<u>Use</u>	<u>Requirement</u>	<u>Proposed Use</u>	<u>Required Spaces</u>
Transient Residential Facility	3 spaces plus 1 space for each 3 rental units over 2	24	10
Apartment/Bedrooms	0.3 space/bedroom	4	1
Employees	1 space/each 3 employees on peak shift	6	2
<b>Total</b>			<b>13</b>

# 11 North Water



**Property Information**

**Property ID** 42.4.2 54.1  
**Location** 11 N WATER ST  
**Owner** BRASS LANTERN LLC



MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014  
 Properties updated January, 2015

1424

Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



Site Plan, Locus Map

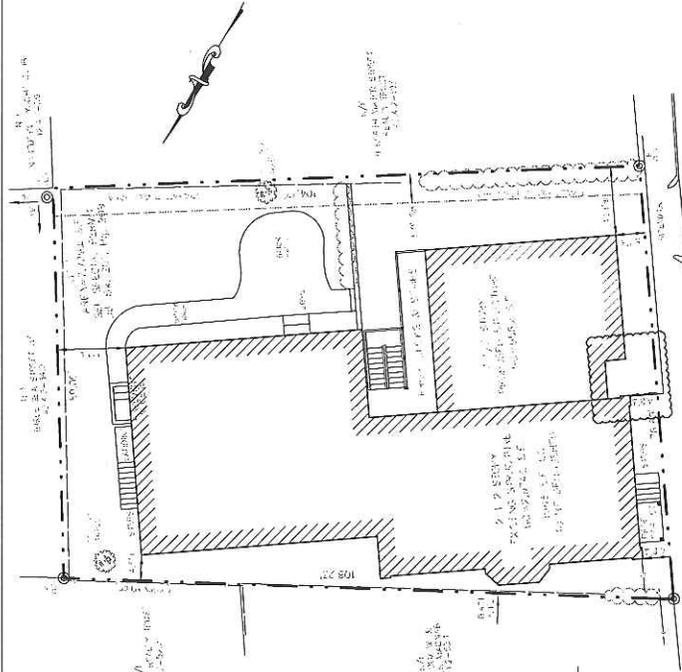
Site Information

Use & Permit: 4242 (R1)  
 Contract: LC  
 Project: 11 North Water St.  
 Client: Brass Lantern, LLC  
 Architect: C.M. C. I. B. B. CONSULTANTS P.A.  
 Date: 12/22/15  
 Project No.: 15-001  
 Drawing No.: 15-001-01  
 Project Location: 11 North Water St., Nantucket, MA 02554  
 Project Owner: Brass Lantern, LLC  
 Project Address: 11 North Water St., Nantucket, MA 02554  
 Project Phone: 508.227.1111  
 Project Email: info@brasslantern.com

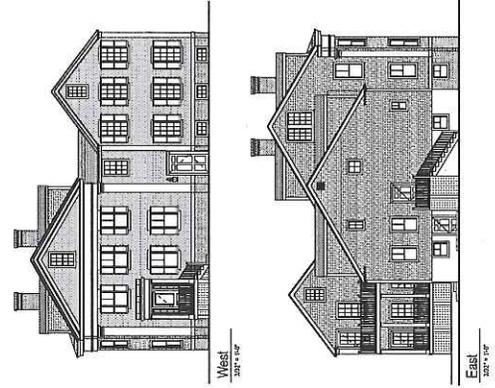
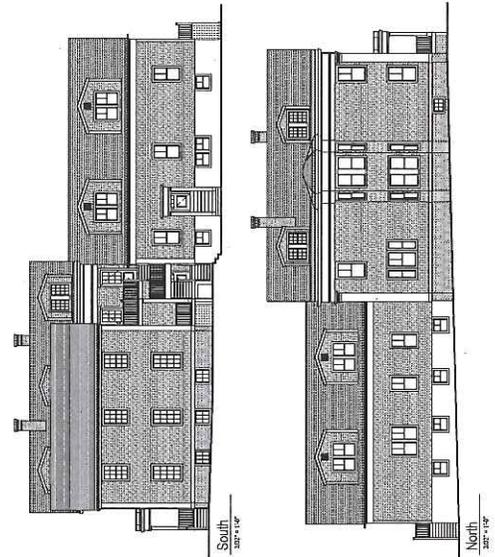
Information: This set of plans was prepared by the Architect and Engineer for the purpose of obtaining a building permit. It is not to be used for any other purpose without the written consent of the Architect and Engineer. The Architect and Engineer are not responsible for the accuracy of the information provided by the client. The Architect and Engineer are not responsible for the accuracy of the information provided by the client.

SHEET INDEX  
 G.1.1 Site Plan, Locus Map  
 A.1.1 First Floor Plan  
 A.1.2 Second Floor Plan  
 A.1.3 Third Floor Plan  
 A.1.4 Fourth Floor Plan  
 A.1.5 Staircase  
 A.1.6 Elevations

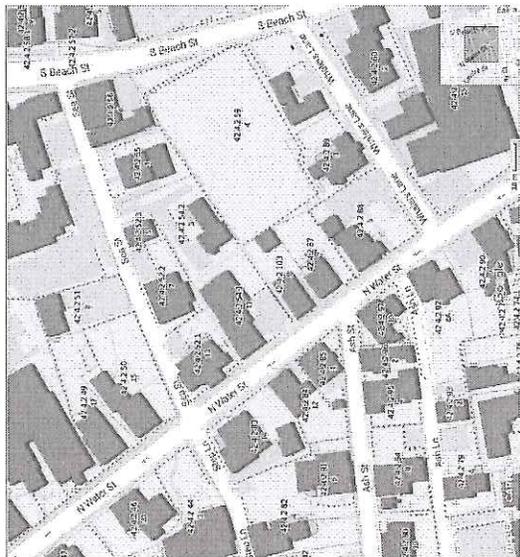
G.1.1  
1424



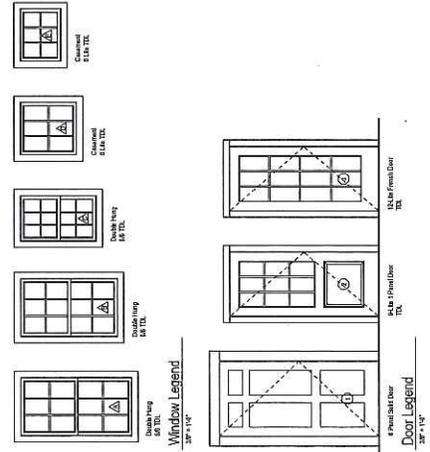
4 Site Plan  
1/8" = 1'-0"



Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



1 Locus Map  
1/8" = 1'-0"



Window Legend  
3/8" = 1'-0"

Door Legend  
3/8" = 1'-0"

12.22.15

HDC Submission

1424

Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



Basement Plan

Site Information

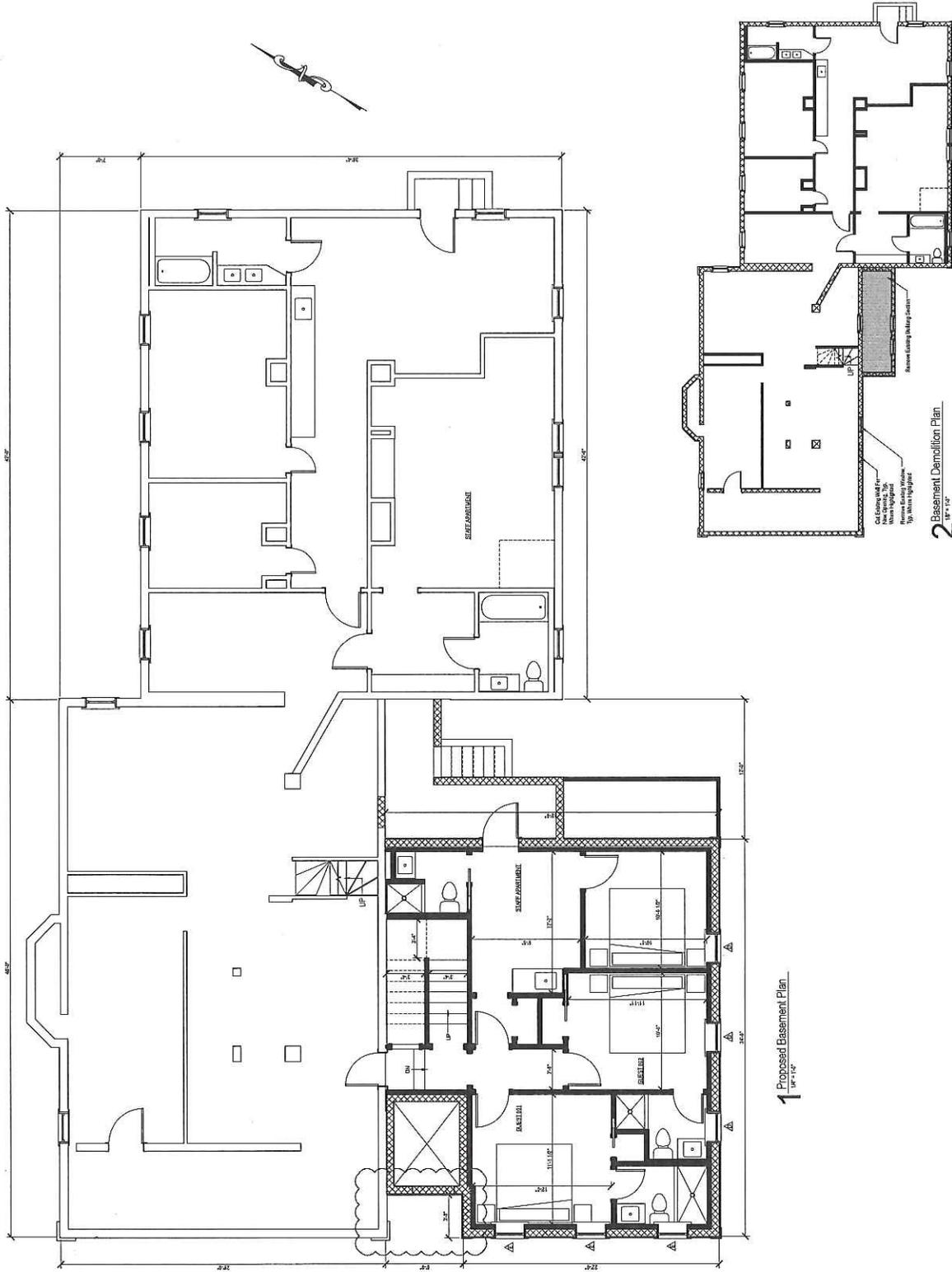
Map Sheet: A.1.0 / A.1  
 Date: 12.22.15  
 Project: 1424  
 Client: Emerald Construction Services, LLC  
 Architect: Emerald Construction Services, LLC  
 Engineer: Emerald Construction Services, LLC  
 Project No.: 1424

Information for this plan was taken from the  
 historical C.D.S. The energy source and  
 materials used in this plan are not to be  
 construed as a warranty of any kind.

SHEET INDEX

A.1.1 Site Plan, Lot Map  
 A.1.2 Foundation Plan  
 A.1.3 Structural Plan  
 A.1.4 Electrical Plan  
 A.1.5 Mechanical Plan  
 A.1.6 Plumbing Plan  
 A.1.7 Fire Alarm Plan  
 A.1.8 Fire Sprinkler Plan  
 A.1.9 Fire Extinguisher Plan  
 A.1.10 Fire Escape Plan  
 A.1.11 Fire Alarm Control Panel Plan  
 A.1.12 Fire Alarm Control Panel Plan  
 A.1.13 Fire Alarm Control Panel Plan  
 A.1.14 Fire Alarm Control Panel Plan  
 A.1.15 Fire Alarm Control Panel Plan  
 A.1.16 Fire Alarm Control Panel Plan  
 A.1.17 Fire Alarm Control Panel Plan  
 A.1.18 Fire Alarm Control Panel Plan  
 A.1.19 Fire Alarm Control Panel Plan  
 A.1.20 Fire Alarm Control Panel Plan  
 A.1.21 Fire Alarm Control Panel Plan  
 A.1.22 Fire Alarm Control Panel Plan  
 A.1.23 Fire Alarm Control Panel Plan  
 A.1.24 Fire Alarm Control Panel Plan  
 A.1.25 Fire Alarm Control Panel Plan  
 A.1.26 Fire Alarm Control Panel Plan  
 A.1.27 Fire Alarm Control Panel Plan  
 A.1.28 Fire Alarm Control Panel Plan  
 A.1.29 Fire Alarm Control Panel Plan  
 A.1.30 Fire Alarm Control Panel Plan  
 A.1.31 Fire Alarm Control Panel Plan  
 A.1.32 Fire Alarm Control Panel Plan  
 A.1.33 Fire Alarm Control Panel Plan  
 A.1.34 Fire Alarm Control Panel Plan  
 A.1.35 Fire Alarm Control Panel Plan  
 A.1.36 Fire Alarm Control Panel Plan  
 A.1.37 Fire Alarm Control Panel Plan  
 A.1.38 Fire Alarm Control Panel Plan  
 A.1.39 Fire Alarm Control Panel Plan  
 A.1.40 Fire Alarm Control Panel Plan  
 A.1.41 Fire Alarm Control Panel Plan  
 A.1.42 Fire Alarm Control Panel Plan  
 A.1.43 Fire Alarm Control Panel Plan  
 A.1.44 Fire Alarm Control Panel Plan  
 A.1.45 Fire Alarm Control Panel Plan  
 A.1.46 Fire Alarm Control Panel Plan  
 A.1.47 Fire Alarm Control Panel Plan  
 A.1.48 Fire Alarm Control Panel Plan  
 A.1.49 Fire Alarm Control Panel Plan  
 A.1.50 Fire Alarm Control Panel Plan  
 A.1.51 Fire Alarm Control Panel Plan  
 A.1.52 Fire Alarm Control Panel Plan  
 A.1.53 Fire Alarm Control Panel Plan  
 A.1.54 Fire Alarm Control Panel Plan  
 A.1.55 Fire Alarm Control Panel Plan  
 A.1.56 Fire Alarm Control Panel Plan  
 A.1.57 Fire Alarm Control Panel Plan  
 A.1.58 Fire Alarm Control Panel Plan  
 A.1.59 Fire Alarm Control Panel Plan  
 A.1.60 Fire Alarm Control Panel Plan  
 A.1.61 Fire Alarm Control Panel Plan  
 A.1.62 Fire Alarm Control Panel Plan  
 A.1.63 Fire Alarm Control Panel Plan  
 A.1.64 Fire Alarm Control Panel Plan  
 A.1.65 Fire Alarm Control Panel Plan  
 A.1.66 Fire Alarm Control Panel Plan  
 A.1.67 Fire Alarm Control Panel Plan  
 A.1.68 Fire Alarm Control Panel Plan  
 A.1.69 Fire Alarm Control Panel Plan  
 A.1.70 Fire Alarm Control Panel Plan  
 A.1.71 Fire Alarm Control Panel Plan  
 A.1.72 Fire Alarm Control Panel Plan  
 A.1.73 Fire Alarm Control Panel Plan  
 A.1.74 Fire Alarm Control Panel Plan  
 A.1.75 Fire Alarm Control Panel Plan  
 A.1.76 Fire Alarm Control Panel Plan  
 A.1.77 Fire Alarm Control Panel Plan  
 A.1.78 Fire Alarm Control Panel Plan  
 A.1.79 Fire Alarm Control Panel Plan  
 A.1.80 Fire Alarm Control Panel Plan  
 A.1.81 Fire Alarm Control Panel Plan  
 A.1.82 Fire Alarm Control Panel Plan  
 A.1.83 Fire Alarm Control Panel Plan  
 A.1.84 Fire Alarm Control Panel Plan  
 A.1.85 Fire Alarm Control Panel Plan  
 A.1.86 Fire Alarm Control Panel Plan  
 A.1.87 Fire Alarm Control Panel Plan  
 A.1.88 Fire Alarm Control Panel Plan  
 A.1.89 Fire Alarm Control Panel Plan  
 A.1.90 Fire Alarm Control Panel Plan  
 A.1.91 Fire Alarm Control Panel Plan  
 A.1.92 Fire Alarm Control Panel Plan  
 A.1.93 Fire Alarm Control Panel Plan  
 A.1.94 Fire Alarm Control Panel Plan  
 A.1.95 Fire Alarm Control Panel Plan  
 A.1.96 Fire Alarm Control Panel Plan  
 A.1.97 Fire Alarm Control Panel Plan  
 A.1.98 Fire Alarm Control Panel Plan  
 A.1.99 Fire Alarm Control Panel Plan  
 A.1.100 Fire Alarm Control Panel Plan

A.1.0  
1424



12.22.15

HDC Submission

1 Proposed Basement Plan  
1/8" = 1'-0"

2 Basement Demolition Plan  
1/8" = 1'-0"

1424

Brass Lantern Inn  
11 North Water St.  
Nantucket, MA 02554



First Floor Plan

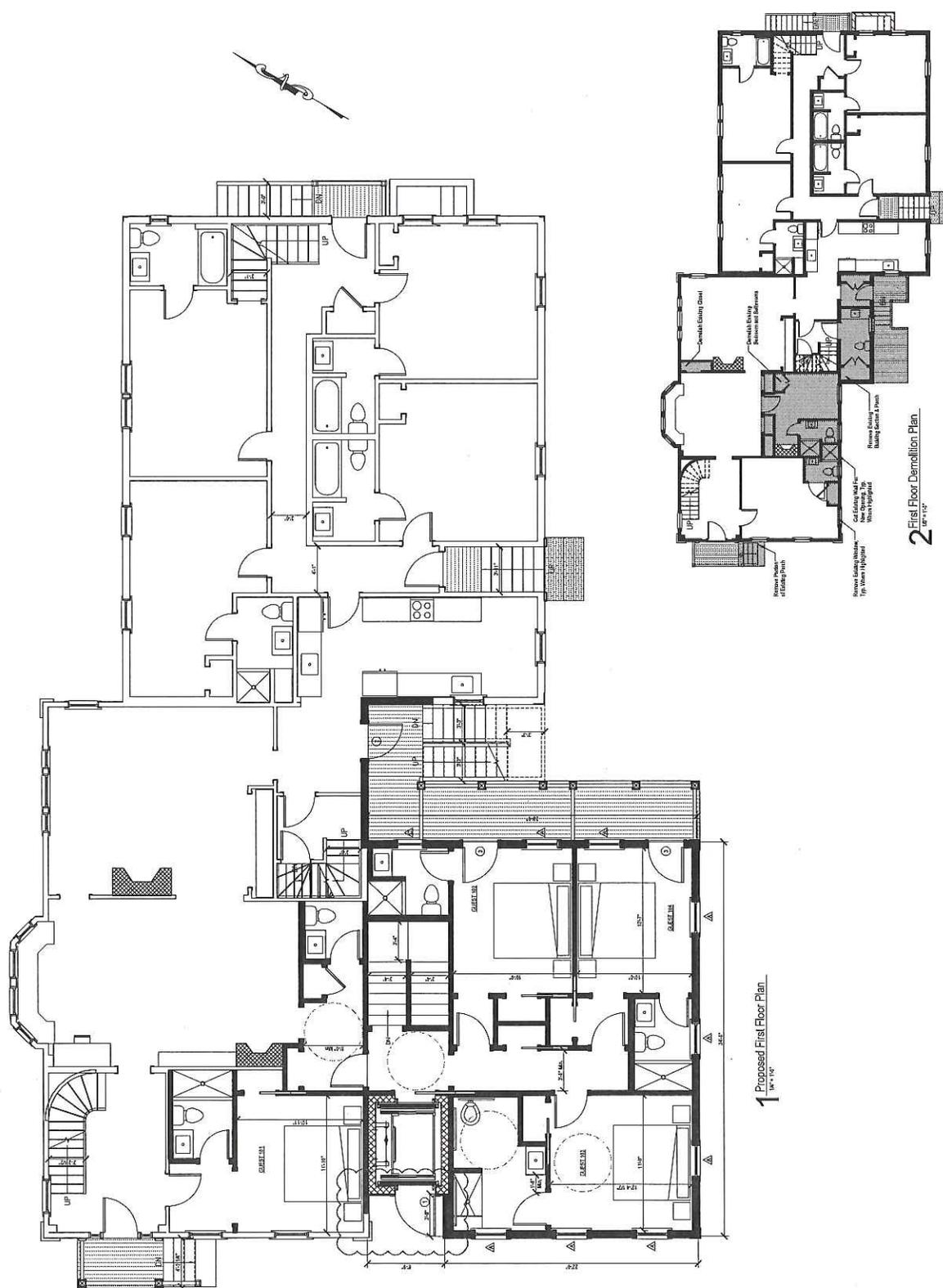
**Site Information**  
 02.47 (N.A.)  
 1.C. 15  
 1.E. 15  
 1.F. 15  
 1.G. 15  
 1.H. 15  
 1.I. 15  
 1.J. 15  
 1.K. 15  
 1.L. 15  
 1.M. 15  
 1.N. 15  
 1.O. 15  
 1.P. 15  
 1.Q. 15  
 1.R. 15  
 1.S. 15  
 1.T. 15  
 1.U. 15  
 1.V. 15  
 1.W. 15  
 1.X. 15  
 1.Y. 15  
 1.Z. 15

**SHEET INDEX**  
 01.1 Site Plan, Lot 15  
 01.2 Foundation Plan  
 01.3 Second Floor Plan  
 01.4 Third Floor Plan  
 01.5 Elevation  
 01.6 Elevation

**Revisions**

A.1.1  
1424

NOT TO SCALE  
 THIS PLAN IS THE PROPERTY OF EMERALD GROUP, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF EMERALD GROUP, INC.



12.22.15

HDC Submission





**1424**  
**Brass Lantern Inn**  
 11 North Water St.  
 Nantucket, MA 02554



EMCRIBUS  
 COMMERCIAL BUILDING  
 CONSULTANTS, LLC

**Elevations**

**Site Information**

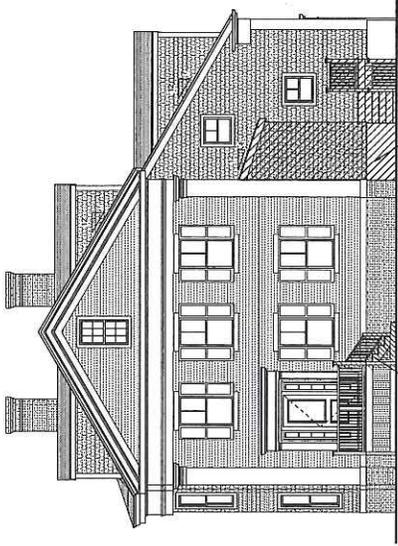
Map & Parcel: 44-21-141  
 Lot: LC  
 Zoning: R-1  
 Project Name: Brass Lantern Inn  
 Architect: EMCRIBUS  
 Date: 12/22/15  
 Project C.C.: 1508-12-10

Information for this set was taken from the  
 records of the Nantucket Planning Board  
 dated 12/15/15. The owner of the work  
 shall be responsible for any errors.  
 See also the site plan and site map.

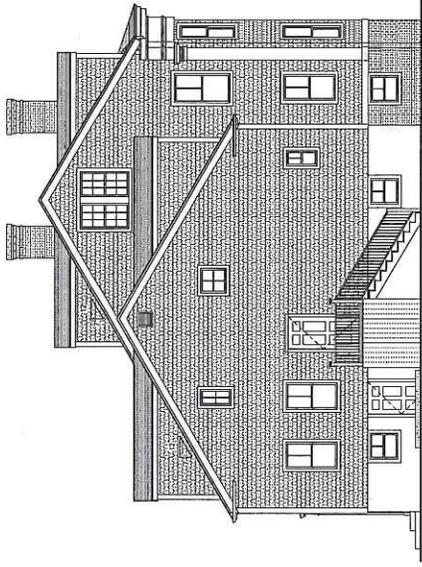
**Revisions**

**A.2.1**  
**1424**

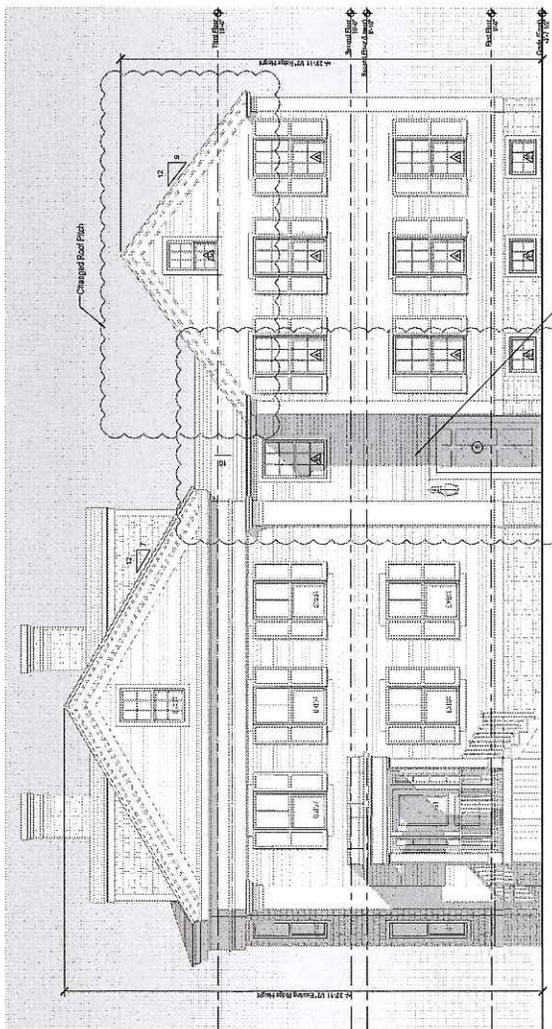
NOTE: All clouds refer to suggested changes made since initial 12/15/15 meeting.



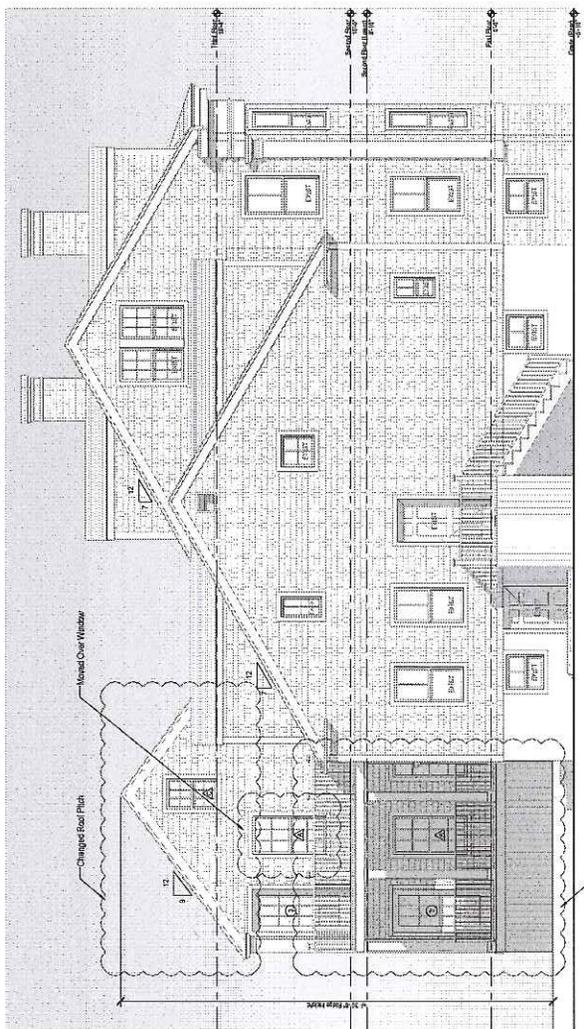
**2** Demolition West Elevation  
 2" = 1'-0"



**4** Demolition East Elevation  
 2" = 1'-0"



**1** Proposed West Elevation  
 2" = 1'-0"



**3** Proposed East Elevation  
 2" = 1'-0"

12.22.15

HDC Submission

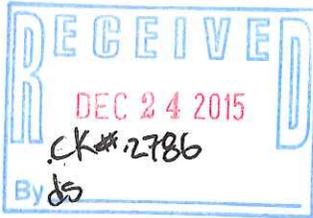






#7917 Woodland Hill  
Definitive Subdivision  
4 North Mill Court, LLC  
Map 55 Parcels 919 through 928





# Nantucket Planning Board

## Form B1

### Application for Approval of a Definitive Subdivision Modification

File one completed form with the Planning Board and one copy with the Town Clerk.

Date: December 24, 2015 File #: 7661

#### To the Planning Board of Nantucket:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision *modification* shown on a plan entitled plan of land in Nantucket designed by Bracken Engineering, Inc dated March 10, 2014, and described as follows: located on 11 Mill Hill, Lot 7-20 Inclusive on Land Court Plan No. 1255-G

\_\_\_\_\_, number of lots proposed \_\_\_\_\_, total acreage of tract \_\_\_\_\_, hereby submits said plan as a **definitive plan modification** in accordance with the *Rules and Regulations Governing the Subdivision of Land* of the Nantucket Planning Board and makes application to the Board for approval of said modification.

The undersigned's title to said land is derived from Dorthy Harrison Egan Foundation by deed dated June 23, 2014 and recorded in the Nantucket Registry of Deeds Book \_\_\_\_\_,

Page \_\_\_\_\_, registered in the Nantucket Registry District of the Land Court, Certificate of Title # 25308 and shown on Nantucket Assessor's Map # 55, Parcel 919-928, and said land is free of encumbrances except for the following: \_\_\_\_\_

Said plan  has  has not evolved from a preliminary plan submitted to the Board on \_\_\_\_\_ (date) and  approved  disapproved on May 12, 2014 (date).

The undersigned hereby applies for the approval of said **definitive plan modification** by the Board, in belief that the plan conforms to the Board's *Rules and Regulations*.

To further amend Paragraph 12 of the Decision to allow minor encroachment into the 10' buffer on Lot 15 Land Court Plan No. 12559-G

Name(s) and address(es) of the Applicant(s):  
(to include all the names and addresses of the principals of the owner entity such as principal officers of the corporation, trustees

Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

Planning Board, Form B, page 2  
of a trust or partners of a partnership)

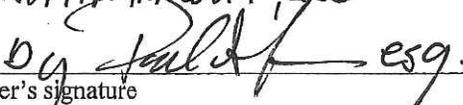
4 North Mill Court LLC

Contact Phone #: 508-228-0337 Contact Fax #: 508-228-0970

Name of owner(s): 4 North Mill Court LLC

Address of owner(s): c/o Cohen & Cohen, PO Box 786, Nantucket, MA 02554

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

4 North Mill Court, LLC  
By  esq.  
Owner's signature

Received by Town Clerk:

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

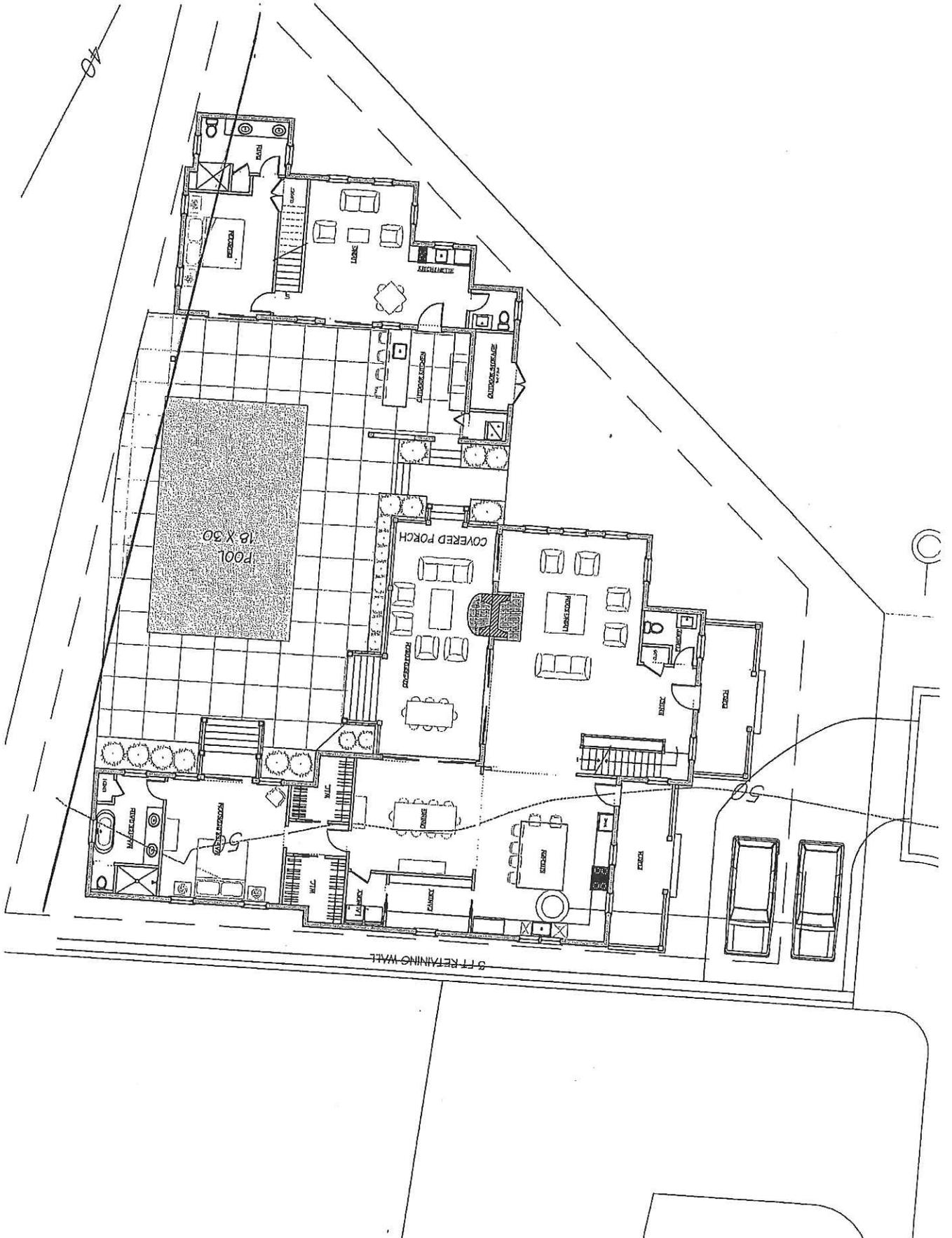
Time: \_\_\_\_\_

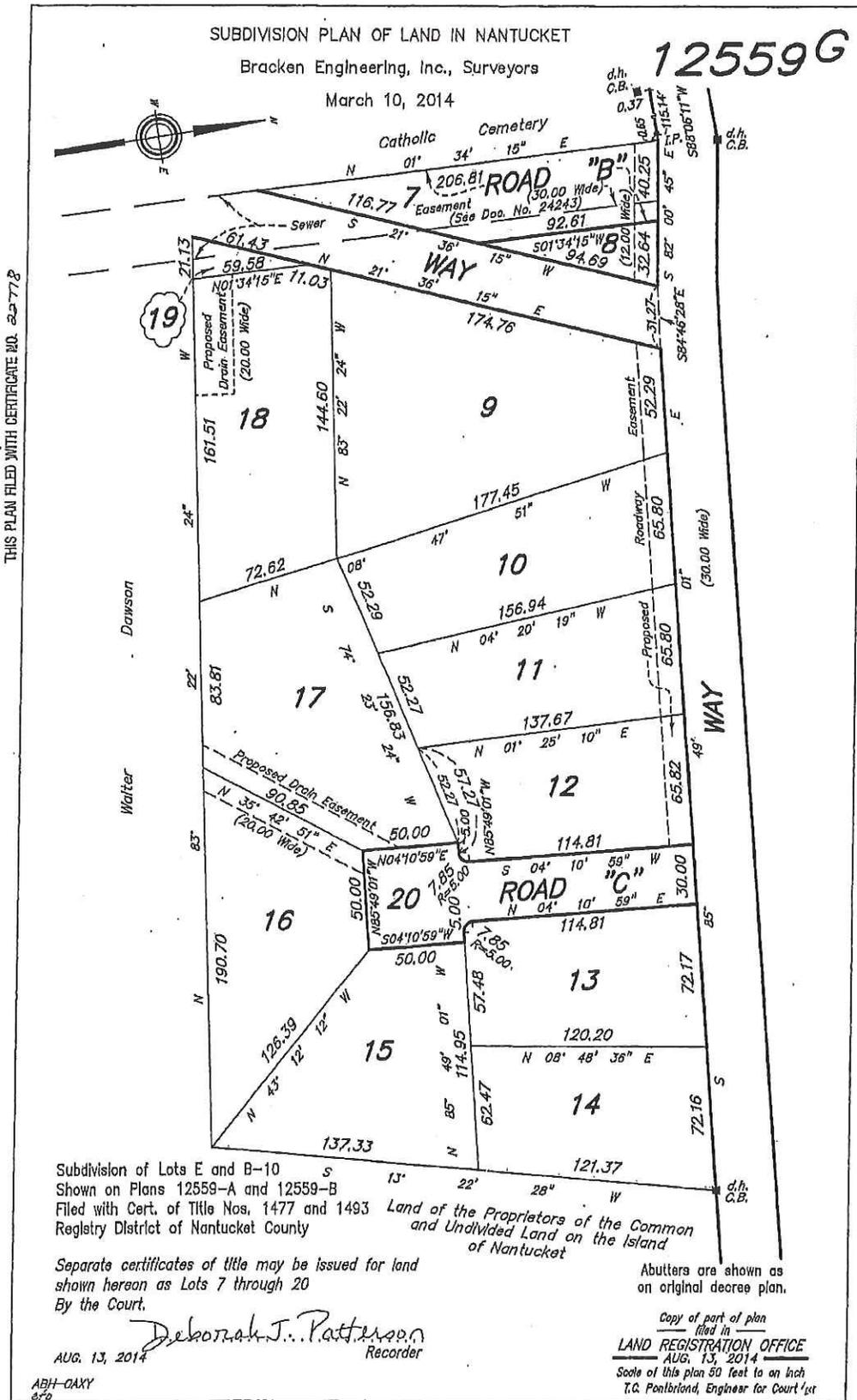
Received by Board of Health:

