



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Agenda
(Subject to Change)

Thursday, March 10, 2016

1:00 PM

4 Fairgrounds Road
Public Safety Facility – Community Room

➤ **CALL TO ORDER:**

1 ➤ **APPROVAL OF THE AGENDA:**

➤ **APPROVAL OF THE MINUTES:**

- February 11, 2016

➤ **OLD BUSINESS:**

- 076-11 Sachems Path, LLC Sachems Path 40B Singer/Maguire
Request for determination that a change to a condition in the First Amended and Restated Comprehensive Permit, requested by the Nantucket Historic District Commission, is insubstantial and may therefore be approved as a minor amendment.
- 04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – *a/k/a* SURFSIDE COMMONS 40B 106 Surfside Road Mackinnon
Extended Close of Public Hearing deadline September 30, 2016 (180 days from Initial Public Hearing with Extension)
Decision Action deadline November 10, 2016 (40 days from close of Public Hearing)
CONTINUED TO APRIL 14, 2016
- 06-16 1620 Capital, LLC 25 Broadway Brescher
Action deadline May 11, 2016

➤ **NEW BUSINESS:**

- 05-16 William J. Stone, II 8 Atlantic Avenue Jensen
Action deadline June 8, 2016
Applicant is requesting Special Permit relief pursuant Zoning Bylaw Section 139-16.C(2) to validate unintentional front and rear yard setback intrusions, both of which relate to the siting of stoops and stairs required by Building Code. In the alternative and to the extent necessary, the applicant seeks modification of prior Variance relief to validate the site of the dwelling. The Locus, an undersized lot of record created pursuant to M.G.L. Chapter 41 Section 81L, is situated at 8 Atlantic Avenue, is shown on Assessor's Map 55 Parcel 18, and as Lot 62 on Plan No. 2011-5. Evidence of owner's title is recorded at Book 1234, Page 237 on file at the Nantucket County Registry of Deeds. The site is zoned Residential 1 (R-1).

- 09-16 Jennifer Regan 36 York Street Hanley
Action deadline June 8, 2016
Applicant is requesting modification of prior Special Permit relief granted pursuant to Zoning By-law Section 139-33.A to allow the alteration of a pre-existing nonconforming structure by lifting the structure to install a new foundation and basement. The structure, subsequent to the approved repositioning on the new foundation, is sited 1.5 inches closer in two corners abutting the westerly side and northerly front yard lot lines, but no closer to the side and front yard setbacks than said structure at its closest points. In the alternative, Applicant is requesting Variance relief pursuant to Section 139-32 from the intensity regulations in Section 139-16 to validate the unintentional change in setback distances as they pertain to the subject portions of the structure. The Locus, an undersized lot of record situated at 36 York Street, is shown on Assessor's Map 55.4.1 as Parcel 103 and upon Plan Book 22, Page 120. Evidence of owner's title is recorded at Book 1254, Page 178 on file at the Nantucket County Registry of Deeds. The site is zoned Residential 1 (R-1).

- 10-16 MHD Parnters Real Estate, LLC 4 Goose Cove Lane Brescher
Action deadline June 8, 2016
Applicant is requesting Variance relief pursuant to Zoning By-law Section 139-32 from the intensity regulations in the Village Height Overlay District (VHOD). Specifically, applicant intends to relocate an existing cottage from another property onto the subject premises, a vacant oversized lot. In 2009, the VHOD was adopted and the structure, which is 25.5 feet above average mean grade, was rendered pre-existing nonconforming. The maximum allowable height in the VHOD is 25 feet pursuant to Section 139-12.K(1). The structure, upon being relocated, will continue to be nonconforming with respect to height but will conform to all other intensity regulations of the Village Residential zoning district. The Locus is situated at 4 Goose Cove Lane, is shown on Assessor's Map 59.4 as Parcel 30, and as Lot 894 upon Land Court Plan No. 3092-119. Evidence of owner's title is registered at Certificate of Title 25954 on file at the Nantucket County District of the Land Court. The site is zoned Village Residential (VR) and is sited within the Village Height Overlay District (VHOD).

➤ **ADJOURNMENT.**