

# ZONING BOARD OF APPEALS

JUNE 9, 2016

# PACKET

*PART III*

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# TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Agenda  
(Subject to Change)

Thursday, June 9, 2016

**1:00 PM**

4 Fairgrounds Road

Public Safety Facility – 1<sup>st</sup> Floor Community Room

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1 ➤ **CALL TO ORDER:**

➤ **APPROVAL OF THE AGENDA:**

➤ **APPROVAL OF THE MINUTES:**

**Pages 5 - 11** ▪ May 11, 2016

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➤ **OLD BUSINESS:**

**See Packet  
Parts I & II**

- 04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – *a/k/a* SURFSIDE COMMONS 40B 106 Surfside Road Mackinnon / Schwartz  
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)  
The Applicant is seeking a Comprehensive Permit in accordance with M.G.L. Chapter 40B, as approved by Massachusetts Housing Partnership, in order to allow a multi-family project consisting of 56 rental apartments with fourteen (14) to be designated as affordable units. The apartments will be arranged in two 2 ½ story buildings with thirteen units each and two 3 ½ story buildings with fifteen (15) units each. There will be a total of two 1-bedroom units, forty two 2-bedroom units, and twelve 3-bedroom units. The project will also include a clubhouse and pool. If approved, the property will be permanently deed-restricted for the purpose of providing affordable year-round housing. The file with a copy of the complete and updated list of requested waivers is available at the Zoning Board of Appeals office at 2 Fairgrounds Road between the hours of 7:30 A.M. and 4:30 P.M., Monday through Friday or via link to posting of all document related to this project found on Town of Nantucket website below:  
<http://www.nantucket-ma.gov/708/Atlantic-Development---106-Surfside-Road>

The Locus, situated at 106 Surfside Road, is shown on Assessor's Map 67 as Parcel 80. Locus is also shown as Block 22 on Plan File 3-D and as Parcels 7 -11 (inclusive) on Plan No. 2014-52. Evidence of owner's title is recorded in Book 1410, Page 205 and Book 1488 Page 213, both on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General 2 (LUG-2) and Limited Use General 3 (LUG-3).

- 10-16 MHD Partners Real Estate, LLC 4 Goose Cove Lane Brescher/Osgood  
**WITHDRAWAL WITHOUT PREJUDICE**

- 15-16 Madaket Wheelhouse, LLC 13 Massachusetts Avenue Cohen  
Action deadline August 9, 2016

Pages 15 - 27

Applicant is seeking relief by Special Permit and Variance pursuant to Zoning By-law Sections 139-33.A and 139-32 in order to alter the pre-existing nonconforming dwelling and garage. Applicant proposes to build two dimensionally compliant additions to the dwelling and to enclose an outdoor shower to be sited .5 feet from the westerly lot line, increasing that pre-existing nonconforming side yard setback encroachment. Applicant also proposes changes to the garage consisting of moving, expanding, and converting it into a secondary dwelling. The Locus is situated at 13 Massachusetts Avenue, is shown on Assessor's Map 60 as Parcel 75, and as Lots 12-15, Block 29 upon Land Court Plan 2408-Y and unregistered land lying north of said Lots. Evidence of owner's title is registered on Certificate of Title No. 25696 at the Nantucket County District of the Land Court and in Book 1494, Page 39 on file at the Registry of Deeds. The site is zoned Village Residential (VR).

- 16-16 Todd W. Winship & Elizabeth W. Winship and Bess W. Clarke, Tr., Sixteen Monohansett Road Trust 16 Monohansett Road Brescher  
Action deadline August 9, 2016 **CONTINUED TO JULY 14, 2016**

2

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Specifically, applicant seeks to validate enclosure of pool cabana breezeway which resulted in total ground cover ratio of 4.2% where 4% is maximum allowed. The Locus is situated at 16 Monohansett Road, is shown on Assessor's Map 79 as Parcel 143, and as Lot 29 upon Plan File 11-A. Evidence of owner's title is in Book 1503, Page 322 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General 2 (LUG-2).

➤ **NEW BUSINESS:**

- 18-16 Janet Hanson 3 Pond Road Shalley  
Action deadline September 7, 2016

Pages 30 - 56

Applicant is seeking modification of prior Variance relief in order to remove the condition that the second dwelling be restricted to year-round occupancy. Prior relief validated the siting of the garage structure within the front yard setback and the conversion of a portion of the garage into a second dwelling. No change in footprint is proposed. The Locus is situated at 3 Pond Road, is shown on Assessor's Map 56 as Parcel 151.1, and as Lot 132 upon Land Court Plan 14830-7. Evidence of owner's title is registered on Certificate of Title No. 23280 at the Nantucket County District of the Land Court. The site is zoned Residential 20 (R-20).

- 19-16 John Udelson 12 Pond View Drive Brescher  
Action deadline September 7, 2016

Pages 57 - 80

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Specifically, applicant seeks to validate the various structures upon the premises already granted Certificates of Occupancy but shown on most recent As-Built survey to have a total ground cover ratio of 4.1% where 4% is maximum allowed. The Locus is situated at 12 Pond View

Drive, is shown on Assessor's Map 81 as Parcel 9, and as Lot 10 upon Land Court Plan 36550-C. Evidence of owner's title is registered on Certificate of Title No. 25177 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 2 (LUG-2).

- 20-16 Gerald T. Vento & Margaret Vento, Tr. of Ninety-One Low Beach Road Nominee Trust  
Action deadline September 7, 2016 3 Pond Road Cohen  
Pages 81 - 89 Applicant is requesting Special Permit relief pursuant Zoning Bylaw Section 139-16.C(2) to validate unintentional side and rear yard setback intrusions. The siting of a tennis court, installed in 2012, was reasonably based on a licensed survey. The court is sited as close as 15.4 feet from the side yard lot line and 18 feet from the rear yard lot line, where a twenty (20) foot setback is required. In the alternative, and to the extent necessary, Applicant requests relief by Variance pursuant to Section 139-32 to allow said setback intrusions. The Locus is situated at 91 Low Beach Road, is shown on Assessor's Map 75 as Parcel 31, and as Lot 912 upon Land Court Plan 5004-65. Evidence of owner's title is registered on Certificate of Title No. 24350 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

- 21-16 William Pietragallo, II, Tr. of The 2013 Freedom Trust Beaudette  
Action deadline September 7, 2016 9 Fulling Mill Road  
Pages 90 - 176 Applicant is requesting a finding that a proposed generator enclosure is substantially below grade and, therefore, does not contribute towards ground cover. In the alternative, applicant requests either Special Permit relief pursuant to Zoning Bylaw Section 139-33.A(2) or Variance relief pursuant to Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. The Locus is situated at 9 Fulling Mill Road, is shown on Assessor's Map 27 as Parcel 25, and as Lot 3 upon Land Court Plan 14311-K. Evidence of owner's title is registered on Certificate of Title No. 24827 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

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➤ **OTHER BUSINESS:**

- 66-00 Abrem Quarry (40B)  
Discussion of draft Monitoring Services Agreement between Nantucket Zoning Board of Appeals and Nantucket Housing Authority and NHA Properties *d/b/a* Housing Nantucket.  
See Packet Part IV

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➤ **ADJOURNMENT.**



# ZONING BOARD OF APPEALS

2 Fairgrounds Road  
Nantucket, Massachusetts 02554  
[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

**Commissioners:** Ed Toole (Chair), Lisa Botticelli (Vice chair), Susan McCarthy (Clerk), Michael J. O'Mara, Kerim Koseatac  
**Alternates:** Mark Poor, Geoff Thayer, Jim Mondani

## ~~ MINUTES ~~

**Wednesday, May 11, 2016**

Public Safety Facility, 4 Fairgrounds Road, Community Room & Training Room –11:00 a.m.

Called to order at 11:08 a.m.

Staff in attendance: Eleanor Antonietti, Zoning Administrator; T. Norton, Town Minutes Taker  
Attending Members: Toole, Botticelli, McCarthy, O'Mara, Koseatac, Poor, Thayer, Mondani  
Absent: None  
Late Arrivals: Thayer, 1:11 p.m.  
Early Departures: None  
Town Counsel: Ilana Quirk, Kopelman & Paige, P.C.  
ZBA Consultants: Ed Marchant, 40B Advisor

Agenda adopted by unanimous consent

### I. APPROVAL OF MINUTES

1. April 14, 2016: **Motion to Approve.** (made by: Koseatac) (seconded by: Botticelli) Carried unanimously

### II. OLD BUSINESS

1. 04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – *a/k/a* SURFSIDE COMMONS 40B  
106 Surfside Road Mackinnon/Schwartz

The Applicant is seeking a Comprehensive Permit in accordance with M.G.L. Chapter 40B, as approved by Massachusetts Housing Partnership, in order to allow a multi-family project consisting of 56 rental apartments with fourteen (14) to be designated as affordable units. The apartments will be arranged in two 2½-story buildings with thirteen units each and two 3½-story buildings with fifteen (15) units each. There will be a total of two 1-bedroom units, forty two 2-bedroom units, and twelve 3-bedroom units. The project will also include a clubhouse and pool. If approved, the property will be permanently deed-restricted for the purpose of providing affordable year-round housing. The file with a copy of the complete and updated list of requested waivers is available at the Zoning Board of Appeals office at 2 Fairgrounds Road between the hours of 7:30a.m. and 4:30p.m., Monday through Friday or via link to posting of all document related to this project found on Town of Nantucket website: <http://www.nantucket-ma.gov/708/Atlantic-Development---106-Surfside-Road>. The Locus, situated at 106 Surfside Road, is shown on Assessor's Map 67 as Parcel 80. Locus is also shown as Block 22 on Plan File 3-D and as Parcels 7-11 (inclusive) on Plan No. 2014-52. Evidence of owner's title is recorded in Book 1410, Page 205 and Book 1488 Page 213, both on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General 2 (LUG-2) and Limited Use General 3 (LUG-3).

Voting Toole, Botticelli, O'Mara, Koseatac, McCarthy  
Alternates Poor, Mondani  
Recused Thayer  
Documentation File with associated plans, photos and required documentation  
Representing Donald J. MacKinnon, Atlantic Development  
Steve Schwartz, Goulston and Storrs, counsel  
Joshua Swerling, Bohler Engineering  
Margaret Murphy, Atlantic Development  
Gary Gardner, Sheskey Architects  
Arthur Reade, Reade, Gullicksen, Hanley, & Gifford LLP  
Public Patrick Taaffe, 21 Okorwaw Avenue  
Mary Beth Ferro, 104 Surfside Road  
Jane Valero, 9 Gladlands Avenue  
Cormac Collier, Executive Director Nantucket Land Council (NLC)  
Jessica Davis & Linda Davis at 108 Surfside Road

Discussion (11:37) **MacKinnon** – Reviewed changes to the site layout, distance to neighboring properties.  
**Gardner** – Reviewed architectural aspects and Island precedent. Explained how the proposed design addresses the needs of an average working class resident. Cited 15-23 Orange Street block as precedent. Exterior materials are to be cedar shingles and trim.

**O'Mara** – The entrance shares space with the exit in proximity to the playground and to the 8-car parking area.

**MacKinnon** – There is a fence along the play area and the drive is 24-feet wide. They haven't heard from the Planning Board yet. Reviewed upcoming changes: wastewater treatment, building size, public safety. They are at the point to start updating the architectural plans.

**Poor** – If an on-site wastewater treatment plan is being proposed, the Board of Health (BOH) will have to look at this.

**Botticelli** – The height of the structures should come down. Pointed out that the Orange Street block does not relate to this building or this location. Right now these buildings don't reflect Nantucket architecture; should reduce the roof pitch to a more typical pitch.

**Toole** – Noted that all the precedent photos are from in Town; these are totally out of context with this area.

**Botticelli** – This is an open rural area and that should be kept in mind when designing these structures.

**Schwartz** – Stated that they are not considering any changes to the overall massing considering the purposes of these buildings; they feel comfortable with the design of the project as does the subsidizing agency, which took a close look at this. They are comfortable with the 40B precedent in regards to design in face of the need for affordable housing.