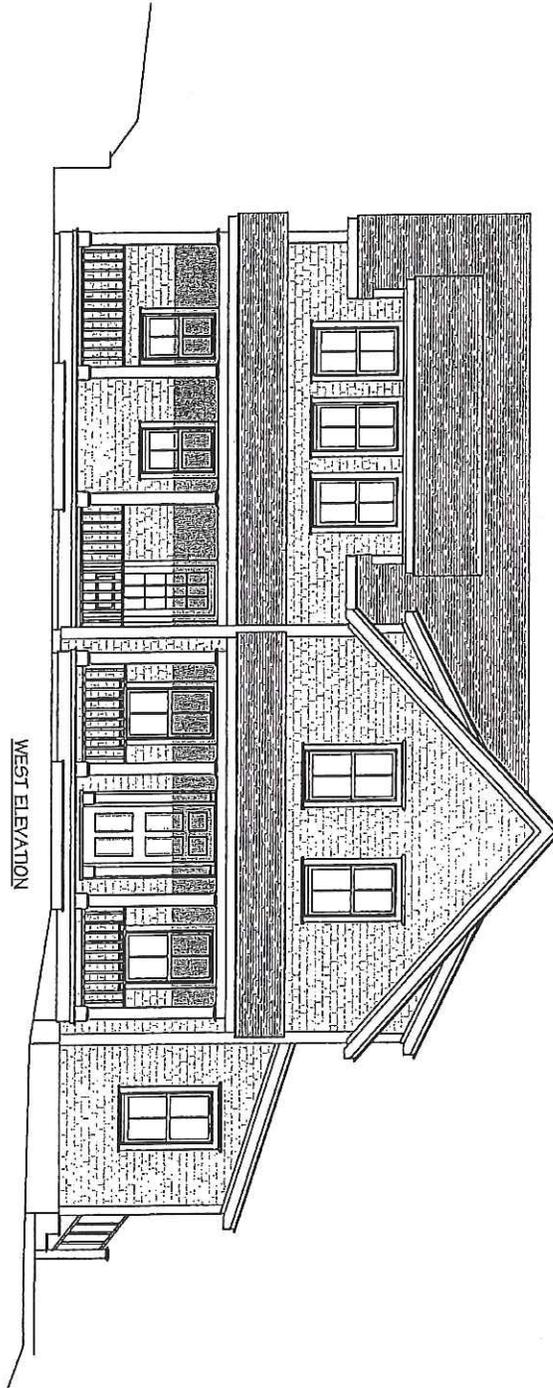
Date: \_\_\_\_\_

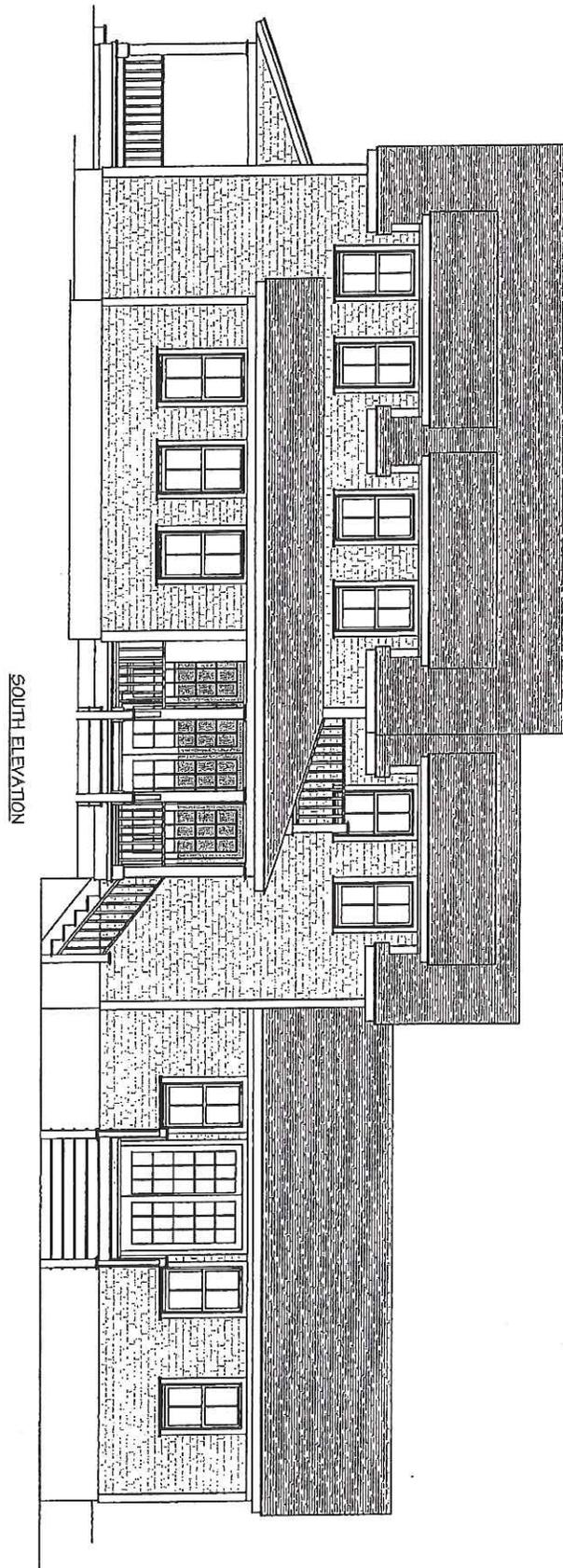
Time: \_\_\_\_\_

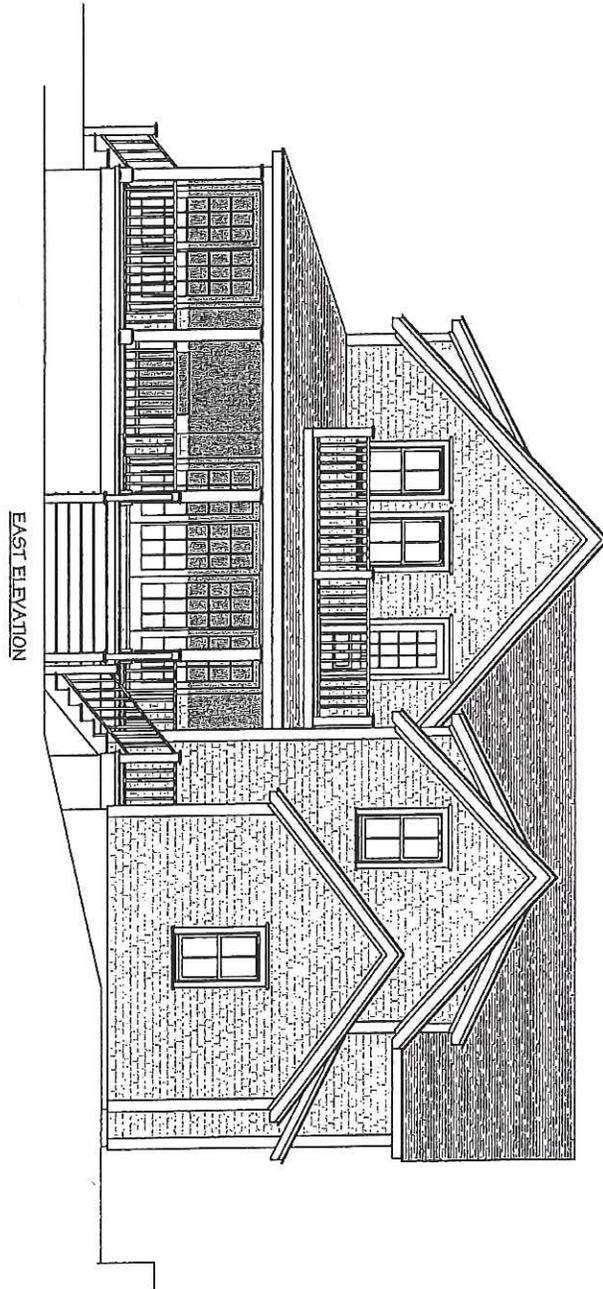
Planning Board File #: 7917

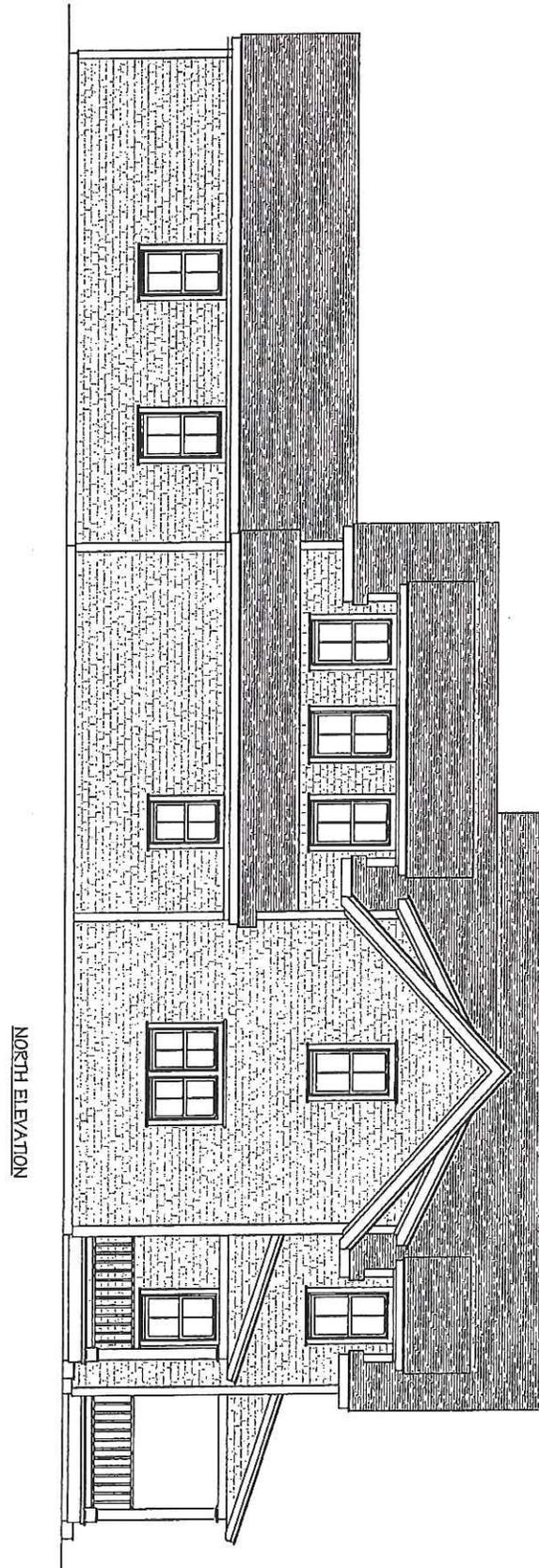




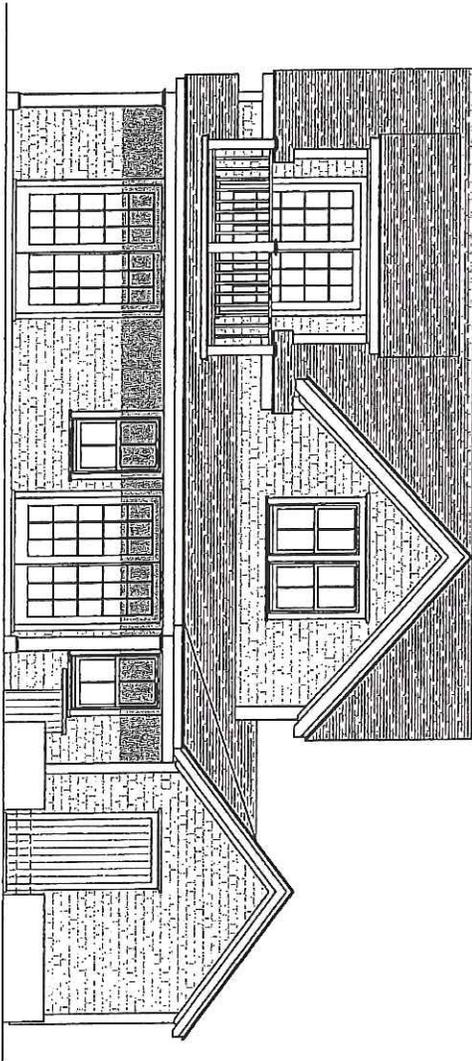




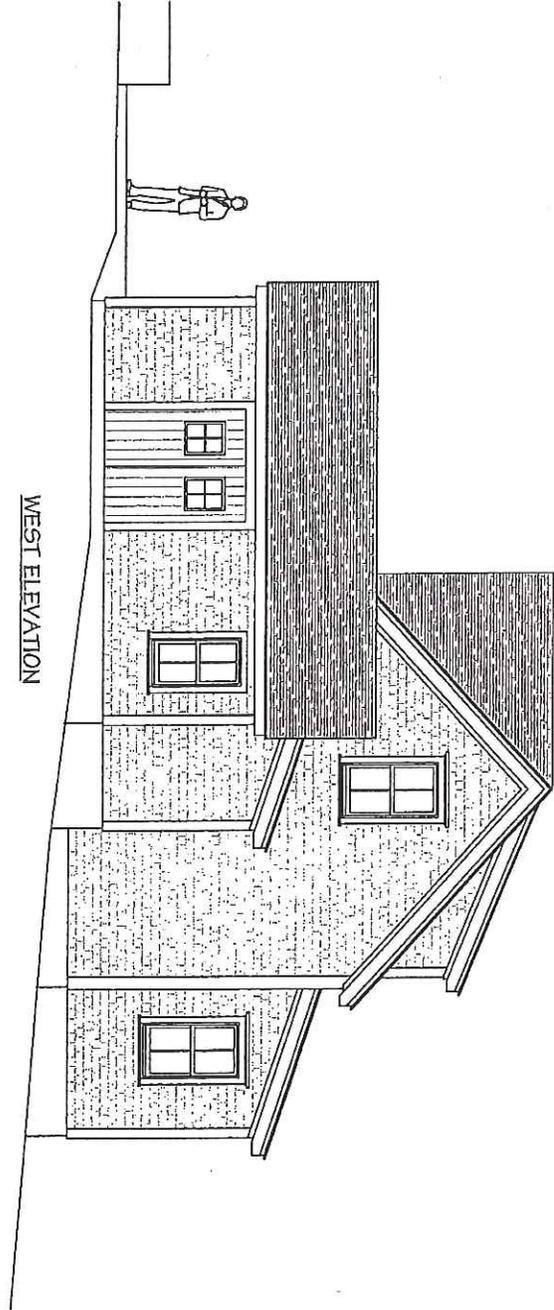


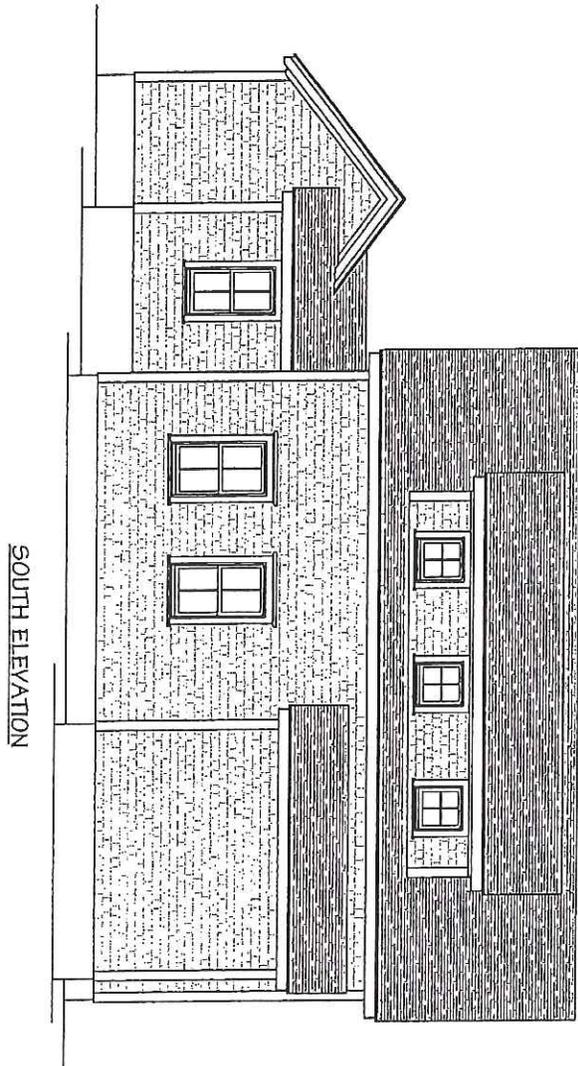


NORTH ELEVATION

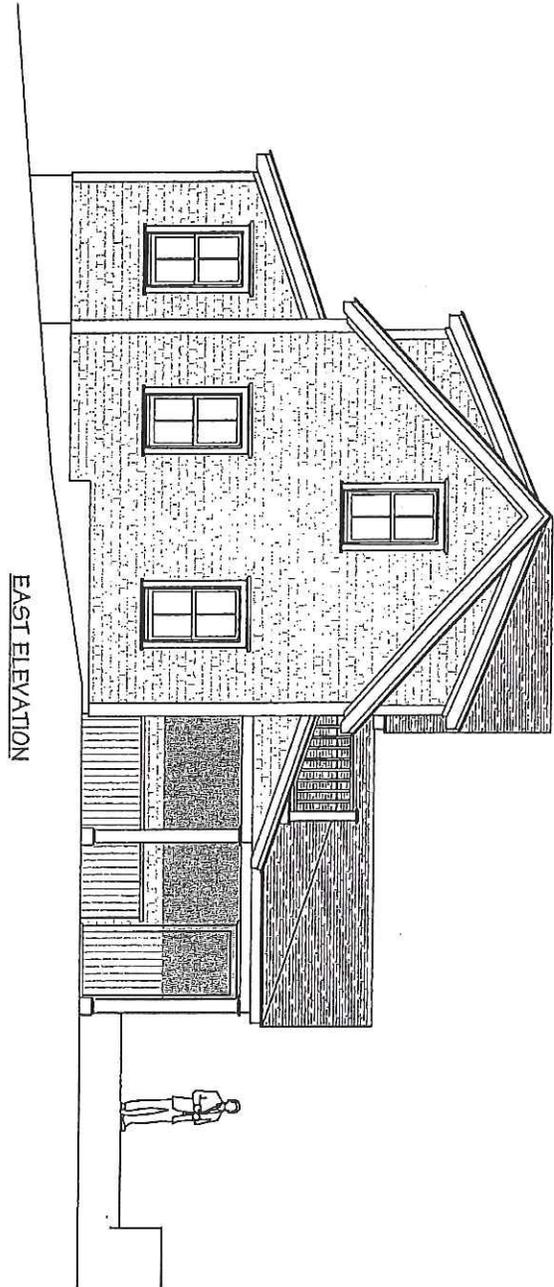


WEST ELEVATION



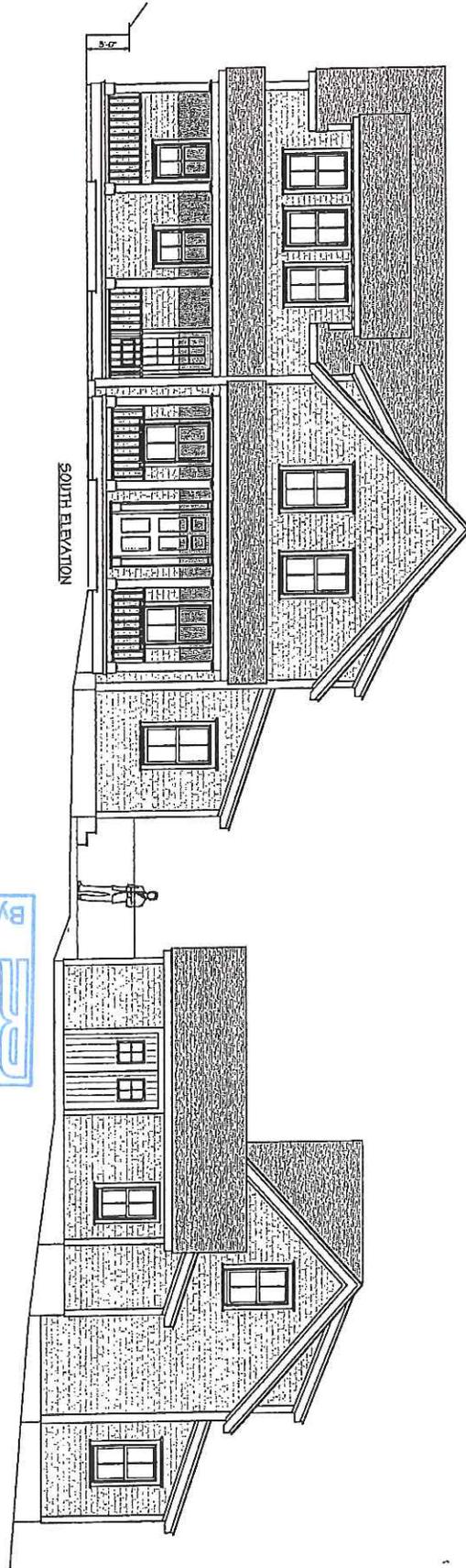


SOUTH ELEVATION



EAST ELEVATION

RECEIVED  
DEC 24 2015  
By



RECEIVED  
DEC 24 2015  
By



RECEIVED  
2015 JUN 23 PM 3:49  
NANTUCKET TOWN OFFICE

# Nantucket Planning Board

## APPROVAL OF A DEFINITIVE SUBDIVISION PLAN (AR)

Woodland Hill Subdivision  
Planning Board File #7661

Current Owner & Applicant: GG Development, LLC

Prior Owner: Dorothy Harrison Egan Foundation

Property located off of an Unnamed Way off of Mill Hill

Registered in the Nantucket Registry District of the Land Court, Certificate of Title #19810 and #22778 25308

Parcels 314, 316, 317, 318 shown on Nantucket Tax Assessors Map 55  
Parcel 26 shown on Nantucket Tax Assessors Map 55.4.4

May 12, 2014

### TECHNICAL CORRECTIONS

*(to reflect renumbering of lots and transfer of ownership)*

June 23, 2015

The applicant is proposing an Approval Required (AR) subdivision on a 2.8 acre parcel with frontage on an unnamed way in the vicinity of Hummock Pond Road and Mill Hill Lane. There are a total of ten (10) buildable lots in the subdivision, all of which meet or exceed the minimum lot size, frontage, and upland requirements. In addition, Lot 29 (buildable) and Lots 48 and 15, now known as the "Way" (unbuildable) are anticipated to be combined and reconfigured in the future to result in a total of three (3) buildable lots, shown as Future Lot A, B, and C on sheet 5 of the plans. A maximum of twelve (12) buildable total lots may result from the proposal.

Three (3) roadways will provide access and frontage to the lots within the subdivision. Roadway A is an existing unnamed road that will provide the primary access from Hummock Pond Road to the proposed Roadway C, Roadway B will connect to the proposed 1950's Cato Lane roadway layout that was never established as a public way, and Roadway C is a dead-end street within the subdivision. The specific proposal for each of these roads is as follows:

- Roadway A will be paved to a width of eighteen (18) feet between Hummock Pond Road and Roadway B, and between Roadway C and the terminus of the paved portion of the roadway as shown on the proposed plans. Between Roadway B and Roadway C, the pavement width will be increased twenty-seven (27) feet to accommodate on-street parking spaces of nine (9) feet in width. Six (6) inch vertical granite curbing will be installed along the edge of the roadway and associated parking spaces. Roadway A will provide driveway access to two (2) lots within the subdivision;

- Roadway B will be paved to a width of eighteen (18) feet and will terminate in a “Turning L” configuration. Cape Cod berms will be installed along the edge of the roadway. Roadway C will provide driveway access to a maximum of four (4) lots within the subdivision;
- Roadway C will be paved to a width of eighteen (18) feet and will terminate in a “Turning T” configuration. Cape Cod berms will be installed along the edge of the roadway. Roadway C will provide driveway access to five (5) lots within the subdivision.

Stormwater runoff from the proposed roadway construction will be collected by deep sump catch basins, which will discharge to subsurface infiltration systems designed to contain and infiltrate up to the twenty-five (25) year storm event. All lots within the proposed subdivision will be serviced by municipal water and sewer.

The Nantucket Planning Board at its May 12, 2014 meeting voted 5-0 to close the public hearing and voted 5-0 to **APPROVE** the Definitive Subdivision Plan (AR) for the subject property. The application for approval of this definitive subdivision plan was received by the Planning Board on March 11, 2014 and approval of the subdivision was based on the following documents:

- A letter from Bracken Engineering, Inc. dated March 10, 2014. This letter includes the requests for waivers from the “Rules and Regulations Governing the Subdivision of Land”;
- Plans entitled “Definitive Subdivision Plan Set of “Woodland Hill” in Nantucket, Massachusetts”, sheets 1 through 11, prepared by Bracken Engineering, Inc., dated March 10, 2014;
- A document entitled “Supplemental Information” prepared by Bracken Engineering Inc., dated March 10, 2014;
- Engineering review reports from Pesce Engineering & Associates, Inc., engineering consultants for the Planning Board, dated April 11, 2014;
- A 2013 Preliminary Plan approval issued by the Planning Board;
- Representation and testimony received in connection with the public hearings held April 16, 2014 and May 12, 2014. Minutes of these meetings are on file with the Planning Board; and
- Other assorted documents (including correspondence from various Town departments) that are on file with the Planning Board.

Approval of the subdivision is granted conditionally upon the aforementioned documents, compliance with the Planning Board’s *Rules and Regulations Governing the Subdivision of Land* (as amended through December 20, 1999), and on the following additional requirements and agreements:

1. That the applicant be granted the following waivers from the *Rules and Regulations Governing the Subdivision of Land*:

4.03a(1)	Streets	Waiver Granted – the finished roadway width of eighteen (18) feet for the travel lanes is appropriate for the scale of this subdivision;
4.03(e)	Streets	Waiver Granted – the existing width of the roadway layout for Roadway A is thirty (30) feet. This roadway is shown on a 1928 Land Court Plan. The proposal includes an additional twelve (12) foot easement for a total of forty (42) feet to be dedicated to roadway purposes. Roadway C will have a layout of thirty (30) feet total. This is an interior roadway and additional width is not required for infrastructure improvements.
4.09	Shoulders	Waiver Granted – to reduce the width of the shoulder along the north side of Roadway A from four (4) feet to one (1) foot. This waiver is appropriate based on the roadway construction including vertical curbing. No pedestrian infrastructure will be affected.  Waiver Granted – to reduce the width of the shoulder along both sides of Roadway B and Roadway C from four (4) feet to two (2) feet. This waiver is appropriate based on the number of lots served by these dead-end roadways and the lack of affect on any pedestrian infrastructure.

- 4.18 Sidewalks  
Waiver Granted – the applicant has agreed to construct a bike path connection between the terminus of Roadway A and Mill Hill Lane. Sidewalks for the proposed roadways are unnecessary due to the scale and location of this subdivision. The bike path connection will positively impact the ability to access the existing pedestrian network in proximity to this subdivision;
- 4.19 Bicycle Paths  
Waiver Granted – the applicant has agreed to construct a bike path connection between the terminus of Roadway A and Mill Hill Lane. The bike path connection will positively impact the ability to access the existing pedestrian network in proximity to this subdivision, and will provide a much needed connection between Prospect Street and Hummock Pond and Madaket Roads;
- 4.20 Street Lights  
Waiver Granted – street lighting in this located would be inconsistent with the semi-rural landscape of the surrounding open space.

2. That the interior roadway and associated infrastructure improvements shall not commence until the definitive plans have been endorsed by the Planning Board. The definitive plans shall be presented to the Planning Board within six (6) months of the date of this decision (November 12, 2014) and shall incorporate any changes required by Pesce Engineering & Associates;
3. That recorded copies of all legal documents (Homeowners Association documents, Statement of Conditions, Grant of Right of Enforcement, Declaration of Restrictions and Easements for Access, Driveways, Utilities, and Drainage, and Covenant) shall be presented to the Planning Board prior to the release of any lot from the Covenant or within six (6) months from the date of this decision (November 12, 2014);
4. That a Homeowners Association be established by the applicant, along with a Road Maintenance Endowment Fund for the maintenance of all required improvements to the interior roadway including the drainage structures, grading, utilities, etc.. The Association shall be initially endowed at \$1000 per buildable lot (\$10,000.00 total). This fund shall be administered by the Homeowners Association with the Planning Board named as a third party enforcing agent. Proof of this endowment shall be provided prior to the release of any lot from the covenant;
5. That the roadway layout for the interior roadway be transferred to the Homeowners Association. Evidence of the conveyance shall be presented to the Planning Board prior to the release of any lot from the covenant;
6. That the following easements shall be granted to the Town/County of Nantucket upon installation of the binder course of pavement, and prior to the release of any lots thereafter:
  - a. Bicycle and pedestrian access shall be granted within Roadway A, within the land east of the terminus of Roadway A at Roadway C to Mill Hill Lane, and Roadway B. Applicant has agreed to prepared the plan showing these easements;
  - b. Vehicular access shall be granted within Roadway A between Hummock Pond Road and a line extending the eastern sideline of Roadway B, and through Roadway B. Applicant has agreed to prepared the plan showing these easements;
  - c. Vehicular access shall be granted from the southern sideline of Roadway A to the property line separating the land within this subdivision from land owned by the Town of Nantucket. Applicant has agreed to prepared the plan showing these easements;
  - d. Water and sewer easements within Roadway A, B, and C and within the land east of the terminus of Roadway A at Roadway C to Mill Hill Lane. Applicant has agreed to prepared the plan showing these easements;
  - e. To the extent necessary, an easement shall also be granted for the existing sewer in Lots 12 and 15 the "Way" as shown on the plans referenced in this decision. Applicant has agreed to prepared the plan showing these easements;
7. That the applicant has agreed to offer as a gift to the Town the construction of the turn-around at the terminus of Roadway B and within land owned by the Town of Nantucket as shown on the plans referenced in this decision. This gift shall be offered prior to the construction of the turn-around and shall be completed prior to the release of the final lot from the covenant;

8. That all lots within the subdivision be restricted to no further division, with the exception of Lot 2 9. Minor lot line adjustments shall be permitted through the submission of an Approval Not Required (ANR) plan, however, no additional building lots shall be created;
9. That five (5) lots shall be restricted to a single dwelling unit. Studios, garages, sheds, outbuildings, or other accessory structures that do not contain dwelling units shall be permitted;
10. That access to Lots 5, 6, and 7 12, 13, and 14 shall be prohibited from Roadway A. Lots 5 and 6 shall be accessed from Roadway C and Lot 7 shall be accessed from Mill Hill Lane;
11. That access to Lots 15, 14, and 2 the "Way", Lots 8 and 9 (which are anticipated to be combined and reconfigured to create future Lots A, B, and C) shall be prohibited from Roadway A;
12. That a ten (10) foot wide, densely vegetated buffer including a mixture of coniferous and deciduous plant material, shall be established and permanently maintained along the southern and eastern limits of the subdivision, specifically affecting Lots 1, 7, 8, 9, and 10 18, 14, 15, 16, and 17, but excluding the drainage easement area within Lots 1, 9, and 10 18, 16, and 17. This restriction shall be included in future deeds and included within the legal documents, with enforcement granted to the Town of Nantucket. On an as-needed basis, plantings shall be replaced within a year of their removal/deterioration/demise;
13. That one (1) lot shall be released upon endorsement of the definitive plans. Other lots shall be released as infrastructure improvements are completed. At anytime, the applicant shall have the right to obtain release(s) of the lots from the covenant in return for a deposit of money or negotiable securities with the Planning Board sufficient, in the opinion of the Board, to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision shown on the plan as set forth in the covenant, and the Planning Board may require that the applicant specify the time within which such construction shall be completed, all in accordance with Section 20.6f(2) of Rules & Regulations Governing the Subdivision of Land, Nantucket Island, Massachusetts, as amended;
14. That a dense gravel tracking pad shall be installed at the entrance to the site from Hummock Pond Road during the construction period to remove construction debris from the tires of construction vehicles, as shown on the plans;
15. That all utilities shall be installed underground in accordance with the requirements of the respective utility;
16. That all required infrastructure improvements be completed within two (2) years from the date of definitive plan endorsement;
17. That the Planning Board may grant extensions of deadlines stated herein without holding a public hearing;
18. The failure or refusal of any Town board, commission, agency, or department, including, but not limited to the Nantucket Board of Selectmen, Nantucket Islands Land Bank, and the Wannacomet Water Department to accept any easement, gift, contribution, improvement, or the like, shall not affect the intent or findings of this decision, the applicant's ability to proceed under the other provisions of this decision, or the special permits and waivers granted in this decision.

SIGNATURE PAGE TO FOLLOW



# Nantucket Planning Board

RECEIVED  
2015 JUN 23 PM 3 49  
NANTUCKET TOWN CLERK

## MEMORANDUM

**Date:** June 23, 2015

**To:** Town Clerk

**From:** Eleanor Weller Antonietti, Zoning Administrator

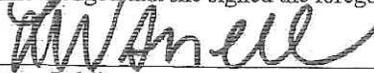
**Re:** Planning Board File #7661 – TECHNICAL CORRECTION

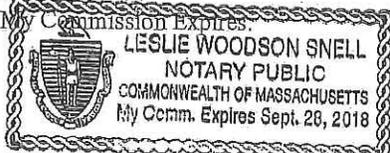
The above referenced Planning Board Decision regarding APPROVAL OF THE DEFINITIVE WOODLAND HILL SUBDIVISION, filed with the Town Clerk on June 3, 2014 requires a modification to reflect a recent re-numbering of the subject lots. A corrected decision is filed herewith. This minor modification will neither effect the content of the decision nor the completed appeal period.

  
 Eleanor W. Antonietti,  
 Zoning Administrator

### COMMONWEALTH OF MASSACHUSETTS

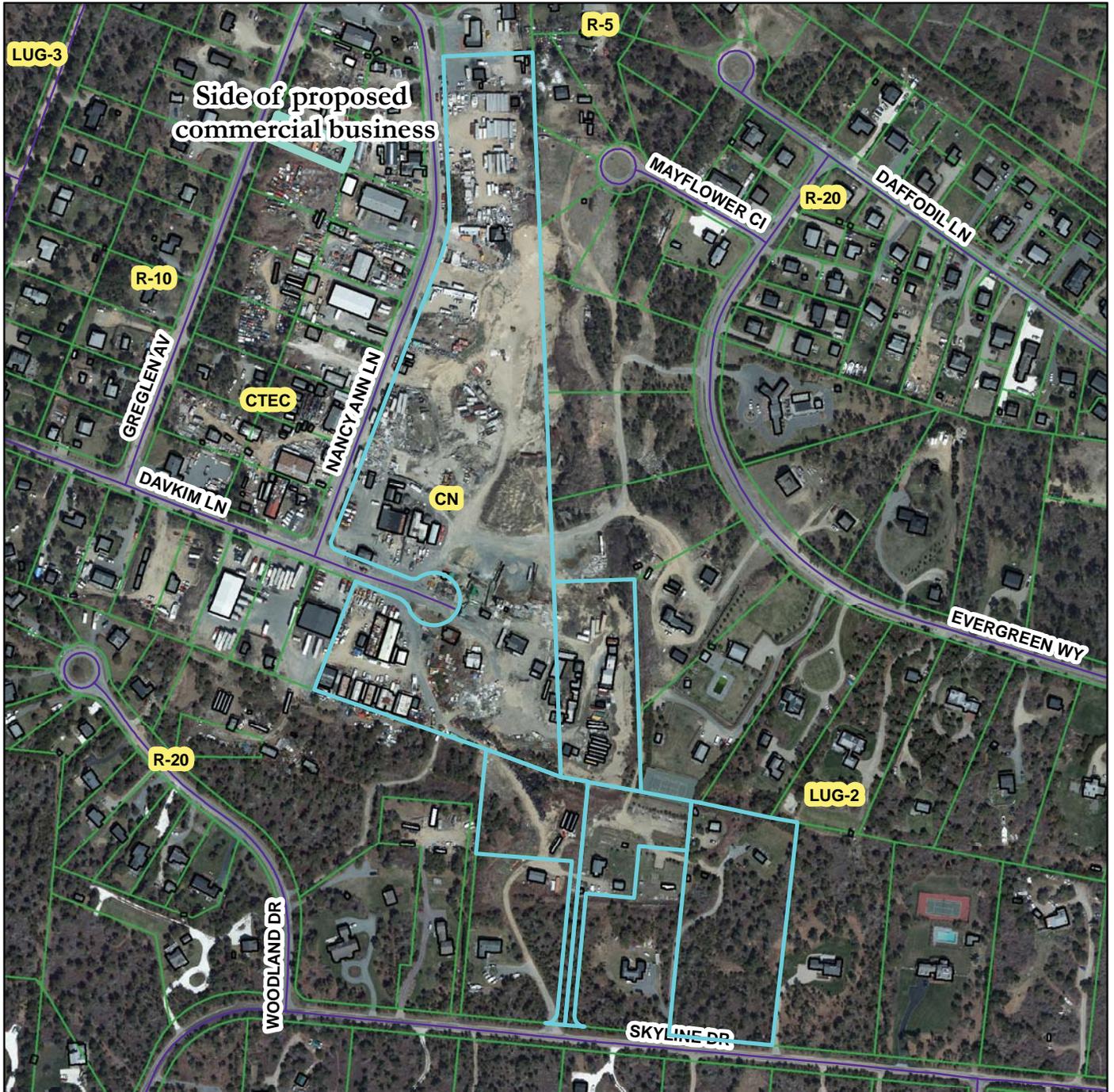
Nantucket, ss  
 On the 23 day of June, 2015, before me, the undersigned notary public, personally appeared Eleanor Antonietti, the above-named Zoning Administrator of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that she signed the foregoing instrument voluntarily for the purposes therein expressed.

  
 Notary Public:





#7918 Richmond Great Point Development, LLC  
Definitive Subdivision  
42B, 48R, 54R Skyline Drive & 20 Davkim Lane  
Map 79 Parcels 44.1, 45.1, 46  
Map 68 Parcels 56.1, 57





The Richmond Company, Inc.  
23 Concord Street  
Wilmington, Massachusetts 01887  
(979) 988-3900

January 6, 2016

TOWN OF NANTUCKET  
PLANNING BOARD  
2 Fairgrounds Road  
Nantucket, Massachusetts 02554

Attention: Leslie Woodson Snell, AICP, LEED AP, Deputy Director of Planning

Subject: Submittal of Application for Approval of a Definitive Subdivision Plan  
42 (Rear) 48 (Rear) and 54 (Rear) Skyline Drive Properties and 20 Davkim Lane Property

Dear Ms. Snell:

The purpose of this correspondence, issued in our capacity as the applicant and development manager, on behalf of the owner of the subject properties (Richmond Great Point Development LLC) is to submit the enclosed completed application (Form B) and associated materials (plans, storm water management report, deeds, etc.) comprising a Definitive Subdivision Plan for the series of adjoining properties located at 42 (Rear), 48 (Rear), and 54 (Rear) Skyline Drive, and 20 Davkim Lane.

The submittal is being made in accordance with and conforms to the provisions of Section 2.06 of "The Rules and Regulations Governing the Subdivision of Land, Nantucket, Massachusetts" as well as "The Subdivision Control Law of Massachusetts" (M.G.L. Chapter 41, Sections 81K-81GG, inclusive).

The primary intent of the subdivision is to consolidate the +/-1 acre (rear) portions of both of the 48 Skyline Drive property and the 54 Skyline Drive property, which have been previously subdivided out from the front portions of these properties, by way of approval not required plans that were previously endorsed by the Town of Nantucket Planning Board, into a single +/- 2 acre conforming / buildable lot. This lot will take access from and derive its frontage off a new roadway, also comprising part of this subdivision, whose layout matches the layout of the previously laid out "paper street" known as Clay Street. This road will intersect with Skyline Drive, at the south, will run north, past the 42 (Front) and 48 (Front) Skyline Drive properties and past the (new) 48 (Rear) / 54 (Rear) Skyline Drive property, and will then turn northwest, running through the southern edge of the 20 Davkim Lane property, and intersecting with the existing portion of Davkim Lane, due east of its existing intersection with Nancy Ann Lane.

The entirety of the 48 (Rear), and 54 (Rear) Skyline Drive properties, which will be consolidated to create the buildable lot upon approval of this subdivision (show as Lot # 1 on the plan), are designated within the Limited Use General 2 (LUG-2) zoning district. The buildable lot resulting from the proposed action will meet or exceed the relevant dimensional criteria and related requirements for such as established in the local zoning bylaw for the above-referenced district, including but not limited to the following:

- Minimum Lot Area (Not Less than 80,000 Square Feet) – Proposed 89,219 Square Feet
- Minimum Lot Frontage (Not Less than 150 Linear Feet – Proposed 302.48 Linear Feet
- Minimum Lot Regularity Factor (Not Less than 0.55) – Proposed 0.568

It is further noted that the land area comprising the entirety of the 48 (Rear), and 54 (Rear) Skyline Drive properties, which will be consolidated to create the buildable lot upon approval of this subdivision (shown as Lot # 1 on the plan), is subject to a covenant in favor of the Nantucket Land Council, Inc. (NLC), dated as of January 15, 1982, recorded at Book 481, Page 314 in the Nantucket County Registry of Deeds. This covenant provides that certain land in this area, including the subject properties, "*shall not be resubdivided, or combined and resubdivided, in such a manner as to create or leave any lot containing less than 80,000 square feet of land*". As described herein and as a review of the proposed subdivision plan will confirm, the current proposal, which resubdivides portions of two lots and consolidates them into a single lot, which is comprised of 89,219 square feet of land area, exceeds and complies with the (applicable) restriction in this covenant.

With respect to access and vehicular circulation, as part of this application, we are respectfully requesting that the Planning Board allow for a "phased" improvement of the new roadway, based on the anticipated progression of development of the (new) 48 (rear) / 54 (Rear) Skyline Drive property, and the other surrounding properties. To this end, our intent is to sell and to provide for the development of the (new) 48 (rear) / 54 (Rear) Skyline Drive property immediately. Our proposal is to initially improve the first +/- 450 linear feet of this roadway to driveway standards, including all required drainage, terminating at a "turnaround", but not to improve it to full roadway standards and not to improve the remaining +/- 800 linear foot long segment running further north which intersects into the existing portion of Davkim Lane until such time as is necessary, based on the future development and improvement of the adjacent (20 Davkim Lane) property. The rationale and underlying basis for this "phasing" request is as follows.