**Poor** – He would like to address the Historic District Commission (HDC) comments as to how this project is justified in a rural context on this island.

**Botticelli** – Stated there is a letter from Deborah Timmerman of the Historical Commission (HC), which also expressed concern about the effect of this design on the overall character of the Island.

**Toole** – We are hopeful something better will come; this design is not very sensitive to Nantucket.

**MacKinnon** – To the extent that concerns were expressed about how out of context these are, will not be addressed.

**Botticelli** – The context references are not the same scale: those have two stories then the roof; these have 2.5 stories before the eave line starts. We can't respond to the proposed changes without the plans including them. Her main concern, and those of others, is the mass and design of these buildings.

**MacKinnon** – Stated he understands the concerns about massing; they will look at adjusting the setbacks for the next meeting. They are hoping to review traffic; asked if the board would have their traffic engineer attend the next meeting.

**McCarthy** – She feels adjustment to the massing and traffic go hand in hand; Mr. O'Mara's concerns are valid; the central mailbox is presently on the corner of the sole ingress-egress point.

**Toole** – The peer review of the traffic can be done prior to the next meeting.

**Botticelli** – She is not ready to spend time on the traffic if there are still massing issues that have not been resolved.

**Schwartz** – Pointed out that there is 180-day deadline that has been extended so would appreciate the board closing the project in a timely way.

**Toole** – In regards to the timing, we have to September 30. If the changes had been presented in a substantive form at this meeting, we would be discussing them.

**Botticelli** – There is no buffer around the site except for a single line of trees on the property line; that is insufficient.

**Toole** – Suggested looking at breaking up the buildings into six smaller structures to be more contextual.

**MacKinnon** – That hadn't been looked at; doing that would take up more space.

**Marchant** – The important number is 52 apartments. Massing is a huge concern; suggested the client take a look at a redesign to address the massing and keep the level of drawings to preliminary. Given that wastewater is under 10,000 gallons, they could do a Title V compliant system, which would provide more flexibility than a private-package treatment plant. A requirement for a private-package treatment plant occurs when bedrooms exceed 90; it is not a coincidence that this project has 87 bedrooms. The Department of Environmental Protection (DEP) requires a long permitting process for groundwater discharge; they are thorough in operations, maintenance, and establishing a capital reserve. As long as they are under 10,000 gallons, the BOH would be responsible for monitoring this. There are special nitrate requirements they must meet. Maintenance of the system is up to the owner of the property.

**Taaffe** – If the 10,000 gallons is exceeded or fails, asked if they can forfeit to hook up to sewer. The average person uses 800 gallons a day, that would restrict occupancy to 100 people. Asked if an independent perc test has been done.

**MacKinnon** – The BOH witnessed the perc test and determined the soil to be adequate.

**Marchant** – Noted that it would be impossible to predict the number of occupants, 100 gallons a day is based upon the bedrooms. Ed Pesce, Engineering Consultant for the ZBA, is very familiar with the soil on the island and the system will go through a peer review.

**Toole** – The system would have to fail twice for them to default to sewer.

**McCarthy** – If the system were to fail, she is concerned about what would happen to the residents.

**Marchant** – This has a single owner and safeguards are in place.

**Quirk** – She will look at the special act in regards to emergency connection to sewer.

**Ferro** – She has a well that is close to the property line and needs to know where the septic would go.

**MacKinnon** – The system would go where the pool is, which is beyond 100 feet from Ms Ferro's well.

**Marchant** – There would be a condition that the system is subject to approval by the BOH.

**MacKinnon** – Believes the BOH would be charged with monitoring but it would not be approved by the BOH.

**Quirk** – She will look at that issue specifically as she has not seen a septic proposed for a 40B this large. State-driven permits under Chapter 31 and state building codes go back to the Building Commissioner and Conservation Commission. With respect to issuance of the Title V permit, she has to look into that.

**Ferro** – The new bikepath might be an infringement into her privacy as it would entail fill and removal of trees. Compared the construction of these buildings to the construction of the school and how these would be out of scale to the neighborhood. Screening is an issue; a 4-foot fence would not screen anything; there should be lots of tall fences and big plants. The site would have to be cleared to the property line.

**Valero** – Shares Ms Ferro’s concerns. Also the number of parking spaces doesn’t allow for guests and she is concerned about where those vehicles would park.

**Toole** – Noted that the applicant can’t consider neighboring vegetation as screening for this project.

**Collier** – This site is in Zone 2, public wellhead recharge district, with no more than 2,000 gallons discharge per system, they are going to five times that. We need details for the peer review to protect our water.

**Marchant** – There might be provisions within Title V to grant relief for innovative systems.

**Davis** – Asked if the traffic report would include increased traffic for Boulevard and a future development. Noted the school bus does not stop in this area due to the proximity to schools.

**Marchant** – Noted the traffic study has to take into consideration any proposed development as well as natural increase. This board has a traffic peer review in the works and part of that review is to ensure that assumptions made are reasonable. The applicant peer reviewer should meet with the Town Planner to be made aware of future developments.

**O’Mara** – He is interested in a bus drive off area in this vicinity. The bike path could be routed around it.

**Quirk** – A license would have to be sought for the bike path as well as a Town easement. There is a potential that the license would be given and the path handed over to the Town.

**MacKinnon** – It would be built in accordance to Town legislation then become a Town bike path.

**O’Mara** – Suggested shortening the bike path, bringing it out of the north side of the project, keeping the bikes away from trucks and cars at the entrance.

**Ferro** – She and the other abutters question the bike path. Right now everyone crosses at the 4-way stop crosswalks; this new path will cause confusion by creating two places for bikes and pedestrians to cross.

**McCarthy** – Agrees that a bike path just to service the complex would be confusing. Supports the crosswalk.

**Toole** – We need to think about that in regards to traffic safety.

**MacKinnon** – At some point in time, there could be a roundabout at the Fairgrounds Road intersection; the bike path would prevent bikers from having to get into the roundabout. Noted also that the Surfside bike path crosses the road further up.

**Valero** – Agrees that the bike path and crosswalk adds to the traffic mix.

**Davis** – All rotaries have crosswalks; there is no need for the second bike path.

**Motion to Continue to June 9 at 1 p.m.** (made by: Botticelli) (seconded by: O’Mara)

Motion  
Vote

Carried unanimously

2. 10-16

MHD Partners Real Estate, LLC

4 Goose Cove Lane

Brescher/Osgood

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).

Voting Toole, Botticelli, McCarthy, O’Mara, Koseatac

Alternates Poor, Thayer, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing **John Brescher**, Glidden & Glidden – Recapped the project. Reviewed additional information submitted in response to previous requests. There is an easement in place that protects abutter’s views.

Mickey Rowland, Rowland and Associates

Don Bracken, Bracken Engineering, Inc.

Ward Osgood, owner

Public None

Discussion (1:11)

**Botticelli** – At the last meeting, Mr. Poor had asked to see the HDC approval for any requested grade change. The bylaw doesn’t allow filling a site unless the existing and proposed grade are averaged; the fact that the land was filled without permitting and that change is not included in this application doesn’t sit right with her. The land was filled up to elevation 12. Noted that she’s not opposed to the request but feels the application is not correct.

**Bracken** – Zoning Enforcement Officer (ZEO) said that the ground elevation at the time of the application is what is considered as the existing grade. Based upon that they moved forward.

**Toole** – There is no evidence the area was previously dug out for the tennis courts. He has a real problem with filling ahead of time. He would like to have the ZEO’s new definition of fill in regards to the bylaw in writing for inclusion in the file.

**Bracken** – The area was definitely excavated; no depression shows in old photographs.

Discussion about the ZEO’s interpretation of the bylaw in regards to this application and future applications.

**Toole** – Wants the ZEO to go on record in writing that filling without a permit is “kosher”.

**Rowland** – His design went by what he was told, that once the HDC approves the grade, that is the existing grade.

**Osgood** – From his perspective, he was under the impression he could build. It was a big hole and he filled it to the grade appropriate to the surrounding area.

**Toole** – In his opinion, if there is a geological valley, someone shouldn’t be allowed to fill it to be at the same level with the abutters.

**Botticelli** – Before granting the variance, she wants accurate information of what was there and what is there now or a letter from ZEO stating the fill is okay.

**Poor** – Agrees with Ms Botticelli.

**McCarthy** – Expressed concern about the ZEO’s making an interpretation of the bylaw which affects the construction industry Island wide.

**Toole** – Reiterated that he would like the letter from the ZEO; also the board had asked for an accurate amount of fill and that hasn’t been supplied.

**Antonietti** – It might be safe to re-notice this application.

**Brescher** – Noted that the move date is set for June 7 and would like some decision by then.

**Motion to Continue to June 9.** (made by: O’Mara) (seconded by: Botticelli)

Carried unanimously

Motion  
Vote

### III. NEW BUSINESS

1. 11-16 John N. Sullivan and Marie T. Sullivan 5 Appleton Road Sullivan  
Applicant is seeking relief by Special Permit pursuant to Zoning By-law Section 139-16.C by reducing the side yard setback from ten (10) to five (5) feet in order to validate the siting of the existing main dwelling and to site a proposed 400 square foot garage within the ten (10) foot northerly side yard setback. The Locus is situated at 5 Appleton Road, is shown on Assessor’s Map 66 as Parcel 390, and as Lot 19 upon Land Court Plan 13554-D. Evidence of owner’s title is registered on Certificate of Title No. 22449 at the Nantucket County District of the Land Court. The site is zoned Residential 10 (R-10).

Voting Toole, Botticelli, Koseatac, Poor, Thayer

Alternates None

Recused O’Mara, McCarthy, Mondani

Documentation File with associated plans, photos and required documentation

Representing **John Sullivan** – Asking for relief to reduce the 10-foot side-yard setback to 5 feet for a non-residential structure.

Public None

Discussion (1:42) **Toole** – Asked how the house ended up too close to the side line without relief.

**Sullivan** – This was initially permitted when the 5-foot setback was in place.

**Toole** – Cautioned he should go to 5’6” to avoid any mistake.

**Motion to Grant the relief as requested with no further encroachment.** (made by: Botticelli) (seconded by: Thayer)

Carried unanimously

2. 12-16 Amos B. Hostetter, Jr., Stephen W. Kidder, & Michael J. Puzo, Tr., A & B Realty Trust

53 Baxter Road Reade

Applicant is seeking relief by Special Permit pursuant to Zoning By-law Section 139-33.A to alter the pre-existing nonconforming dwelling and garage by relocating them on the lot to increase the distance from the coastal bank, while maintaining the nonconforming front yard setback distances and creating no new nonconformities. The Locus is situated at 53 Baxter Road, is shown on Assessor’s Map 49 as Parcel 17, and upon Land Court Plan 20574-A. Evidence of owner’s title is registered on Certificate of Title No. 23030 at the Nantucket County District of the Land Court. The site is zoned Sconset Residential 20 (SR-20).

Voting Toole, Botticelli, McCarthy, O’Mara, Koseatac

Alternates Poor, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing **Arthur Reade**, Reade, Gullicksen, Hanley, & Gifford LLP – The proposal is to move laterally north an existing house and garage, within the front-yard setback, while maintaining existing front-yard setback for a new foundation. Been to the Planning Board to reduce the width of the driveway and received special relief to do that. Work to be done in the Fall.

Public None

Discussion (11:10) Discussion about imposing work limitations.

**Motion to Approve with no exterior construction between Memorial Day and Labor Day.** (made by: Botticelli) (seconded by: O’Mara)

Carried unanimously

Vote

3. 13-16 Anjonc Real Estate 13 Company, LLP & Maureen Dunphy, Tr., One Kite Hill Lane Realty Trust  
 1 Kite Hill Lane Brescher  
 Applicant requests special permit relief pursuant to Zoning By-law Section 139-33.A to alter the pre-existing nonconforming dwelling and, to the extent applicable, Modification of prior Special Permit relief in order to expand the basement beneath the existing front porch. The pre-existing nonconforming side and rear yard setbacks will remain unchanged. The Locus is situated at 1 Kite Hill Lane, is shown on Nantucket Tax Assessor's Map 42.4.4 as Parcel 63. Evidence of owners' title is in Book 1484, Page 185 and Book 1517, Page 231 on file at the Nantucket County Registry of Deeds. The property is zoned Residential Old Historic (ROH).

Voting Toole, Botticelli, McCarthy, O'Mara, Thayer  
 Alternates Koseatac  
 Recused Poor, Mondani  
 Documentation File with associated plans, photos and required documentation  
 Representing **John Brescher**, Glidden & Glidden – There was a condition of no further construction without permit from the board; owner wants to expand the basement. All work is outside the setback and no change in footprint or groundcover. No abutter concerns. This is a request to modify the special permit or get relief.  
 Public None  
 Discussion (1:47) No concern as long as existing condition remain in place  
 Motion **Motion to Grant the relief as requested with all conditions remaining in place.** (made by: Thayer) (seconded by: Botticelli)  
 Vote Carried unanimously  
 14-16 17 OSR, LLC 17 Old South Road Dale

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 from the provisions of Section 139-16 to allow placement of a seasonal awning within the ten (10) foot front yard setback. The awning would be located over an existing outdoor dining area in the front of the structure associated with the operation of the restaurant known as Fusaro's. The Locus is situated at 17 Old South Road, is shown on Assessor's Map 67 as Parcel 41.2, and as Lot 4 upon Plan File 44-Q. Evidence of owner's title is in Book 1496, Page 25 on file at the Nantucket County Registry of Deeds. The site is zoned Commercial Neighborhood (CN).

Voting Toole, Botticelli, McCarthy, O'Mara, Koseatac  
 Alternates Poor, Mondani  
 Recused None  
 Documentation File with associated plans, photos and required documentation  
 Representing **Kevin Dale**, Vaughan, Dale, Hunter and Beaudette, P.C. – The variance is for an awning to cover the front patio; the awning would encroach on the front setback; the property is conforming. Cited precedence for approval of this application. His client is prepared to meet all regulations. Reviewed site layout. Noted that when the parking calculations were done, patio seating was taken into account and it is part of the liquor license.  
 Tom Fusaro, owner  
 Public None  
 Discussion (11:17) **Poor** – Need to recognize the awning as a structure for hurricane codes and other considerations to include patron safety. A building permit would be involved and material should meet fire safety regulations.  
**Toole** – Would like evidence that all parking requirements are met included in the file.  
 Discussion about how much the awning would encroach into the front- and side-yard setbacks and the need for a survey plan marking the dimensions of the awning.  
**Dale** – Asked the board to allow the relief with submission of a supplemental plan in accordance with the variance.  
**Poor** – The COI should clearly state what is the permitted seating.  
**Botticelli** – Add the condition that there would be no amplified music on the patio.  
 Motion **Motion to Grant the relief conditioned upon no amplified music on the patio, evidence that the patio is included in the COI seating plan, if the patio and awning are to be converted into a more permanent structure the owner must seek relief from this board.** (made by: McCarthy) (seconded by: O'Mara)  
 Vote Carried unanimously

4. 15-16 Madaket Wheelhouse, LLC 13 Massachusetts Avenue Cohen  
 Applicant is seeking relief by Special Permit and Variance pursuant to Zoning By-law Sections 139-33.A and 139-32 in order to alter the pre-existing nonconforming dwelling and garage. Applicant proposes to build two dimensionally compliant additions to the dwelling and to enclose an outdoor shower to be sited .5 feet from the westerly lot line, increasing that pre-existing nonconforming side yard setback encroachment. Applicant also proposes changes to the garage consisting of moving, expanding, and converting it into a secondary dwelling. The Locus is situated at 13 Massachusetts Avenue, is shown on Assessor's Map 60 as Parcel 75, and as Lots 12-15, Block 29 upon Land Court Plan 2408-Y and unregistered land lying north of said Lots. Evidence of owner's title is registered on Certificate of Title No. 25696 at the Nantucket County District of the Land Court and in Book 1494, Page 39 on file at the Registry of Deeds. The site is zoned Village Residential (VR).

Voting Toole, McCarthy, Koseatac, Thayer, Mondani  
 Alternates None  
 Recused Botticelli, O'Mara, Poor  
 Documentation File with associated plans, photos and required documentation

Representing **Steven Cohen**, Cohen & Cohen Law PC – The septic was installed without permit and it is no longer legal; it has to be replaced with a tight tank. Reviewed changes to the pre-existing, nonconforming structure that result in increase of groundcover. The main house outdoor shower with a floor encroaches into the setback. Explained why the outdoor shower is necessary.

Public None  
Discussion (1:55) **Toole** – Would prefer not to bless the floored shower in the setback. Would need a step from the bedroom into the shower and that would also be in the setback.

**McCarthy** – Suggested the applicant not make the shower a structure so that it doesn't require a variance. Discussion about the other parts of the variance request.

**Cohen** – Asked for a continuance.

Motion **Motion to Continue to June 9.** (made by: McCarthy) (seconded by: Koseatac)

Vote Carried unanimously

5. 16-16 Todd W. Winship & Elizabeth W. Winship and Bess W. Clarke, Tr., Sixteen Monohansett Road Trust

16 Monohansett Road Wilson

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Specifically, applicant seeks to validate enclosure of pool cabana breezeway which resulted in total ground cover ratio of 4.2% where 4% is maximum allowed. The Locus is situated at 16 Monohansett Road, is shown on Assessor's Map 79 as Parcel 143, and as Lot 29 upon Plan File 11-A. Evidence of owner's title is in Book 1503, Page 322 on file at the Nantucket County Registry of Deeds.

The site is zoned Limited Use General 2 (LUG-2).

Voting Toole, Botticelli, McCarthy, O'Mara, Koseatac

Alternates Poor, Thayer, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing **John Brescher**, Glidden & Glidden – Relief is to validate a cabana to be converted into tertiary dwelling resulting in exceeding the groundcover based upon a hardship. The Planning Board approved the tertiary dwelling based upon ZBA approval. As an open cabana, it didn't count for groundcover.

**Elizabeth Winship**, owner – The work has been done and someone is living there.

Public None

Discussion (2:10) **Toole** – The cabana has been made into a 3<sup>rd</sup> dwelling without a permit; now they are seeking a permit.

**McCarthy** – This is a dwelling for year-round occupancy with only a toilet and no shower. This is not a legal dwelling.

**Botticelli** – Asked how much of the building is over the groundcover.

**Brescher** – The structure is 506 square feet; 180 square feet is over maximum groundcover.

Discussion about the work done on the main house and changes to the cabana.

**McCarthy** – Asked why a permit wasn't sought at time the work to the cabana was done; she doesn't understand why the work wasn't done under permit. The hardship would be the reason for the variance.

**Toole** – Stated he is disinclined to grant the relief.

Motion **Motion to Continue to June 9.** (made by: Botticelli) (seconded by: Koseatac)

Vote Carried unanimously

6. 17-16 Nantucket Memorial Airport

WITHDRAWAL AS A MATTER OF RIGHT AND WITHOUT PREJUDICE

Voting Toole, Botticelli, McCarthy, O'Mara, Koseatac

Alternates Poor, Thayer, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing None

Public None

Discussion None

Motion **Motion to Accept the withdrawal.** (made by: Botticelli) (seconded by: O'Mara)

Vote Carried unanimously

#### IV. OTHER BUSINESS

1. 66-00 Abrem Quarry (40B)  
Discussion of draft Monitoring Services Agreement between Nantucket Zoning Board of Appeals and Nantucket Housing Authority and NHA Properties *d/b/a* Housing Nantucket.
- Voting Toole, Botticelli, McCarthy, O'Mara, Koseatac, Poor, Thayer, Mondani
- Documentation File with associated plans, photos and required documentation
- Representing **Anne Kuszpa**, Housing Nantucket – The monitoring agreement wasn't properly executed. Housing Nantucket would like to be the monitoring agent for Abrem Quarry. The first resale of a 40B unit will be happening in the very near future and there is a strict timeline that must be met. The monitoring agent could get up to 2.5% of the resale price; the lottery agent gets 3%. The monitoring agent doesn't get paid until there is a sale. The recorded documents were incorrectly done. Needs the board to say it okay to charge up to 2.5% then she works it out with Town Counsel.
- Discussion (2:23) **Toole** – Housing Nantucket is supposed to be the monitoring agent.  
**Antonietti** – She has requested a legal opinion that came back with the ruling that Housing Nantucket is the correct monitoring agent.  
Discussion about the charge and how it would be calculated dependent upon the sales price.  
Ms Antonietti is directed to proceed with legal counsel.

#### V. ADJOURNMENT

Motion to Adjourn: 2:38 pm.

Submitted by:  
Terry L. Norton

**OLD**

**BUSINESS**

**MHD PARTNERS  
REAL ESTATE LLC**

**4 GOOSE COVE LN.**

---

**FILE NO. 10-16**

**WITHDRAWN**

GLIDDEN & GLIDDEN, P.C.  
ATTORNEYS AT LAW  
P. O. Box 1079  
37 CENTRE STREET  
NANTUCKET, MASSACHUSETTS 02554  
508-228-0771  
FAX 508-228-6205  
OFFICE@GLIDDENANDGLIDDEN.COM

RICHARD J. GLIDDEN  
JESSIE M. GLIDDEN BRESCHER  
JOHN B. BRESCHER

JAMES K. GLIDDEN  
(1917 – 2009)

---

June 2, 2016

Ms. Eleanor Antonietti  
Zoning Administrator  
Planning and Land Use Services  
2 Fairgrounds Road  
Nantucket, MA 02554

RE: Variance Request – ZBA File No. 10-16  
4 Goose Cove Way, Nantucket MA 02554

Dear Eleanor,

On behalf of my client, MHD Partners Real Estate, LLC, I hereby request the application for their Variance request be withdrawn without prejudice.

If you have any questions, please do not hesitate to contact me. Trusting you find everything in order, I remain,

Very Truly Yours,

  
John B. Brescher, Esq.

**MADAKET WHEELHOUSE, LLC**

**13 MASSACHUSETTS AVE.**

---

**FILE NO. 15-16**

Catherine Flanagan Stover, Town Clerk  
Town of Nantucket - 16 Broad Street  
Nantucket, MA 02554 [twclerk@nantucket.net](mailto:twclerk@nantucket.net)  
508-228-7777 APR 12 2016 AM 9:30  
Home: 508-228-7841

2016 APR 12 PM 3:14



**TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554  
APPLICATION**

**PAID PAID**  
APR 12 2016  
BY: 2953

Fee: \$450.00

File No. 1516

Owner's name(s): Madaket Wheelhouse LLC

Mailing address: c/o Cohen & Cohen Law PC

Phone Number: 508-228-0337 E-Mail: Steven@CohenLegal.net

Applicant's name(s): Same

Mailing Address: Post Office Box 786, Nantucket, MA 02554

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Locus Address: 13 Massachusetts Ave Assessor's Map/Parcel: 60 - 75

Deed: Book 1494 Page 39 Plan.: None

COT: 25696 LC Plan: Lots 12-15, Block 29 on LCPlan 2408-Y Zoning District: VR

Uses on Lot- Commercial: Residential house and cottage/garage

Residential: Number of dwellings 2 Duplex 0 Apartments 0

Date of Structure(s): all pre-date 7/72 Yes or \_\_\_\_\_

Building Permit Numbers: \_\_\_\_\_

Previous Zoning Board Application Numbers: \_\_\_\_\_

2 Fairgrounds Road Nantucket Massachusetts 02554  
508-228-7215 telephone 508-228-7298 facsimile

Special permits or variance relief applying for:

The locus is a lot of about 30,277+/-SF in the Village Residential (VR) zoning district, which requires 20,000 SF of lot area. The locus contains a pre-existing, nonconforming single family dwelling and garage/cottage. The dwelling has about 1708+/-SF of ground cover and the ancillary garage has about 540+/- SF of ground cover, for a total ground cover ratio of about 7.4% where 10% is allowed. The dwelling is sited as close as 4.4 feet from the western/side lot line at its closest point where the minimum side yard setback is 10 feet. The garage/cottage is located as close as 2.9 feet from the eastern/side lot line and as close as 5.7 feet southerly/front lot line, at its closest points, where 10 feet and 20 feet are required respectively. These nonconformities pre-exist the 1972 adoption of the Nantucket Zoning By-law. The locus and structures thereon are conforming in all other respects.