As you are aware and as the Planning Board is aware, the 20 Davkim Lane property, which is +/- 15 acres in size, was recently the subject of zoning warrant articles which were approved at the Nantucket Special Town Meeting which was held on November 9, 2015, which is ultimately expected to result in the development of this property as a multi-family rental apartment residential community. We are currently in the initial phases of the site planning specific to this property, which will take several months to work through and will then be subject to substantial review / approval by the Planning Board, including a special permit, major site plan review, and a subsequent definitive subdivision. Because the precise path and layout of the roadway that will be expected to run through this property is still subject to this planning and permitting process, we would respectfully request the phasing and improvement flexibility described herein relative to the roadway that will serve the current subdivision, in order to improve the segment which is required to allow for the release and development of the 48 (Rear) and 54 (Rear) Skyline Drive properties as a single residential lot as a driveway immediately, while deferring the improvement of the remaining segment of the roadway until such time as the specific development plan for the (much larger) surrounding property is finalized, and reviewed / approved by the Planning Board.

In addition to the completed (Form B) application, we have submitted the following plans and technical materials that are required to be submitted to provide for the processing and approval of the proposed subdivision, including: (1) the Definitive Plan, Clay Street, Nantucket, Mass as prepared by Hayes Engineering, Inc., dated December 11, 2015, depicting the subdivision of the lots along with the applicable / customary notes and details (totaling 9 sheets), (2) the Storm Water Management Report, as prepared by Hayes Engineering, Inc., dated December 11, 2015, (3) the Site Analysis Report, as prepared by Hayes Engineering, Inc., dated December 2015, (4) the Street Network Plan, as prepared by Hayes Engineering, Inc., dated December 11, 2015, and (5) the Requested Waivers, as prepared by Hayes Engineering, Inc., dated December 2015.

We have also attached Attachment # 1 to the Form B application form, detailing the derivation of the title to the land comprising the proposed subdivision, given that the land includes multiple parcels, and that title to several of the parcels has been derived from different sellers / grantors.

Definitive Subdivision Plan Submittal  
January 6, 2016  
Page Three

We trust that this submittal conforms to the applicable requirements for such a Definitive Subdivision Plan (AR) and we look forward to the completion of your review and the subsequent review and approval of the plan by the Town of Nantucket Planning Board.

If you any immediate questions with respect to either the application or the enclosed materials, please feel free to contact me at 978-988-3900, Extension # 12.

Very truly yours,



David J. Armanetti, Director of Real Estate Development  
The Richmond Company, Inc. (Applicant / Development Manager)  
On Behalf of Richmond Great Point Development LLC (Owner)

Cc: Philip Pastan, TRC  
Kathryn Fossa, TRC  
Patricia Roggeveen, RGPDLLC  
Shane Valero, RGPDLLC  
John Ogren, Hayes Engineering  
Andrew Burek, Esq., TRC  
Arthur Reade, Esq.



JAN 11 2016 PM 1:19

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

# Nantucket Planning Board

## Form B

### Application for Approval of a Definitive Subdivision Plan (AR)



File one completed form with the Planning Board and one copy with the Town Clerk.

Date: JANUARY 6, 2016

To the Planning Board of Nantucket:

SUBDIVISION PLAN OF LAND  
IN NANTUCKET, MASS

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled \_\_\_\_\_ designed by HAYES ENGINEERING, INC. dated \_\_\_\_\_, and described as follows: located on 42B/48R/54R SKYLINE DRIVE AND 20 DANKIM LANE, number of lots proposed THREE (3) total acreage of tract 17.044 ACRES hereby submits said plan as a **definitive** plan in accordance with the *Rules and Regulations Governing the Subdivision of Land* of the Nantucket Planning Board and makes application to the Board for approval of said plan.

SEE ATTACHMENT #1 FOR DETAILS

The undersigned's title to said land is derived from \_\_\_\_\_ by deed dated \_\_\_\_\_ and recorded in the Nantucket Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_, registered in the Nantucket Registry District of the Land Court, Certificate of Title # \_\_\_\_\_ and shown on Nantucket Assessor's Map # \_\_\_\_\_, Parcel \_\_\_\_\_, and said land is free of encumbrances except for the following: CUSTOMARY UTILITY EASEMENTS AND ONE COVENANT IN FAVOR OF NANTUCKET LAND COUNCIL (ATTACHED)

Said plan  has  has not evolved from a preliminary plan submitted to the Board on N/A (date) and  approved  disapproved on N/A (date).

The undersigned hereby applies for the approval of said **definitive** plan by the Board, in belief that the plan conforms to the Board's *Rules and Regulations*.

Name(s) and address(es) of the Applicant(s):  
(to include all the names and addresses of the principals of the owner entity such as principal officers of the corporation, trustees of a trust or partners of a partnership)

RICHMOND GREAT POINT DEVELOPMENT LLC  
PHILIP PASTAN, ITS MANAGER

Contact Phone #: (978) 988-3900 Fax #: (978) 988-3950 E-mail: ppastan@richmondco.com

Name of owner(s): <sup>x16</sup> RICHMOND GREAT POINT DEVELOPMENT LLC

Address of owner(s): 23 CONCORD ST., WILMINGTON MA 01887

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

Owner's signature PHILIP PASTAN, ITS MANAGER.

*(Handwritten initials and date)*  
12/4/15

Received by Town Clerk:

Date: Jan. 11, 2016  
Time: 1:19 p.m. 1/11/16

Received by Board of Health:

Date: 1-11-2016  
Time: 1:15 pm

*(Handwritten initials 'AR' circled)*

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

**Attachment 1 to Form B / Application for Approval of a Definitive Subdivision Plan (AR)**

Additional Space Needed to Provide Derivation of Title to Land

“Definitive Plan, Clay Street, Nantucket Mass”

42 (Rear), 48 (Rear), and 54 (Rear) Skyline Drive and 20 Davkim Lane

The title to the land included in the Application for Approval of a Definitive Subdivision Plan is derived as follows:

**As to the Owner of One Hundred Percent (100%) of the 42 (Rear) Skyline Drive Property**  
**RICHMOND GREAT POINT DEVELOPMENT LLC**

“Deed” dated August 7, 2013, recorded at the Nantucket County Registry of Deeds, in Book # 01397, Page # 312, recorded on August 8, 2013 (referred to as “Recorded Land – Parcel Seventy” on Page 14 of the “Deed”).

**As to the Owner of One Hundred Percent (100%) of the 48 (Rear) Skyline Drive Property**  
**RICHMOND GREAT POINT DEVELOPMENT LLC**

“Deed” dated July 25, 2014, recorded at the Nantucket County Registry of Deeds, in Book # 1443, Page # 213, recorded on July 25, 2014.

**As to the Owner of the One Hundred Percent (100%) of the 54 (Rear) Skyline Drive Property**  
**RICHMOND GREAT POINT DEVELOPMENT LLC**

“Quitclaim Deed” recorded as Document # 00002834, recorded on October 10, 2014 at the Nantucket Registry of Deeds (as to a 25% interest in the property).

“Deed” dated December 11, 2015, recorded at the Nantucket County Registry of Deeds, in Book # 1515, Page # 1, recorded on December 14, 2015 (as to a 50% interest in the property).

“Deed” dated November 30, 2015, recorded at the Nantucket County Registry of Deeds, in Book # 1514, Page # 343, recorded on December 14, 2015 (as to a 25% interest in the property).

**As to the Owner of One Hundred Percent (100%) of the 20 Davkim Lane Property**  
**RICHMOND GREAT POINT DEVELOPMENT LLC**

“Deed” dated August 7, 2013, recorded at the Nantucket County Registry District, as Certificate # 24872, recorded on August 8, 2013 (referred to as “Registered Land – Parcel Thirty-Two” on Page 7 of the “Deed”).







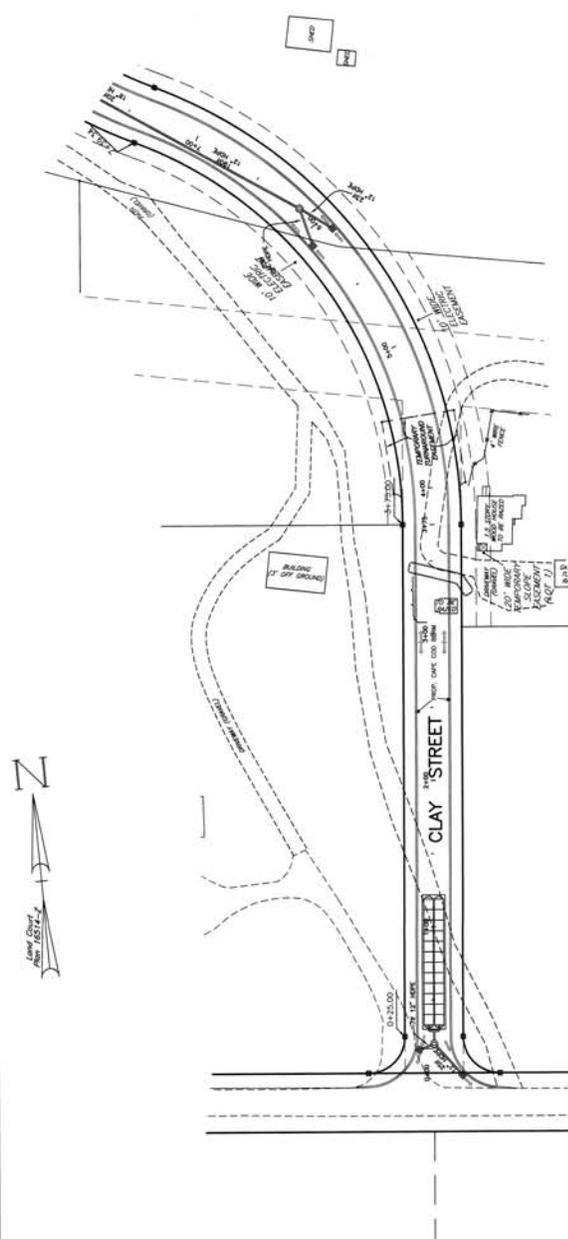


I CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTERED PROFESSIONAL ENGINEERS IN PREPARING THIS PLAN.

HAYES ENGINEERING, INC.

**LEGEND:**  
 CRW - CONCRETE ROAD WITH DRAINAGE  
 (FD) - FOUND  
 LC - LAND COURT  
 R - REGULARITY FACTOR

B - PROPOSED  
 C - EXISTING  
 WITH DIMENSIONS TO BE SHOWN UNLESS OTHERWISE NOTED

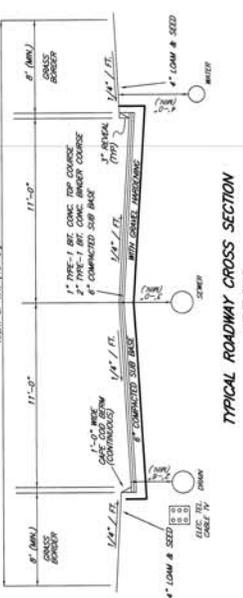


CLERK'S CERTIFICATION ON THE PLAN

DATE: \_\_\_\_\_  
 I, \_\_\_\_\_, CLERK OF THE TOWN OF NANTUCKET, DO HEREBY CERTIFY THAT THE NOTICE OF APPOINTMENT OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE ON \_\_\_\_\_, 2015, AND THAT THE PLAN IS VALID AND EFFECTIVE FROM THE DATE OF RECORDING OF SAID NOTICE.

TOWN CLERK

RIGHT OF WAY (90'-0")



TYPICAL ROADWAY CROSS SECTION  
 NOT TO SCALE

**ZONE OIL**  
 MINIMUM LOT AREA = 7,500 S.F.  
 MINIMUM FRONT SETBACK = 20 FEET  
 MINIMUM SIDE SETBACK = 10 FEET  
 MINIMUM REAR SETBACK = 10 FEET  
 ALLOWABLE GROUND COVER = 40%

**ZONE LUC-2**  
 MINIMUM LOT AREA = 40,000 S.F.  
 MINIMUM LOT FRONTAGE = 150 FEET  
 MINIMUM YARD SETBACKS = 15 FEET  
 MINIMUM SIDE SETBACKS = 15 FEET  
 MINIMUM REAR SETBACKS = 15 FEET  
 ALLOWABLE GROUND COVER = 4%

REGULARITY FACTOR (R) SHALL NOT BE LESS THAN 0.50  
 PROPERTY MUST BE WITHIN PUBLIC WELFARE REZONING DISTRICT.

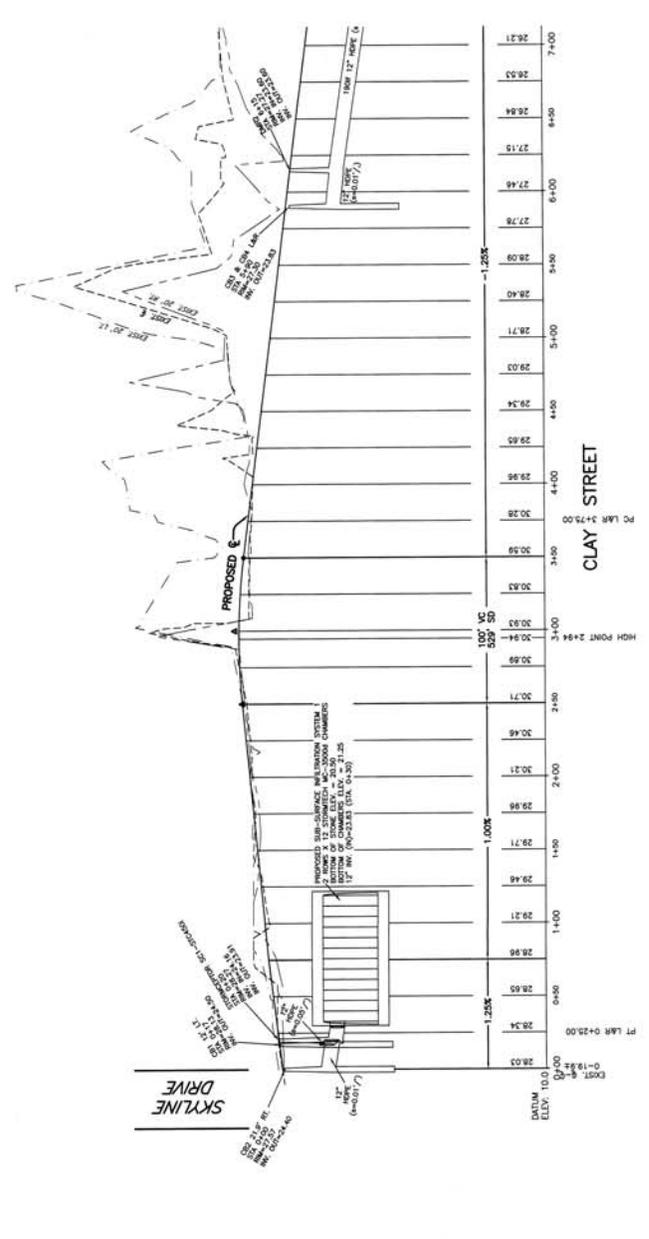


**DEFINITIVE PLAN & PROFILE**  
**CLAY STREET**  
**NANTUCKET, MASS.**

Engineer: \_\_\_\_\_  
 Project: \_\_\_\_\_  
 Date: \_\_\_\_\_

10	DATE	DESCRIPTION
9	DATE	DESCRIPTION
8	DATE	DESCRIPTION
7	DATE	DESCRIPTION
6	DATE	DESCRIPTION
5	DATE	DESCRIPTION
4	DATE	DESCRIPTION
3	DATE	DESCRIPTION
2	DATE	DESCRIPTION
1	DATE	DESCRIPTION

10	DATE	DESCRIPTION
9	DATE	DESCRIPTION
8	DATE	DESCRIPTION
7	DATE	DESCRIPTION
6	DATE	DESCRIPTION
5	DATE	DESCRIPTION
4	DATE	DESCRIPTION
3	DATE	DESCRIPTION
2	DATE	DESCRIPTION
1	DATE	DESCRIPTION



CLAY STREET

PO L&R 3+75.00

HIGH POINT 2+84

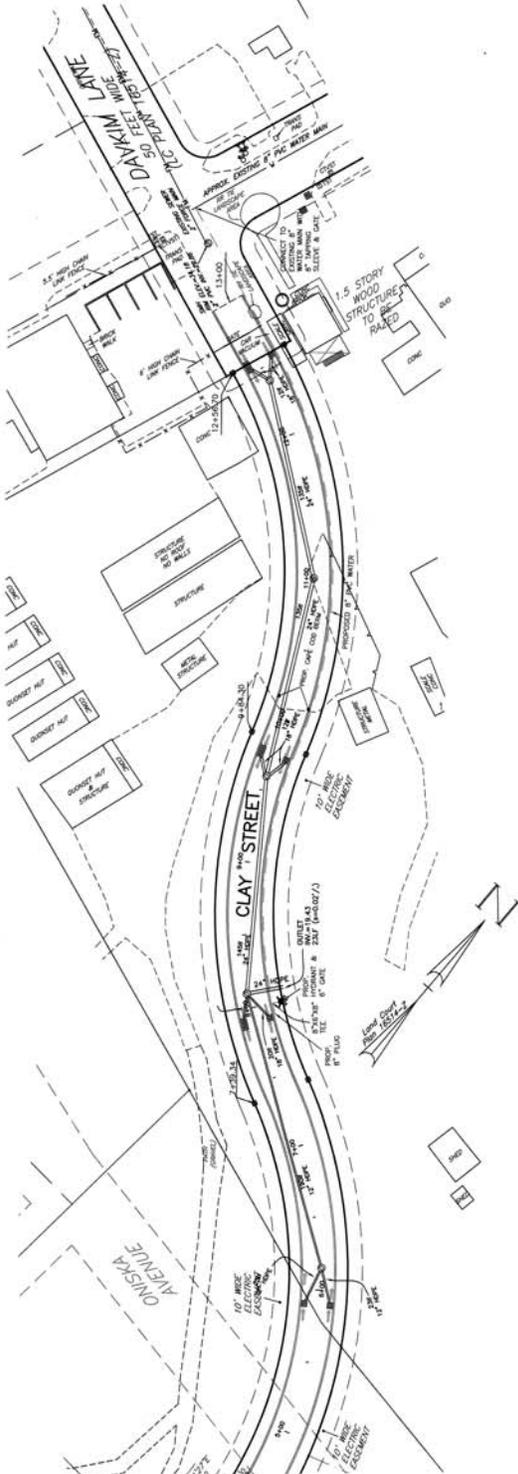
PT L&R 0+25.00

EXIST. 0-18.25

DATUM ELEV. 10.00

I CERTIFY THAT I HAVE CONFORMED TO THE RULES AND REGULATIONS OF THE RECORDERS OF DEEDS IN PREPARING THIS PLAN.

HAYES ENGINEERING, INC.



CLERK'S CERTIFICATION ON THE PLAN

D.M.E.

I, DORIS M. ELLIOTT, CLERK OF THE TOWN OF NANTUCKET, MASSACHUSETTS, DO HEREBY CERTIFY THAT THE FOREGOING PLAN HAS BEEN RECORDED AND RECORDED IN THE PLANNING BOARD HAS BEEN RECORDED AND RECORDED IN THE OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

TOWN CLERK

- LEGEND**
- CON - CONCRETE BOARD WITH GABL PANEL
  - FR - FOUND
  - LC - LAND COURT
  - R - RETAILITY FACTOR
  - PRO - PROPOSED
  - CONC - CONCRETE BOARD WITH GABL PANELS UNLESS NOTED OTHERWISE

**ZONE: OL**  
 MINIMUM LOT AREA = 7,500 S.F.  
 MINIMUM LOT FRONTAGE = 50 FEET  
 MINIMUM LOT DEPTH = 25 FEET  
 FRONT = 10 FEET  
 REAR = 10 FEET  
 ALLOWABLE GROUND COVER # = AGE

**ZONE: LUG-2**  
 MINIMUM LOT AREA = 60,000 S.F.  
 MINIMUM LOT FRONTAGE = 100 FEET  
 MINIMUM LOT DEPTH = 100 FEET  
 FRONT = 25 FEET  
 REAR = 15 FEET  
 ALLOWABLE GROUND COVER # = 4%

REGULARITY FACTOR (R) SHALL NOT BE LESS THAN 0.35

PROPERTY LIES WITHIN PUBLIC WELLSHEAD RESERVE DISTRICT.



**DEFINITIVE PLAN & PROFILE**  
**CLAY STREET**  
**NANTUCKET, MASS.**

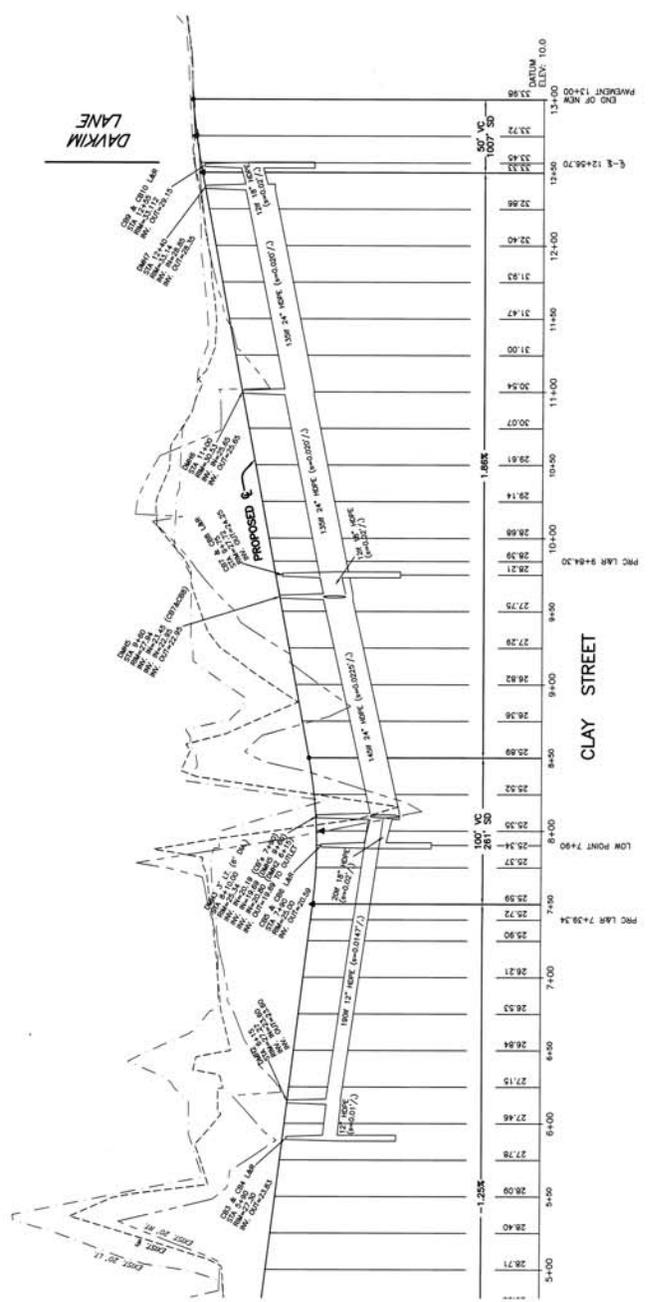
OWNERS:  
 RICHMOND GREAT POINT DEVELOPMENT, LLC  
 21 CONCORD STREET  
 WASHINGTON, MA 01987

Engineer:  
 Hayes Engineering, Inc.  
 603 Main Street  
 Nantucket, MA 01906  
 www.hayeseng.com

Scale: 1"=40'(HORIZ.) & 1"=8'(VERT.)  
 December 11, 2015

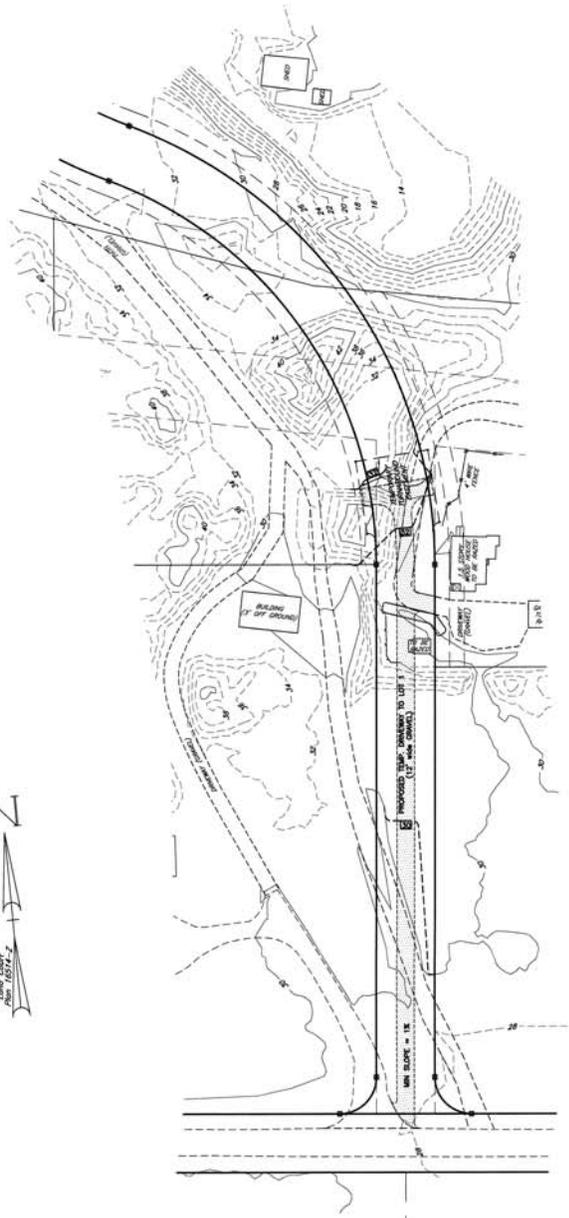
10	PLANNING BOARD	Application File:
9		Final Plan File:
8		Hearing Date:
7		Plan Approval:
6		Plan Signed:
5		
4		
3		
2		
1		

PROFILE SHEET 2 OF 2



I CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTERED PROFESSIONAL ENGINEERS IN DRAWING THIS PLAN.

HAYES ENGINEERING, INC.



CLERY'S CERTIFICATION ON THE PLAN

DATE: \_\_\_\_\_

CLERY OF THE TOWN OF NANTUCKET, DO HEREBY CERTIFY THAT THE NOTICES OF APPOINTMENT OF THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND THAT THE PLANNING BOARD HAS MET AFTER SUCH NOTICE AND RECORDING OF SAID NOTICE.

TOWN CLERK \_\_\_\_\_

**ZONE: OX**

MINIMUM LOT AREA = 7,500 S.F.

MINIMUM LOT FRONTAGE = 100 FEET

MINIMUM YARD SETBACKS

FRONT = 10 FEET

REAR = 10 FEET

ALLOWABLE GROUND COVER = 40%

**ZONE: LUG-2**

MINIMUM LOT AREA = 7,500 S.F.

MINIMUM LOT FRONTAGE = 100 FEET

MINIMUM YARD SETBACKS

FRONT = 10 FEET

REAR = 10 FEET

ALLOWABLE GROUND COVER = 4%

REGULARITY FACTOR (R) SHALL NOT BE LESS THAN 0.55

PROPERTY LIES WITHIN PUBLIC WELLHEAD RECHARGE DISTRICT.



Hayes

0' 20' 40' 80' 120'

**INTERIM DRIVEWAY PLAN & PROFILE**

**CLAY STREET**

**NANTUCKET, MASS.**

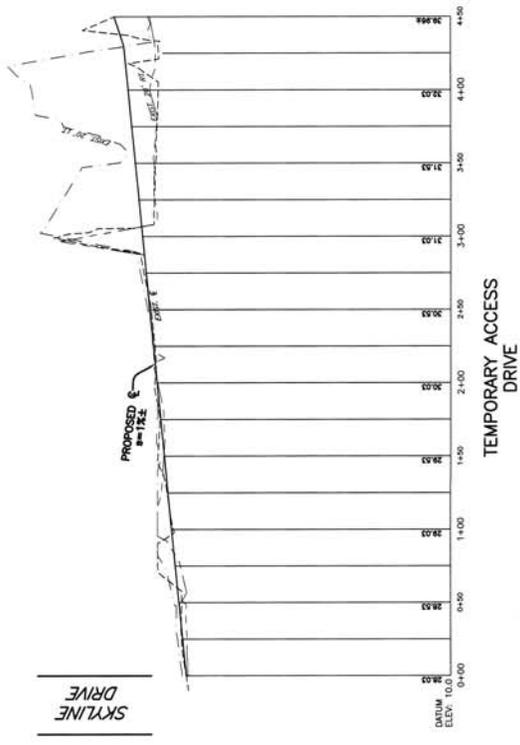
OWNERS: HAYES ENGINEERING, INC. 23 CONCORD STREET NANTUCKET, MA 01097

ENGINEER: HAYES ENGINEERING, INC. 23 CONCORD STREET NANTUCKET, MA 01097

Scale: 1"=40'(HOR.) & 4"(VER.)

December 11, 2015

Application Filed:	
Final Plan Filed:	
Hearing Date:	
Plan Approved:	
Plan Signed:	
PLAN SHEET 1 OF 1	
SHEET 7 OF 9	



I CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS IN PREPARING THIS PLAN.

HAYES ENGINEERING, INC.

DATE: \_\_\_\_\_  
 FROM: CLERK

CLERK'S CERTIFICATION ON THE PLAN

DATE: \_\_\_\_\_  
 FROM: CLERK

I, CLERK OF THE TOWN OF NANTUCKET, DO HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE BOARD OF PROFESSIONAL ENGINEERS HAS BEEN RECEIVED AND RECORDED IN THE TOWNY CLERK'S OFFICE AND APPROVAL HAS BEEN RECEIVED ALONG WITH THE NECESSARY FEES. THIS CERTIFICATION IS VALID FOR 90 DAYS FROM THE DATE OF THIS NOTICE.

OWNERS:  
 RICHMOND GREAT GOLF DEVELOPMENT, LLC  
 23 CONCORD STREET  
 NANTUCKET, MA 01908

Scale: 1" = 11.125'

Application Filed: \_\_\_\_\_  
 Final Plan Filed: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 Plan Approved: \_\_\_\_\_  
 Plan Signed: \_\_\_\_\_

DETAIL SHEET 1 OF 1  
 SHEET 8 OF 9



STORMCEPTOR STC\_900  
 NOT TO SCALE

OWNER:  
 RICHMOND GREAT GOLF DEVELOPMENT, LLC  
 23 CONCORD STREET  
 NANTUCKET, MA 01908

Scale: 1" = 11.125'

Application Filed: \_\_\_\_\_  
 Final Plan Filed: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 Plan Approved: \_\_\_\_\_  
 Plan Signed: \_\_\_\_\_

DETAIL SHEET 1 OF 1  
 SHEET 8 OF 9



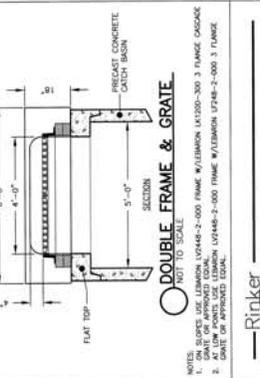
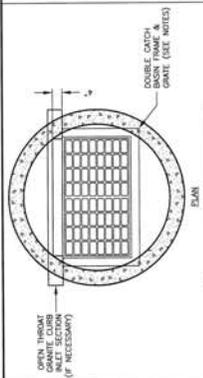
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



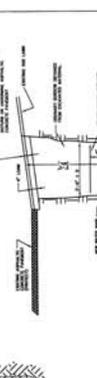
PRE-CAST CATCH BASIN  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



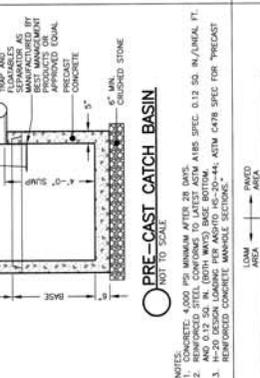
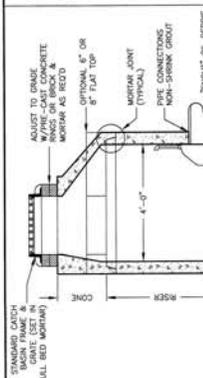
STORMCEPTOR STC\_900  
 (900 U.S. Gallon Capacity)  
 NOT TO SCALE

NOTES:  
 1. The Stormceptor is designed to be installed in the base of a trench. The trench shall be excavated to the depth of the stormceptor. The trench shall be backfilled with compacted granular fill material. The stormceptor shall be installed in the trench with the grate facing up. The stormceptor shall be installed in the trench with the grate facing up. The stormceptor shall be installed in the trench with the grate facing up.



DRAIN TRENCH  
 NOT TO SCALE

NOTES:  
 1. GRANULAR FILL: GRANULAR FILL SHALL CONFORM TO THE REQUIREMENTS OF THE LOCAL HEALTH DEPARTMENT.  
 2. SEE NOTE 2 FOR REINFORCEMENT REQUIREMENTS.  
 3. SEE NOTE 2 FOR REINFORCEMENT REQUIREMENTS.  
 4. A MINIMUM 7" OUTLEAK IS REQUIRED AT THE TOP OF THE TRENCH WALL OVER UNDESIGNED MATERIAL.



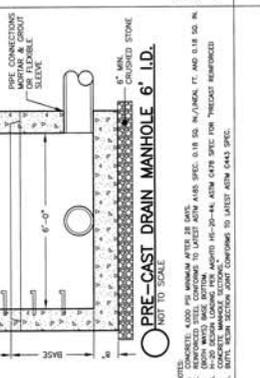
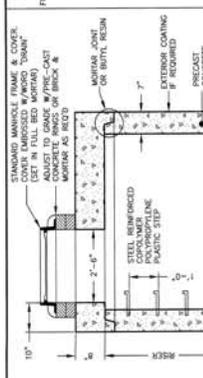
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



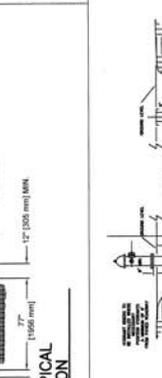
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



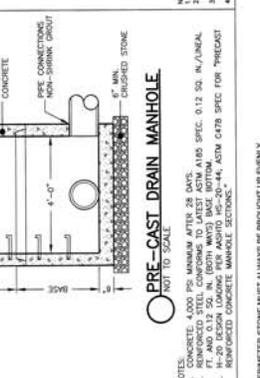
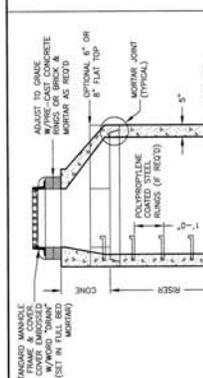
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



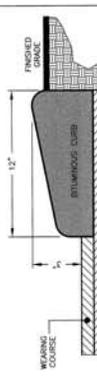
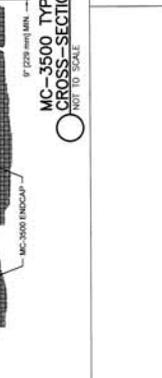
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



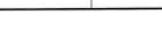
PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.



PRE-CAST DRAIN MANHOLE 6' I.D.  
 NOT TO SCALE

NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. REINFORCED STEEL CONFORMS TO LATEST ASTM A706 SPEC. 0.12 SQ. IN./LINEAL FT.  
 3. H-20 DESIGN (LOADING PER ASD) PER ASD PER ACI 308-11, WITH C478 SPEC FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS.

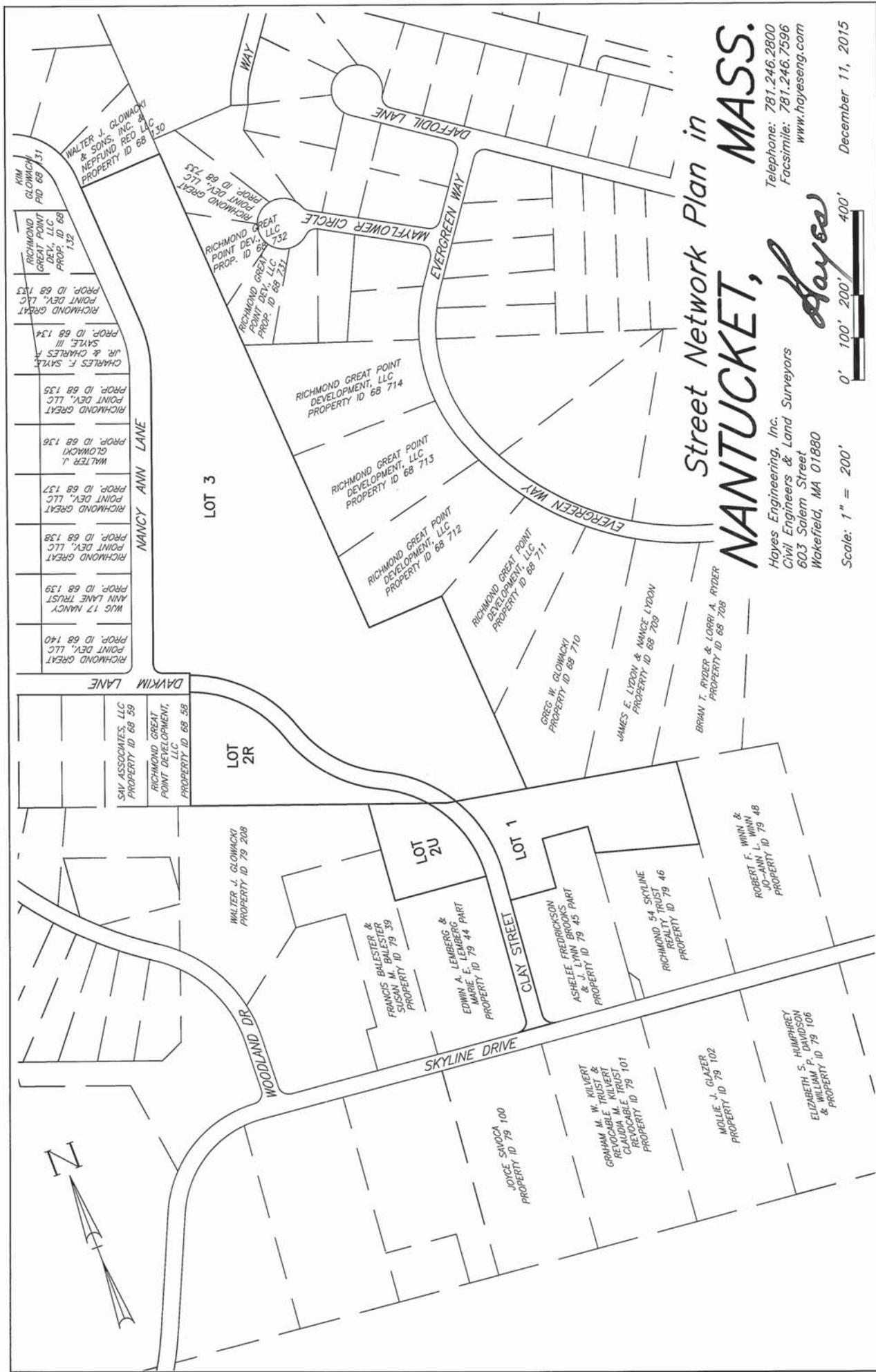


**REQUESTED WAIVERS  
CLAY STREET  
NANTUCKET, MASSACHUSETTS**

December 2015

**Town of Nantucket Rules and Regulations**

- |                      |   |
|----------------------|---|
| Section 2.06b(10)    | The elevations shown on the plan are NAVD88 rather than half-tide datum.  |
| Section 2.06b(14)(a) | Landscape Plan to be provided prior to Planning Board approval.   |
| Section 2.06b(14)(b) | Existing trees to be saved will be decided during construction.   |
| Section 4.06(b)(3)   | Stormtech® MC-3500 stormwater chambers to be substituted for the leaching basin (Appendix A, Plate No. 12)  |
| Section 4.13         | Dry sewer lines are not proposed to be installed.   |
| Section 4.16         | Same as Section 2.06b(14)(a) & (b) above.   |
| Section 4.18         | No sidewalks are proposed along the sides of the proposed roadway Clay Street. There are no sidewalks on the adjacent streets, Skyline Drive and Davkim Lane. |
| Section 4.23         | Soil tests will be provided prior to Planning Board approval.   |



# Street Network Plan in NANTUCKET, MASS.

Hayes  
 Hayes Engineering, Inc.  
 Civil Engineers & Land Surveyors  
 603 Salem Street  
 Wakefield, MA 01880

Telephone: 781.246.2800  
 Facsimile: 781.246.7596  
 www.hayeseng.com

Scale: 1" = 200'  
 0' 100' 200' 400'

December 11, 2015



**PESCE ENGINEERING & ASSOCIATES, INC.**

**451 Raymond Road**

**Plymouth, MA 02360**

Phone: 508-743-9206 Cell: 508-333-7630

[epesce@comcast.net](mailto:epesce@comcast.net)

February 4, 2016

Nantucket Planning Board  
Attn: Ms. Leslie Snell, AICP, LEED® AP  
Deputy Director, Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

**RE: Engineering Review of the Proposed Clay Street (Rear of Skyline Drive)  
Definitive Subdivision**

Dear Mrs. Snell & Members of the Board:

Pesce Engineering & Associates, Inc. is pleased to provide you this engineering review of the proposed Clay Street Definitive Subdivision, located off Skyline Drive, Nantucket, MA. We have evaluated the plans for consistency with the Town's Zoning Bylaw, the Nantucket Rules and Regulations Governing the Subdivision of Land (SR&R), and general conformance with the Massachusetts Stormwater Management Regulations.