Applicant proposes to alter and expand the dwelling to add two small additions at the interior side of the lot, totaling about 252+/-SF of ground cover and an outdoor shower (ODS) to the east with a surround as close as 0.5 feet from the eastern lot line, as per the attached plans. Applicant also proposes to alter the garage/cottage add about 32+/- SF of ground cover; to relocate it to outside of eastern setback, and further outside the front yard setback, as close as 6.0 feet from the southerly lot line its closest point; and to convert the structure to a 1.5 story structure, as per the attached plans. The proposed ground cover ratio is 8.4%.

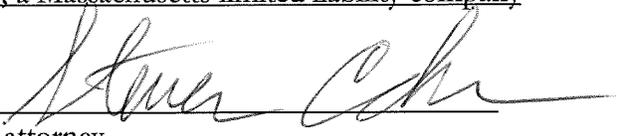
The proposed alterations and expansion of the structures would have no ground cover in the zoning setback that is closer to the lot lines than exists now. The two interior additions to the existing house are outside of the setbacks. The surround for the ODS contains no ground cover but it is a new structure in the setback and is a greater encroachment then now exists. However, adding the shower this way is required to satisfy Wetland Protection rules now applicable to this property due to the installation of a tight-tank. In practical terms, the ODS is no more impactful than the fence that runs along a large portion of the eastern boundary within the setback.

The garage is proposed to get slightly larger and taller, but the side yard setback encroachment would be cured and the front yard encroachment will be reduced. The only expansion in the setback is a roof overhang, but it is not closer to the lot line than exists now. The siting of the garage/cottage is based on siting guidelines for older structures and the requirement for 10 feet of building separation (i.e., the garage cottage cannot move completely out of the setback).

Accordingly, Applicant requests relief by Special Permit under Section 139-33.A for the alteration of a pre-existing nonconforming structure where the change is not more nonconforming and not substantially more detrimental to the neighborhood than the existing nonconformities, and also requests relief by Variance under Section 139-32, to the extent necessary, owing to the soil conditions, topography and that literal enforcement of the bylaw would involve a substantial hardship on the Applicant and relief may be granted without substantial detriment to the public good or nullifying or substantially derogating the intent or purpose of the Bylaw.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

**SIGNATURE:** Madaket Wheelhouse LLC, a Massachusetts limited liability company  
Owners, By:

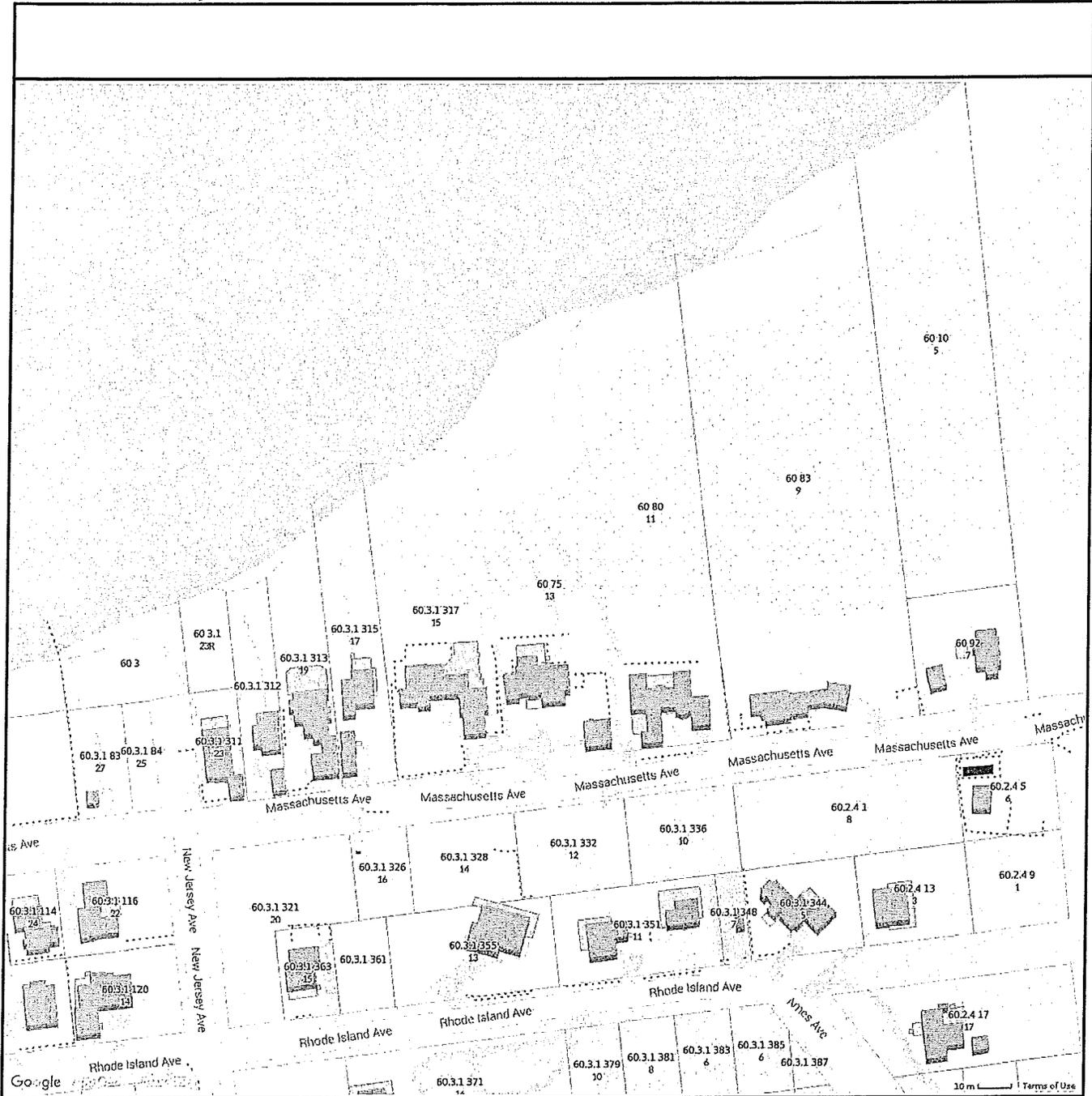
**SIGNATURE:**   
Steven L. Cohen, their attorney

---

**OFFICE USE ONLY**

Application received on: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_ Complete: \_\_\_\_\_ Need Copies: \_\_\_\_\_  
Filed with Town Clerk: \_\_\_/\_\_\_/\_\_\_ Planning Board: \_\_\_/\_\_\_/\_\_\_ Building Dept.: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_  
Fee deposited with Town Treasurer: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_ Waiver requested: \_\_\_\_\_  
Granted: \_\_\_/\_\_\_/\_\_\_ Hearing notice posted with Town Clerk: \_\_\_/\_\_\_/\_\_\_ Mailed: \_\_\_/\_\_\_/\_\_\_  
I&M \_\_\_/\_\_\_/\_\_\_ & \_\_\_/\_\_\_/\_\_\_ Hearing(s) held on: \_\_\_/\_\_\_/\_\_\_ Opened on : \_\_\_/\_\_\_/\_\_\_  
Continued to: \_\_\_/\_\_\_/\_\_\_ Withdrawn: \_\_\_/\_\_\_/\_\_\_ Decision Due By: \_\_\_/\_\_\_/\_\_\_  
Made: \_\_\_/\_\_\_/\_\_\_ Filed w/Town Clerk: \_\_\_/\_\_\_/\_\_\_ Mailed: \_\_\_/\_\_\_/\_\_\_

2 Fairgrounds Road Nantucket Massachusetts 02554  
508-228-7215 telephone 508-228-7298 facsimile



**Property Information**

**Property ID** 60 75  
**Location** 13 MASSACHUSETTS AV  
**Owner** HANO GAIL S TRST



**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.

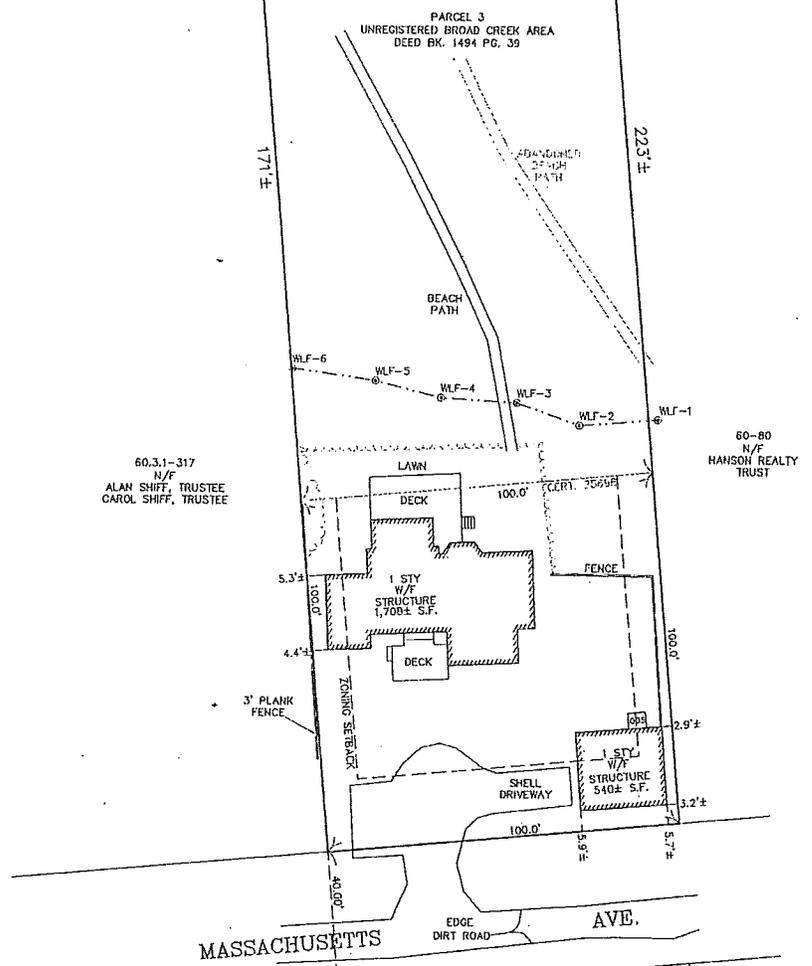
Parcels updated December, 2014  
 Properties updated January, 2015

CURRENT ZONING CLASSIFICATION:  
 Village Residential (V-R)  
 EXISTING  
 33,277 S.F.  
 MINIMUM LOT SIZE: 20,000 S.F.  
 MINIMUM FRONTAGE: 100 FT.  
 FRONT YARD SETBACK: 20 FT.  
 REAR/SIDE SETBACK: 10 FT.  
 GROUND COVER % : 10% 7.4%

MADAKET HARBOR

OBSERVED SHORELINE 08/12/15 11:00 AM

**LEGEND**  
 CB FND DENOTES CONCRETE BOUND FOUND  
 ODS DENOTES OUTDOOR SHOWER  
 WLF# DENOTES WETLAND FLAG FOUND  
 --- DENOTES RESOURCE AREA BOUNDARY  
 --- DENOTES EXIST. EDGE OF BRUSH



60.3.1-317  
 N/F  
 ALAN SHIFF, TRUSTEE  
 CAROL SHIFF, TRUSTEE

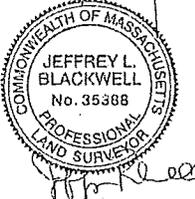
60-80  
 N/F  
 HANSON REALTY  
 TRUST

60.3.1-332  
 N/F  
 REVOCABLE INDENTURE OF  
 TRUST OF GAIL S. HANO

60.3.1-336  
 N/F  
 HANSON REALTY  
 TRUST

60.3.1-328  
 N/F  
 JENNIFER DAWN MAHVEW  
 & BRIAN O'LEARY

**OWNER'S INFORMATION**  
 MADAKET WHEELHOUSE, LLC  
 GEN'L. OF TITLE #25698  
 L.C.C. 2400-Y  
 LOTS 12-15, BLOCK 28  
 DEED BK./Pg: 1484/38  
 UNREGISTERED PARCEL - NO PLAN  
 ASSESSOR'S MAP 60, PARCEL 75  
 #13 MASSACHUSETTS AVENUE



Existing Conditions  
 Site Plan of Land  
 in Nantucket, MA  
 Prepared for  
 MADAKET  
 WHEELHOUSE, LLC  
 Scale: 1" = 16' APRIL 11, 2016  
 BLACKWELL & ASSOCIATES, Inc.  
 Professional Land Surveyors  
 20 TEASDALS CIRCLE  
 NANTUCKET, MASS. 02554  
 (508) 226-8026  
 GRAPHIC SCALE

CURRENT ZONING CLASSIFICATION:  
 Village Residential (V-R)  
 PROPOSED  
 3327 S.F.±  
 MINIMUM LOT SIZE: 20,000 S.F.  
 MINIMUM FRONTAGE: 100 FT.  
 FRONT YARD SETBACK: 20 FT.  
 REAR/SIDE SETBACK: 10 FT.  
 GROUND COVER %: 10%  
 SEE PLAN  
 SEE PLAN  
 R.1X

MADAKET HARBOR

OBSERVED SHORELINE 08/12/15 11:00 AM

**LEGEND**

- CB ■ DENOTES CONCRETE BOUND FOUND
- FND ■ DENOTES OUTDOOR SHOWER
- ODS ○ DENOTES OUTDOOR SHOWER
- WLF# ○ DENOTES WETLAND FLAG FOUND
- DENOTES RESOURCE AREA BOUNDARY
- DENOTES EXIST. EDGE OF BRUSH

PARCEL 3  
 UNREGISTERED BROAD CREEK AREA  
 DEED BK. 1494 PG. 39

UNREGISTERED  
 BROAD CREEK  
 P.4711

BEACH PATH

WLF-6 WLF-5 WLF-4 WLF-3 WLF-2 WLF-1

60.3.1-317  
 N/F  
 ALAN SHIFF, TRUSTEE  
 CAROL SHIFF, TRUSTEE

60-80  
 N/F  
 HANSON REALTY  
 TRUST

RENOVATED  
 STRUCTURE  
 1960± S.F.

ADDITION

ADDITION

RENOVATED  
 AND  
 RELOCATED  
 STRUCTURE  
 572± S.F.

PROPOSED  
 SHELL DRIVE

PORCH

MASSACHUSETTS

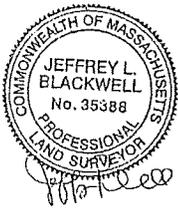
EDGE DIRT ROAD AVE.

60.3.1-328  
 N/F  
 JENNIFER DAWN MAHYEW  
 & BRIAN O'LEARY

60.3.1-332  
 N/F  
 REVOCABLE INDENTURE OF  
 TRUST OF GAIL S. HANO

60.3.1-336  
 N/F  
 HANSON REALTY  
 TRUST

**OWNER'S INFORMATION**  
 MADAKET WHEELHOUSE, LLC  
 CERT. OF TITLE #25696  
 L.C.C. 2408-Y  
 LOTS 12-15, BLOCK 29  
 DEED BK. PG. 1494/39  
 UNREGISTERED PARCEL - NO PLAN  
 ASSESSOR'S MAP 60, PARCEL 75  
 #13 MASSACHUSETTS AVENUE



Proposed Conditions  
 Site Plan of Land  
 in Nantucket, MA  
 Prepared for  
 MADAKET  
 WHEELHOUSE, LLC  
 Scale: 1" = 15' APRIL 11, 2016  
 BLACKWELL & ASSOCIATES, Inc.  
 Professional Land Surveyors  
 20 TEASDALE CIRCLE  
 NANTUCKET, MASS. 02554  
 (508) 228-9028  
 GRAPHIC SCALE



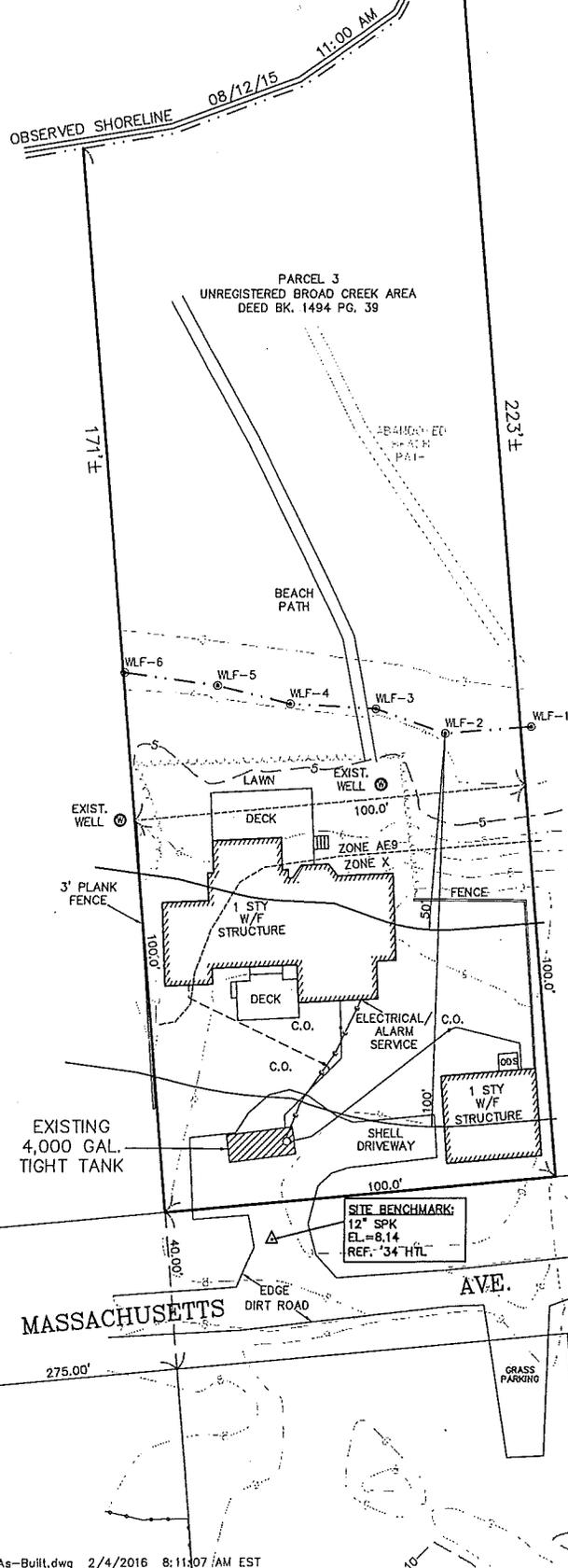
# MADAKET HARBOR

LOCUS LIES ENTIRELY WITHIN LAND SUBJECT TO COASTAL STORM FLOWAGE. BASE FLOOD ELEVATION FOR ZONE AE IS 10.4 '34 HTL.

RESOURCE AREA BOUNDARY PER SE48-2825 ISSUED BY THE NANTUCKET CONSERVATION COMMISSION.

WELL & SEPTIC SYSTEM LOCATIONS SHOWN PER FIELD SURVEY AND RECORD FILES AT THE NANTUCKET HEALTH DEPT.

L.C.C. 2408-Y



- LEGEND**
- CB FND ■ DENOTES CONCRETE BOUND FOUND
  - ODS DENOTES OUTDOOR SHOWER
  - WLF#4 ⊙ DENOTES WETLAND FLAG FOUND
  - DENOTES RESOURCE AREA BOUNDARY
  - 5 - - - DENOTES EXIST. GRADE CONTOUR
  - ~ ~ ~ DENOTES EXIST. EDGE OF BRUSH
  - C.O. DENOTES EXISTING CLEANOUT

**NOTES:**

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET HEALTH DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD.

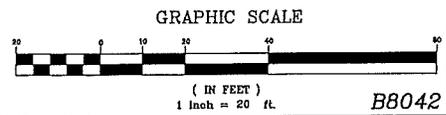
**TIGHT TANK AS-BUILT SCHEDULE OF ELEVATIONS**  
01/21/16

INSTALLED BY: P+M REIS TRUCKING, INC.	
INV. AT CLEANOUT 1	6.84
INV. AT CLEANOUT 2	5.94
INV. AT CLEANOUT 3	5.86
INV. INTO TIGHT TANK	5.33

REFERENCE MASS DEP SE48-2825 ORDER OF CONDITIONS ISSUED ON SEPTEMBER 30, 2015

**RECORD PLAN OF A SUBSURFACE SEWAGE TREATMENT & DISPOSAL SYSTEM WITH A TIGHT TANK in Nantucket, MA**

Prepared for  
**MADAKET WHEELHOUSE, LLC**  
Cert. 25,696 L.C.C. 2408Y; BLOCK 29, LOTS 12-15  
Deed Bk./Pg.: 1494/39 NO PLAN  
ASSESSOR'S MAP 60, PARCEL 76  
#13 MASSACHUSETTS AVE.  
Scale: 1" = 20' February 4, 2016  
**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

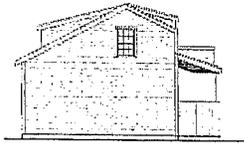
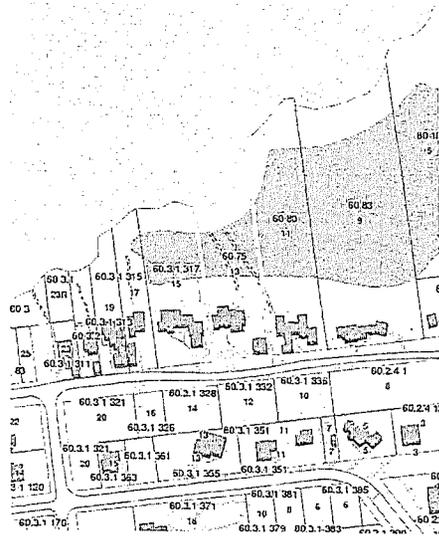


# Fooshee Garage / Guest House

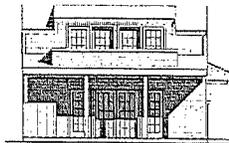
13 Massachusetts Avenue  
Nantucket, MA 02554