Along with a site visit conducted on January 15, 2016, we have reviewed the following information to prepare this letter report:

- Letter from The Richmond Company to the Town of Nantucket Planning Board, Subject: Submittal of a Definitive Plan of a Subdivision Plan, 42 (Rear) 48 (Rear) and 54 (Rear) Skyline Drive Properties and 20 Davkim Lane Property, with application package and enclosures including the Form B Application for Approval of a Definitive Subdivision Plan, dated January 6, 2016, and list of requested waivers.
- Site Development Plans; Definitive Plan, Clay Street, Nantucket, MA, 9 sheets, prepared by Hayes Engineering, Inc., dated December 11, 2015.
- Site Analysis Report, Clay Street, and Street Network Plan, prepared by Hayes Engineering, Inc., dated December 2015.
- Storm Water Management Report, Definitive Subdivision, Clay Street, Nantucket, MA, prepared by Hayes Engineering, Inc., dated December 11, 2015.

The proposed development is located on approximately 18.3 acres of land (comprising multiple parcels) situated between Skyline Drive (including portions of the rear of the lots for #42, 48 & 54 Skyline Drive), and the intersection of Nancy Ann Lane & Davkim Lane.

See the Street Network Plan for an overall view of this area. The site is located in both the Land Use General 2 (LUG-2) and Commercial Neighborhood (CN) Zoning Districts and the Public Wellhead Recharge Overlay District. No wetland areas are located on the subject parcels.

Several buildings exist on the property, which is the site of the former Glowacki commercial operations. The applicant proposes to develop this parcel by creating 4 new lots (Lots 1, 2U, 2R & 3) and a roadway lot (designated as 2 roadway lots; Road-U and Road-R). The proposed subdivision road is a 22-ft. wide paved surface, with 1 ft. Cape Cod berms, within a 40-ft. layout, and with 10 ft. wide electric easements on each side. The new subdivision road is approximately 1,300 feet long. Municipal water service is planned for only part of the subdivision (an extension of a water main for the northerly 500 ft. of the road) with the remainder serviced by private wells. Title 5 septic systems are planned to be installed for the new lots.

The following are our review comments:

### **Definitive Plans, Utilities, and Site Layout**

1. We recommend that the applicant discuss with the Board the justification and explanation for the waivers requested. From our review of these waivers, we find they do not present any major additional engineering issues or concerns.
2. While we note that a waiver for submission of a Landscaping Plan (at this time) has been requested. We recommend that when it is submitted to the Board for review, that if street lighting is proposed, that this lighting be specified as “Dark Sky Compliant” with vertical cutoff shielding to mitigate impacts to abutters.
3. The applicant is requesting that the subdivision road be built in phases, and as such is proposing to build the first approximately 450 ft. of the new subdivision road, as a 12 ft. wide gravel driveway to allow access to Lot 1. If the Board chooses to approve this request, we recommend the following conditions:
  - a. All proposed drainage piping/structures and utilities should be installed up to the proposed 450 ft. length of the driveway.
  - b. A paved asphalt apron should be installed at the intersection with Skyline Drive.
  - c. Discussion of the “triggering” event (or date) that will require the upgrade of this driveway to subdivision standards.

4. If it has not already been received, we recommend that the applicant receive approval from the Nantucket Fire Department on the proposed fire hydrant location, with a written report (or e-mail message) to the Planning Board. We also note that only one fire hydrant is proposed (near Station 8+00) along the entire new subdivision road. This may be insufficient for the future use of this property (for fire protection) if the property is further subdivided, and future residences are located more than 300 ft. from a fire hydrant.
5. We recommend that some additional signage be added to the plans as follows:
  - a. Street signs at the intersections at each end of Clay Street.
  - b. Stop signs (with pavement stop line) at the intersections at Skyline Drive and after the end of Clay Street, on Davkim Lane at the intersection with Nancy Ann Lane.
6. The proposed grading appears to cut through and affect the foundation of the metal structure near Station 10+25. We recommend that the grading at this location be modified or the structure removed/relocated.
7. We recommend that proposed driveway aprons (in conceptual locations), with appropriate driveway detail, be shown on the plans.
8. The roadway cross section detail on sheet 5 indicates *“6” Compacted Sub Base With Gravel Hardening.* We recommend that this roadway base material be specified with a design sieve specification (such as MA DOT M2.01.7, M1.03.0 or similar).
9. The plans show Lots 2U & 2R labeled as “Not a Separate Building Lot” with a “paper” street, Oniska Avenue, located between them. We recommend that the applicant clarify the intent for these lots, and the intended disposition (or relevance) of the apparent paper streets labeled as Summer Street, Andrew Street and Oniska Avenue.

### **Stormwater Management**

This project proposes to mitigate post-development runoff for the new subdivision roadway by collecting runoff flow into a series of new catch basins and drain manholes, followed by discharge to 2 locations:

- A Stormceptor® treatment unit (at the intersection with Skyline Drive), which will discharge to a subsurface infiltration area in the subdivision road.

- A sediment forebay, which overflows to the existing gravel pit area east of the proposed subdivision road, which will act as a large infiltration area.

This stormwater management system will remove the Total Suspended Solids (TSS) in the stormwater, and recharge the stormwater to the aquifer. The proposed design also reduces the peak rate of runoff as compared to the existing conditions, and is additionally designed for the 100-yr. storm.

We have the following stormwater management comments:

1. The applicant proposes to use the existing gravel pit area as a big detention basin/infiltration area – designed for the volume up to the 20 ft. contour level. While this method will work well, it is not the conventional approach, since there are multiple sheds and structures in this area. For the proper use of stormwater management area, these structures should be removed to prevent the storage of materials/contaminants in the stormwater, or a re-design of this area (with no structures in the infiltration area) should be provided.
2. We recommend that the plans (sheets 4 & 8) show the gross length and width of the proposed infiltration bed with the MC-3500 StormTech™ chambers, for clarity during construction.
3. No soil test pit data was provided to evaluate the separation distance from the bottom of the StormTech™ chambers from the estimated seasonal high groundwater elevation. Subject to the approval of the Board, we recommend that the requirement to provide test pit data be added as a condition of the Decision; to conduct these test pits and provide this information to the Board prior to the construction start.
4. We recommend that inspection ports (2 minimum, per row of chambers), with covers brought to finish grade, be added to the plans.
5. The sediment forebay should have the following design features added to the plans:
  - a. A flared end section with rip-rap apron for the inlet pipe.
  - b. A rip-rap overflow spillway & apron at the 18.5 ft. elevation
  - c. Construction Details for the above
6. The following comment pertains to the Stormwater Report:

- a. Page 63 of the report in Appendix B (HydroCAD® calculations): The elevations shown for the subsurface infiltration chambers are different from those shown in the “MC-3500 Typical Cross-Section” detail on sheet 8. Please clarify and revise accordingly.
- b. Page 2 of the report in Appendix D “Checklist for Stormwater Report”: The Checklist should be stamped, signed, and dated by the engineer.

Thank you again for this opportunity to assist the Planning Board in their review of this project. As always, please call if you have any questions or comments.

Sincerely,

PESCE ENGINEERING & ASSOCIATES, INC.



Edward L. Pesce., P.E., LEED® AP  
Principal

David Armanetti, The Richmond Co.  
John Ogren, P.E., Hayes Engineering, Inc.

2/1/16

To The Nantucket Planning Board,

I am writing this letter in regards to the proposal put forth by Richmond Great Point Development, LLC (#7918) for the approval of a defining subdivision plan regarding 42, 46, 48, 54 Skyline Drive and 20 Davkim Lane. 48 and 54 Skyline Dr. already have access to Skyline Drive. 42 and 46 appear to be entitled to driveways on Skyline as long as they comply with existing zoning laws.

The proposed new road, Clay Street, would connect Davkim Lane to Skyline Dr.. Skyline is a private road that has constant repair issues. The proposed road would connect Skyline Dr. to a large commercial tract zoned RC2. 20 Davkim already has large amounts of frontage on Nancy Ann Lane and Davkim Lane. The proposed new road would only increase traffic and wear-and-tear on a private road and entirely change the nature of the Skyline neighborhood. Every property on Skyline is zoned LUG2. There is no access to any RC2 properties on Skyline, nor should there be. The proposed road only serves the commercial interests of Richmond Great Point Development, LLC and will burden the residents of not only Skyline Drive, but Webster Rd. and Woodland Dr. as well. The road will bring to Skyline Drive much commercial traffic, traffic that does not currently exist. It will also connect the other development of Richmond Great Point Development, LLC to Skyline Drive. Richmond Great Point Development, LLC has plenty of other options for their lot on 20 Davkim Lane.

I urge you to reject the proposed road, Clay St., and help maintain the quiet neighborly feel of Skyline Drive.

Sincerely,

William P. Davidson  
(Resident of 61 Skyline Drive for 21 years)

NET MARINE

BOAT STREET

MA 02654

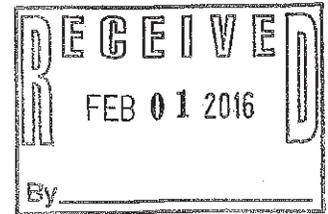
88-8294

# PLANNING BOARD

2751  
ET MA

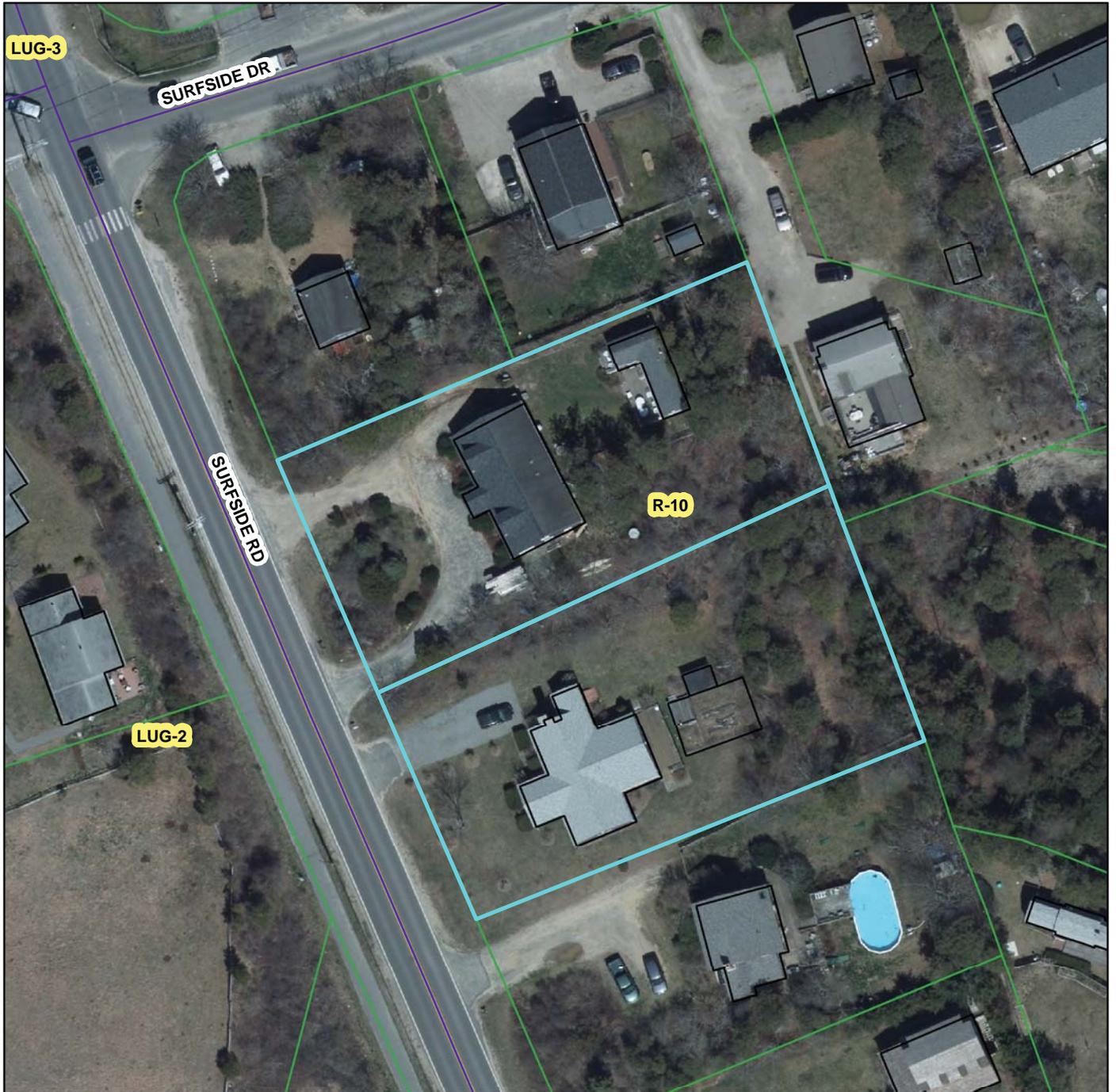
FOR MEETING ON 2/8/16

CASE # 2918





#7919 Hatikva Way Subdivision  
Definitive Subdivision Plan  
82 & 84 Surfside Road  
Map 67 Parcels 193 & 343



January 11, 2016

SDE No. 15137

Nantucket Planning Board  
2 Fairgrounds Road  
Nantucket, MA 02554

**Subject: Hatikva Way Subdivision  
Definitive Subdivision Plan Application  
82 & 84 Surfside Road  
Assessors Map 67 Parcels 193 & 343**

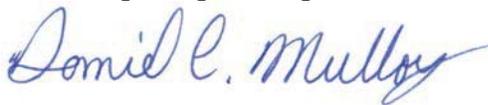
Dear Members of the Board:

The owners of property located at 82 and 84 Surfside Road are requesting your approval of a 3 lot definitive subdivision application. The applicant proposes to subdivide the existing 37,705± sf parcel into 3 building lots. The property is zoned Residential 10 (R-10) with a minimum lot size requirement of 10,000 sf. The property currently contains two dwellings that will remain and be reconfigured in accordance with the proposed subdivision layout.

Access to the property will be provided from Surfside Road via a proposed 14 foot gravel roadway. The roadway is proposed as a rural road alternative in keeping with the surrounding area. The roadway will have 1 foot shoulders for a total accessible width of 16 feet. Turnaround areas are provided at driveway aprons and at the end of the 142 foot long road. A paved apron will be provided at the intersection with Surfside Road in accordance with the Zoning Bylaw. The property will be serviced by municipal water and sewer systems and all utilities will be underground. There are no known wetland areas within 100 feet of the proposed roadway and the property is not located within endangered species habitat.

We ask that this application be placed on the agenda for the Boards February 8, 2016, meeting. Please call me with any questions at (508) 503-3500 or email [dmulloy@sitedesigneng.com](mailto:dmulloy@sitedesigneng.com).

Respectfully,  
Site Design Engineering, LLC.



Daniel C. Mulloy, PE.

Enclosures:

Form B Definitive Plan Application, Hatikva Way, 82 & 84 Surfside Road, 1/11/2016  
Hatikva Way Subdivision waiver requests  
82 & 84 Surfside Road certified abutters list and mailing labels  
Subdivision application fee of \$546.50  
Engineering peer review of \$5,000.00  
Abutter certified mailing fee of \$121.32  
82 & 84 Surfside Road Definitive Subdivision Plans, sheets 1-5, dated 1/11/2016



# Nantucket Planning Board

## Form B Application for Approval of a Definitive Subdivision Plan (AR)

File one completed form with the Planning Board and one copy with the Town Clerk.

Date: January 11, 2016

**To the Planning Board of Nantucket:**

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled Hatikva Way Subdivision designed by Site Design Engineering LLC dated January 11, 2016, and described as follows: located on 82 and 84 Surfside Road, number of lots proposed 4 (3 buildable), total acreage of tract 0.866, hereby submits said plan as a **definitive** plan in accordance with the *Rules and Regulations Governing the Subdivision of Land* of the Nantucket Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from Platt & O'Neil by deed dated \_\_\_\_\_ and recorded in the Nantucket Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_, registered in the Nantucket Registry District of the Land Court, Certificate of Title # 25603 & 25820 and shown on Nantucket Assessor's Map # 67, Parcel 193 & 343, and said land is free of encumbrances except for the following: \_\_\_\_\_

Said plan  has  has not evolved from a preliminary plan submitted to the Board on \_\_\_\_\_ (date) and  approved  disapproved on \_\_\_\_\_ (date).

The undersigned hereby applies for the approval of said **definitive** plan by the Board, in belief that the plan conforms to the Board's *Rules and Regulations*.

Name(s) and address(es) of the Applicant(s):

(to include all the names and addresses of the principals of the owner entity such as principal officers of the corporation, trustees of a trust or partners of a partnership)

82 Surfside: Surf ACK, LLC, c/o Cohen & Cohen Law PC, 34 Main Street, 2nd Flr., Nantucket, MA 02554

84 Surfside: 84 Surf ACK, LLC c/o Cohen & Cohen Law PC, 34 Main Street, 2nd Flr., Nantucket, MA 02554

#7919 Hatikva Way Subdivision - 82 & 84 Surfside Road

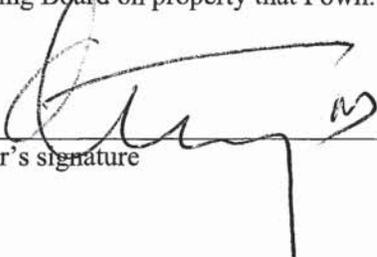
Planning Board, Form B, page 2

Contact Phone #: (508) 228-0337 Fax #: ( ) E-mail: steven@cohenlegal.net

Name of owner(s): Surf ACK, LLC & 84 Surf ACK, LLC

Address of owner(s): c/o Steven L. Cohen, Cohen & Cohen Law PC, 34 Main Street, 2nd Fl.,  
Nantucket, MA 02554

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

  
Owner's signature

Received by Town Clerk:

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

Time: \_\_\_\_\_

Received by Board of Health:

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

Time: \_\_\_\_\_

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



January 11, 2016

SDE No. 15137

## **HATIKVA WAY SUBDIVISION**

### **82 & 84 SURFSIDE ROAD**

#### **Waiver Requests**

The land on the accompanying plans, shall comply with the rules and regulations of the Nantucket Planning Board Rules and Regulations Governing the Subdivision of Land as amended through December 20, 1999, except for the following enumerated regulations which the applicant requests the Planning Board waive or alter in the manner specified:

#### **SECTION 4.03a(1) – STREETS**

Request the Board waive the requirement for a 20 foot paved roadway and allow the use of a 14-foot wide gravel roadway with 1-foot shoulders for a total width of 16 feet. The proposed roadway will provide access to only 3 building lots and be in keeping with the area. The waiver is requested through section 4.05a Rural Road Alternative.

#### **SECTION 4.03e – MINIMUM STREET DESIGN STANDARDS**

Request the Board waive the requirement of a 40 foot wide layout and allow a 20 foot layout with an abutting 10 foot access and utility easement. The low density of the development does not necessitate a 40 foot roadway layout.

Request the Board waive the requirement of a 20 foot width of roadway and allow use of a 14-foot wide gravel roadway.

Request the Board waive the requirement of a rounding of the right-of-way at its intersection with Surfside Road. The roadway will provide the required 15 foot curb/edge of pavement radius. The edge of pavement within Surfside Road is setback over 15 feet from the property line so the right-of-way rounding's would not serve any function.

#### **SECTION 4.04b – DEAD-END STREET**

Request the Board waive the requirement of a 60-foot cul-de-sac right-of-way radius and allow a 35-foot radius. The subdivision consists of only 3 building lots and the proposed roadway will provide adequate access as well as vehicle turnaround area.

Request the Board waive the requirement of a 50-foot roadway radius and a landscape island in the center of the cul-de-sac.

#### **SECTION 4.05a(3) – STREET CONSTRUCTION**

Request the Board allow the proposed roadway to be constructed under the provisions of a rural road with a 20 foot wide layout.

SECTION 4.09 – SHOULDERS

Request the Board waive the requirement of 4 foot shoulders and allow the use of 1 foot shoulders. The subdivision will only provide access to 3 lots with construction as a rural road alternative to be more in keeping with the area.

SECTION 4.16 - LANDSCAPING

Request that the Board waive the requirement of a formal landscape plan. The applicant will plant street trees as required by the Regulations and will also maintain existing on-site vegetation where possible.

SECTION 4.18 - SIDEWALKS

Request that the Board waive the requirement of sidewalks.

SECTION 4.19 – BICYCLE PATHS

Request that the Board waive the requirements for bicycle paths.

SECTION 4.22 – CURBING & BERMS

Request the Board waive the requirement for curbing.



NO.	DATE	DESCRIPTION	APPROVED
1	JANUARY 11, 2016	PLAN REVISIONS	
2			
3			
4			
5			
6			
7			
8			
9			
10			

DATE	JANUARY 11, 2016
PROJECT NO.	15137
ISSUED FOR	PLANNING BOARD
APPROVAL/COMMENT	

**DEFINITIVE SUBDIVISION PLAN**  
**HATIKVA WAY SUBDIVISION, MA**  
 82 & 84 SURFSIDE ROAD, NANTUCKET, MA  
 BEING A SUBDIVISION OF  
 LOT 12 ON LAND COURT PLAN 37210-C  
 LOT 18 ON LAND COURT PLAN 37210-E  
 ASSESSOR'S MAP 67, PARCELS 193 & 343  
 PREPARED FOR SURFACE ACK, LLC

**LOTTING PLAN**  
 DRAWING TITLE:  
 SCALE: 1"=20'  
 SHEET NO. **2 OF 5**

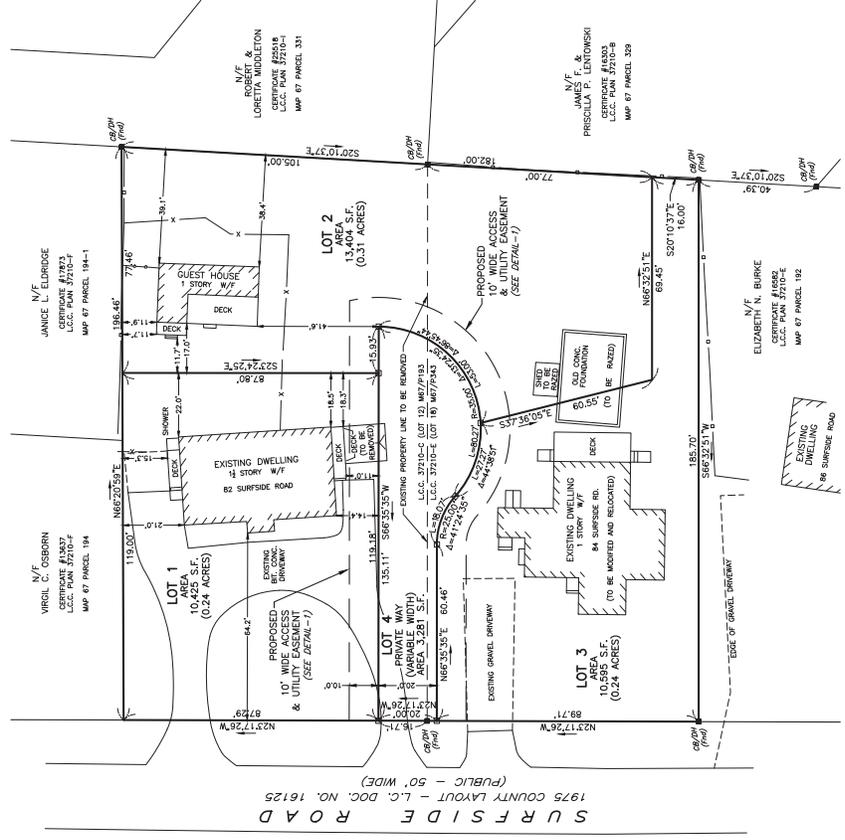
**LEGEND**

- CONCRETE BOUND W/ DRILL HOLE
- CONCRETE BOUND TO BE SET
- FENCE (POST & RAIL)
- FENCE (STOCKADE)

**CURRENT OWNERS & APPLICANTS**

- SURF ACK, LLC**  
 84 SURFSIDE ROAD  
 NANTUCKET, MA 02554
- C/O PARKER SCHEER, LLP**  
 CENTER  
 BOSTON, MA 02129
- LOT 12 CERTIFICATE #25603**  
 TITLE REFERENCE:  
 L.C. CERTIFICATE #25820  
 PLAN REFERENCE:  
 L.C.C. PLAN 37210-C (LOT 12)
- LOT 18 CERTIFICATE #25820**  
 TITLE REFERENCE:  
 L.C. CERTIFICATE #25820  
 PLAN REFERENCE:  
 L.C.C. PLAN 37210-E (LOT 18)
- SITE LOCATION:**  
 82 SURFSIDE ROAD  
 NANTUCKET, MASSACHUSETTS
- ASSESSOR'S REFERENCE:**  
 MAP 67, PARCEL 193
- ASSESSOR'S REFERENCE:**  
 MAP 67, PARCEL 343

- NOTES:**
- THIS PLAN REPRESENTS A SUBDIVISION OF MAP 67, PARCELS 193 & 343 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE TOWN OF NANTUCKET.
  - THIS PLAN REPRESENTS A SUBDIVISION OF LOT 12 SHOWN ON LAND COURT CASE PLAN #37210-C AND LOT 18 SHOWN ON LAND COURT CASE PLAN #37210-E.
  - THE SITE IS NOT LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREAS AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 55025 088 C (EFFECTIVE DATE JUNE 9, 2014).
  - THIS PLAN AND THE ACCOMPANYING CERTIFICATIONS DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY DISPLAYED HEREON. THE OWNER OF LOTS AND ADJUTING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

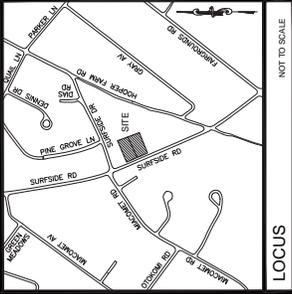


THE PLANNING BOARD DETERMINES THAT:  
 LOTS 1, 2, 3 AND 4 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE BY-LAW BUT WILL BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL REGULATIONS. THE PLANNING BOARD HAS REVIEWED THE APPLICATION THROUGH APPLICATION TO THE NANTUCKET CONSERVATION COMMISSION.

LOTS SHOWN HEREON ARE SUBJECT TO A COVENANT DATED \_\_\_\_\_ REGISTRY OF DEEDS AND AS DOCUMENT NO. \_\_\_\_\_

TOWN CLERK, NANTUCKET, MA \_\_\_\_\_ DATE \_\_\_\_\_

APPROVAL UNDER THE SUBDIVISION CONTROL LAW REQUIRED  
 APPROVED (DATE): \_\_\_\_\_  
 ENDORSED (DATE): \_\_\_\_\_  
 P.B. FILE NUMBER: \_\_\_\_\_



**OVERLAY DISTRICT APPLICABILITY**

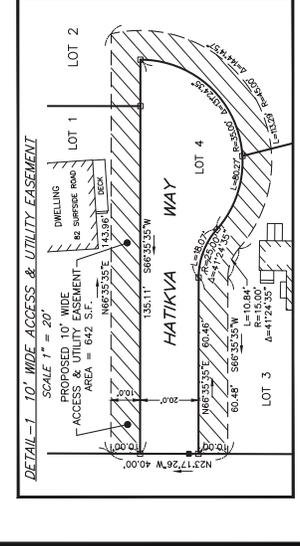
TOWN	YES	NO
TOWN SEWER	YES	
WELLHEAD PROTECTION	YES	
MA DEP. ZONE II	YES	

**ZONING REQUIREMENTS**

ZONING DISTRICT: RESIDENTIAL 10 (R-10)	REQUIRED	LOT 1	LOT 2	LOT 3	LOT 4
LOT AREA	10,000 S.F.	10,425 S.F.	13,424 S.F.	10,595 S.F.	10,595 S.F.
LOT FRONTAGE	75 FT.	87.29 FT.	80.71 FT.	80.71 FT.	80.71 FT.
FRONT YARD SETBACK	20 FT.	44.2 FT.	41.8 FT.	41.8 FT.	41.8 FT.
SIDE YARD SETBACK	10 FT.	11.0 FT.	11.7 FT.	11.7 FT.	11.7 FT.
MAX. GROUND COVER RATIO	25%	15.6%	3.4%	3.4%	3.4%
REGULARITY FACTOR "R"	0.55	0.98	0.72	0.72	0.81

REGULARITY FACTOR CALCULATIONS INCLUDE ENTIRE AREA AND PERIMETER.

- DISPOSITION OF LOTS**
- LOTS 1, 2 AND 3 ARE BUILDABLE LOTS.
  - LOT 4 IS A ROADWAY LOT FOR FUTURE CONVEYANCE TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION.

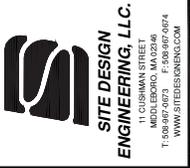


I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

I FURTHER CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON OR BETWEEN 11/16/15 AND 12/9/15.

PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_





NO.	DATE	DESCRIPTION	APPROVED
1	JANUARY 11, 2016	PLAN REVISIONS	
2			
3			
4			
5			
6			
7			
8			
9			
10			

DATE	JANUARY 11, 2016
PROJECT NO.	15137
ISSUED FOR	PLANNING BOARD
APPROVAL/COMMENT	

**DEFINITIVE SUBDIVISION PLAN**  
HATIKVA WAY SUBDIVISION, MA  
82 & 84 SURFSIDE ROAD, NANTUCKET, MA  
BEING A SUBDIVISION OF  
LOT 12 ON LAND COURT PLAN 37210-C  
LOT 18 ON LAND COURT PLAN 37210-E  
ASSESSOR'S MAP 67, PARCELS 193 & 343  
PREPARED FOR SURFACE ACK, LLC

**LOTTING PLAN**  
DRAWING TITLE:  
SCALE: 1"=20'  
SHEET NO. 2 OF 5

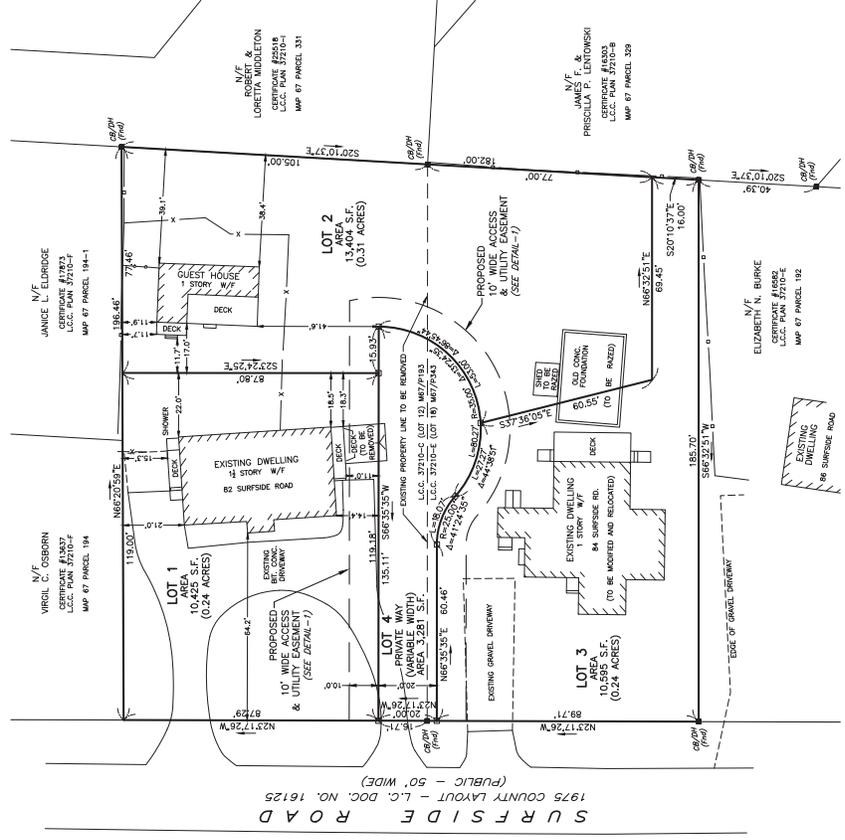
**LEGEND**

- CONCRETE BOUND W/ DRILL HOLE
- CONCRETE BOUND TO BE SET
- FENCE (POST & RAIL)
- FENCE (STOCKADE)

**CURRENT OWNERS & APPLICANTS**

- SURF ACK, LLC**  
84 SURFSIDE ROAD  
NANTUCKET, MA 02554
- C/O PARKER SCHEER, LLP**  
CENTER  
BOSTON, MA 02129
- LOT 12 CERTIFICATE #25603**  
TITLE REFERENCE:  
L.C. CERTIFICATE #25820  
PLAN REFERENCE:  
L.C.C. PLAN 37210-C (LOT 12)
- LOT 18 CERTIFICATE #25603**  
TITLE REFERENCE:  
L.C. CERTIFICATE #25820  
PLAN REFERENCE:  
L.C.C. PLAN 37210-E (LOT 18)
- SITE LOCATION:**  
82 SURFSIDE ROAD  
NANTUCKET, MASSACHUSETTS
- ASSESSOR'S REFERENCE:**  
MAP 67, PARCEL 193
- ASSESSOR'S REFERENCE:**  
MAP 67, PARCEL 343

- NOTES:**
- THIS PLAN REPRESENTS A SUBDIVISION OF MAP 67, PARCELS 193 & 343 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE TOWN OF NANTUCKET.
  - THIS PLAN REPRESENTS A SUBDIVISION OF LOT 12 SHOWN ON LAND COURT CASE PLAN #37210-C AND LOT 18 SHOWN ON LAND COURT CASE PLAN #37210-E. THE SITE IS NOT LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREAS AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 55025 088 C (EFFECTIVE DATE JUNE 9, 2014).
  - THIS PLAN AND THE ACCOMPANYING CERTIFICATIONS DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY DISPLAYED HEREON. THE OWNER OF LOTS AND ADJUTING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.



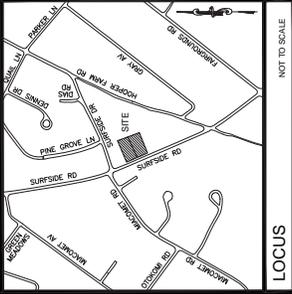
LOTS SHOWN HEREON ARE SUBJECT TO A COVENANT DATED \_\_\_\_\_ REGISTRY OF DEEDS AND AS DOCUMENT NO. \_\_\_\_\_

TOWN CLERK, NANTUCKET, MA \_\_\_\_\_ DATE \_\_\_\_\_

APPROVAL UNDER THE SUBDIVISION CONTROL LAW REQUIRED  
APPROVED (DATE): \_\_\_\_\_  
ENDORSED (DATE): \_\_\_\_\_  
P.B. FILE NUMBER: \_\_\_\_\_

I, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE NANTUCKET PLANNING BOARD WAS RECEIVED AND APPEAL WAS RECEIVED DURING THE TWENTY (20) DAYS NEXT AFTER SUCH RECORDING OF SAID NOTICE.

THE PLANNING BOARD DETERMINES THAT:  
LOTS 1, 2, 3 AND 4 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE BY-LAW BUT WILL BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL REGULATIONS. THE PLANNING BOARD HAS REVIEWED THE APPLICATION THROUGH APPLICATION TO THE NANTUCKET CONSERVATION COMMISSION.

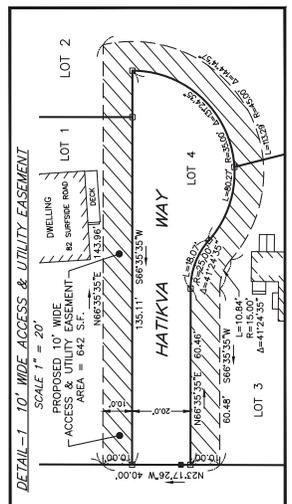


TOWN	OVERLAY DISTRICT APPLICABILITY
NANTUCKET	YES
MIDDLEBORO	YES
MALDEN	YES
MALDEN CENTRAL	YES
MALDEN NORTH	YES
MALDEN SOUTH	YES
MALDEN WEST	YES
MALDEN EAST	YES
MALDEN NORTHWEST	YES
MALDEN SOUTHWEST	YES
MALDEN NORTHEAST	YES
MALDEN SOUTHEAST	YES

ZONING REQUIREMENTS		LOT 1	LOT 2	LOT 3
REQUIRED	RESIDENTIAL 10 (R-10)	10,000 S.F.	10,425 S.F.	10,590 S.F.
REQUIRED	MIN. LOT AREA	75 FT.	87.29 FT.	89.71 FT.
REQUIRED	MIN. FRONT YARD SETBACK	20 FT.	44.2 FT.	41.8 FT.
REQUIRED	MIN. SIDE YARD SETBACK	10 FT.	11.0 FT.	11.7 FT.
REQUIRED	MIN. MAX. GROUND COVER RATIO	25 %	15.6 %	3.4 %
REQUIRED	REGULARITY FACTOR "R"	0.55	0.98	0.72
REQUIRED	REGULARITY FACTOR CALCULATIONS INCLUDE ENTIRE AREA AND PERIMETER.			0.61

**DISPOSITION OF LOTS**

- LOTS 1, 2 AND 3 ARE BUILDABLE LOTS.
- LOT 4 IS A ROADWAY LOT FOR FUTURE CONVEYANCE TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION.



I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

I FURTHER CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON OR BETWEEN 11/16/15 AND 12/9/15.

PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_







# **DRAINAGE ANALYSIS**

**HATIKVA WAY SUBDIVISION  
82 & 84 SURFSIDE ROAD  
NANTUCKET, MASSACHUSETTS**

**JANUARY 11, 2016**

**Prepared for**

**SURF ACK**

**Prepared by:**

**SITE DESIGN ENGINEERING, LLC.  
11 CUSHMAN STREET  
MIDDLEBORO, MA 02346**

JOB NUMBER 15137

## **INTRODUCTION**

This drainage report was prepared for a proposed subdivision at 82 and 84 Surfside Road in Nantucket, Massachusetts. The purpose of this report is to demonstrate compliance of the proposed drainage system with Nantucket Planning Board Regulations and the Massachusetts Stormwater Management Policy (SMP). The project site is approximately 0.86± acres and is made up of two developed residential lots. Existing development consists of 3 dwellings, outbuildings, driveways onto Surfside Road and various site utilities and landscaping. The site is fronted by Surfside Road to the west and residential development on the three remaining sides.

The site is proposed to be subdivided into three residential lots. The lots are shaped around existing dwellings to the extent possible with one of the dwellings proposed to be moved onto one of the new lots. The site will largely maintain its present landscape and topographical characteristics at the completion of the project. The development will be accessed by a new 14-foot gravel road. The three existing driveways onto Surfside Road are proposed to be closed as part of this subdivision.

Existing stormwater runoff mainly flows towards the easterly property line and also within some low lying areas within the property. The subdivision roadway will include a stormwater system consisting of an oil/water separator and underground infiltration system. New dwellings are proposed to include roof drain collection and infiltration systems.

## **METHODOLOGY**

The proposed drainage system was designed according to the requirements of the Nantucket Planning Board Regulations. The following policies and design aides were also referred to for the design of the proposed drainage improvements:

- Department of Environmental Protection Stormwater Management Policy.
- Artificial Recharge: Evaluation and Guidance to Municipalities: A Guide to Stormwater Infiltration Practice in Public Water Supply Areas of Massachusetts, as prepared by the Pioneer Valley Planning Commission.

The drainage system for this project was designed using the following methods: the HydroCad® Stormwater Modeling System and the Manning's Equation.

The HydroCad® Stormwater Modeling System was used to quantify stormwater runoff conditions. The HydroCad® program utilizes Natural Resource Conservation Service (NRCS) techniques (TR-20) to predict stormwater runoff for given design storms. The calculations performed by HydroCad® are based on the NRCS model return frequency Type III distribution and a 25-year design storm. The analysis is performed by modeling the drainage areas as subcatchments. A subcatchment is an area that produces runoff that drains into a pond. A pond can be a natural depression, wetland, or manmade structure that detains or retains stormwater runoff.

## **DRAINAGE SYSTEM DESIGN**

For this analysis only one post-development subcatchment was modeled. The pre-development condition was not modeled nor a more detailed post-development condition due to the extent of the existing and proposed development. The proposed drainage system will infiltrate all runoff within its subcatchment for a 25-year storm event and proposed dwellings will incorporate roof drain collection systems thereby negating any potential increase in stormwater runoff.

Flows from HydroCad® subcatchment model S1 are routed to the proposed infiltration system via an oil/water separator and then recharged. The proposed drainage system is designed to store and recharge the entire 25-year 24-hour stormwater runoff generated within the subcatchment.

The HydroCad® pond model for the proposed underground storage system consists of the following information: the volume available for storage and a stage discharge curve. The stone void ratio is accounted to be 40 percent. A stage discharge curve is created for the storage and recharge systems based on the infiltration rate taken from local soil information and percolation rates. Based on the soil type within the area, the rate is assumed to be 8.27 in./hr. based on *Rawls Rate* for a soil class-"A" sand. After entering the required data, the model is complete and the program is executed to determine if the size of the stormwater storage BMPs to attenuate the storm runoff is adequate. The HydroCad® pond models provide the maximum water elevation, volume stored, and infiltration rate attained.

## **SUMMARY**

This drainage analysis was performed to determine and analyze the stormwater runoff characteristics resulting from the proposed subdivision. The drainage system will utilize underground storage and recharge systems to store and infiltrate the projected 25-year storm runoff volume increase from the new road. By storing and infiltrating runoff the design ensures that recharge and treatment are provided while at the same time eliminating potential off site stormwater impacts.

**HATIKVA WAY**  
**STORMWATER OPERATION AND MAINTENANCE PLAN**  
**JANAURY 11, 2016**

Facility Owner

The facility owner will be the contractor during construction and the Home Owner's Association upon completion and acceptance of construction activities.

Parties Responsible For Maintenance

The maintenance of the proposed drainage system will change as the project moves through development and ownership stages. The maintenance of the drainage system will be the responsibility of the contractor during construction. After construction the maintenance of the system will be the responsibility of the Home Owner's Association.

Drainage System Maintenance

The proposed drainage system consists of an oil/water separator and subsurface storage and infiltration system. These facilities shall be inspected and maintained according to the following schedule:

Oil & Water Separator

Inspections shall be performed two times per year. The unit shall be cleaned at least once a year or more frequently whenever the depth of sediment is greater than 24 inches or equal to half the sump depth. All sediment, debris, floatables, contaminants shall be disposed of to a landfill or other permitted facility.

Subsurface Storage & Infiltration System

The subsurface storage & infiltration system shall be inspected 24 hours after major rainfall events for retention of liquid. The inspection shall be by means of the inspection manhole or inspection ports. If liquid is found, the depth shall be recorded and a check of recent storm events and rainfall totals shall be obtained. A follow up inspection within twenty-four (24) hours shall be conducted. The depth of liquid shall be re-measured and the current acceptance rate of the infiltration bed shall be determined. When the infiltration rate exceeds twenty (20) minutes per inch, replacement of the system shall be scheduled. The chamber units should be inspected annually.

**HATIKVA WAY SUBDIVISION**  
**STORMWATER MANAGEMENT**  
**TSS REMOVAL CALCULATION WORKSHEET**

SDE Job No.: 15137  
Prepared by: DCM

Date: 1/11/16  
Checked by: DCM

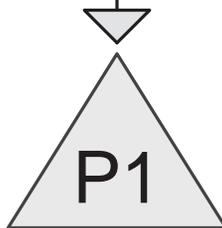
---

<b>A</b> <b>BMP</b>	<b>B</b> <b>TSS Removal Rate</b>	<b>C</b> <b>Starting TSS Load*</b>	<b>D</b> <b>Amount Removed (BxC)</b>	<b>E</b> <b>Remaining Load (C-D)</b>
Oil water separator	25.0%	1.000	0.250	0.750
Underground Storage & Recharge	80.0%	0.750	0.600	0.150
	0.0%	0.150	0.000	0.150
<b>Total TSS Removal =</b>			<b>85.0%</b>	

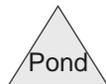
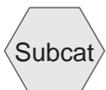
\* Equals remaining load from previous BMP (E) which enters the BMP



POST (eS1)- Roadway  
drainage system, site  
runoff flowing to  
proposed basin



Underground Storage



**Routing Diagram for 15137 HydroCad**  
Prepared by {enter your company name here}, Printed 1/19/2016  
HydroCAD® 10.00-11 s/n 05085 © 2014 HydroCAD Software Solutions LLC

**15137 HydroCad**

Prepared by {enter your company name here}

HydroCAD® 10.00-11 s/n 05085 © 2014 HydroCAD Software Solutions LLC

82 & 84 Surfside Road, Nantucket  
 Type III 24-hr 25-year Rainfall=5.80"

Printed 1/19/2016

Page 2

**Summary for Subcatchment S1: POST (eS1)- Roadway drainage system, site runoff flowing to proposed**

Runoff = 0.42 cfs @ 12.01 hrs, Volume= 1,414 cf, Depth> 2.20"

Runoff by SCS TR-20 method, UH=SCS, Split Pervious/Imperv., Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
 Type III 24-hr 25-year Rainfall=5.80"

	Area (sf)	CN	Description
*	2,200	98	Roadway, Proposed
*	500	98	Access, Driveway, Proposed
*	5,000	39	Lawn, Landscaping
	7,700	60	Weighted Average
	5,000	39	64.94% Pervious Area
	2,700	98	35.06% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	12	0.5000	0.43		<b>Sheet Flow, SEGMENT AB</b> Grass: Short n= 0.150 P2= 3.60"
0.4	114	0.0470	4.40		<b>Shallow Concentrated Flow, SEGMENT BC</b> Paved Kv= 20.3 fps
0.9	126	Total			

**15137 HydroCad**

Prepared by {enter your company name here}  
HydroCAD® 10.00-11 s/n 05085 © 2014 HydroCAD Software Solutions LLC

**Summary for Pond P1: Underground Storage**

Inflow Area = 7,700 sf, 35.06% Impervious, Inflow Depth > 2.20" for 25-year event  
Inflow = 0.42 cfs @ 12.01 hrs, Volume= 1,414 cf  
Outflow = 0.08 cfs @ 12.43 hrs, Volume= 1,414 cf, Atten= 81%, Lag= 25.2 min  
Discarded = 0.08 cfs @ 12.43 hrs, Volume= 1,414 cf  
Primary = 0.00 cfs @ 0.00 hrs, Volume= 0 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs / 3  
Peak Elev= 94.13' @ 12.43 hrs Surf.Area= 238 sf Storage= 317 cf  
Flood Elev= 95.50' Surf.Area= 238 sf Storage= 472 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)  
Center-of-Mass det. time= 22.7 min ( 789.0 - 766.3 )

Volume	Invert	Avail.Storage	Storage Description
#1A	92.00'	240 cf	<b>6.25'W x 38.04'L x 3.50'H Field A</b> 832 cf Overall - 233 cf Embedded = 600 cf x 40.0% Voids
#2A	92.50'	233 cf	<b>ADS_StormTech SC-740 x 5 Inside #1</b> Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap Row Length Adjustment= +0.44' x 6.45 sf x 1 rows
		472 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	92.00'	<b>8.270 in/hr Exfiltration over Wetted area</b>
#2	Primary	97.00'	<b>24.0" x 24.0" Horiz. Orifice/Grate</b> C= 0.600 Limited to weir flow at low heads

**Discarded OutFlow** Max=0.08 cfs @ 12.43 hrs HW=94.13' (Free Discharge)  
↑**1=Exfiltration** (Exfiltration Controls 0.08 cfs)

**Primary OutFlow** Max=0.00 cfs @ 0.00 hrs HW=92.00' (Free Discharge)  
↑**2=Orifice/Grate** ( Controls 0.00 cfs)

ISSUED FOR : REVIEW	PROJ.#: 15137	SCALE: 1" = 30'	DRAWN BY: SKD	CHECK BY: DCM
DATE: JANUARY 11, 2016	REV. DATE:			

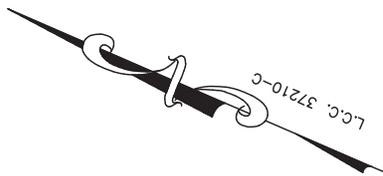
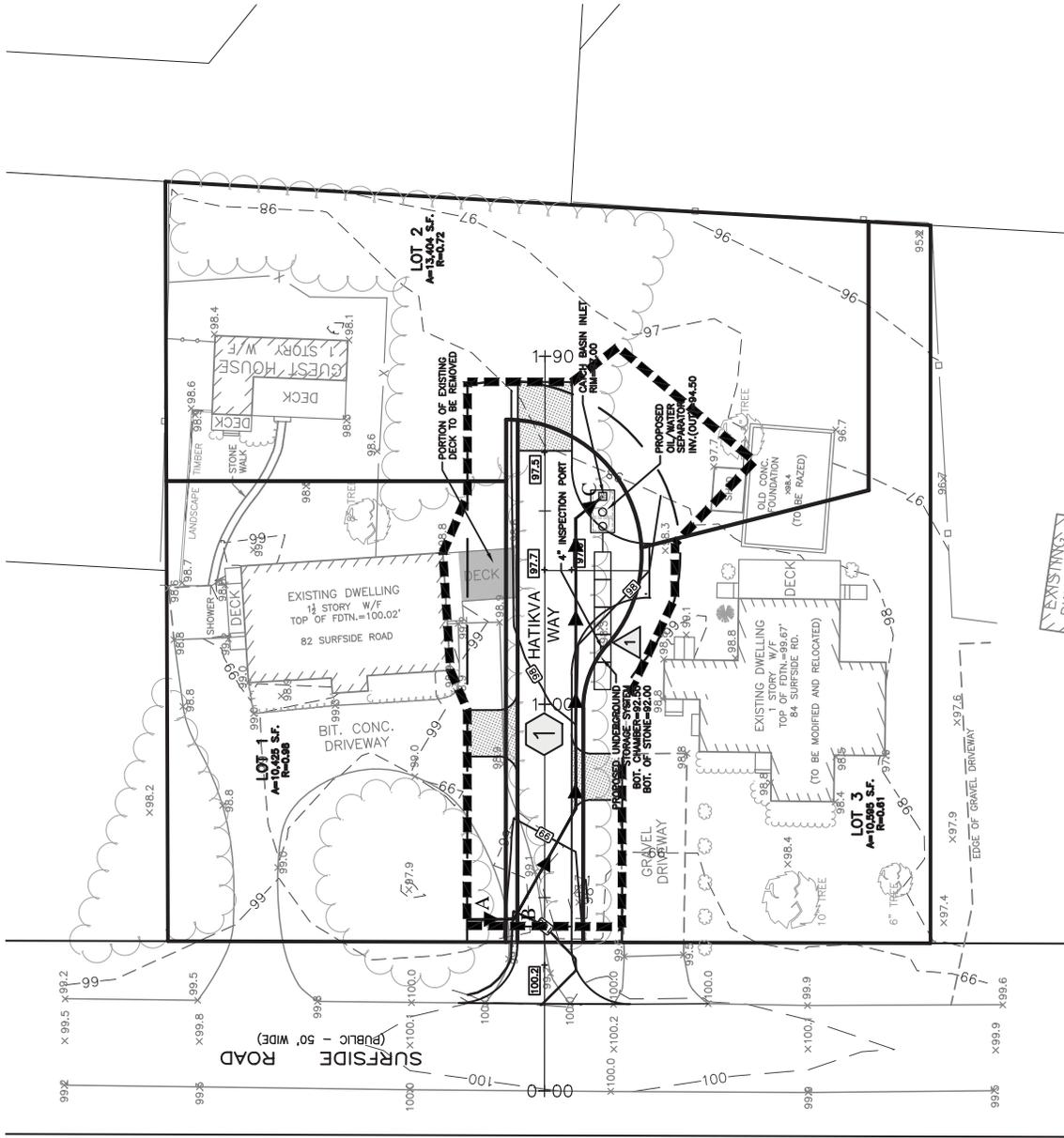
# WATERSHED PLAN

## DEFINITIVE SUBDIVISION

### 82 & 84 SURFSIDE ROAD

#### NANTUCKET, MASSACHUSETTS

**SITE DESIGN**  
**ENGINEERING, LLC.**  
 11 CUSHMAN STREET  
 MIDDLEBORO, MA 02346  
 T: 508-967-0873 F: 508-967-0874  
 WWW.SITDESIGNS.COM



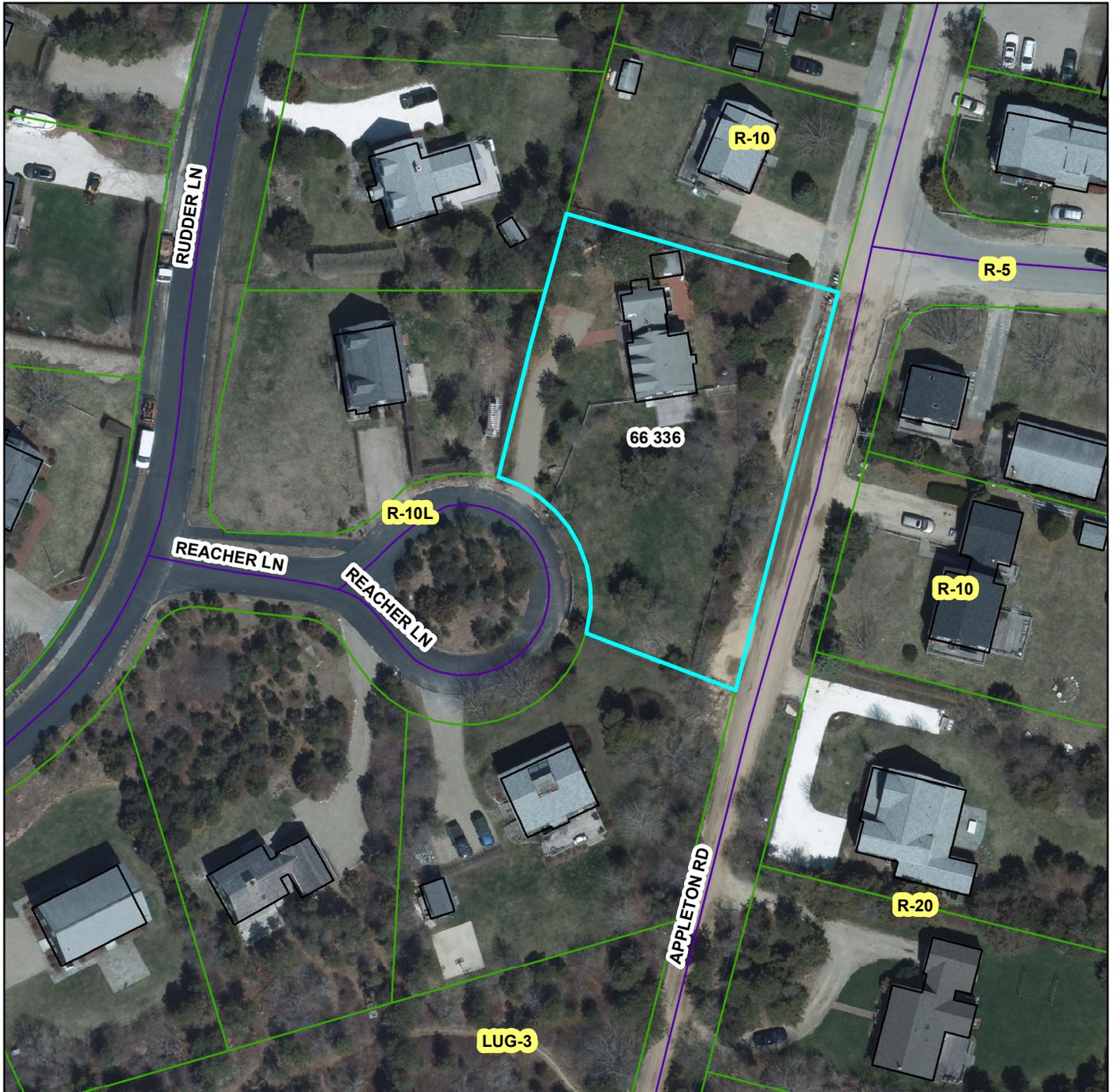
**LEGEND**

-  SUBCATCHMENT AREA
-  POND / STRUCTURE
-  Tc-FLOPPATH  
START END POST-DEVELOPMENT
-  POST-DEVELOPMENT  
SUBCATCHMENT  
BOUNDARY





ANR #7822 ~~—~~ #7922  
Michael Sullivan  
4 Reacher Lane  
Map 68 Parcel 336





JAN 27 2016 AM 11:19

PB # 7822

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: 1/27/16 \*Name of Owner(s)/Applicant(s): MICHAEL SULLIVAN

\*Owner's/Applicant's address: c/o MARKLINGER 3 GROVE LANE  
State: MA Zip Code: 02557

\*(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): 4 REACHER LANE

Name of Registered Land Surveyor: JOSEPH MARKLINGER  
Surveyor's address: 3 GROVE LANE

The owner's title to the land derived under deed from \_\_\_\_\_, date \_\_\_\_\_  
And recorded in Nantucket Registry of Deed, Book \_\_\_\_\_ Page \_\_\_\_\_ or Land Court Certificate of  
Title # 23389, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on  
Assessor's Map# 68, Parcel # 386  
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 75' 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 \_\_\_\_\_; OR

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

Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

relation to the proposed use of the land abutting thereon or served thereby, and for the provision 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)

\_\_\_\_\_

\_\_\_\_\_

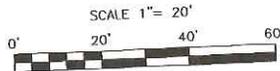
I hereby certify that the applicant(s) listed above have been authorized by me to file a plan with the Planning Board of Nantucket on property that I own.

  
 Owner's Signature \_\_\_\_\_ AGENT.

Planning Board File # 7822

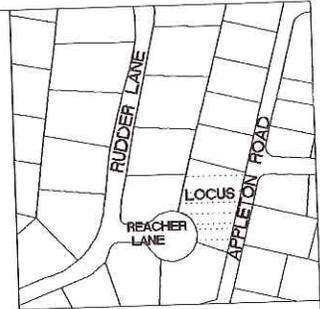
Endorsement Date: \_\_\_\_\_

EDM ACCURACY ± (2MM + 2 PPM)  
 TRAVERSE PRECISION = 1 IN  
 LINEAR ERROR OF CLOSURE =  
 DIRECTIONAL ERROR OF CLOSURE =



DATE: \_\_\_\_\_  
 PROFESSIONAL LAND SURVEYOR

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN THE DATES DECEMBER 10, 2015 AND JANUARY 23, 2016



LOCUS MAP  
 NOT TO SCALE

JOSEPH MARCKLINGER P.L.S. DATE: \_\_\_\_\_

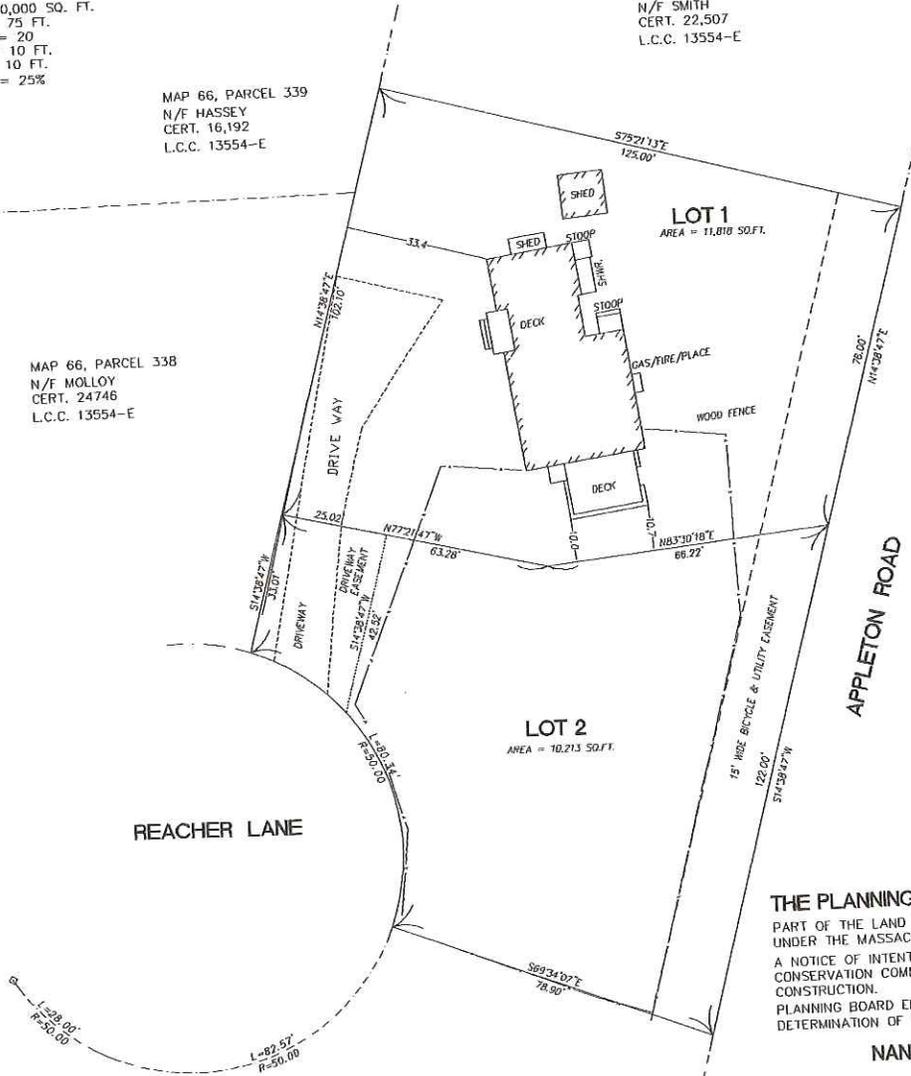
ZONING CLASSIFICATION: R-10

MINIMUM LOT SIZE = 10,000 SQ. FT.  
 MINIMUM FRONTAGE = 75 FT.  
 FRONT YARD SETBACK = 20'  
 REAR YARD SETBACK = 10 FT.  
 SIDE YARD SETBACK = 10 FT.  
 GROUND COVER RATIO = 25%

MAP 66, PARCEL 402  
 N/F SMITH  
 CERT. 22,507  
 L.C.C. 13554-E

MAP 66, PARCEL 339  
 N/F HASSEY  
 CERT. 16,192  
 L.C.C. 13554-E

MAP 66, PARCEL 338  
 N/F MOLLOY  
 CERT. 24,746  
 L.C.C. 13554-E



**THE PLANNING BOARD DETERMINES THAT,**  
 PART OF THE LAND SHOWN IS NOT SUBJECT IN TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT. A NOTICE OF INTENT MAY BE FILED WITH THE NANTUCKET CONSERVATION COMMISSION WITH REGARD TO PROPOSED CONSTRUCTION.  
 PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE DETERMINATION OF CONFORMANCE TO ZONING

**NANTUCKET PLANNING BOARD**

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DATE SIGNED

FILE NUMBER

**SUBDIVISION PLAN  
 IN  
 NANTUCKET MA.**

DIVIDING LOT 68, L.C.C. 13554 -E  
 (NANTUCKET COUNTY)

SCALE 1 IN. = 20 FT  
 JANUARY 24, 2016

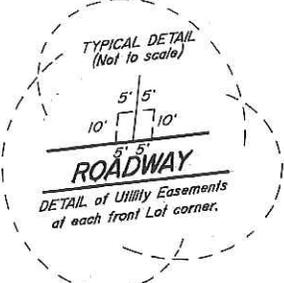
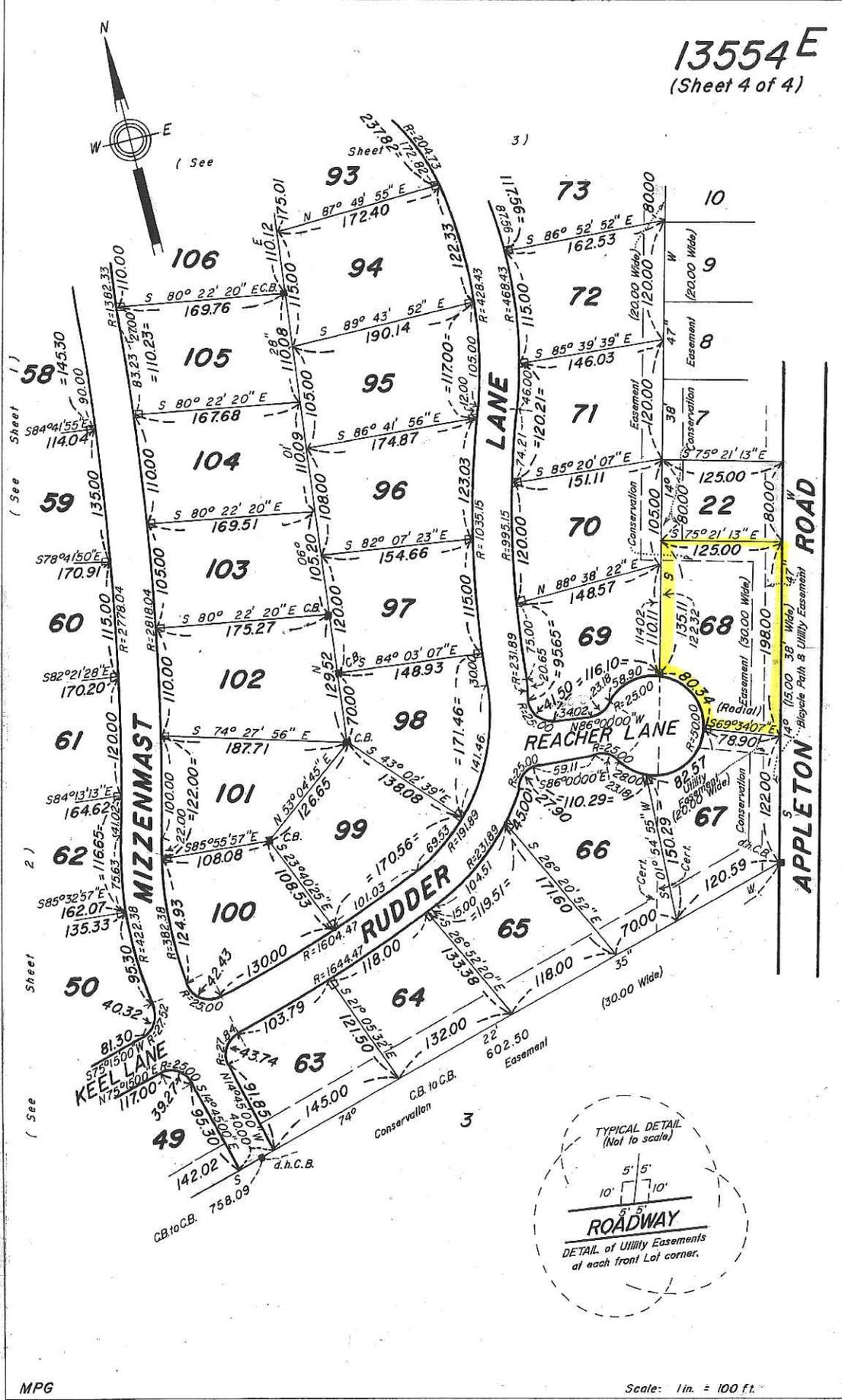
PREPARED FOR: MICHAEL SULLIVAN  
 OWNED BY: MICHAEL AND JENNIFER SULLIVAN  
 CERT.: 23,839 MAP 68, PARCEL 336

JOSEPH MARCKLINGER P.L.S.  
 J. MARCKLINGER & ASSOC.  
 PROFESSIONAL LAND SURVEYORS  
 P.O. BOX 896  
 NANTUCKET, MA. 02554  
 (310) 945-7054

(See order Doc. 45470 re: conservation easement)

# 13554 E

(Sheet 4 of 4)



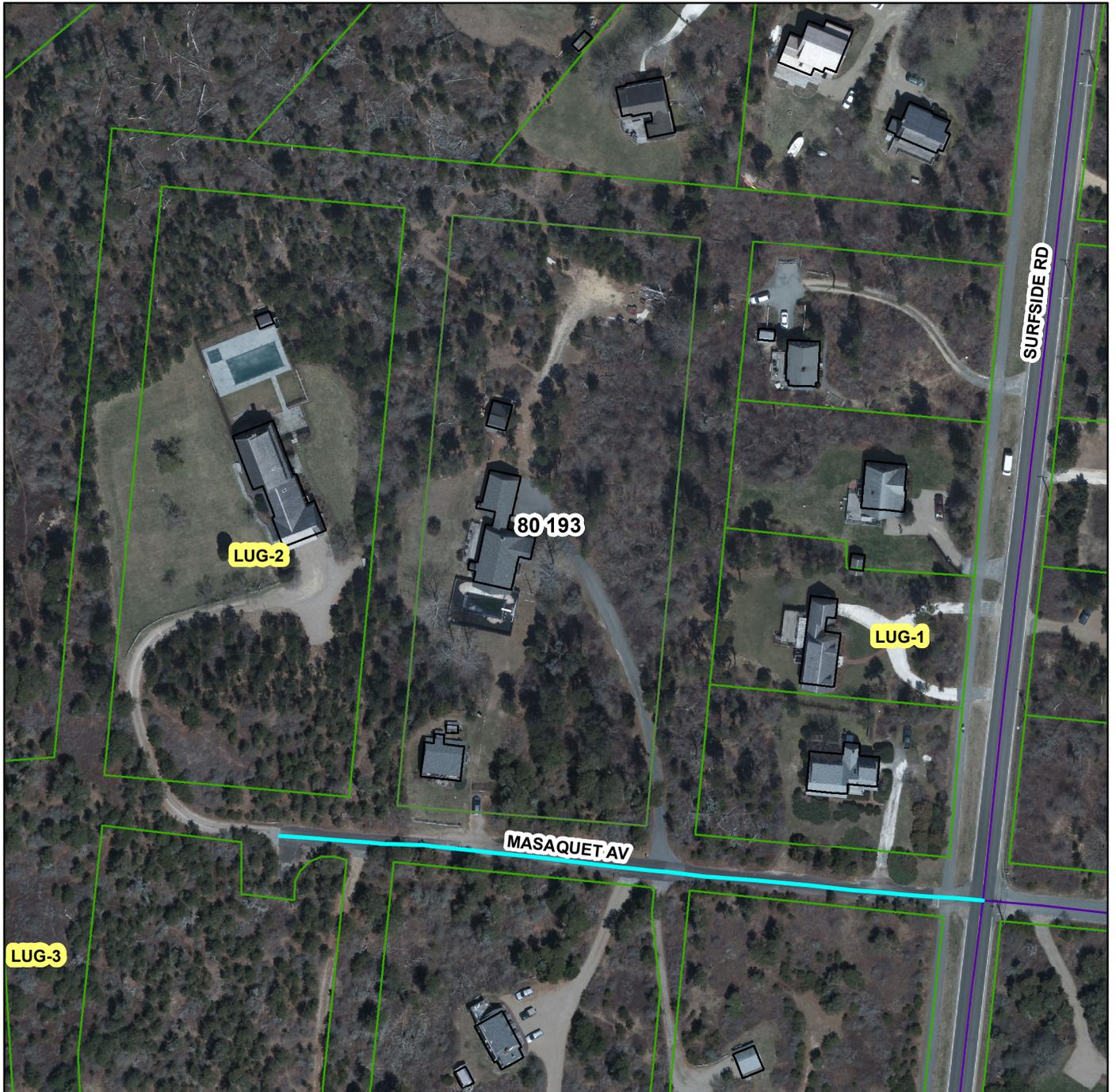
THIS PLAN FILED WITH CERTIFICATE NO. 11,402

MPG

Scale: 1 in. = 100 ft.



ANR #7823  
Town of Nantucket  
"Roadway Acquisition Plan"  
Map 80





FEB 1 2016 AM 10:13

PB

WJH

# Nantucket Planning Board

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

## Form A

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

Date: January 28, 2016

\*Name of Owner(s)/Applicant(s): Town of Nantucket

\*Owner's/Applicant's address: 16 Broad Street 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): Mequash Av., Laurel St., School St., & Copeland St.

Name of Registered Land Surveyor: BRACKEN ENGINEERING, INC.

Surveyor's address: 19 OLD SOUTH ROAD, NANTUCKET, MA 02554

The owner's title to the land derived under deed from \_\_\_\_\_ date \_\_\_\_\_ and recorded in Nantucket Registry of Deed, Books \_\_\_\_\_ Pages \_\_\_\_\_ or Land Court Certificate of Title # \_\_\_\_\_ registered in Nantucket Document Number \_\_\_\_\_, and shown on Assessor's Maps # 80 Parcels \_\_\_\_\_.

#### 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 \_\_\_\_\_ 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 \_\_\_\_\_; OR

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

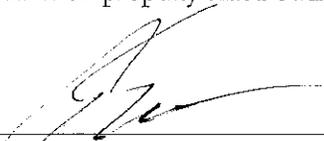
C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the need to vehicular traffic in relation to the proposed 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)

Roadway Acquisition

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.



\_\_\_\_\_  
Owner's Signature

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

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





ANR #7824 **#7924**  
EBAYLISS, LLC  
52 Eel Point Road  
Map 32 Parcel 25



PAID  
FEB 01 2016  
BY: DS CK# 3468 150



PB# 7824

TOWN CLERK  
Town & County Building  
16 Broad St  
Nantucket, MA 02554

12/16

FEB 1 2016 AM 10:37

## Nantucket Planning Board

### Form A

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

Date: January 25, 2016 \*Name of Owner(s)/Applicant(s): Ebayliss LLC

\*Owner's/Applicant's address: 140 East 72nd Street, Apartment 21A, New York

State: NY Zip Code: 10021

\*(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): 52 Eel Point Road

Name of Registered Land Surveyor: Site Design Engineering & J. Marcklinger & Associates, Inc.

Surveyor's address: 11 Cushman Street, Middleboro, MA 02346

The owner's title to the land derived under deed from Edward Bayliss, date 11/25/15

And recorded in Nantucket Registry of Deed, Book \_\_\_\_\_ Page \_\_\_\_\_ or Land Court Certificate of

Title # 25878, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on

Assessor's Map# 32, Parcel # 25

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 150 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 Eel Point Road; OR

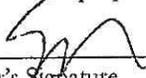
B. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_ on \_\_\_\_\_ (date) and Subject to the following conditions \_\_\_\_\_; OR

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.

  
\_\_\_\_\_  
Owner's Signature

Planning Board File # 7824

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





2015 00149981

Cert: 25871 Doc: DD  
Registered: 11/20/2015 01:41 PM

**STATUTORY QUITCLAIM DEED**

WE, WILLIAM M. SCHAEFER, JR. of 18 Fenway Drive, Loudonville, New York 12211 and JOY C. TEAL, of 17 Wildwood Drive, Loudonville, New York 12211, for consideration paid and in full consideration of THREE MILLION FIVE HUNDRED THOUSAND and 00/100 (\$3,500,000.00) DOLLARS, the receipt of which is hereby acknowledged, grant to EDWARD BAYLISS of 140 East 72<sup>nd</sup> Street, Apt. 21A, New York, New York, 10021, individually, with QUITCLAIM COVENANTS,

Those certain parcels of land, together with the buildings and improvements thereon, situate in Nantucket Town and County, Commonwealth of Massachusetts, now known and numbered as 52 Eel Point Road and bounded and described as follows:

**PARCEL ONE**

NORTHERLY by Eel Point Road, one hundred thirty-six (136.00) feet;

NORTHWESTERLY by Lot 56 on plan hereinafter mentioned, eighty-five and 34/100 (85.34) feet;

WESTERLY by said Lot 56, four hundred forty-three and 50/100 (443.50) feet;

SOUTHERLY by a portion of Lot 51 on said plan, one hundred and forty-five and 65/100 (145.65) feet; and

EASTERLY by Lots 37 and 38 on said plan, four hundred fifty-nine and 76/100 (459.76) feet.

All of said boundaries are determined by the Court to be located as shown upon Land Court Plan No. 15209-C, drawn by Schofield Brothers, Inc., Surveyors, dated July 7, 1970, and filed with Certificate of Title No. 6077 at the Registry District of Nantucket County. Said land is shown thereon as Lot 57.

**PARCEL TWO**

NORTHERLY by Eel Point Road, three hundred five and 75/100 (305.75) feet;

WESTERLY by Lot 57 on plan hereinafter mentioned, two hundred sixty-four and 76/100 (264.76) feet;

SOUTHERLY by Lot 38 on said plan, two hundred sixty-one and 54/100 (261.54) feet; and

EASTERLY by a Proprietors Road as shown on said plan, one hundred forty-six and 43/100 (146.43) feet.

Said land is shown on plan hereinafter mentioned as Lot 37.

PARCEL THREE

NORTHERLY by Lot 37 on plan hereinafter mentioned, two hundred sixty-one and 54/100 (261.54) feet;

WESTERLY by Lot 57 on said plan, one hundred ninety-five (195.00) feet;

SOUTHERLY by Lot 39 and a portion of Lot 51 on said plan, two hundred sixty-one and 54/100 (261.54) feet; and

EASTERLY by a Proprietors Road as shown on said plan, one hundred ninety-five (195.00) feet.

Said land is shown on plan hereinafter mentioned as Lot 38.

PARCEL FOUR

NORTHERLY by Eel Point Road, twenty-two (22.00) feet;

NORTHWESTERLY by Lot 55 on plan hereinafter mentioned, two hundred eighty-seven and 74/100 (287.74) feet;

WESTERLY by Lot 53 on said plan, thirty-five and 50/100 (35.50) feet and by Lot 52 on said plan, two hundred twenty-two and 50/100 (222.50) feet;

SOUTHERLY by portions of Lots 50 and 51 on said plan, one hundred forty-five and 65/100 (145.65) feet;

EASTERLY by said Lot 57, four hundred forty-three and 50/100 (443.50) feet; and

SOUTHEASTERLY by said Lot 57, eighty-five and 34/100 (85.34) feet.

Said land is shown on plan hereinafter mentioned as Lot 56.

All of said boundaries are determined by the court to be located as shown upon Land Court Plan No. 15209-C, drawn by Schofield Brothers, Inc., Surveyors, dated July 7, 1970, and filed with Certificate of Title No. 6077 at the Registry District of Nantucket County.

For title, see Certificate of Title No. 22709 at the Registry District of Nantucket County.

WITNESS our hands and seals this 9<sup>th</sup> day of November 2015.

William M. Schaefer, Jr.  
WILIAM M. SCHAEFER, JR. by  
Gwendolyn J. Schaefer attorney-in-fact u/p/a  
dated October 20, 2009

MASSACHUSETTS EXCISE TAX  
Nantucket County ROD #16 001  
Date: 11/20/2015 01:41 PM  
Ctrl# 462043 21410 Doc# 00149981  
Fee: \$15,960.00 Cons: \$3,500,000.00

Joy C. Teal  
JOY C. TEAL by Gwendolyn J. Schaefer  
attorney-in-fact u/p/a dated October 20, 2009

STATE OF NEW YORK

COUNTY OF ALBANY ss. November 9, 2015

On this 9<sup>th</sup> day of November 2015, before me, the undersigned notary public, personally appeared Gwendolyn J. Schaefer attorney-in-fact for William M. Schaefer, Jr. by u/p/a dated October 20, 2009 and proved to me through satisfactory evidence of identification, which were drivers license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of William M. Schaefer, Jr.