04.12.16

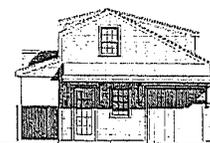
HDC Submission



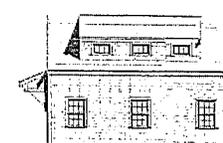
East



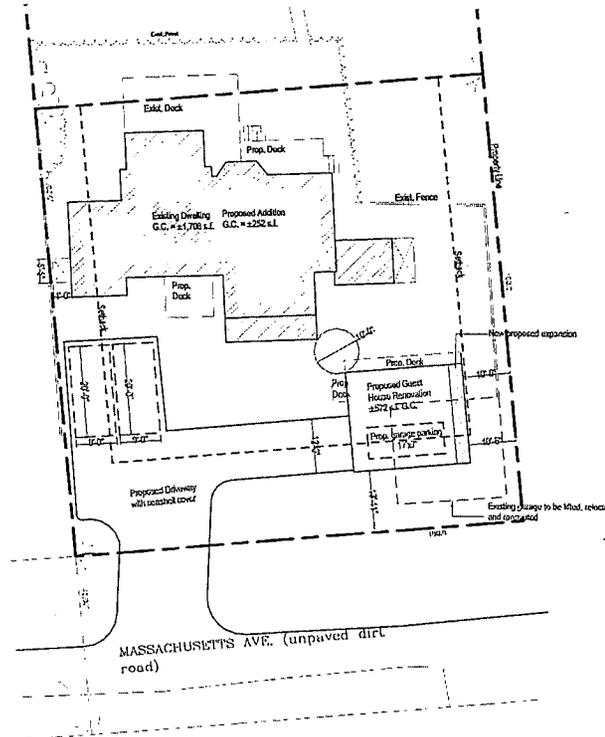
North



West

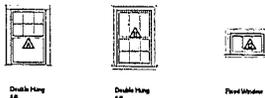


South

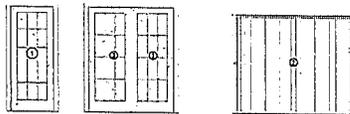


4 Site plan

1 Locus Site



2 Window Legend



3 Door Legend

**1525**  
Fooshee Garage /  
Guest House  
13 Massachusetts Ave  
Nantucket, MA 02554



Site Plan, Locus Map

Site Information

Site # Permit	6407
Current Zoning	100 R
Maximum Floorplate	100 R
Flood Hazard	20 R
600/Year Submitt	10 R
Lot Area	± 31,277 sq. ft.
Site Lot Area	20,000 sq. ft.
Abandon G.C.	1975
Existing G.C.	± 2,240 sq. ft.
Proposed G.C.	± 44,762 sq. ft.
Total Proposed G.C.	± 44,762 sq. ft.

Information for this site plan was taken from the Nantucket GIS. This drawing does not constitute a registered survey. All measurements should be verified by a Registered Land Surveyor prior to and during construction.

SHEET INDEX

- G.1.1 Site Plan, Locus Map
- A.1.1 First Floor Plan
- A.2.1 Elevation

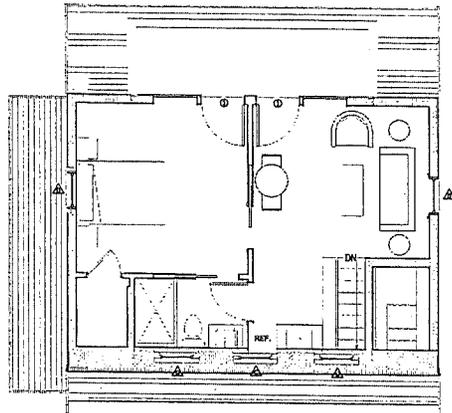
Revisions

DATE: 04/12/16  
BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: AS SHOWN  
PROJECT: 1525

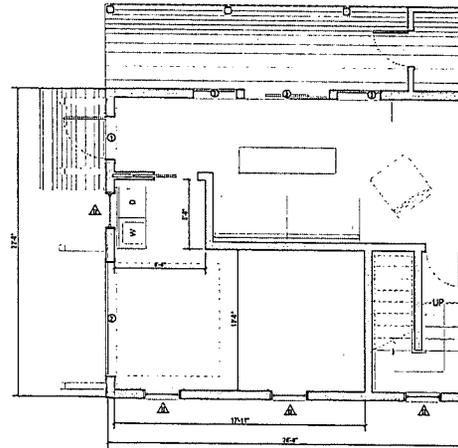
**G.1.1**  
**1525**

04.12.16

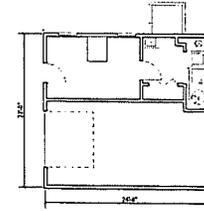
HDC Submission



2 Second Floor Plan  
1/8" = 1'-0"



1 First Floor Plan  
1/8" = 1'-0"



3 Existing First Floor  
1/8" = 1'-0"

**1525**  
 Fooshee Garage/  
 Guest House  
 13 Massachusetts Ave  
 Nantucket, MA 02554



First Floor Plan

Site Information

Map & Parcel	187F
Current Zoning	VO
Minimum Frontage	100 ft.
Front Setback	25 ft.
Side/Rear Setback	15 ft.
Lot Area	41,277 sq. ft.
Site Lot Area	28,000 sq. ft.
Allowed G.C.C.	10%
Existing G.C.C.	0.544 sq. ft.
Proposed G.C.C.	4,480 sq. ft.
Total Proposed G.C.C.	4,480 sq. ft.

Information for this site plan was taken from the Nantucket G.L.D. This drawing does not constitute a registered survey. All surveys should be verified by a Registered Land Surveyor prior to and during construction.

SHEET INDEX

01.1	Site Plan, Lot and Map
A.1.1	First Floor Plan
A.2.1	Second Floor

Revisions

1525  
 1525

**A.1.1**  
**1525**



\$ 15.00

RECEIVED  
BOARD OF ASSESSORS

APR 06 2016

TOWN OF  
NANTUCKET, MA

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... Madaket Wheelhouse LLC  
 MAILING ADDRESS..... P.O. Box 786 Nantucket, MA 02554  
 PROPERTY LOCATION..... 13 Massachusetts Ave, Nantucket, MA  
 ASSESSOR MAP/PARCEL..... 60, 75  
 SUBMITTED BY..... Cohen and Cohen Law PC

\* With labels

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

April 8, 2016  
DATE

Patricia Hele  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

ABBUTERS LISTING  
NANTUCKET, MA

Map	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
60		3		NANTUCKET COUNTY OF		16 BROAD ST	NANTUCKET	MA 02554	MASSACHUSETTS AV
60		3	1	OKONAK J THOMAS		PO BOX 110	LATROBE	PA 15650	23R MASSACHUSETTS AV
60		10		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA 02554	5 MASSACHUSETTS AV
60		80		HANSON ANN M TRST	HANSON REALTY TRUST	415 GLYNWYNNE ROAD	HAVERFORD	PA 19041	11 MASSACHUSETTS AV
60		83		MURPHY RUTH TAYLOR		112 PERKINS ST	MELROSE	MA 02176	9 MASSACHUSETTS AV
60		92		LEARY FAMILY REALTY CO LLC		140 HALIDON ROAD	WESTBROOK	ME 04092	7 MASSACHUSETTS AV
6024		1		MURPHY JEAN ETAL		112 PERKINS STREET	MELROSE	MA 02176	8 MASSACHUSETTS AV
6024		13		STANLEY ALFRED T & GUIDO	KATHLEEN A	1409 HARDOUIN AVE	AUSTIN	TX 78703	3 RHODE ISLAND AV
6024		17		MNP LLC	C/O MEINKE LORI	15 DOGWOOD LANE	WESTPORT	CT 06880	17 AMES AV
6031		311		OKONAK R THOMAS & JAMES R TRS		PO BOX 110	LATROBE	PA 15650	23 MASSACHUSETTS AV
6031		313		DAVIS ANNE S & LAURA & EMILIE		538 BRIDGEVIEW DR	LEMOYNE	PA 17043	19 MASSACHUSETTS AV
6031		315		ALGER SARAH F TRST	17 MASS AVE NOM TR	161 EAST 35TH ST 1ST FLO	NEW YORK	NY 10016	17 MASSACHUSETTS AV
6031		317		SHIFF ALAN H W TRST ETAL	C/O US COURT HOUSE	915 LAFAYETTE BLVD	BRIDGEPORT	CT 06604	15 MASSACHUSETTS AV
6031		321		OKONAK R THOMAS & JAMES R TRS		PO BOX 110	LATROBE	PA 15650	20 MASSACHUSETTS AV
6031		326		DAVIS ANNE S & LAURA & EMILIE		538 BRIDGEVIEW DR	LEMOYNE	PA 17043	16 MASSACHUSETTS AV
6031		328		MAYHEW JENNIFER DAWN ETAL		117 W 75TH ST APT 11	NEW YORK	NY 10023	14 MASSACHUSETTS AV
6031		332		HANO GAIL		85 E INDIA ROW APT 12B	BOSTON	MA 02110	12 MASSACHUSETTS AV
6031		336		HANSON ANN M TR	HANSON REALTY TRUST	415 GLYNWYNNE RD	HAVERFORD	PA 19401	10 MASSACHUSETTS AV
6031		344		KUNKEL CARLEEN G		9 BEACHCROFT LN	TRUMBULL	CT 06611	5 RHODE ISLAND AV
6031		348		AGUIAR KENNETH P TRS	OLD SALT FAMILY TRUST	PO BOX 2062	NANTUCKET	MA 02584	7 RHODE ISLAND AV
6031		351		PERENNIAL PROPERTY LLC		100 POCONO RD	MOUNTAIN LAKES	NJ 07046	11 RHODE ISLAND AV
6031		355		MAYHEW JENNIFER D ETAL		117 W 75TH ST APT 11	NEW YORK	NY 10023	13 RHODE ISLAND AV
6031		361		VIGNEAU BARBARA TRUSTEE		15 MEADOW LN	NANTUCKET	MA 02554	RHODE ISLAND AV
6031		363		VIGNEAU BARBARA TRUSTEE		15 MEADOW LANE	NANTUCKET	MA 02554	15 RHODE ISLAND AV
6031		371		MESSINGER FAMILY TRUST	C/O MESSINGER SCOTT	4967 ALLAN RD	BETHESDA	MD 20816	16 RHODE ISLAND AV
6031		379		MESSINGER SCOTT & RACHEL A TRS	THE MESSINGER FAMILY TRUST	4967 ALLAN RD	BETHESDA	MD 20816	10 RHODE ISLAND AV
6031		381		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	8 RHODE ISLAND AV
6031		383		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	6 RHODE ISLAND AV
6031		385		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	6 RHODE ISLAND AV
6031		387		NANTUCKET COUNTY OF		16 BROAD ST	NANTUCKET	MA 02554	RHODE ISLAND AV
6031		408		BLANEY BERNARD F		354 ATLANTIC AV	MARBLEHEAD	MA 01945	9 NEW JERSEY AV

**TODD & LIZ WINSHIP  
&  
BESS CLARKE, TR. OF  
SIXTEEN MONOHANSETT  
ROAD TR.**

**16 MONOHANSETT RD.**

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**FILE NO. 16-16**

**CONTINUED TO 7/14/16**

**NEW**

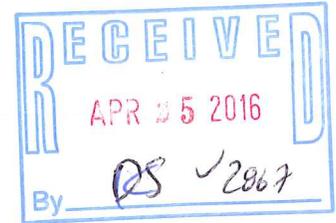
**BUSINESS**

**JANET HANSON**

**3 POND RD.**

---

**FILE No. 18-16**



**TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554**

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

**APPLICATION**

MAY 31 2016 PM 1:38

Fee: \$450.00

File No. 18-16

Owner's name(s): Janet Hanson

Mailing address: 18 Banks Farm Rd., Bedford, NY 10506

Phone Number: 914 589-5034 E-Mail: jthanson1213@gmail.com

Applicant's name(s): Janet Hanson

Mailing Address: (same as above)

Phone Number: ✓ E-Mail: ✓

Locus Address: 3 Pond Road Assessor's Map/Parcel: 56 151.1

Land Court Plan/Plan Book & Page/Plan File No.: \_\_\_\_\_

Deed Reference/Certificate of Title: C0023280 Zoning District R2

Uses on Lot- Commercial: None  Yes (describe) \_\_\_\_\_

Residential: Number of dwellings 2 Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Date of Structure(s): all pre-date 7/72 \_\_\_\_\_ or 1988/1987