William M. Harris  
NOTARY PUBLIC  
My Commission Expires:  
WILLIAM M. HARRIS  
Notary Public, State of New York  
No. 4620778  
Qualified in Albany County  
Commission Expires 4-30-2019

STATE OF NEW YORK

COUNTY OF ALBANY ss. November 9, 2015

On this 9<sup>th</sup> day of November 2015, before me, the undersigned notary public, personally appeared Gwendolyn J. Schaefer attorney-in-fact for Joy C. Teal by u/p/a dated October 20, 2009 and proved to me through satisfactory evidence of identification, which were drivers license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of Joy C. Teal.

William M. Harris  
NOTARY PUBLIC  
My Commission Expires:  
WILLIAM M. HARRIS  
Notary Public, State of New York  
No. 4620778  
Qualified in Albany County  
Commission Expires 4-30-2019

NANTUCKET LAND BANK  
CERTIFICATE  
 Paid \$ 70000.00  
 Exempt  
 Non-applicable  
No. 36924 Date 11/20/15  
Authorization 824



ANR #7825 ~~\_\_\_\_\_~~ #7925

James P. Manchester  
1 Manchester Circle  
Map 56 Parcel 94.1





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

FEB 1 2016 PM 2:31

PB #7925



# Nantucket Planning Board

## Form A

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

Date: \_\_\_\_\_ \*Name of Owner(s)/Applicant(s): JAMES P. MANCHESTER +  
HELEN B. MANCHESTER

\*Owner's/Applicant's address: 1A MANCHESTER CIRCLE, NANTUCKET

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): #1 MANCHESTER CIRCLE

Name of Registered Land Surveyor: STEPHEN J. SULLIVAN/EARLE + SULLIVAN, INC.  
Surveyor's address: 6 YOUNG'S WAY, NANTUCKET

The owner's title to the land derived under deed from JAMES + HELEN MANCHESTER, date MAR. 19, 2007  
And recorded in Nantucket Registry of Deed, Book 1089 Page 255 or Land Court Certificate of  
Title # \_\_\_\_\_, registered in Nantucket District Book \_\_\_\_\_, Page \_\_\_\_\_ and shown on  
Assessor's Map# 56, Parcel # 94.1  
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 75' feet for erection of a building on such lot; and every lot shown on the plan has such frontage on: 20' \* 1EE CH. 139-8C, SECONDARY RESIDENTIAL LOTS

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

( B ) a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely MANCHESTER CIRCLE on 1994 (date) and Subject to the following conditions \_\_\_\_\_; OR

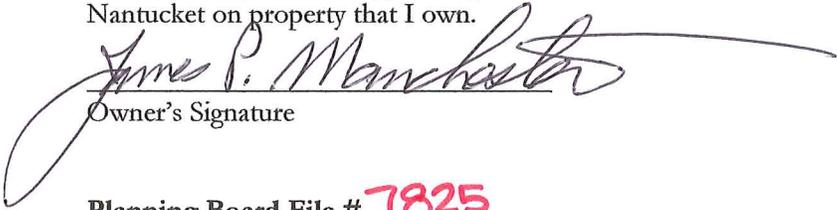
C. a way in existence on \_\_\_\_\_ (date); the date when the Subdivision Control Law became effective in the Town of Nantucket, having in the opinion of the Planning Board, sufficient

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 \_\_\_\_\_.

#7925 James P. Manchester & Helen B. Manchester, 1 Manchester Circle

- 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.



Owner's Signature

Planning Board File # 7825

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

**NANTUCKET REGISTRY OF DEEDS**

Date \_\_\_\_\_  
 Time \_\_\_\_\_  
 Plan No. \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 Register

RESERVED FOR REGISTRY USE ONLY

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR  
 DATE \_\_\_\_\_

# 55-95 James P. Manchester & Helen B. Manchester, 1 Manchester Circle

LOTS SHOWN HEREON COMPLY WITH THE MINIMUM LOT REQUIREMENTS AS PROVIDED BY THE NANTUCKET ZONING BYLAW, CH. 229-9 C, SECONDARY RESIDENTIAL LOTS.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

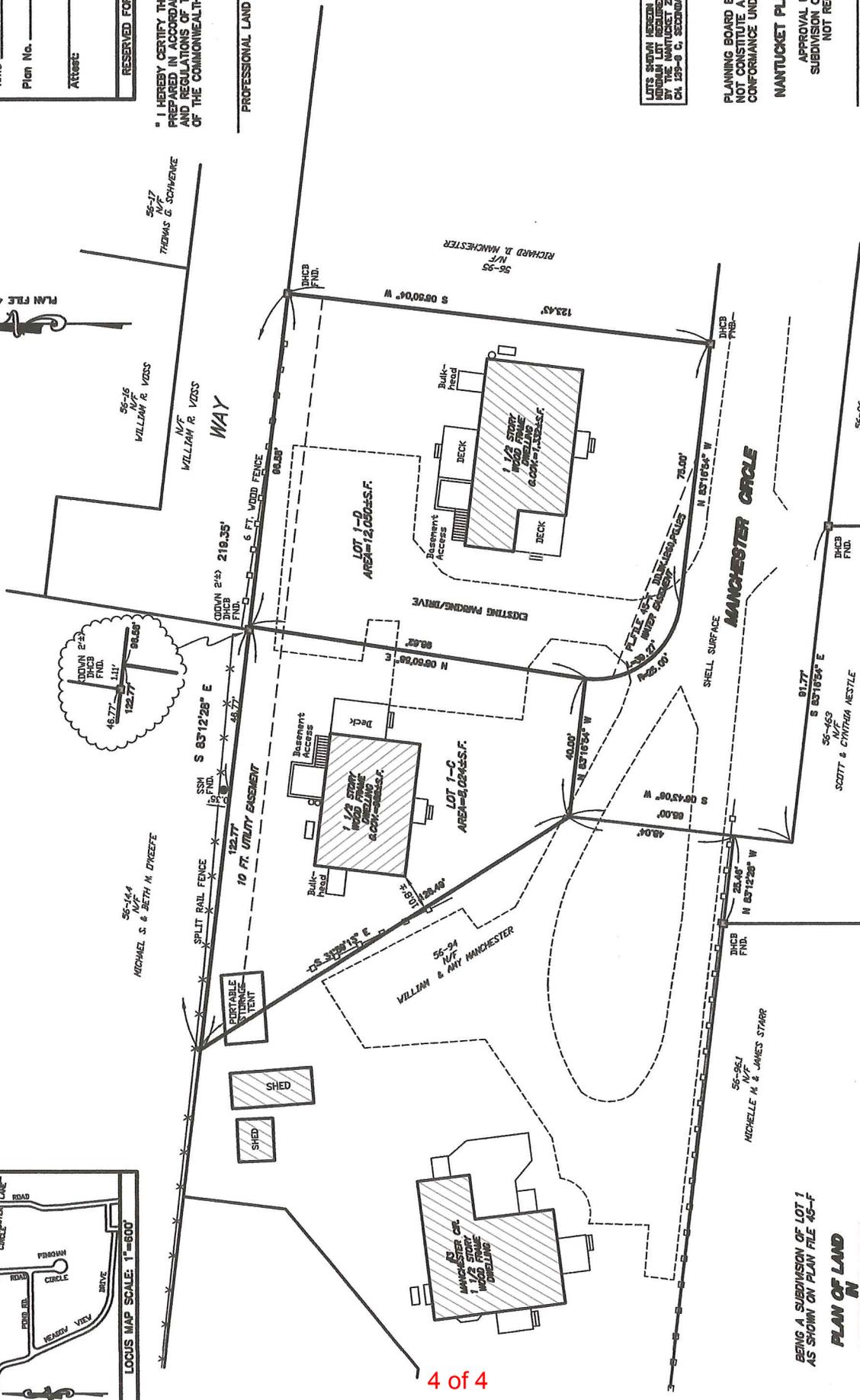
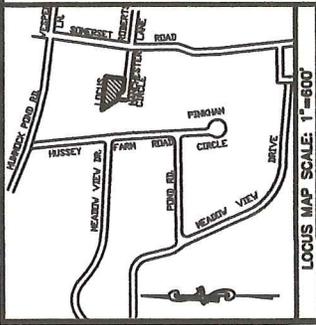
**NANTUCKET PLANNING BOARD**  
 APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

DATE SIGNED \_\_\_\_\_  
 FILE NO. \_\_\_\_\_

ES-410



**R-20**  
 20,000 S.F.  
 MINIMUM LOT SIZE:  
 75 FT.  
 FRONTYARD SETBACK:  
 30 FT.  
 SIDE AND REAR SETBACK:  
 10 FT.  
 ALLOWABLE G.C.R.:  
 12.5%



REFERENCES:  
 DEED REF: D0.BK.1099 PG. 285  
 PLAN REF: PLAN FILE 45-F PARCEL 94.1  
 ASSESSORS REF: MAP 90 PARCEL 94.1

55-144 N/F  
 MICHAEL S. & BETH M. DINEFFE  
 55-145 N/F  
 SCOTT & CYNTHIA NESTLE  
 55-94 N/F  
 WILLIAM & AMY MANCHESTER  
 55-96 N/F  
 MICHELLE M. & JAMES STARR  
 55-95 N/F  
 RICHARD D. MANCHESTER  
 55-97 N/F  
 THOMAS G. SCHWENKE  
 55-98 N/F  
 CLIFFORD J. WILLIAMS

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT THE PRELIMINARY PLAN SHOWN ON THIS PLAN AND LOCATED WITHIN ZONE X AS DELINEATED BY THE NANTUCKET ZONING BYLAW, CH. 229-9 C, MASS. EFFECTIVE JUNE 8, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THE PLANNING BOARD DETERMINES THAT:  
 LOT(S) 1-C & 1-D DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE NANTUCKET WETLAND PROTECTION ACT OF 1971, BUT MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE COMMISSION.

BEING A SUBDIVISION OF LOT 1 AS SHOWN ON PLAN FILE 45-F  
**PLAN OF LAND IN NANTUCKET, MASS.**  
 SCALE: 1"=20' DATE: DEC. 7, 2015  
 PREPARED FOR: JAMES P. MANCHESTER and HELEN B. MANCHESTER  
 EARLE & SULLIVAN INC. PROFESSIONAL LAND SURVEYORS  
 100 STATE STREET, SUITE 200  
 NANTUCKET, MA 02554  
 508-548-7629





ANR #7926  
Richard & Elizabeth Anderson  
45 Macy's Lane  
Map 68 Parcel 33



PAID PAID PAID  
FEB 01 2016  
CK# 1967  
BY: DB \$225



TOWN CLERK  
Town & County Building  
16 Broad St  
Nantucket, MA 02554  
FEB 1 2016 PM 1:08

# Nantucket Planning Board

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

Date: FEB. 1, 2016 \*Name of Owner(s)/Applicant(s): RICHARD & ELIZABETH ANDERSON

\*Owner's/Applicant's address: 14 SOUTH DRIVE, MIDDLETON  
State: RI Zip Code: 02840

\*(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): 45 MACY'S LAKE

Name of Registered Land Surveyor: MICHAEL E. CONNOLLY  
Surveyor's address: 149 SURESIDE ROAD NANTUCKET MA. 02554

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

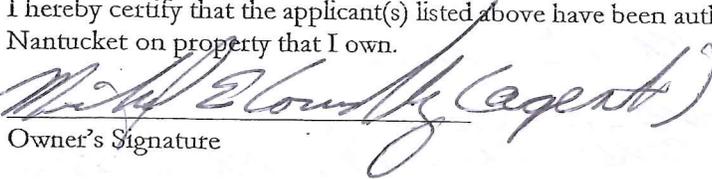
The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons: (check all that apply)

- 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 50 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 MACY'S LAKE; OR HINSDALE ROAD
  - 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.

  
Owner's Signature

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

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

This application must be stamped at the Town Clerk's Office prior to bringing to the Planning Office (must provide two copies of the application).

**LEGEND**

- DHCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- SPIKE FND. DENOTES SURVEY SPIKE FOUND

69-1  
N/F  
NANTUCKET ISLANDS LAND BANK  
BK. 865 PG. 255  
PLAN FL. 52-A, LOT 1

69-81  
N/F  
GREAT HARBOR YACHT CLUB, INC.  
BK. 1082 PG. 335  
PLAN FL. 53-M, LOT 15

**CURRENT ZONING CLASSIFICATION:**  
Residential-Commercial 2 (RC-2)  
MINIMUM LOT SIZE: 5,000 S.F.  
MINIMUM FRONTAGE: 40 FT.  
FRONT YARD SETBACK: 10 FT.  
SIDE/REAR SETBACK: 5 FT.  
GROUND COVER %: 50%

**CURRENT ZONING CLASSIFICATION:**  
Residential 5 (R-5)  
MINIMUM LOT SIZE: 5,000 S.F.  
MINIMUM FRONTAGE: 50 FT.  
FRONT YARD SETBACK: 10 FT.  
SIDE SETBACK: 10 FT. ONE SIDE  
REAR SETBACK: 5 FT. THEREAFTER  
GROUND COVER %: 40%

**TOTAL AREA**  
23,151±S.F.

BEING A DIVISION OF LOT 99  
SHOWN ON LAND COURT PLAN 16514-U  
CREATING 3 LOTS

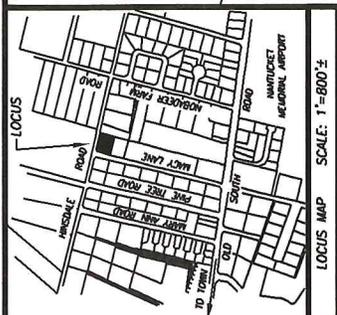
**SUBDIVISION  
PLAN OF LAND  
IN  
NANTUCKET, MA.**

PREPARED FOR:  
RICHARD WILLIAM & ELIZABETH ANN MACY ANDERSON  
CERT. 6714

SCALE: 1"=20' DATE: FEBRUARY 1, 2016  
MICHAEL CONNOLLY & ASSOCIATES INC.  
PROFESSIONAL LAND SURVEYORS  
149 SURFSIDE ROAD  
NANTUCKET, MA. 02554  
(508) 228-8910

Nantucket Planning Board  
APPROVAL UNDER THE  
SUBDIVISION CONTROL LAW  
NOT REQUIRED

DATE SIGNED \_\_\_\_\_ FILE # C-7705



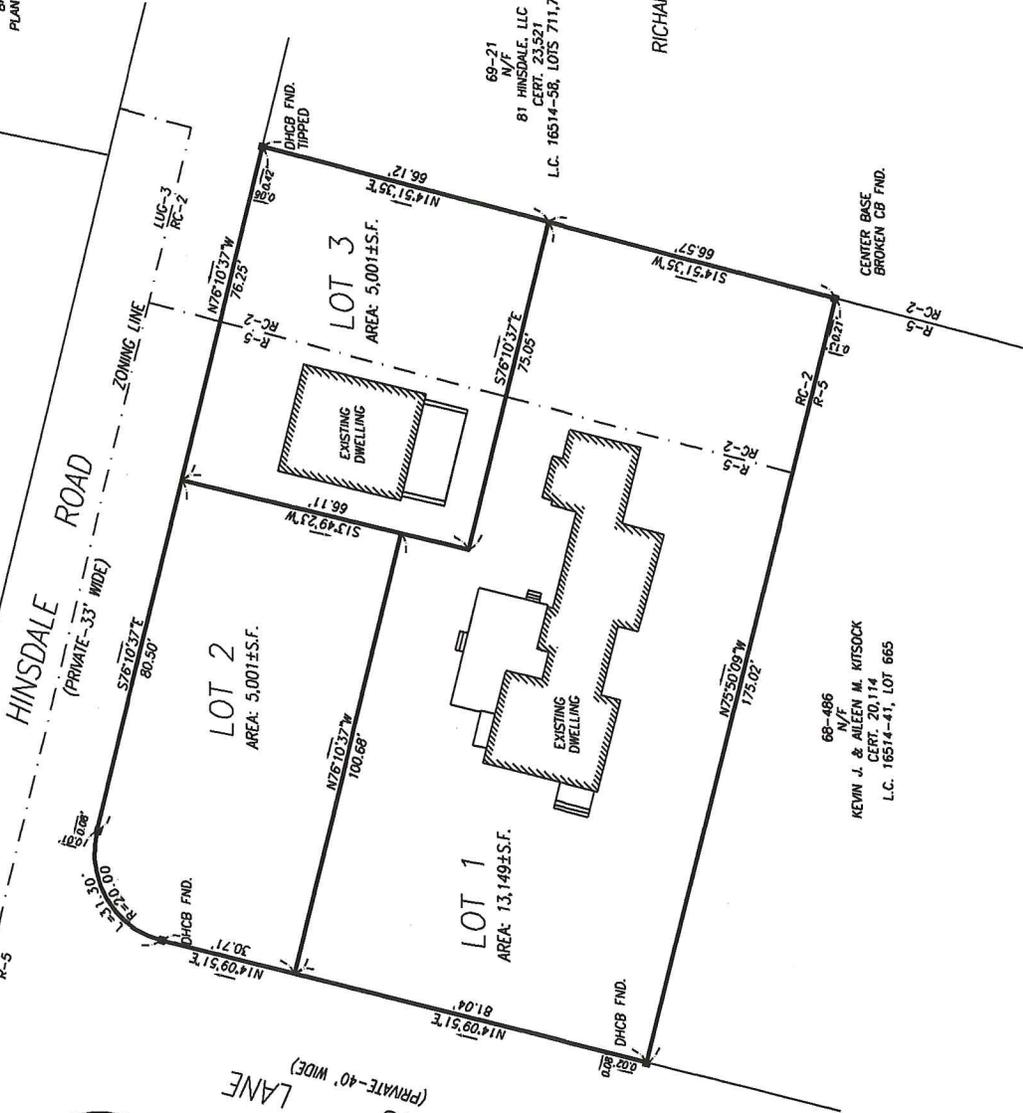
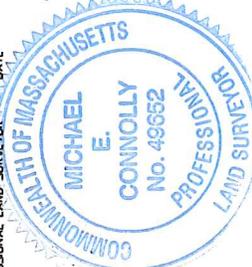
68-32  
N/F  
48 MACYS LANE CONDOMINIUM  
CERT. 21,905  
L.C. 16514-64, LOT 744

I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON. I FURTHER CERTIFY THAT ANY ADDITIONAL MONUMENTS SHOWN HEREON HAVE BEEN SET IN ACCORDANCE WITH THE INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

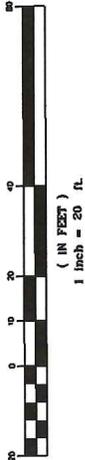
PROFESSIONAL LAND SURVEYOR DATE

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN \_\_\_\_\_ AND \_\_\_\_\_

PROFESSIONAL LAND SURVEYOR DATE



GRAPHIC SCALE



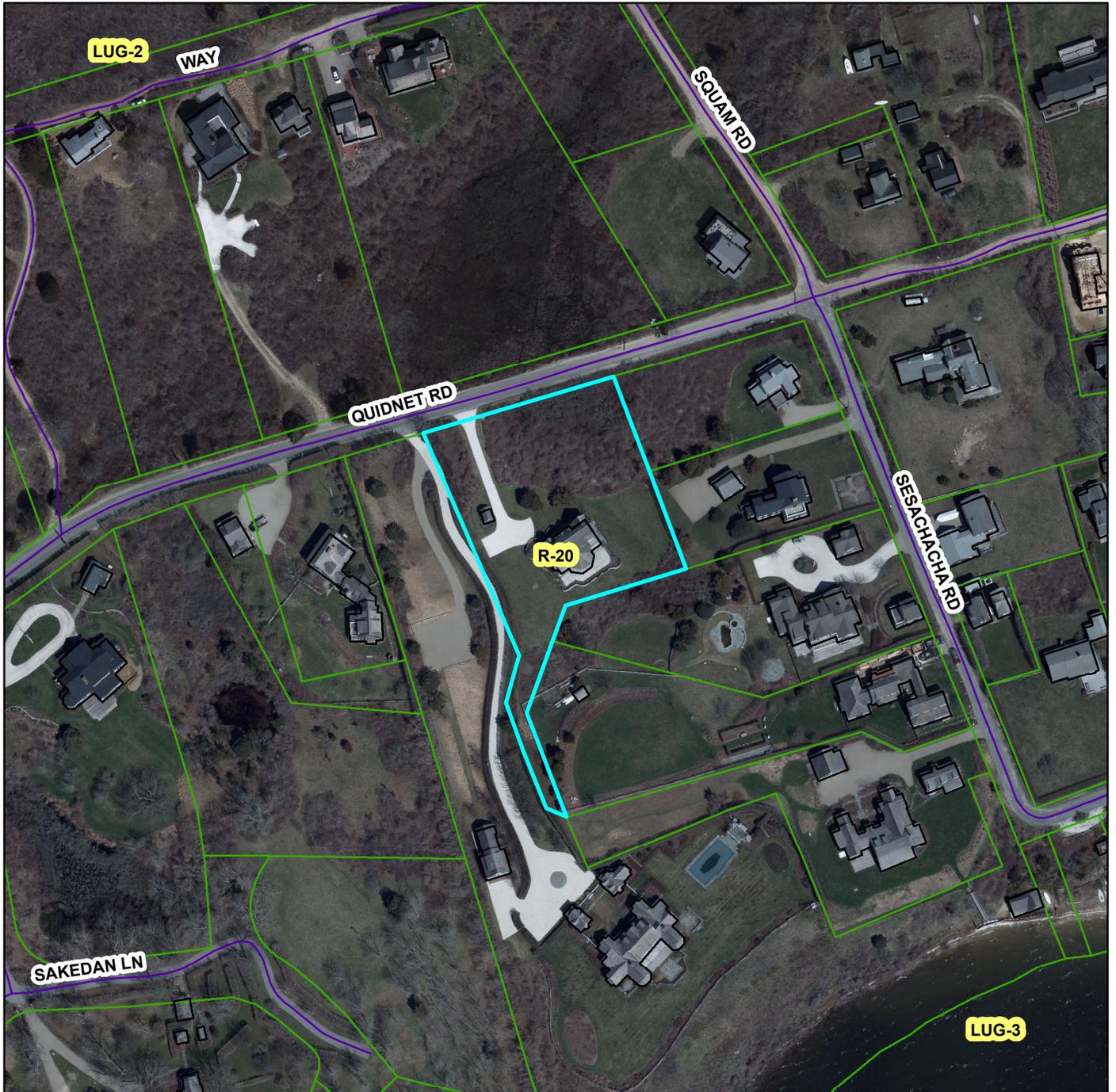
THE PLANNING BOARD DETERMINES THAT:

(b) Lot(s) 1 & 2 & 3 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.





ANR #7927  
Steven W. Burbage & Susan C. Burbage  
47 Quidnet Road  
Map 21 Parcel 143

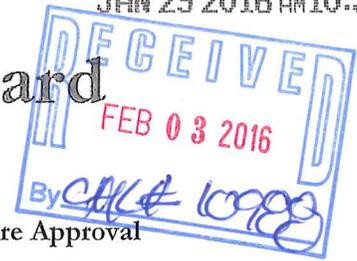




Town Clerk  
Town & County Building  
16 Broad St  
Nantucket, MA 02554

*MAB*

JAN 29 2016 AM 10:35



# Nantucket Planning Board

## Form A

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

Date: 1/27/16 \*Name of Owner(s)/Applicant(s): STEVEN W. BURBAGE & SUSAN C. BURBAGE

\*Owner's/Applicant's address: 54 GLEZEN LANE WAYLAND State: MA Zip Code: 01778

\*(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): 47 QUIDNET ROAD

Name of Registered Land Surveyor: ALAN M. GRADY, BRACKEN ENGINEERING, INC.

Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from Lynne P. Thomson & Robert G. Thomson, dated 6/14/2004 and recorded at the Nantucket Registry of Deeds as Certificate of Title # 21285 and shown on Assessor's Map 21, Parcel 143.

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 \_\_\_\_\_ 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 \_\_\_\_\_; OR

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)

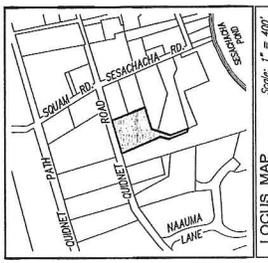
PERIMETER PLAN, NO DIVISION LINES.

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.

Alan M Gandy, AGENT  
Agent's Signature

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

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



LOCUS MAP  
Scale: 1" = 400'

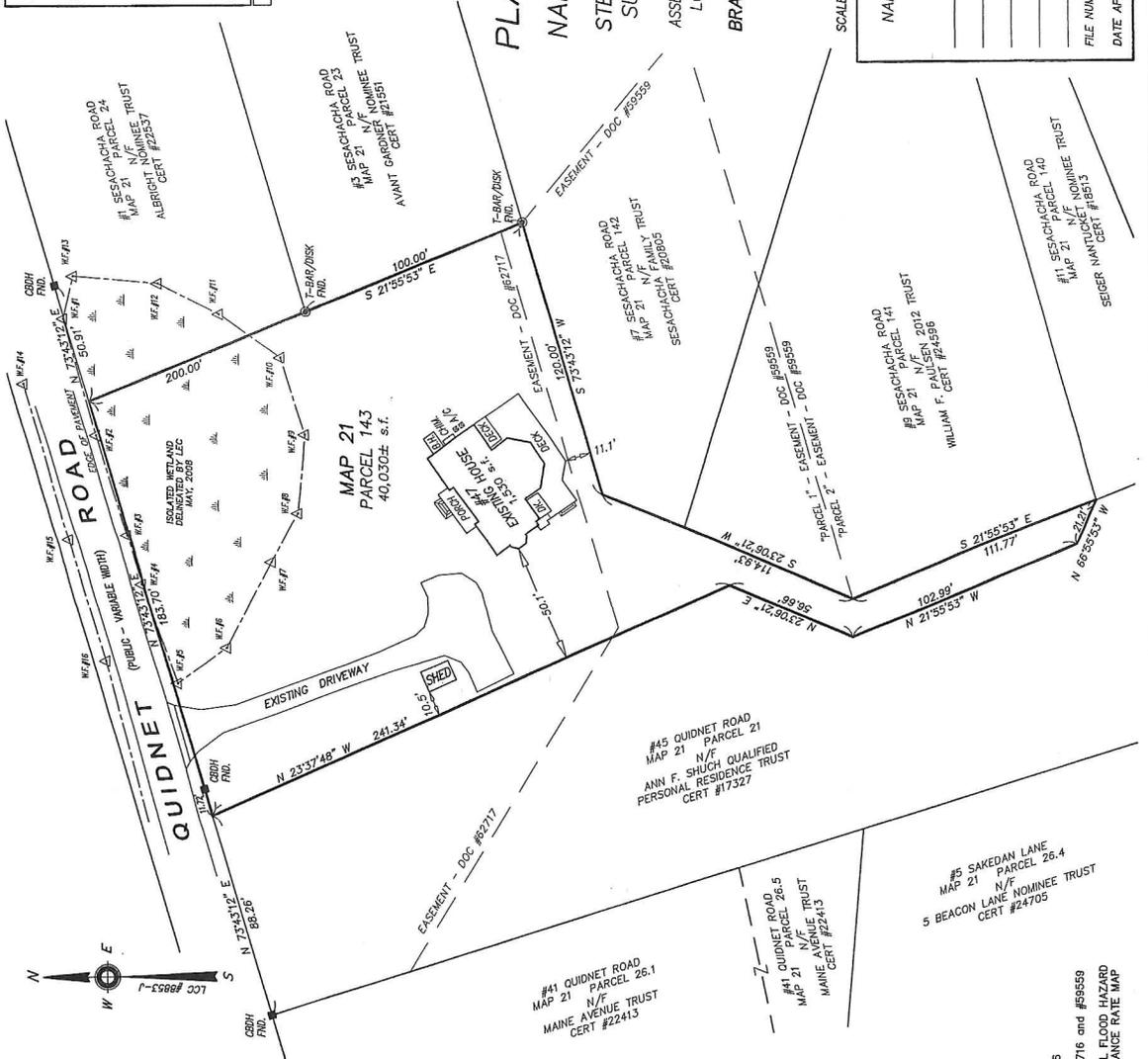
ZONE: R-20 REQUIRED  
 LOT AREA: 20,000 ± s.f.  
 FRONTAGE: 75'  
 FRONT YARD: 30'  
 SIDE YARD: 10'  
 REAR YARD: 10'  
 GROUND COVER: 12.5% (MAX)

**PLAN OF LAND**  
 IN  
**NANTUCKET, MASS.**  
 PREPARED FOR  
**STEPHEN W. BURBAGE**  
**SUSAN C. BURBAGE**  
 #47 QUIDNET ROAD  
 ASSESSORS MAP 21 - PARCEL 143  
 LOT 21 of LCC #8853-J  
 PREPARED BY  
**BRACKEN ENGINEERING, INC.**  
 19 OLD SOUTH ROAD  
 NANTUCKET, MA 02554  
 tel: (508) 325-0044  
 fax: (508) 833-2282

SCALE: 1" = 30'  
 JANUARY 27, 2016

APPROVAL BY THE  
 NANTUCKET PLANNING BOARD  
 NOT REQUIRED

FILE NUMBER: \_\_\_\_\_  
 DATE APPROVED: \_\_\_\_\_



- NOTES:**
1. LOCUS: #47 QUIDNET ROAD MAP 21 PARCEL 143
  2. OWNER: STEPHEN W. BURBAGE and SUSAN C. BURBAGE 54 CLEZEN LANE WATLING, MA 01778
  3. DEED: CERT #21285 (DOC #07782)
  4. PLAN: LCC #8853-J (LOT 21)
  5. AGREEMENTS: DOC #07751 and #60046
  6. EASEMENTS: DOC #69146, #62717, #62716 and #69559
  7. LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-0111-G dated 09/09/2014.



ANR #7928  
Robert T. Petrini  
22 Quidnet Path  
Map 21 Parcel 151





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

# Nantucket Planning Board

JAN 29 2016 AM 10:37

## Form A

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

Date: 1/27/16 \*Name of Owner(s)/Applicant(s): ROBERT T. PETRINI, TRUSTEE OF THE ROBERT T. PETRINI REVOCABLE TRUST

\*Owner's/Applicant's address: 25 Thunder Mountain Road Greenwich State: CT Zip Code 06831

\*(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): 22 QUIDNET PATH

Name of Registered Land Surveyor: ALAN M. GRADY, BRACKEN ENGINEERING, INC.

Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from Quidnet Development, LLC, dated 4/7/2014 and recorded at the Nantucket Registry of Deeds as Certificate of Title # 25171 and shown on Assessor's Map 21, Parcel 151.

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 \_\_\_\_\_ 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 \_\_\_\_\_; OR

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)

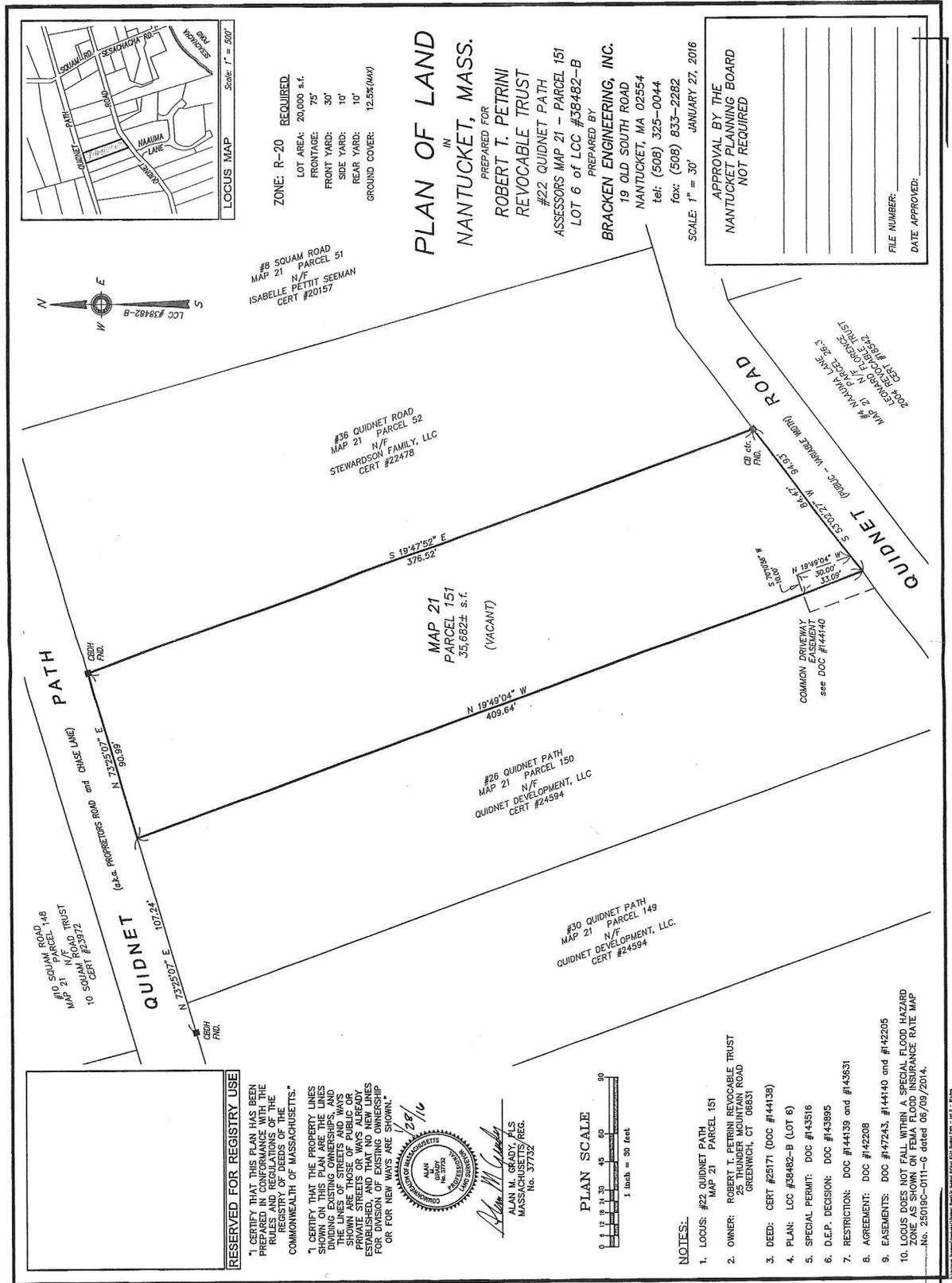
PERIMETER PLAN, NO DIVISION LINES.

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.

*Alan M. Grady, AGENT*  
Agent's Signature

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

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

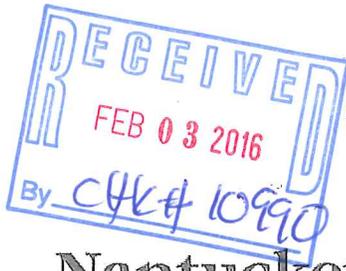




ANR #7929  
Russell Simpson  
6 Marble Way  
Map 66 Parcel 103

\*not accurately reflected on the GIS map\*





#7929 Russell Simpson, 6 Marble Way

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

# Nantucket Planning Board

JAN 29 2016 AM 10:36

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

Date: 1/27/16 \*Name of Owner(s)/Applicant(s): RUSSELL SIMPSON

\*Owner's/Applicant's address: 2 CYNTHIA LANE NANTUCKET 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): 6 MARBLE WAY

Name of Registered Land Surveyor: ALAN M. GRADY, BRACKEN ENGINEERING, INC.

Surveyor's address: 19 OLD SOUTH ROAD NANTUCKET, MA 02554

The owner's title to the land derived under deed from Jeffrey Kaschuluk and Anne Cawley O'Rourke, Trustees of 6 Marble Way Nominee Trust, dated 3/4/2015 and recorded at the Nantucket Registry of Deeds as Certificate of Title # 25547 and shown on Assessor's Map 66, Part of Parcel 103.

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 \_\_\_\_\_ 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 \_\_\_\_\_; **OR**

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)

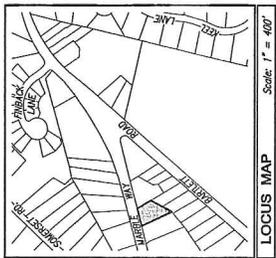
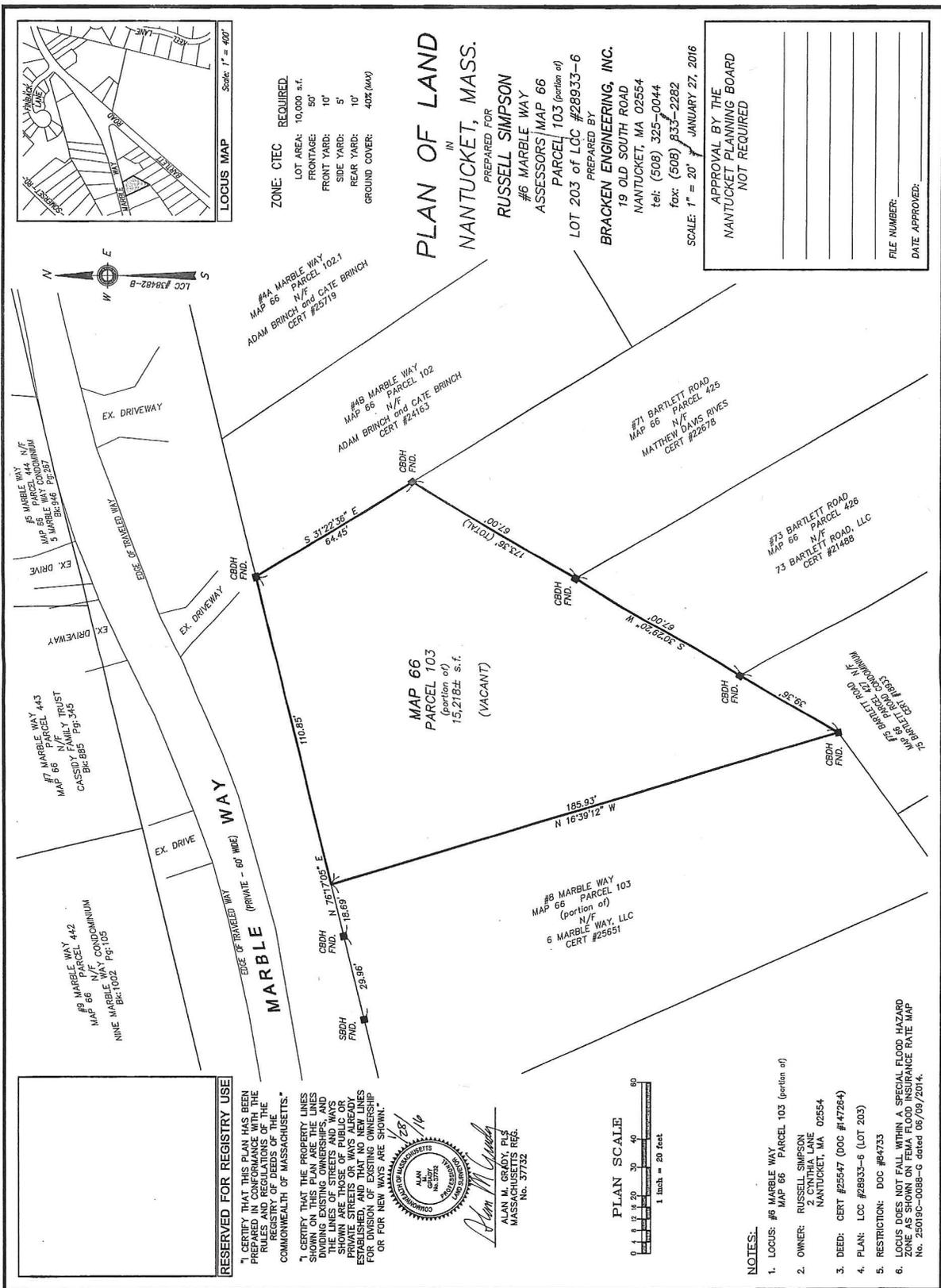
PERIMETER PLAN, NO DIVISION LINES.

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.

Alan M Gandy, AGENT  
Agent's Signature

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

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



**ZONE: CTEC REQUIRED**  
 LOT AREA: 10,000 s.f.  
 FRONTAGE: 50'  
 FRONT YARD: 10'  
 SIDE YARD: 5'  
 REAR YARD: 10'  
 GROUND COVER: 40% (MAX)

**PLAN OF LAND**  
 IN  
**NANTUCKET, MASS.**

PREPARED FOR  
**RUSSELL SIMPSON**  
 #6 MARBLE WAY  
 ASSESSORS' MAP 66  
 PARCEL 103 (portion of)  
 LOT 203 of LDC #28933-6  
 PREPARED BY  
**BRACKEN ENGINEERING, INC.**  
 19 OLD SOUTH ROAD  
 NANTUCKET, MA 02554  
 tel: (508) 325-0044  
 fax: (508) 333-2282  
 SCALE: 1" = 20'  
 JANUARY 27, 2016

APPROVAL BY THE  
 NANTUCKET PLANNING BOARD  
 NOT REQUIRED

FILE NUMBER:	
DATE APPROVED:	

**RESERVED FOR REGISTRY USE**

"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE REQUIREMENTS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."  
 "I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN."

*Adam M. Guehan*  
 ADAM M. GUEHAN, PLS  
 MASSACHUSETTS REG.  
 No. 37732

**PLAN SCALE**  
 1 inch = 20 feet

- NOTES:**
1. LOCUS: #6 MARBLE WAY MAP 66 PARCEL 103 (portion of)
  2. OWNER: RUSSELL SIMPSON 2 CYNTHIA LANE NANTUCKET, MA 02554
  3. DEED: CERT #25547 (DOC #147264)
  4. PLAN: LDC #28933-6 (LOT 203)
  5. RESTRICTION: DOC #84733
  6. LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-008B-6 dated 06/09/2014.



ANR #7930  
Town of Nantucket  
Unnamed Way between Eel Point & Madaket Road  
Map 33





# Nantucket Planning Board

## Form A

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

Date: February 3, 2016

\*Name of Owner(s)/Applicant(s): Town of Nantucket

\*Owner's/Applicant's address: 16 Broad Street 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): Unnamed Ways between Eel Point Road & Madaket Road

Name of Registered Land Surveyor: Nantucket Surveyors, LLC

Surveyor's address: 5 Windy Way, Nantucket, MA 02554

The owner's title to the land derived under deed from \_\_\_\_\_ date Article 102 of ATM April 6, 2015 and recorded in Nantucket Registry of Deed, Books \_\_\_\_\_ Pages \_\_\_\_\_ or Land Court Certificate of Title # \_\_\_\_\_ registered in Nantucket Document Number \_\_\_\_\_, and shown on Assessor's Maps # 33 Parcels \_\_\_\_\_.

#### 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 \_\_\_\_\_ 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 \_\_\_\_\_; **OR**
  - 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 \_\_\_\_\_.

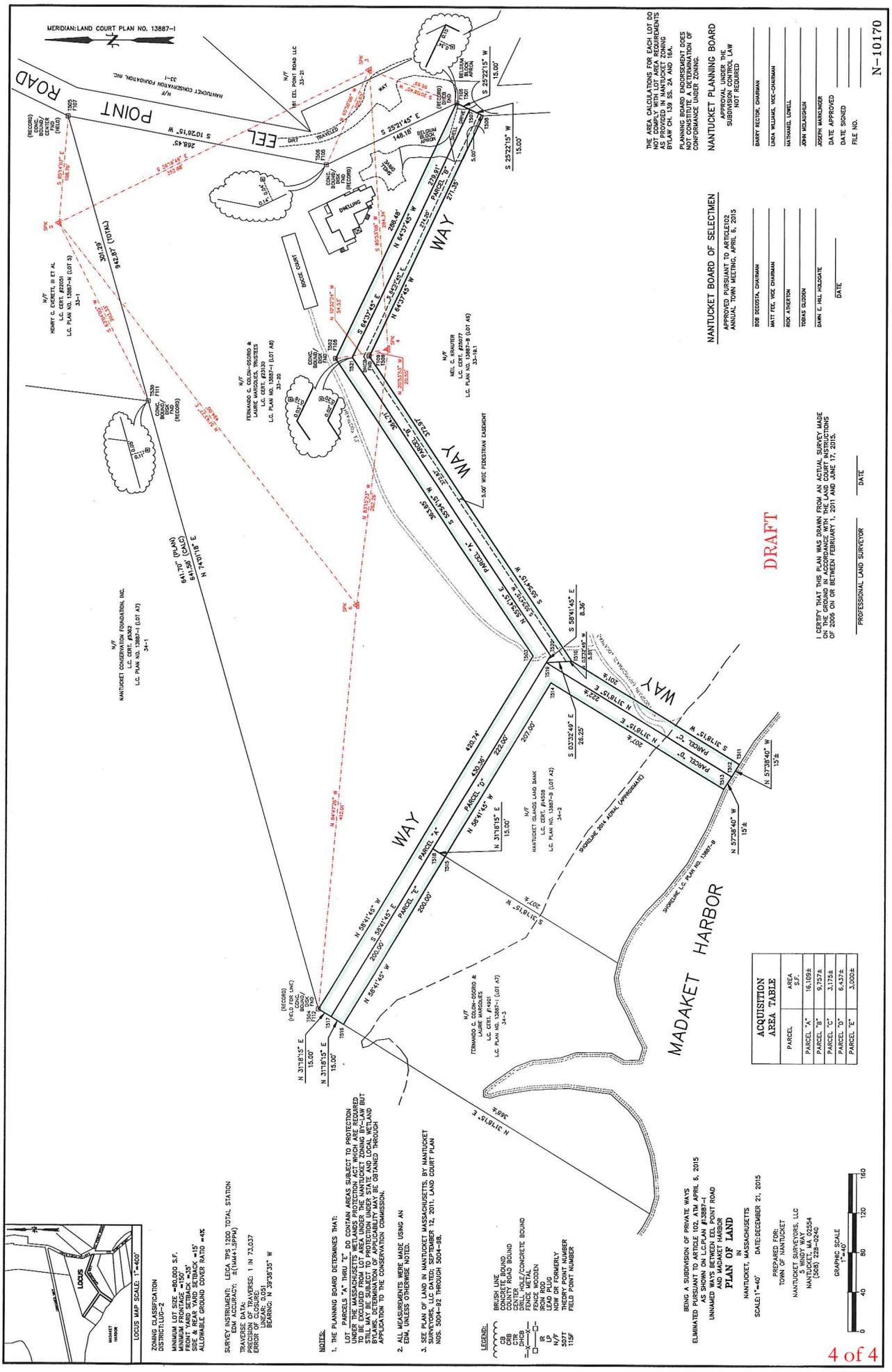
- The division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or other instrument, namely \_\_\_\_\_, which adds to, takes away from or changes the size and shape of lots in such a manner so that no lot affected is left without frontage 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.

\_\_\_\_\_  
**Owner's Signature**

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

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



MERIDIAN: LAND COURT PLAN NO. 13687-1

**ZONING CLASSIFICATION**  
 DISTRICT: LUG-2  
 MINIMUM LOT SIZE = 40,000 S.F.  
 MINIMUM FRONT YARD SETBACK = 25'  
 SIDE & REAR YARD SETBACK = 15'  
 ALLOWABLE GROUND COVER RATIO = 4%

**TRAVERSE DATA:**  
 BEARING: N 39°38'35" W  
 DISTANCE: 1 IN 71.037  
 ERROR OF CLOSURE: 0.054  
 LINEAR: 0.054  
 ANGULAR: 1.5"

**NOTES:**  
 1. THE PLANNING BOARD DETERMINES THAT: PARCELS "A", "THRU", "E" OR "G" ARE SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT BEING DETERMINED BY THE NANTUCKET ZONING BOARD. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.  
 2. ALL MEASUREMENTS WERE MADE USING AN EDM UNLESS OTHERWISE NOTED.  
 3. SEE PLAN OF LAND IN NANTUCKET MASSACHUSETTS, BY NANTUCKET SURVEYORS, LLC DATED: SEPTEMBER 12, 2011, LAND COURT PLAN NOS. 5004-92 THROUGH 5004-98.

**LEGEND:**  
 BRUSH LINE  
 CONCRETE  
 COUNTY ROAD BOUND  
 DISTURBED/ROCK/CONCRETE BOUND  
 FENCE METAL  
 FENCE WOODEN  
 IRON ROD  
 LEAD PILE  
 LEAD PILE NUMBER  
 SOTT  
 THEORY POINT NUMBER  
 115'

**ACQUISITION AREA TABLE**

PARCEL	AREA S.F.
PARCEL "A"	16,109.4
PARCEL "B"	9,757.4
PARCEL "C"	31,755.4
PARCEL "D"	6,437.4
PARCEL "E"	3,002.4

**PLAN OF LAND**  
 IN  
 NANTUCKET, MASSACHUSETTS  
 SCALE: 1"=40' DATE: DECEMBER 21, 2015  
 PREPARED FOR:  
 TOWN OF NANTUCKET  
 NANTUCKET SURVEYORS, LLC  
 NANTUCKET, MA 02554  
 (508) 228-0240

**GRAPHIC SCALE**  
 0 40 80 120 160

**PROFESSIONAL LAND SURVEYOR** \_\_\_\_\_ DATE \_\_\_\_\_

**DRAFT**

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE OF THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2004 ON APRIL 28, 2011 AND JUNE 17, 2011.

**NANTUCKET BOARD OF SELECTMEN**  
 APPROVED PURSUANT TO ARTICLE 102  
 ANNUAL TOWN MEETING, APRIL 9, 2015

**NANTUCKET PLANNING BOARD**  
 APPROVAL UNDER THE  
 SUBDIVISION CONTROL LAW  
 NOT REQUIRED

THE AREA CALCULATIONS FOR EACH LOT DO NOT REPRESENT THE TOTAL AREA OF THE LOTS AS PROVIDED IN NANTUCKET ZONING BY-LAW CH. 139 SS. 2A AND 16A.  
 PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE AN ENDORSEMENT OF CONFORMANCE UNDER ZONING.

BARBARA CHURMAN  
 WATT FEE, VICE-CHAIRMAN  
 MICHAEL URELL  
 JOHN MCLAUGHLIN  
 JOSEPH MANUJAK  
 DATE APPROVED \_\_\_\_\_  
 DATE SIGNED \_\_\_\_\_

BOB BEGGAN, CHAIRMAN  
 WATT FEE, VICE CHAIRMAN  
 RICK ANTONSON  
 THOMAS OGDON  
 DANIEL HILL HOGAN  
 DATE \_\_\_\_\_

N-10170  
 FILE NO.



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

**Prepared by:** Holly E. Backus, Land Use Specialist

**Meeting Date:** February 8, 2016

**27 Monomoy Road**  
Assessors Map #54 Parcel # 207

**Applicant**

Jeffrey Spelker – JMS Architecture

**Owner**

Ram Island, LLC



The applicant is proposing to construct a 998 square foot secondary dwelling. The proposed secondary dwelling will be located on the northwest portion of the site, which has approximately 52,544 square feet of lot area and is zoned LUG-1. The proposed secondary dwelling will be accessed off of Monomoy Road. Five (5) exterior parking spaces and (2) two interior parking spaces are shown on the proposed site plan.

Planning staff recommends approval of this application with the following conditions:

- (1) That the apron at the intersection with Monomoy Road shall be constructed with a minimum depth of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet, pursuant to Nantucket Zoning Bylaw Section 139-20.1(B)(2)(d);
- (2) That any future landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- (3) That the driveway shall be cleared free of vegetation and obstruction to a minimum width of twelve (12) feet and a height of thirteen (13) feet; and
- (4) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



## Holly Backus

---

**From:** JMS Architecture [jeff@jmsarchitecture.com]  
**Sent:** Thursday, February 04, 2016 2:17 PM  
**To:** Holly Backus  
**Cc:** Catherine Ancero  
**Subject:** Re: Secondary Dwelling Permit Application for 27 Monomoy Road, Nantucket  
**Attachments:** 160204-27Mon-2nd Dwelling Plan.pdf; pastedGraphic.tiff

Thanks. Sorry for the back and forth. See my responses in red below along with the attached revised site plan per request. Hopefully this will work for the submission/meeting.

Jeff

Jeffrey M. Spoelker AIA  
Principal  
c:|215.200.3269  
[www.jmsarchitecture.com](http://www.jmsarchitecture.com)

On Feb 4, 2016, at 1:08 PM, Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)> wrote:

Thank you for your response. My comments are below in blue:

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** JMS Architecture [<mailto:jeff@jmsarchitecture.com>]  
**Sent:** Thursday, February 04, 2016 12:48 PM  
**To:** Holly Backus  
**Cc:** Catherine Ancero  
**Subject:** Re: Secondary Dwelling Permit Application for 27 Monomoy Road, Nantucket

Hi, Holly.

Thanks for following up with me. I'm happy to answer your questions:

1. Existing curb cut is old asphalt in disrepair; see attached photo. Hope to have a Belgian block material for the apron (or whatever material the Commission requires)  
Thank you. The Bylaw requires the proposed apron to be shown on the site plan, along with the proposed material (cobblestone, Belgium block, concrete, asphalt.)  
Please show, along with dimensions.

See Attached Site Plan with Proposed Apron shown



2. Proposed SF of Second Dwelling:

First Floor: 530 SF

Second Floor: 468 SF

Total: 998 SF

Please show the total square footage of all existing and proposed structures.

3. Existing House SF = 2,486 SF (based on Site Survey by Bracken Engineering dated 07.23.15)

NOTE: Demolition of Existing House has been approved by the HDC

If the HDC approved demolition of the existing house, what is the proposed square footage of the proposed primary dwelling? That will need to be identified.

4. Garage is to be used for storage (vehicular and otherwise); second floor has a studio and bath. Not being treated as a "dwelling unit" according to code (no cooking facilities)

Thank you.

5. Lot SF = 52,544 SF (based on Site Survey by Bracken Engineering dated 07.23.15)

Please provide on the site plan.

Please let me know if you need any additional information. Thanks again and we look forward to being on next week's agenda.

If you could revise the site plan addressing these comments and email back today, we can get you on the agenda.

I appreciate your quick response to this request.

<image001.jpg>

2. Proposed SF of Second Dwelling:

First Floor: 530 SF

Second Floor: 468 SF

Total: 998 SF

Please show the total square footage of all existing and proposed structures.

See Attached Site Plan with Proposed and Existing Structures

Main House SF:

1st Floor:

2534 SF

2nd Floor:

2098 SF

Total SF:

4762 SF

Garage SF:

1st Floor:

610 SF (garage)

2nd Floor:

465 SF (studio)

Total SF:

1075 SF

3. Existing House SF = 2,486 SF (based on Site Survey by Bracken Engineering dated 07.23.15)

NOTE: Demolition of Existing House has been approved by the HDC

If the HDC approved demolition of the existing house, what is the proposed square footage of the proposed primary dwelling? That will need to be identified.

See above.

4. Garage is to be used for storage (vehicular and otherwise); second floor has a studio and bath. Not being treated as a "dwelling unit" according to code (no cooking facilities)

Thank you.

5. Lot SF = 52,544 SF (based on Site Survey by Bracken Engineering dated 07.23.15)

Please provide on the site plan.

Noted. See Attached.

Please let me know if you need any additional information. Thanks again and we look forward to being on next week's agenda.

If you could revise the site plan addressing these comments and email back today, we can get you on the agenda.

I appreciate your quick response to this request.

Please let me know if you have any questions.

Thanks!!!

Regards,

Jeff

<image002.png>

Jeffrey M. Spoelker AIA  
Principal  
c: | 215.200.3269  
[www.jmsarchitecture.com](http://www.jmsarchitecture.com)

On Feb 4, 2016, at 12:12 PM, Holly Backus <[hbackus@nantucket-ma.gov](mailto:hbackus@nantucket-ma.gov)> wrote:

Good Morning Jeff,

Staff is currently reviewing your Second Dwelling Permit Application and have some questions:

- (1) What is the existing surface of the existing curb-but? Please note that unpaved driveways connecting to paved roads require construction of a driveway apron. Please clarify.
- (2) What is the proposed square footage of the proposed 2<sup>nd</sup> dwelling?
- (3) What is the square footage of the existing house?
- (4) What is the plan for the proposed garage? Just a garage? Please clarify.
- (5) What is the square footage of the lot?

Please refer to <http://ecode360.com/11471477> for assistance.

Staff greatly appreciates this information being addressed *no later than this afternoon* in order to be on the agenda for next Monday, February 8<sup>th</sup>.

Please let me know if you have any questions or if I can be of further assistance.

Thank you,

Holly E. Backus  
Land Use Specialist

Town of Nantucket  
Planning & Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

Tel: 508-325-7587 X 7026  
Fax: 508-228-7298



**PAID**  
PAID  
JAN 28 2016  
BY: CHW # 2442

# Nantucket Planning Board

## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: Emeritus Development

Mailing address: 8 Williams Lane - Nantucket, MA 02554

Daytime phone number: (508) 325-4995 Fax: (508) 325-8960

E-mail Address: DKapalis@emeritusdevelopment.com

Owner (if other than applicant): Peter Wise

Mailing address: 547 Lake Avenue, Greenwich, CT 06830

#### Location of proposed secondary dwelling:

Street Address: 16 Cliff Road

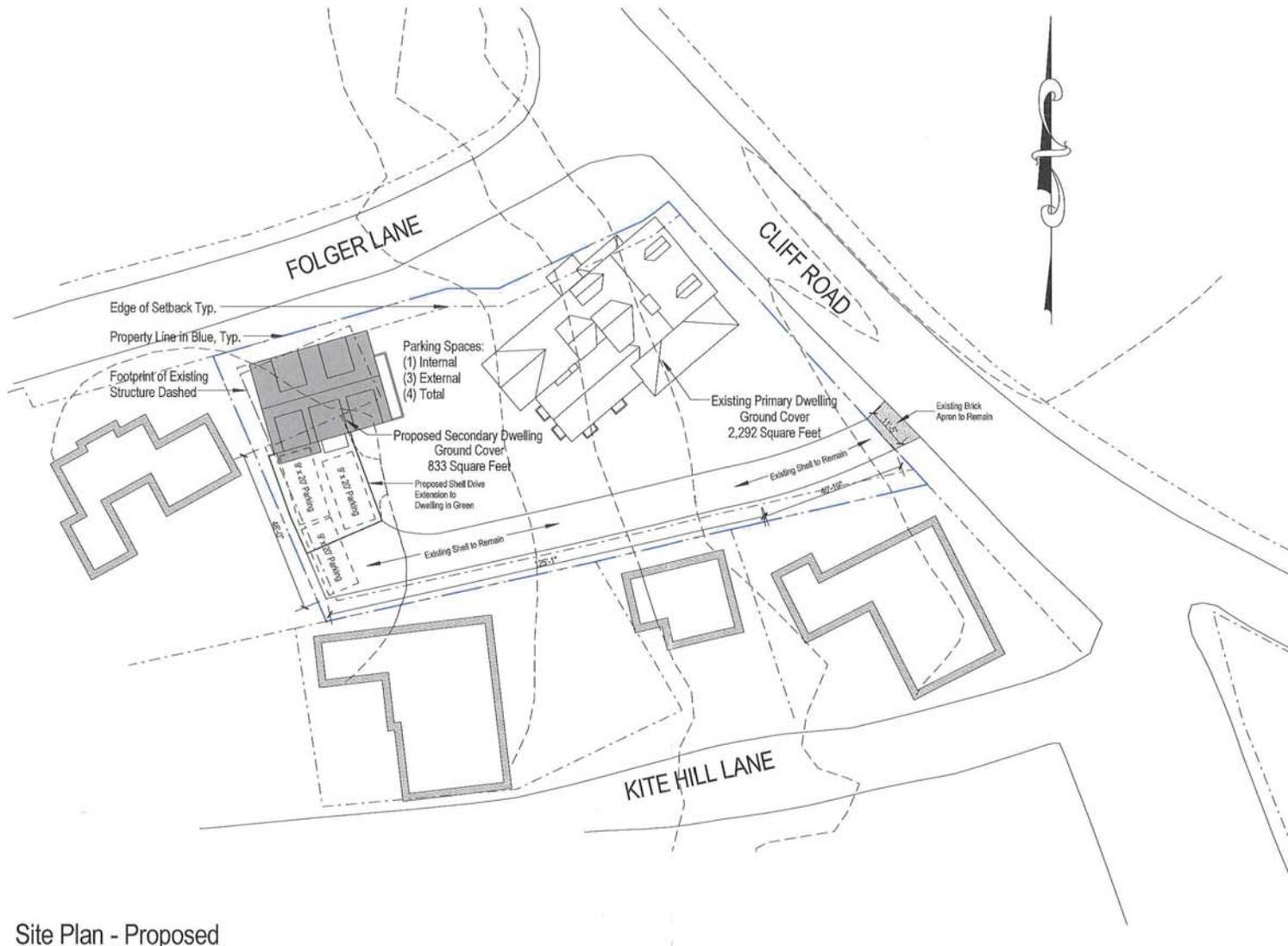
Assessors Tax Map #: 42.4.4 Parcel #: 69

Size of Parcel: 14,876 SF 0.342 AC Zoning District: ROH

Secondary Dwelling # of Bedrooms: 3 Primary Dwelling # of Bedrooms: 7

\*\*\*\*\*Submission Requirements:

See attached checklist dated January 15, 2015.



Site Plan - Proposed

1" = 30'-0"

1523

Wise Residence  
16 Cliff Road Nantucket  
MA 02554

Site Information

Map & Parcel:	42.4.69	Lot Size:	14,876 Square Feet
Current Zoning:	ROH	Min. Lot Size:	5,000 Square Feet
Front/Side Setback:	0 Feet	Allowable G.C.:	50%
Rear Setback:	5 Feet / 5 Feet	Proposed G.C.:	112 Square Feet

Note: This drawing is for the sole purpose of feasibility/Design Development and is not a contract drawing.

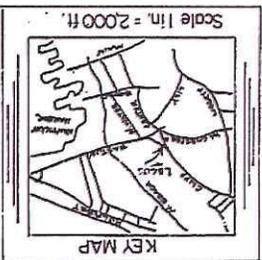
Secondary Dwelling

Permit

01/27/16



8 Williams Lane Nantucket, MA 02554  
P: 508.325.4995  
F: 508.325.6590  
www.emeritusdevelopment.com



Zone  
 Minimum lot size: 5000 sq. ft.  
 Minimum frontage: 50 ft.  
 Frontyard setback: none  
 Sideline setback: 5 ft.

LEGEND

- Denotes CB found.
- Denotes IP found.
- Denotes SM found.
- Denotes Ship spike set.

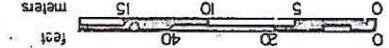
I hereby certify that the property lines shown on this plan are those lines dividing existing ownerships and the lines of the streets and ways shown are those of public or private streets or ways already established and that no new lines for division of existing ownerships or for new ways are shown. I certify that this plan was prepared in accordance with the rules and regulations of the Registers of Deeds as adopted June 9, 1975.  
 Date: 1-2-85



Registered Land Surveyor  
 J. Barrett

JUN 17 1985  
 3:13 PM  
 RECEIVED AND ENTERED WITH  
 NANTUCKET COUNTY DEEDS BOOK OF  
 PLANS No. 23 PAGE 32  
 ATTEST  
 Margaret C. Barrett  
 REGISTER

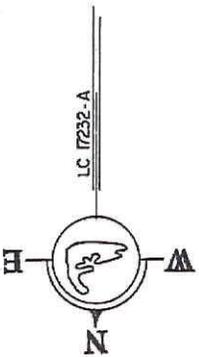
Scale 1 in. = 20 ft.



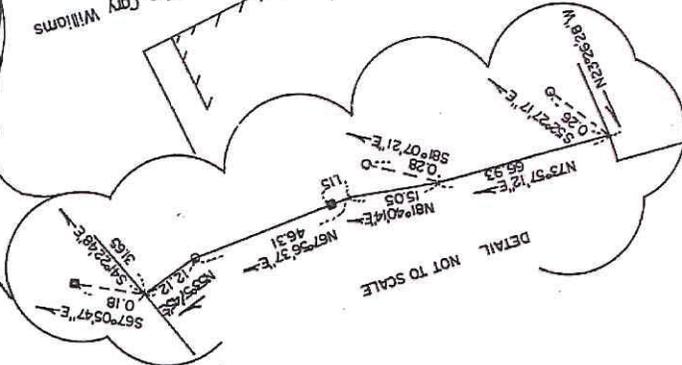
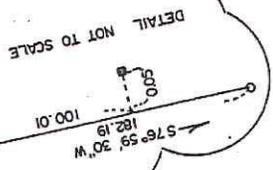
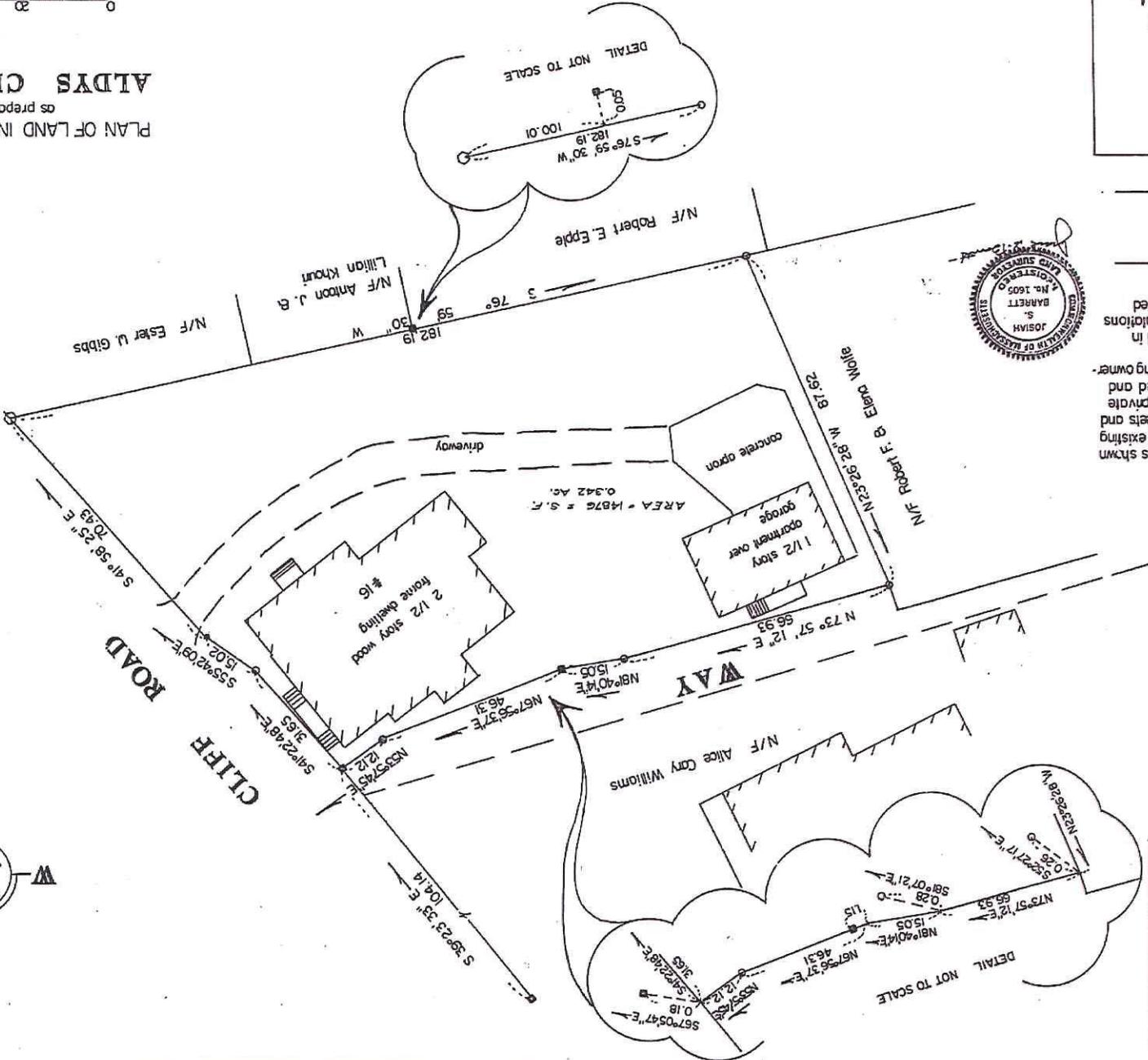
Scale 1 in. = 20 ft.  
 December 21, 1984  
 HART - BLACKWELL & ASSOCIATES, INC.  
 5 Sports Avenue, Nantucket, Mass. 02554

ALDYS CHAPMAN

as prepared for  
 PLAN OF LAND IN NANTUCKET, MASS.



LC 17232-A



## Holly Backus

---

**From:** Dmitri Kapalis [DKapalis@emeritusdevelopment.com]  
**Sent:** Tuesday, January 19, 2016 2:44 PM  
**To:** Holly Backus  
**Cc:** John Hayford; Brianna Kocka  
**Subject:** RE: 16 Cliff Road Second Dwelling Approval

Hi Holly,

We will need to get this moving quickly so I will be circling back with appropriate documents for the planning board.

Our demolition permit indicates 721 sf demolished. The proposed footprint area calculation is currently 833 sf. The difference is a 112 sf proposed increase.

We are not encroaching the setbacks, hence ZBA not required.

**Dmitri Kapalis, AIA, LEED AP**  
**Emeritus Development Ltd.**  
P: 617.236.4927

---

**From:** Holly Backus [mailto:hbackus@nantucket-ma.gov]  
**Sent:** Tuesday, January 19, 2016 1:44 PM  
**To:** Dmitri Kapalis <DKapalis@emeritusdevelopment.com>  
**Cc:** John Hayford <John@emeritusdevelopment.com>; Brianna Kocka <admin@emeritusdevelopment.com>  
**Subject:** RE: 16 Cliff Road Second Dwelling Approval

Hi Dmitri,

Yes, the garage apartment will require a Second Dwelling Building Permit to the Planning Board.

Looking at the site plan, it doesn't seem you are keeping any existing non-conforming setbacks. If there were, a variance to the ZBA would be required prior-to demolition and Planning Board submittal. Any non-conformities to be kept will require ZBA approval.

What is the existing ground cover for the existing 1 1/2 story garage apartment? The plan states 3,013 total square feet with only showing the proposed 112 square feet garage. Please clarify.

Thanks,

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Dmitri Kapalis [mailto:DKapalis@emeritusdevelopment.com]  
**Sent:** Tuesday, January 19, 2016 12:42 PM  
**To:** Holly Backus  
**Cc:** John Hayford; Brianna Kocka  
**Subject:** RE: 16 Cliff Road Second Dwelling Approval

Hi Holly,

Attached is the cover sheet for the previous HDC submission. On it is the site plan to scale. The site plan identifies the existing structure outline as a dashed line (demo). The proposed structure is very close to the existing location but will respect the setbacks which the existing building currently encroaches?

If you have any other questions or requests just let us know.

Regards,

**Dmitri Kapalis, AIA, LEED AP**  
**Emeritus Development Ltd.**  
P: 617.236.4927

---

**From:** Holly Backus [mailto:hbackus@nantucket-ma.gov]  
**Sent:** Tuesday, January 19, 2016 12:34 PM  
**To:** Dmitri Kapalis <DKapalis@emeritusdevelopment.com>  
**Cc:** John Hayford <John@emeritusdevelopment.com>; Brianna Kocka <admin@emeritusdevelopment.com>  
**Subject:** RE: 16 Cliff Road Second Dwelling Approval

Hi Dmitri,

Could you send me a PDF of the proposed site plan with proposed footprint?

Thanks,

Holly E. Backus  
Land Use Specialist  
Town of Nantucket

---

**From:** Dmitri Kapalis [mailto:DKapalis@emeritusdevelopment.com]  
**Sent:** Tuesday, January 19, 2016 12:04 PM  
**To:** Holly Backus  
**Cc:** John Hayford; Brianna Kocka  
**Subject:** 16 Cliff Road Second Dwelling Approval

Hello Holly,

We currently have a project in the HDC review process that we anticipate approval for in the upcoming weeks. Our Client has commissioned us to replace an existing secondary garage structure with a residential dwelling unit, with a modern structure of similar use and size. The main dwelling will remain unchanged. They would like to move through the building permit process immediately after HDC approval.

Would this require planning board second dwelling review and approval for this pre-existing condition? We will also be checking the Permit File on record at the building department.

Thank you for your time.

**Dmitri Kapalis, AIA, LEED AP**  
**Emeritus Development Ltd.**  
236 Huntington Avenue  
Boston, MA 02115  
P: 617.236.4927  
[www.emeritusdevelopment.com](http://www.emeritusdevelopment.com)



# Nantucket Planning Board

## SECONDARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

Meeting Date: February 8, 2016

15 Gingly Lane  
Assessors Map #: 41 Parcel #: 849

Applicant  
Sarah Minella

Owner  
Same

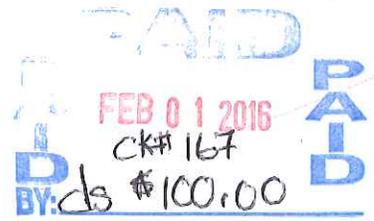


The applicant is proposing to construct a 1,175 square foot secondary dwelling. The proposed secondary dwelling will be located on the northwest portion of the site, which has approximately 11,000 square feet of lot area and is zoned R-1.

The proposed second dwelling will be accessed from Gingy Lane. The proposed driveway will be constructed with brick and Belgian block. Two (2) exterior parking spaces are shown on the site plan.

Planning staff recommends approval of this application with the following conditions:

- (1) That any future landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- (2) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



# Nantucket Planning Board

## Nantucket Planning Board

### Application for a Secondary Dwelling Permit

Applicant: Sarah Minella

Mailing address: 72 North Liberty St

Daytime phone number: 508-246-6063 Fax: \_\_\_\_\_

E-mail Address: sarahminella@yahoo.com

Owner (if other than applicant): \_\_\_\_\_

Mailing address: \_\_\_\_\_

### Location of proposed secondary dwelling:

Street Address: 15 Gingy Ln

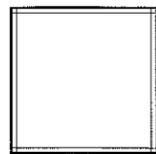
Assessors Tax Map #: 41 Parcel #: 849

Size of Parcel: 11,000 sq. ft. Zoning District: R-1

Secondary Dwelling # of Bedrooms: 4 Primary Dwelling # of Bedrooms: 5

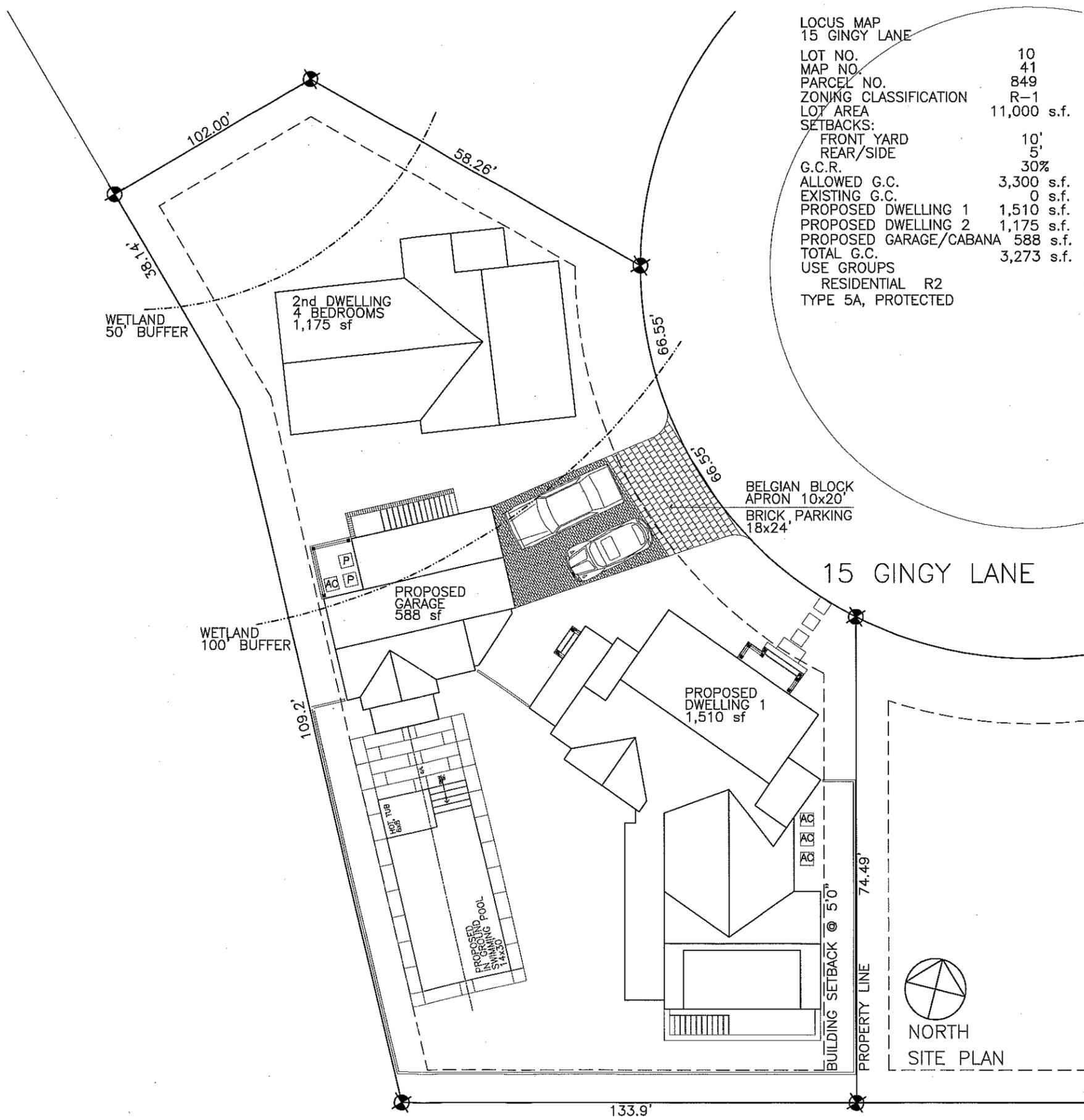
### \*\*\*\*\*Submission Requirements:

See attached checklist dated January 15, 2015.



1

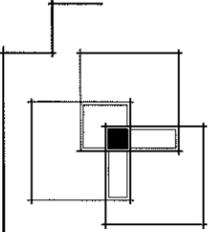
DRAWING INDEX  
SITE PLAN



SANDCASTLE CONSTRUCTION INC.  
ARCHITECTS & BUILDERS

P.O. BOX 2113  
NANTUCKET, MA  
02584

508.228.8050



PROJECT  
SARAH MINELLA RESIDENCE  
15 GINGY LANE  
NANTUCKET, MA

JOB NO  
PLANNING BOARD  
SECONDARY DWELLING

NOTES  
HDC  
CERT. NO.

TITLE  
DRAWING INDEX  
SITE PLAN  
ZONING INFO.