Building Permit Numbers: 244-12

Previous Zoning Board Application Numbers: 023-07, 087-03, 056-95

State below or attach a separate addendum of specific special permits or variance relief applying for:

Owner requests that the Town lift the restriction that the apartment shall be limited to year-round occupancy.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

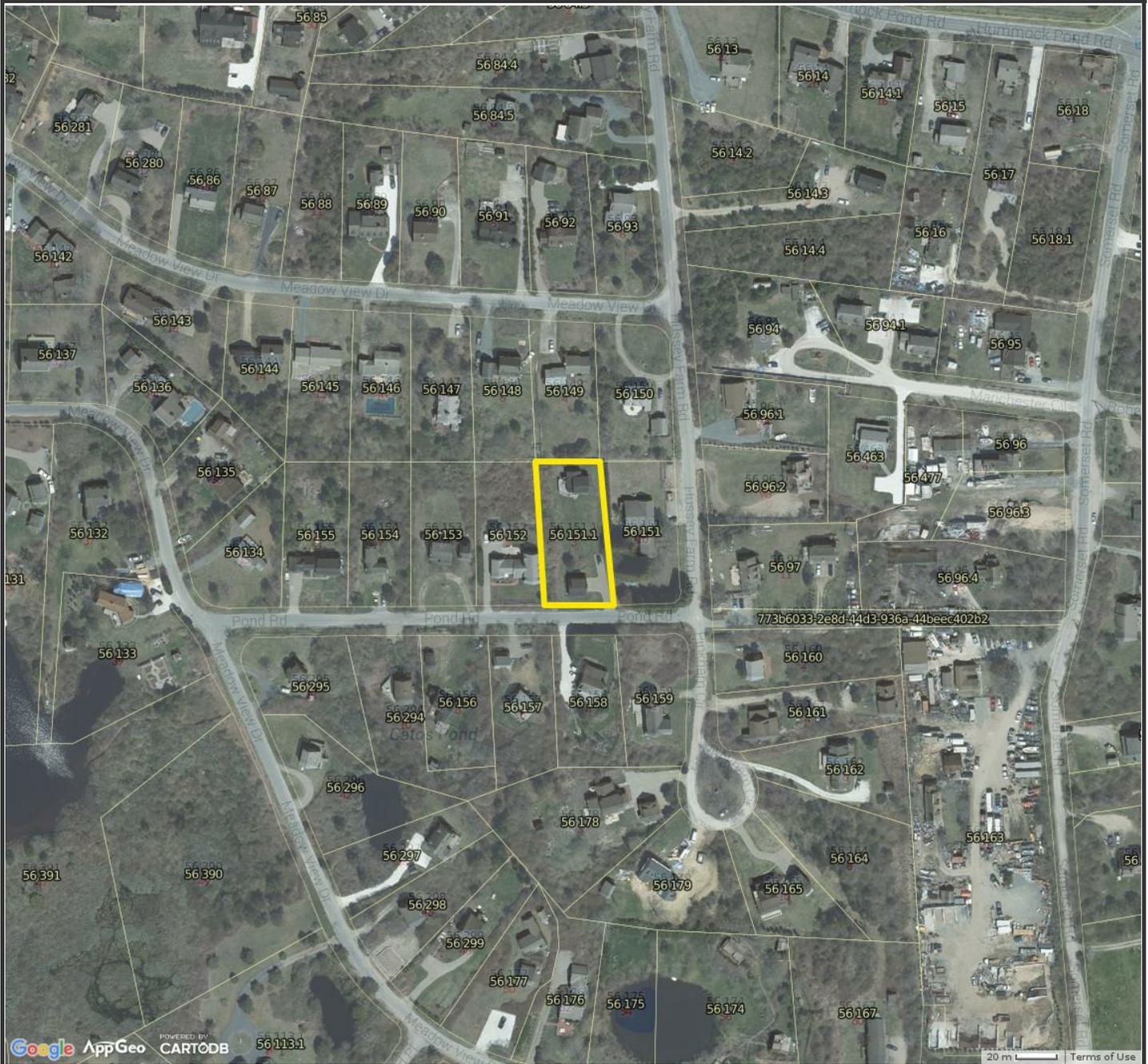
SIGNATURE: [Signature] Owner\*

SIGNATURE: \_\_\_\_\_ Applicant/Attorney/Agent\*

\*If an Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

**OFFICE USE ONLY**

Application received on: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_ Complete: \_\_\_ Need Copies: \_\_\_\_\_  
Filed with Town Clerk: \_\_\_/\_\_\_/\_\_\_ Planning Board: \_\_\_/\_\_\_/\_\_\_ Building Dept.: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_  
Fee deposited with Town Treasurer: \_\_\_/\_\_\_/\_\_\_ By: \_\_\_\_\_ Waiver requested: \_\_\_\_\_  
Granted: \_\_\_/\_\_\_/\_\_\_ Hearing notice posted with Town Clerk: \_\_\_/\_\_\_/\_\_\_ Mailed: \_\_\_/\_\_\_/\_\_\_  
I&M \_\_\_/\_\_\_/\_\_\_ & \_\_\_/\_\_\_/\_\_\_ Hearing(s) held on: \_\_\_/\_\_\_/\_\_\_ Opened on: \_\_\_/\_\_\_/\_\_\_  
Continued to: \_\_\_/\_\_\_/\_\_\_ Withdrawn: \_\_\_/\_\_\_/\_\_\_ Decision Due By: \_\_\_/\_\_\_/\_\_\_  
Made: \_\_\_/\_\_\_/\_\_\_ Filed w/Town Clerk: \_\_\_/\_\_\_/\_\_\_ Mailed: \_\_\_/\_\_\_/\_\_\_



**Property Information**

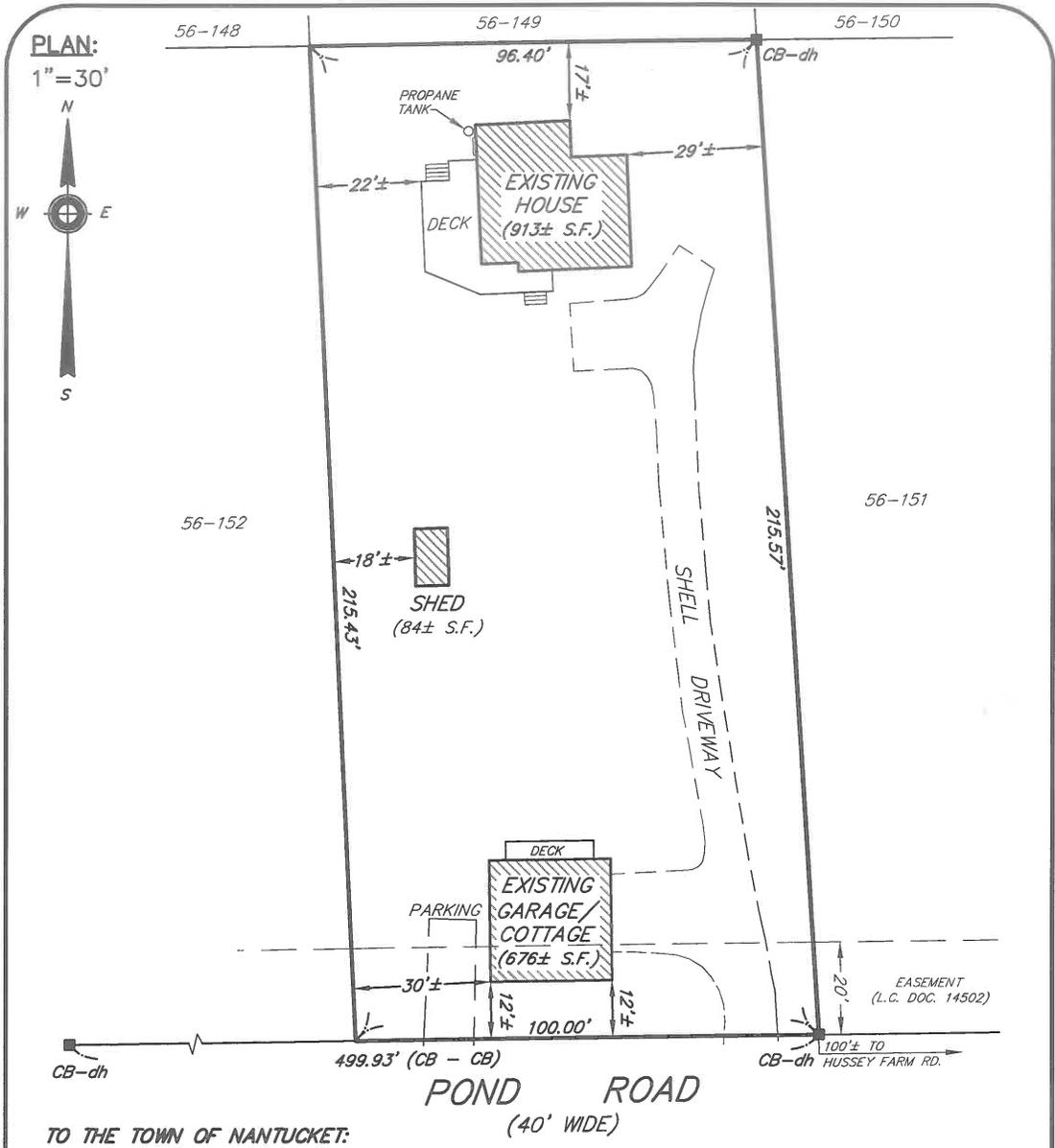
**Property ID** 56 151.1  
**Location** 3 POND RD  
**Owner** HANSON JANET



**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

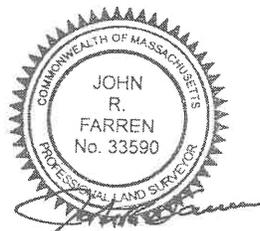
Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December, 2014  
 Properties updated January, 2015



TO THE TOWN OF NANTUCKET:

"I CERTIFY THAT THE BUILDING AND IMPROVEMENTS SHOWN WERE LOCATED BY AN ACTUAL FIELD SURVEY AND THE DIMENSIONS SHOWN ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF."



PROFESSIONAL LAND SURVEYOR

ZONING CLASSIFICATION: R-20

	REQUIRED	EXISTING
MINIMUM LOT SIZE	20,000 S.F.	21,142 S.F.
MINIMUM FRONTAGE	75'	100'
FRONT SETBACK	30'	12'*
SIDE/REAR SETBACK	10'	17'
GROUND COVER RATIO	12.5%	7.5%

\*SEE VARIANCE RECORDED AS L.C. DOC. #71707

**NOTES**

1. OWNER: JANET HANSON
2. DEED REFERENCE: L.C. CERT. 23280
3. PLAN REFERENCE: L.C. PLAN 14830-7

Prepared By:

**BRACKEN ENGINEERING, INC.** Engineering - Surveying  
Environmental Permitting

19 Old South Road, P.O. Box 3525  
Nantucket, MA 02584  
Phone: 508-325-0044 Fax: 508-833-2282

**AS-BUILT PLOT PLAN  
IN NANTUCKET, MA**

Prepared For:  
**JANET HANSON**  
3 POND ROAD  
MAP 56 PARCEL 151.1

Date: OCTOBER 1, 2009 Job No.: 353-  
Drawn By: JRL Checked By: JRF Scale: 1" = 30'  
Drawing Name: 3 Pond Rd.dwg

071707  
056-95



TOWN OF NANTUCKET  
BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: November 2, 1995

To: Parties in Interest and Others concerned with the Decision of the BOARD OF APPEALS in the Application of the following:

Application No.: 056-95

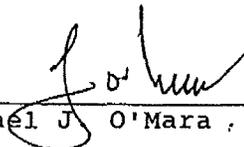
Owner/Applicant: PHILLIP M. JEKANOWSKI AND ELIZABETH

D. COLLIER NKA Elizabeth C. Jekanowski

Enclosed is the Decision of the BOARD OF APPEALS which has this day been filed in the office of the Nantucket Town Clerk.