DATE  
01-30-16

SCALE  
NS

1



# Nantucket Planning Board

## TERTIARY DWELLING REPORT

Prepared by: Holly E. Backus, Land Use Specialist

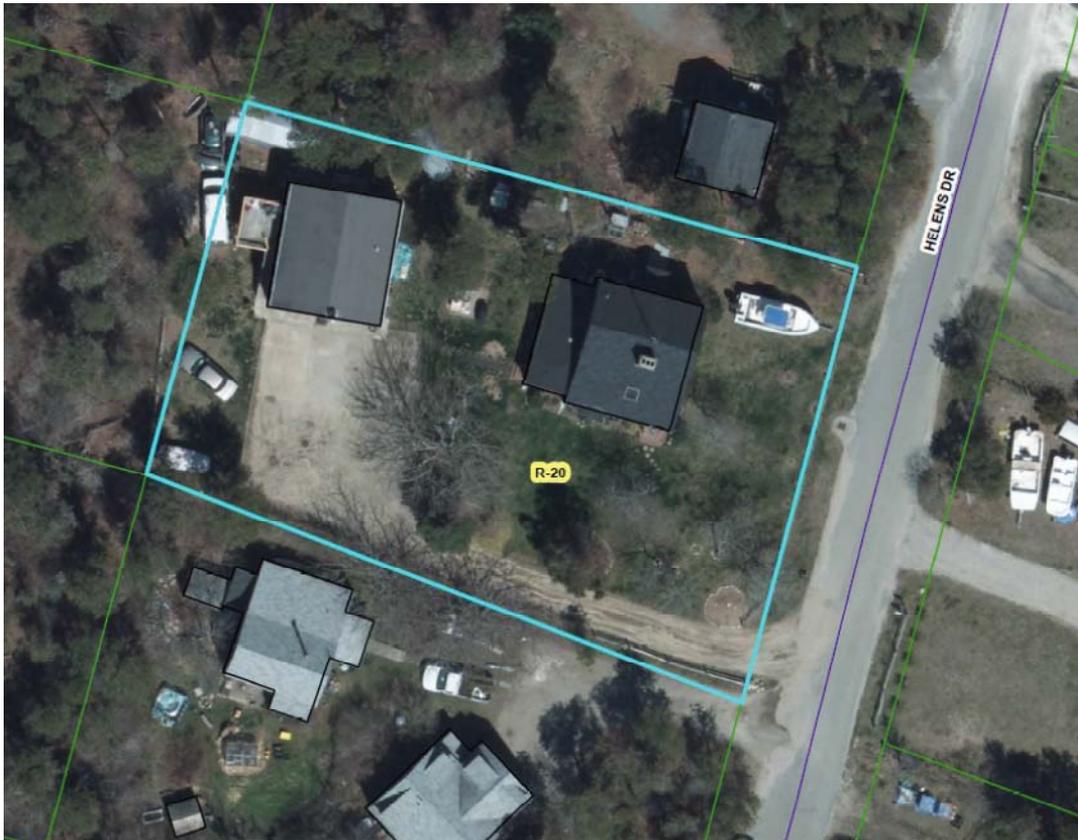
Meeting Date: February 8, 2016

15 Helens Drive

Assessors Map: #66 Parcel: #46

Applicant  
John Roberts

Owner  
Same



The Applicant is proposing to construct a one 1-bedroom tertiary dwelling with a gross floor area of 549 square feet. The site, 15 Helens Drive, contains an existing 1,225 foot primary dwelling unit that is owner occupied. The proposed tertiary dwelling will be located within the basement of the primary structure, located at the northeast of the site, which has approximately 17,092 square feet in lot area and is zoned R-20. The Applicant is proposing to have a total of 6 bedrooms on site, pursuant to the requirements of the Zoning Bylaw.

Access to the site is from Helens Drive; a paved roadway. The Applicant proposes a total of five (5) exterior parking spaces and proposes to construct a concrete apron. The site plan, as submitted, meets all of the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

Planning staff recommends conditional approval of this application with the following conditions:

- (1) That one of the three (3) dwellings on the site will be owner occupied;
- (2) That an apron at the driveway entrance shall be constructed to a minimum depth of ten (10) feet, to be installed from the edge of pavement and in accordance with the provisions of Nantucket Zoning Bylaw Section 139-20.1(B)(2)(d);
- (3) That the driveway entrance be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- (4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height; and,
- (5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.



# Nantucket Planning Board

## APPLICATION FOR A TERTIARY (3rd) DWELLING PERMIT

Date Submitted: 1/22/16 Fee Amount: \$100 Number: 2

Applicant: John Roberts

Mailing address: 15 Helens Dr.

Daytime phone number: 508-228-9610 Fax: \_\_\_\_\_

E-mail Address: cjns15@yahoo.com

Owner (if other than applicant): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Signature of Property Owner(s) John Robert

### LOCATION OF PROPOSED TERTIARY (3RD) DWELLING:

Street Address: 15 Helens Drive

Assessors Tax Map #: 66 Parcel #: 46

Size of Parcel: +/- 17,092 S.F. Zoning District: R-2

Tertiary Dwelling # of Bedrooms: 1

Secondary Dwelling # of Bedrooms: 2

Primary Dwelling # of Bedrooms: 3

OWNERSHIP TITLE REFERENCES:

RECORDED LAND (Registry of Deeds Title References)

DEED noted in Book 306, Page 172  
Lot(s) # 15 shown on Plan File 4-E

REGISTERED LAND (Land Court Title References)

Certificate of Title Number \_\_\_\_\_  
Lot (s) # \_\_\_\_\_ shown on Land Court Plan# \_\_\_\_\_

OCCUPANCY: (Circle which unit will be owner occupied)

Primary

Secondary

Tertiary



# TOWN OF NANTUCKET, MASS.

Certificate of Occupancy No. 6168-89

This certifies that the..... STRUCTURE....., located at No. 15 HELEN'S

~~Street~~..... WAY, NANTUCKET..... Zone..... R-2..... conforms substantially to the approved

lot plan and detailed statements for which Building Permit No. 6168-88 was issued

JULY 6, 19 88 Nantucket

This certificate therefore is issued to JOHN AND SALLY ROBERTS to occupy or

use said premises or building or part thereof for the following purpose.....

..... 3 BEDROOM SINGLE FAMILY DWELLING - SECOND DWELLING ON LOT

subject to and in accordance with all the provisions of the Zoning By-Law of the Town of Nantucket.

Dated..... SEPTEMBER 26, 1989.....

*Ronald Jan*  
.....  
Building Inspector.

ZONING: R-2  
 MIN. AREA : 20000 S.F.  
 FRONTAGE : 75 FT.  
 FRONT YARD : 30 FT.  
 G.C.R. : 12.5%  
 SIDE & REAR SETBACK : 10 FT.

N/F  
 J.F. TIERNEY  
 LOT 8

N/F  
 R.M. CARY  
 LOT 14

LOT 15  
 AREA =  
 17092 ± S.F.  
 (RECORD)

162.60

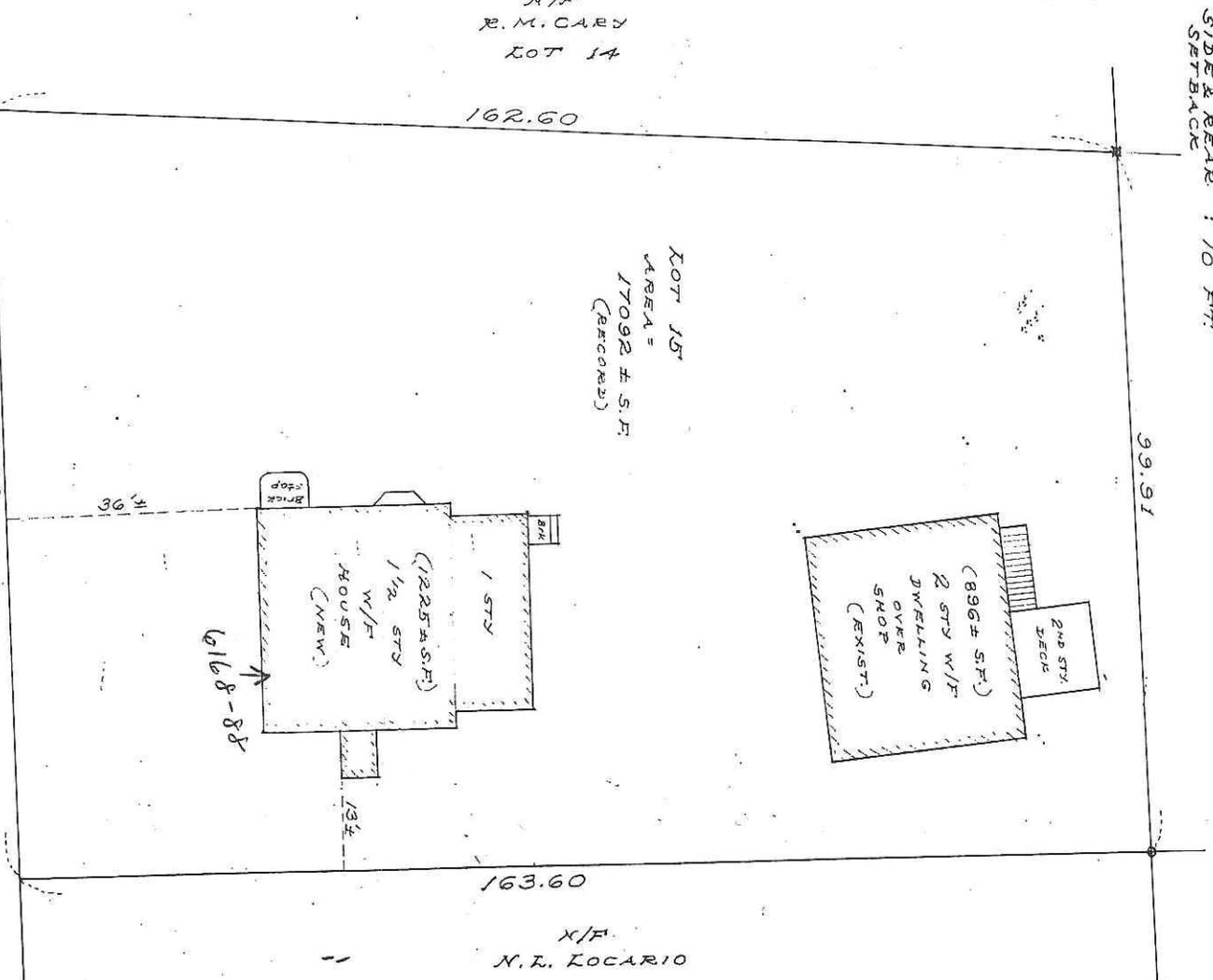
99.91

163.60

N/F  
 N.L. LOCARIO  
 LOT 16

110.00

H E L E N ' S D R.



66-46

COMMONWEALTH OF MASSACHUSETTS

# TOWN OF NANTUCKET BUILDING DEPARTMENT

No. 6168-88

Office of the Building Inspector

FEE \$ 453.00

July 6 1988

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT John + Sally Roberts HAS  
PERMISSION TO Construct second dwelling LOCATED  
ON 15 HELEN'S way

PROVIDED THAT  
THE PERSON ACCEPTING THIS PERMIT SHALL CONFORM TO THE TERMS OF THE APPLICATION  
ON FILE IN THE BUILDING DEPARTMENT AND TO THE PROVISIONS OF THE STATUTES AND THE  
ORDINANCES RELATING TO THE CONSTRUCTION, MAINTENANCE AND INSPECTION OF BUILDINGS  
IN THE TOWN OF NANTUCKET, AND THE MASSACHUSETTS STATE BUILDING CODE 780 CMR.

A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RETURN OF THIS PERMIT ONLY AFTER  
ALL REQUIRED INSPECTIONS HAVE BEEN SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID 6 MONTHS FROM THE DATE OF ISSUE IF THE WORK PER-  
MITTED HAS NOT COMMENCED OR IS NOT PROCEEDING CONTINUOUSLY TO COMPLETION AS  
FAR AS REASONABLY PRACTICABLE.

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE REMISES.

*Ronald G. [Signature]*

BUILDING INSPECTOR

CERTIFICATE OF OCCUPANCY NO

2 COPROBAs BUILT

DEPARTMENT

PERMIT NO.

INSPECTOR

DATE

HEALTH

*Richard O. Kelly*

9-28-89

DPW

PLUMBING

ROUGH

FINAL

*Bob Bell*

2/13/89

*Henry Wainwright*

8/28/89

WIRING

TEMPORARY

SERVICE

ROUGH

FINAL

*Angela C. Matheson*

9/16/89

GAS

ROUGH

FINAL

*Henry Wainwright*

9/25/89

HDC

FINAL

*Mad Math Works*

8/22/89

BUILDING

FOOTINGS

FOUNDATION

ROUGH

FIREPLACE

FINAL

*Bob Bell*

2/13/89

*Henry Wainwright*

8/28/89

R/2

*OK*

*Head of Dept. 8/28/89*

# #7084 WB Holdings (Arrowhead Subdivision) - Release of Escrow Funds

2/5/2016

#7084 ArrowheadDriveSub. - Coffin

## Nantucket Planning Board Engineering Escrow Account Arrowhead Drive Sub.-WB Nantucket Holdings

File No.	Development	Date	Engineer	Invoice No.	Debit	Credit	Balance
7084	WB Holdings (Arrowhead Sub.)	3/10/2008	Ed Pesce	2008532	\$1,519.77		(\$1,519.77)
7084	WB Holdings (Arrowhead Sub.)	7/29/2008	Ed Pesce	2008577	\$833.75		(\$2,353.52)
7084	WB Holdings (Arrowhead Sub.)	8/12/2008	Ed Pesce	2008584	\$906.25		(\$3,259.77)
7084	WB Holdings (Arrowhead Sub.)	11/13/2008	Ed Pesce	2008604	\$1,232.50		(\$4,492.27)
7084	WB Holdings (Arrowhead Sub.)	4/16/2009	Chk#7180	Deposit		\$6,992.27	\$2,500.00
7084	WB Holdings (Arrowhead Sub.)	10/21/2009	Ed Pesce	2009-696	\$1,450.00		\$1,050.00
7084	WB Holdings (Arrowhead Sub.)	12/8/2010	Ed Pesce	2010-779	\$978.75		\$71.25
7084	WB Holdings (Arrowhead Sub.)	8/5/2013	Ed Pesce	2013-993	\$2,535.80		(\$2,464.55)
7084	WB Holdings (Arrowhead Sub.)	8/26/2013	Chk # 9289			\$4,964.55	\$2,500.00
7084	WB Holdings (Arrowhead Sub.)	9/4/2013	Ed Pesce	2013-1006	\$5,791.05		(\$3,291.05)
7084	WB Holdings (Arrowhead Sub.)	11/7/2013	K. Coffin Inc.	Ck # 9407		\$5,791.05	\$2,500.00
7084	WB Holdings (Arrowhead Sub.)	12/10/2013	Ed Pesce	2013-1012	\$3,962.51		(\$1,462.51)
7084	WB Holdings (Arrowhead Sub.)	4/9/2014	Ed Pesce	2014-1018	\$1,452.94		(\$2,915.45)
7084	WB Holdings (Arrowhead Sub.)	5/13/2014	Ed Pesce	2014-1028	\$1,466.41		(\$4,381.86)
7084	WB Holdings (Arrowhead Sub.)	5/30/2014	K. Coffin Inc.	ck # 9638		\$6,881.86	\$2,500.00
7084	WB Holdings (Arrowhead Sub.)	6/30/2014	Ed Pesce	2014-1042	\$924.38		\$1,575.62
7084	Kenneth Coffin, Inc.	8/3/2014	Pesce Eng.	2014-1047	\$2,983.11		(\$1,407.49)
7084	Kenneth Coffin, Inc.	9/16/2014	K. Coffin Inc.	Ck # 9764		\$3,907.49	\$2,500.00
7084	Kenneth Coffin, Inc.	9/23/2014	Pesce Eng.	2014-1062	\$483.33		\$2,016.67
7084	Kenneth Coffin, Inc.	12/31/2014	Pesce Eng.	2014-1100	\$647.17		\$1,369.50
7084	Kenneth Coffin, Inc.	4/14/2015	Pesce Eng.	2015-1144	\$507.50		\$862.00
7084	Kenneth Coffin, Inc.	6/26/2015	Pesce Eng.	2015-1178	\$404.06		\$457.94
7084	Kenneth Coffin, Inc.	9/25/2015	Pesce Eng.	2015-1211	\$326.25		\$131.69
7084	Kenneth Coffin, Inc.	10/26/2015	Check #10109			\$2,368.31	\$2,500.00
						<b>Total Balance:</b>	<b>\$2,500.00</b>

ORG: 04121

VAUGHAN, DALE, HUNTER AND BEAUDETTE

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

WHALER'S LANE

P.O. BOX 659

NANTUCKET, MASSACHUSETTS 02554

TEL: (508) 228-4455

FAX: (508) 228-3070

WILLIAM F. HUNTER  
OF COUNSEL

EDWARD FOLEY VAUGHAN

KEVIN F. DALE

RICHARD P. BEAUDETTE

LORI D'ELIA

BRYAN J. SWAIN

January 27, 2016

*BY HAND DELIVERY*

Barry Rector, Chairman  
Nantucket Planning Board  
2 Fairgrounds Road  
Nantucket, MA 02554

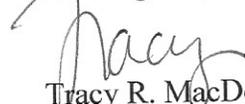
*Re: GG Development, LLC;  
11 Mill Hill Lane, Nantucket, MA 02554  
Planning Board File No. 7661*

Dear Barry:

Enclosed herewith is a Form J Release for Lot 10 in the Woodland Hill subdivision, Planning Board File No. 7661. Please schedule this matter for the next scheduled Planning Board meeting.

Thank you. Please contact me at 508-228-4455 with any questions or concerns.

Best regards,



Tracy R. MacDonald  
Paralegal

Enc.



# Nantucket Planning Board

## Form J Certificate of Completion and Release of Municipal Interest in Subdivision Performance Security

Date: January 27, 2016 Planning Board File # 7661

Subdivision Name: Woodland Hill Subdivision

Owner: GG Development, LLC

Owner's Address: c/o Vaughan, Dale, Hunter and Beaudette, P.C., 2 Whaler's Lane, PO Box 659, Nantucket, MA 02554

Phone number: 508-228-4455 Fax number: 508-228-3070 E-mail: rick@vdhlaw.com

Applicant, (if other than owner): Vaughan, Dale, Hunter and Beaudette, P.C.

Applicant's Address: 2 Whaler's Lane, P.O. Box 659, Nantucket, MA 02554

Phone number: 508-228-4455 Fax number: 508-228-3070 E-mail: rick@vdhlaw.com

Date of Subdivision Plan: March 10, 2014

Land Location: 11 Mill Hill

Plan Recorded: Nantucket Registry of Deeds Plan Book \_\_\_\_\_ Page \_\_\_\_\_

Plan Registered: Nantucket Land Registry, Land Court Plan Number 12559-G

### Type of Performance Security:

Covenant dated: 8/11/2014  
Covenant recorded: Nantucket Registry of Deeds, Book \_\_\_\_\_ Page \_\_\_\_\_

or  
Covenant registered: Nantucket Land Registry District as Document # 145372 and noted on  
Certificate of Title # 22778 in Registration Book \_\_\_\_\_ Page \_\_\_\_\_

Deposit of money, agreement dated: \_\_\_\_\_  
Bank (if bank passbook): \_\_\_\_\_  
Address of Bank: \_\_\_\_\_

Other Security, agreement dated: \_\_\_\_\_

Letter of credit, agreement dated: \_\_\_\_\_

Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

Nantucket Planning Board, Form J, page 2

Bank: \_\_\_\_\_

Address of Bank: \_\_\_\_\_

The undersigned, being a majority of the Planning Board of Nantucket, have determined that the construction of ways and installation of municipal services in the subdivision referred to above have been  completed  partially completed by the applicant in accordance with the Board's rules and regulations to adequately serve the following enumerated lots:

Lot 10

Pursuant to Section 81.U of Chapter 41, M.G.L. and in consideration of said construction and installation, the Town of Nantucket, a Massachusetts corporation, acting through its Planning Board, hereby releases its interest in the Performance Security referred to above, as to the lots enumerated in the preceding paragraph only.

Duly executed as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ .  
(Date) (Month) (Year)

\_\_\_\_\_  
Barry G. Rector

\_\_\_\_\_  
Nat Lowell

\_\_\_\_\_  
Linda Williams

\_\_\_\_\_  
John McLaughlin

\_\_\_\_\_  
Sylvia Howard

Signed by a Majority of the Town of Nantucket Planning Board

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS \_\_\_\_\_, 2016

On the \_\_\_\_\_ day of \_\_\_\_\_, 2016 before me, the undersigned notary public,

Personally appeared \_\_\_\_\_, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledge that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

\_\_\_\_\_  
Notary Public

My commission expires:

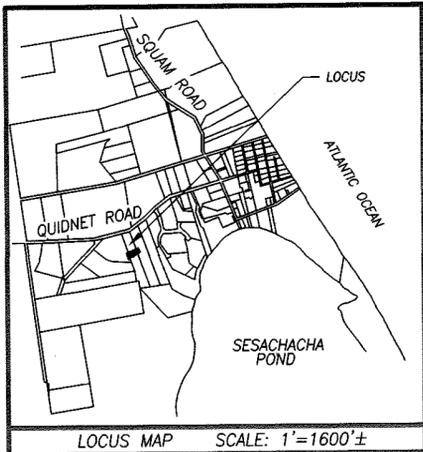
Nantucket Planning and Land Use Services ▪ 2 Fairgrounds Road ▪ Nantucket ▪ MA ▪ 02554 ▪ (508) 325-7587

# #7824 Zeke Dog Subdivision - Endorse plan



#7824 Zeke Dog, LLC  
Definitive Subdivision  
31 Quidnet Road  
Map 21 Parcel 27.1





CURRENT ZONING CLASSIFICATION:  
Residential 20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.  
MINIMUM FRONTAGE: 75 FT.  
FRONT YARD SETBACK: 30 FT.  
REAR/SIDE SETBACK: 10 FT.  
GROUND COVER % : 12.5%

SURVEY PRECISION : 1:42,827  
LINEAR ERROR OF CLOSURE : 0.02  
DIRECTIONAL ERROR OF CLOSURE : N38°22'37.8"E  
INSTRUMENT/ACCURACY : WILD TC800 ±(3mm+2ppm)

"I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN 11-23-2014 AND 4-6-2015"

DATE: 4/14/2015

EDWARD F. KING, JR.  
PROFESSIONAL LAND SURVEYOR



**LEGEND**

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- MAG FND. DENOTES MAG NAIL FOUND

"I, CATHERINE STOVER, CLERK OF THE TOWN OF NANTUCKET, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE."

TOWN CLERK

DATE: \_\_\_\_\_

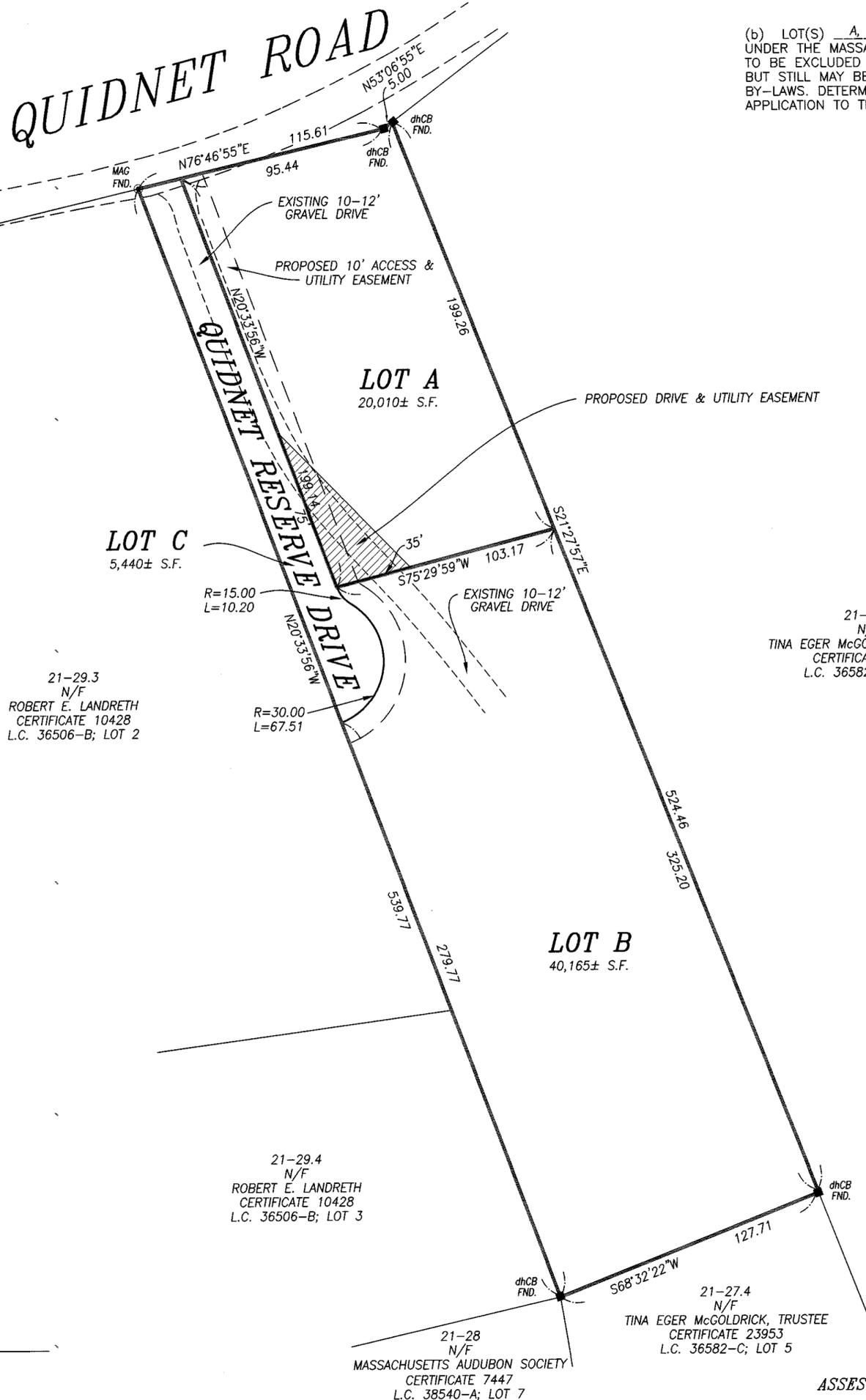
21-29.3  
N/F  
ROBERT E. LANDRETH  
CERTIFICATE 10428  
L.C. 36506-B; LOT 2

21-29.4  
N/F  
ROBERT E. LANDRETH  
CERTIFICATE 10428  
L.C. 36506-B; LOT 3

21-28  
N/F  
MASSACHUSETTS AUDUBON SOCIETY  
CERTIFICATE 7447  
L.C. 38540-A; LOT 7

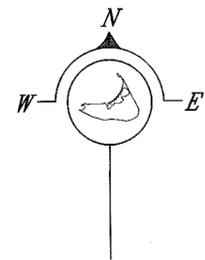
21-27.4  
N/F  
TINA EGER McGOLDRICK, TRUSTEE  
CERTIFICATE 23953  
L.C. 36582-C; LOT 5

21-27.2  
N/F  
TINA EGER McGOLDRICK, TRUSTEE  
CERTIFICATE 21942  
L.C. 36582-B; LOT 2



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) A, B & C DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.



BEING A SUBDIVISION OF LOT 4  
SHOWN ON LAND COURT PLAN 36582-C

**DEFINITIVE  
PLAN OF LAND  
IN  
NANTUCKET, MASS.**

PREPARED FOR

**ZEKE DOG, LLC**  
CERTIFICATE 25032  
L.C. 36582-C; LOT 4  
31 QUIDNET ROAD

SCALE: 1" = 40' DATE: APRIL 14, 2015

**ISLAND SURVEYORS, LLC**  
Professional Land Surveyors  
90 OLD SOUTH ROAD  
NANTUCKET, MASS. 02554  
(508) 228-2720

Nantucket Planning Board  
APPROVAL UNDER THE  
SUBDIVISION CONTROL LAW  
REQUIRED

DATE APPROVED: \_\_\_\_\_  
DATE ENDORSED: \_\_\_\_\_  
PLANNING BD. FILE No. \_\_\_\_\_

ASSESSORS MAP 21 PARCEL 27.1

K-408



PB

RECEIVED

2015 SEP 2 AM 10 16

# Nantucket Planning Board

## Apartment Building Special Permit Decision

Planning Board File # 26 - 15

1, 3, and 5 Greglen Avenue

Owner: Richmond Great Point Development LLC

Nantucket Tax Assessors Map # 68, Lots # 198, 197, and 194  
Land Court Plan # 16514-Z, Lots # 158, 157, and 156 (Land Court Certificate # 24872)

**A u g u s t 1 0 , 2 0 1 5**

The Planning Board of the Town of Nantucket held public hearings at its July 13, 2015 and August 10, 2015 meetings to consider a request by The Richmond Company, Inc. (as applicant) for an Apartment Building Special Permit pursuant to the following sections of the Zoning Bylaw: Section 139-7(A) (Use Chart – Residential Use / Apartment Building in the Commercial Neighborhood Zoning District), Section 139-2(A) (Definitions / Apartment Building), and Section 139-18(D) Off Street Parking Requirements.

Pursuant to Section 139-30(A) of the Zoning Bylaw (Special Permits) the Planning Board is the special permit granting authority for all special permit relief in connection with this application and decision (due to the proposed use of the property as multiple apartment buildings).

The applicant's request would allow for the development and construction of a total of twenty-eight (28) rental apartment units, allocated in a series of six (6) [two story] buildings, located on a +/- 1.64 acre site, comprised of an assemblage of three existing lots located at 1, 3, and 5 Greglen Avenue, +/- 0.10 miles south of Old South Road, at the southwest corner of the intersection of Greglen Avenue and Nancy Ann Lane.

The three existing lots have been subdivided into a series of six (6) lots by an Approval Not Required (ANR) Plan which has been endorsed by the Planning Board.

Relief by way of the issuance of an additional Special Permit is being requested from the provisions of Section 139-18(A)(4) of the Zoning Bylaw in conjunction with the proposal. The applicant has requested relief from the requirement that “all off street parking spaces shall be provided on the same lot as the principal or accessory use they are required to serve”. Such relief is allowed, subject to the issuance of a Special Permit, as set forth in Section 139-18(D) of the Zoning Bylaw.

**Proposal:**

The proposed project is comprised of a total of twenty eight (28) rental apartments, allocated within a series of six (6) two story “garden” style buildings. The proposed unit breakdown includes four (4) studio units, four (4) one bedroom units, and twenty (20) two bedroom units (the studio and one bedroom units include one bathroom each, all of the two bedroom units include two bathrooms each. Two of the buildings contain six (6) units each; the other four buildings contain four (4) units each.

The entirety of the 1.64 acre site is designated within the Commercial-Neighborhood (CN) zoning district, which permits the development of multi-family residential apartment buildings, subject to the issuance of a Special Permit by the Planning Board, and subject to compliance with the applicable intensity and dimensional criteria set forth in Section 139-16 of the Zoning Bylaw, and including the units per lot, bedrooms per lot, and units per land square foot requirements (limitations) prescribed within the definition of “Apartment Building” as set forth in the “Definitions and Word Usage” section, Section 139-2(A) of the Zoning Bylaw.

Each of the six (6) buildings is located on a separate buildable as shown upon the Approval Not Required (ANR) Plan).

The proposal meets or exceeds all of the applicable intensity and dimensional criteria set forth in the Zoning Bylaw, including: minimum lot size, minimum lot frontage, all yard setbacks (front, side, and rear), maximum building height, maximum ground cover ratio, minimum open area, and the minimum lot regularity factor.

For the purposes of calculation relative to the maximum ground cover, it is noted that each (and all) of the buildings have a building footprint that measures 72 feet wide by 29 feet deep, resulting in a building footprint that is equal to 2,088 square feet. Based on this, the total proposed ground cover equals +/- 12,530 square feet, equal to seventeen and one half percent (17.5%), which is well below the maximum ground cover of forty percent (40%) permitted within the Commercial Neighborhood (CN) zoning district.

A total of fifty (50) off street parking spaces have been proposed to serve the project, which is a surplus of two (2) spaces relative to the minimum parking requirements of one (1) parking space per bedroom, as set forth in Section 139-18 of the Zoning Bylaw (Off Street Parking Requirements).

As proposed, relief from one parking-related provision is requested, from Section 139-18(A)(4) of the Zoning Bylaw, from the requirement that “all off street parking spaces shall be provided on the same lot as the principal or accessory use they are required to serve”. For design efficiency, in order to meet the subdivision and frontage requirements, and to allow for greater open space and a better aesthetic layout, the parking lots serving several of the buildings have been consolidated. As a result, an increment of fifteen (15) of the fifty (50) total parking spaces overlap into adjacent (interior) lots.

The site currently contains a series of four different residential structures, all of which will be razed in conjunction with the development of the proposed apartment buildings.

Access to the site will be provided through a series of two driveways, one of which will be located along the Greglen Avenue frontage and one of which will be located along the Nancy Ann Lane frontage. The drive aisles between the two parking areas to be provided within the site will be interconnected, in order to provide “cross access” within and through the site to both of these driveways, thereby enhancing vehicular circulation in and around the site.

#### **Basis for Findings:**

The Planning Board evaluated this application in its capacity as the Special Permit granting authority for this application and decision, as set forth in Zoning Bylaw Section 139-30(A), in accordance with the provisions of Massachusetts General Laws, Chapter 40(A), in accordance with Zoning Bylaw Sections 139-2(A), 139-7(A), 139-18(A)(4), and by reviewing the proposed existing conditions plan, lot layout plan, site plan, utility & layout plan, and detail sheet, as well as the stormwater report, all of which were duly submitted to and reviewed by the Planning Board, the Town Planning and Land Use Services (PLUS) staff, and its consulting engineer, Pesce Engineering & Associates, Inc. It is noted that the application is also subject to Minor Site Plan Review in accordance with Zoning Bylaw Section 139-23(D).

The materials and information that were submitted to the Planning Board in conjunction with this application included the following:

- An “Application for a Special Permit” form, dated June 15, 2015.
- A cover letter including descriptive / technical information entitled “Submittal of Application for Special Permit (Multi-Family Residential), dated June 15, 2015.
- Plans including an “Existing Conditions Plan (Drawing No. C1)”, a “Lot Layout Plan (Drawing No. LL1)”, a “Site Plan (Drawing No. SP1)”, a Utility & Layout Plan (Drawing No. UL1)” and a “Detail Sheet (Drawing No. DT1)” all as prepared by Hayes Engineering, originally dated June 11, 2015, and revised through the date hereof.
- A “Stormwater Report 1,3&5 Greglen Avenue Nantucket MA, as prepared by Hayes Engineering, Inc., dated June 11, 2015, with a revision dated August 6, 2015.

- Letter report entitled “Engineering Review of the Proposed 1,3&5 Greglen Avenue Apartments”, as prepared by Pesce Engineering & Associates, Inc., dated July 9, 2015
- Representation, testimony, and correspondence received and made part of the record in connection with the public hearings held on July 13, 2015 and August 10, 2015.
- Assorted documents that are on file with the Planning Board.

Public hearings were held by the Planning Board on July 13, 2015 and on August 10, 2015, at which time the Planning Board heard testimony from the applicant and the general public. The Planning Board closed the public hearing on August 10, 2015.

**Findings:**

- a. The Planning Board finds that the proposed development is consistent with the provisions of Chapter 40(A) of the Massachusetts General Laws and the provisions of the Zoning Bylaw of the Town of Nantucket;
- b. The Planning Board finds that the proposed development is consistent with the applicable provisions of the “*Nantucket Master Plan*” as approved at the April 6, 2009 Nantucket Annual Town Meeting and the applicable provisions of the “*Naushop Crossing Area Plan*” (NCAP) as adopted by the Nantucket Planning & Economic Development Commission in December of 2013.
- c. The Planning Board finds that the proposed use (apartment building) and the proposed structures are in harmony with the general purpose and intent of the Zoning Bylaw and comply with the provisions of Section 139-2(A) of the Zoning Bylaw by limiting the number of units to no more than six (6) units on a single lot and by limiting the number of bedrooms to no more than eight (8) bedrooms on a single lot.
- d. The Planning Board finds that the site plan of the proposed development, as revised through the date hereof, is substantially in compliance with the Minor Site Plan Review provisions of Section 139-23 of the Zoning Bylaw, including the specific requirements and criteria related to: (a) Contents, (b) Review Objectives, and (c) Performance Standards. This finding is made after review of the site plan by the Planning Board and its staff;
- e. The Planning Board finds that the requirements of Section 139-18 of the Zoning Bylaw have been met by the provision of a total of fifty (50) off street parking spaces, thereby exceeding the minimum required number of off street parking spaces of one (1) space per bedroom, equal to forty-eight (48) spaces, resulting in an increment of two (2) surplus parking spaces.

- f. The Planning Board finds that the relief to be granted from the requirement set forth in Section 139-18(A)(4) of the Zoning Bylaw - to provide all off street parking spaces “within the same lot as the principal or accessory use they are required to serve” meets the criteria for the granting of such relief, as set forth in Section 139-18(D) of the Zoning Bylaw.
- g. The Planning Board finds that the traffic and safety impacts of the proposed development upon public and private rights-of-way have been minimized.
- h. The Planning Board finds that the sewer and water supply systems serving the proposed development are adequate. The site is served by municipal sewer and water services (including a new sewer funded by and installed within the Greglen Avenue right of way by the project proponent).
- i. The Planning Board finds that the proposed development will not place excessive demands on the services or infrastructure of the Town of Nantucket.
- j. The Planning Board finds no evidence that any public amenity of the Town of Nantucket will be adversely affected by the proposed development.

**Decision / Conditions of Approval:**

Based on the foregoing findings, the Planning Board, on August 10, 2015, voted 5-0 to **APPROVE** the following described Special Permit:

- Special Permit issued to allow for the development of (six) apartment buildings, in accordance with Section 139-7(A) and Section 139-2(A) of the Zoning Bylaw.
- Special Permit issued to grant relief from Section 139-18(A)(4) of the Zoning Bylaw, in accordance with and as a result of the findings required under Section 139-18(D) of the Zoning Bylaw, to allow for the provision of a portion of the required off street parking on different (adjacent) lots from the principal or accessory use that they are required to serve.

Approval of the above-referenced Special Permit shall be subject to implementation and compliance with the following conditions:

1. The project must be developed and constructed expressly in accordance with the plans referenced herein, as revised through the date of approval. Any substantial modification(s) thereto must be submitted to and referred back to the Planning Board for further review and action.
2. Any prospective modification to the building configuration and / or exterior design of the project that result from the ongoing review of the project by the Nantucket Historic District Commission (HDC) shall not be deemed substantial

- under Condition # 1 (above) and shall not require submittal and referral back to the Planning Board unless such modification increases the total ground cover to a total in excess of twenty percent (20%), or reduces any yard setbacks (front, rear, or sides) by an increment of five (5) linear feet or more.
3. Consistent with Condition # 1 (above) at no time shall the development have more than twenty-eight (28) total apartment units, in the aggregate, more than eight (8) bedrooms on a single lot, or more than six (6) units on a single lot.
  4. Prior to the issuance of any Building Permit(s) for the project, a lighting plan for the development that complies with all of the provisions of Chapter 102 (Outdoor Lighting) of the Code of the Town of Nantucket shall be submitted for review and approval to the satisfaction of the Town Lighting Enforcement Officer.
  5. Prior to the issuance of any Building Permit(s) for the project, a landscaping plan for the development shall be submitted for review and approval to the satisfaction of the Town Planning Director. At the discretion of the Town Planning Director, the landscaping plan may be referred back to the Planning Board for further review and approval.
  6. Prior to the issuance of any Building Permit(s) for the project, a Certificate of Water Quality Compliance (CWQC) shall be obtained from the Wannacomet Water Company.
  7. Prior to the issuance of any Certificate(s) of Occupancy for the project, a covenant in favor of the Town of Nantucket must be filed with the Nantucket Registry District of the Land Court, which provides that at any time when any of the lots comprising the project are conveyed into separate ownership, an easement will be established by duly-registered instrument in the chain of title for each lot, providing for common vehicular access, common pedestrian access, and common parking rights by and between all of the respective lots within the project, to ensure that such rights are binding and of record. Prior to filing with the Nantucket Registry District of the Land Court, said covenant must be submitted for review and approval to the satisfaction of the Town Planning Director.
  8. That parking shall be prohibited outside of the designated spaces as shown on the approved plan. The applicant shall either install signs to this effect or include language within leases notifying tenants of this prohibition.
  9. That parking shall be prohibited on the surrounding roadways. The applicant shall install signs to this effect and include language within leases notifying tenants of this prohibition.

RECORD OF VOTE AND SIGNATURE PAGE FOLLOWS

**Record of Vote:**

On August 10, 2015 the Planning Board voted 5-0 to **CLOSE** the public hearing, to **APPROVE** this Special Permit, and to **ENDORSE** this decision.

  
\_\_\_\_\_  
Barry G. Rector      APPROVED

  
\_\_\_\_\_  
Nathaniel Lowell      APPROVED

  
\_\_\_\_\_  
Linda Williams      APPROVED

  
\_\_\_\_\_  
Joseph Marcklinger      APPROVED

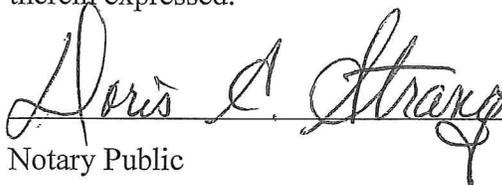
\_\_\_\_\_  
Diane Coombs      APPROVED

**COMMONWEALTH OF MASSACHUSETTS**

Nantucket, SS

\_\_\_\_\_ 8/24 , 2015

On the 24<sup>th</sup> day of August, 2015, before me, the undersigned notary public, personally appeared Nathaniel Lowell, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_ October 9, 2020 \_\_\_\_\_  
My Commission Expires