An Appeal from this Decision may be taken pursuant to Section 17 of Chapter 40A, Massachusetts General Laws.

Any action appealing the Decision must be brought by filing an complaint in court within TWENTY (20) days after this day's date. Notice of the action with a copy of the complaint and certified copy of the Decision must be given to the Town Clerk so as to be received within such TWENTY (20) days.

  
\_\_\_\_\_  
Michael J. O'Mara, Chairman

cc: Town Clerk  
Planning Board  
Building Commissioner

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME LIMIT AND WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET ZONING BY-LAW §139-30I (SPECIAL PERMITS); §139-32I (VARIANCES) ANY QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD OF APPEALS.



TOWN OF NANTUCKET

071707

BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Assessor's Map 56  
Parcel 151.1  
Residential-2

3 Pond Drive  
Land Court Plan 14870-7  
Lot 132  
Cert. of Title <sup>15749</sup> ~~12704~~

At a Public Hearing of the NANTUCKET ZONING BOARD OF APPEALS, held on FRIDAY, OCTOBER 13, 1995, at 1:00 P.M., in the Selectmen's Meeting Room, Town and County Building, Broad Street, Nantucket, MA, on the Application of PHILLIP M. JEKANOWSKI AND ELIZABETH D. COLLIER\* of 3 Pond Drive, Nantucket, MA 02554, Board of Appeals File No. 056-95, the Board made the following Decision: *\* aka Elizabeth C. Jekanowski*

1. Applicants request a FINDING that a garage structure is protected from enforcement action pursuant to M.G.L. ch 40A, §7 and further seek relief by VARIANCE pursuant to Zoning By-Law §139-32 from the requirements of Zoning By-Law §139-16A (Intensity Regulations - front yard setback). Applicants propose to construct a secondary single-family dwelling unit within an existing garage structure that is sited 12+ feet from the front yard lot line in a district that requires a minimum front yard setback of 30 feet.

The premises is located at 3 POND DRIVE, Assessor's Map 56, Parcel 151.1, Land Court Plan 14870-7, Lot 132. The property is zoned Residential-2.

2. The Decision is based upon the Application and materials submitted with it, and testimony and evidence presented at the Hearing. The Planning Board made an unfavorable recommendation. There were two (2) letters and one (1) petition, signed by five (5) abutters, on file supporting the proposed conversion of the second floor of the garage into a dwelling unit. The Building Commissioner also spoke in favor of the grant of relief.

3. The Applicants purchased this property in 1986 when there was one (1) structure located on it, the subject garage, which was built in 1980. At the time of construction of the garage the Locus had been part of a larger lot and considered a use ancillary to the single family dwelling and office contained therein. In 1984 the predecessor in title subdivided the property into Lot 132 (the "Locus") which contained the garage and Lot 133 which contained the dwelling and office. Lot 132 then measured its frontage along Pond Drive and Lot 133 maintained Hussey Farm Road as its frontage. When the two (2) lots had been considered as one (1) the Lot met front yard setback requirements from Hussey Farm Road and further, met the 10-foot side yard setback requirement for the garage from Pond Drive. When the Lots were subdivided, the lot with the garage on it became non-complying as to front yard setback being sited 12 feet from its front yard lot line as measured from Pond Drive rather than the required 30 feet.

However, no enforcement action was ever taken and the garage has remained in the same location from the date of the 1984 subdivision until the present. Applicants subsequently received a Building Permit and Certificate of Occupancy to construct a single family dwelling at the rear of the Lot that met all dimensional requirements and in 1990 received a Building Permit to construct a deck onto the house.

Applicants now propose to renovate the two-car garage structure and convert second floor space into a garage apartment. There would be no increase in the footprint of the structure and any additions that will be made to accommodate exterior stairway access and placement of shed dormers on the structure would be made outside of the 30-foot setback area. Applicants would be allowed to convert said space and have a secondary dwelling unit on the premises as a matter of right were the garage sited outside of the setback area. Any alteration to a non-complying structure would have to be made by Variance.

Applicants represent that moving the structure would be difficult and cause extreme financial difficulty, costing several thousand dollars. The placement of the existing septic system and leaching field would severely hamper relocation to a point outside of the required setbacks while still maintaining the required 12-foot distance from the principal dwelling. Applicants stated that the nearest abutter, at 5 Pond Drive, preferred that the garage remain in its present location to minimize infringement on his privacy which would occur should the garage be relocated. The abutter at 10 Hussey Farm Road also expressed the same concern and preference. However, both supported the addition of the garage apartment. It was also noted that Applicants had been before this Board in 1986 (BOA File No. 132-86) asking for similar relief but the Application was withdrawn without prejudice.

4. The Board finds that the garage structure is protected by the 10-year curative statute from any enforcement action. The Board further finds that due to the facts as presented in this case, and the overwhelming neighborhood support for the proposal, and owing to the unique location of the structure and difficulty relocating it, conditions especially affecting the Locus but not affecting generally the zoning district in which the Locus is situated, a literal enforcement of the provisions of the By-Law would involve substantial hardship, financial and otherwise, to the Applicants (in that they had purchased a lot in good faith with a non-complying structure on it) and the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-Law.

5. Accordingly, by a vote of four (4) in favor (O'Mara, Williams, Leichter and Waine) and one (1) abstaining (Balas), the Board GRANTS the requested relief by VARIANCE under Zoning By-Law §139-16A to allow conversion of the second floor garage space into a secondary dwelling unit and further makes the finding that the garage structure is protected from enforcement action by the curative statute subject

071707

to the following conditions:

a. The apartment shall be limited to year-round occupancy;  
and

b. The footprint of the garage structure shall remain substantially unchanged, and that any additions to allow for second floor access and dormers shall be made outside of the 30-foot setback area.

Dated: November 2, 1995

*John*  
\_\_\_\_\_  
Michael J. O'Mara

*Linda F. Williams*  
\_\_\_\_\_  
Linda F. Williams

*Robert J. Leichter*  
\_\_\_\_\_  
Robert J. Leichter

*Dale W. Waine*  
\_\_\_\_\_  
Dale W. Waine

*Ann G. Balas*  
\_\_\_\_\_  
Ann G. Balas

RECEIVED  
TOWN CLERK'S OFFICE  
NANTUCKET, MA 02554

NOV 02 1995

TITLE: \_\_\_\_\_

CLERK: \_\_\_\_\_

I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40 A, SECTION 11

*Rebecca J. Hall*  
\_\_\_\_\_  
TOWN CLERK

APR 12 1996



TOWN OF NANTUCKET  
BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: January 20, 2004

To: Parties in Interest and Others concerned with the Decision of the BOARD OF APPEALS in the Application of the following:

Application No.: 087-03

Owner/Applicant: David Clough and  
Jane B. Clough

Enclosed is the Decision of the BOARD OF APPEALS which has this day been filed in the office of the Nantucket Town Clerk.

An Appeal from this Decision may be taken pursuant to Section 17 of Chapter 40A, Massachusetts General Laws.

Any action appealing the Decision must be brought by filing an complaint in court within TWENTY (20) days after this day's date. Notice of the action with a copy of the complaint and certified copy of the Decision must be given to the Town Clerk so as to be received within such TWENTY (20) days.

Nancy J. Lewens  
Nancy J. Lewens Chairman

cc: Town Clerk  
Planning Board  
Building Commissioner

PLEASE NOTE: MOST SPECIAL PERMITS AND VARIANCES HAVE A TIME LIMIT AND WILL EXPIRE IF NOT ACTED UPON ACCORDING TO NANTUCKET ZONING BY-LAW §139-30I (SPECIAL PERMITS); §139-32I (VARIANCES) ANY QUESTIONS, PLEASE CALL THE NANTUCKET ZONING BOARD OF APPEALS.

**Zoning Board of Appeals  
1 EAST CHESTNUT STREET  
Nantucket, Massachusetts 02554**

Assessor's Map 56  
Parcel 151.1  
Residential-2

3 Pond Drive  
LC PLN 14830-7  
Lot 132, C.O.T. No. 20,876

At a public hearing of the Nantucket Zoning Board of Appeals, on Friday, December 12, 2003 at 1:00 P.M., in the Conference Room, in the Town Annex Building, 37 Washington Street, Nantucket, Massachusetts, the Board made the following Decision on the Application of DAVID CLOUGH AND JANE B. CLOUGH, c/o Vaughan, Dale and Hunter, P.C., Whaler's Lane, P.O. Box 659, Nantucket, MA 02554, on Board of Appeals File No. 087-03;

1. Applicants are seeking a MODIFICATION of previously granted VARIANCE relief in the Decision in Board of Appeals File No. 056-95 that allowed the construction of a second floor over an existing garage structure to provide a secondary dwelling. The garage was sited within the required 30-foot front yard setback area in 1980. Applicants are now proposing to expand the living space into the first floor area of the garage space, while maintaining a single garage space. Entry steps added on the westerly side of the structure within the required 30-foot setback area would be removed and access would be provided outside of the 30-foot setback area. The Premises is located at 3 POND ROAD, Assessor's Map 56, Parcel 151.1, Land Court Plan 14830-7, Lot 132. The property is zone Residential-2.

2. The Decision is based upon the Application and materials submitted with it and testimony and evidence presented at the Public Hearing. The Planning Board made no recommendation in this matter as the matter was not of planning concern. There was one letter in support of the Application presented at the Public Hearing.

3. Applicants, through counsel, represented that the Locus was a portion of a bigger corner lot that had been subdivided into two parcels in 1984. Upon subdivision newly created Lot No. 133, abutting the Locus to the east, was benefited by and subject to a front yard setback taken from Hussey Farm Road and side yard setback from Pond Road. However, upon subdivision, newly created Lot 132, the Locus, which until then had been subject to a ten-foot side yard setback, now took frontage off of Pond Road and was therefore benefited by and

subject to the thirty-foot front yard setback required in the zoning district. Consequently, the subdivision left the Locus with a garage, originally sited outside of the ten-foot side yard setback prior to subdivision, now sited within the thirty-foot front yard setback area.

Applicants explained that in 1995 Applicants' predecessors-in-interest applied to the Nantucket Zoning Board of Appeals for a Variance to ratify the siting of the existing nonconforming garage within the thirty-foot front yard setback area and for permission to convert the second floor of the garage into a secondary dwelling. The Board in the Decision in BOA File No. 056-95 granted the requested relief provided that there was no expansion of the footprint within said setback area and that the apartment be limited to year-round occupancy

4. Applicants are now requesting a Modification to that Variance to include the highlighted portion of the following text: "...conversion of the second floor garage space as well as a portion of the first floor garage space into a secondary dwelling." Applicants stated that the planned conversion of a portion of the first floor garage space would include living area as well as kitchen facilities, while leaving one conforming parking bay for use as a garage on the first floor. There would be no expansion of the footprint or any further intrusion into the required 30-foot front yard setback area.

5. Therefore, based upon the foregoing, the Board finds that the requested Modification of the conditions in the Variance granted in the Decision in BOA File No. 056-95 to now allow alteration of the interior first floor space to allow an expansion of the living space, without expansion of the footprint within the required 30-foot front yard setback area, would not be substantially more detrimental to the neighborhood than the existing nonconformity and further reaffirms the Variance related findings made in said Decision.

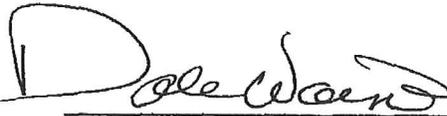
5. Accordingly, by an UNANIMOUS vote, the Board GRANTS the requested MODIFICATION of the VARIANCE granted in the Decision in Zoning Board of Appeals File No. 056-95, under Nantucket Zoning By-law 139-16A, to allow the conversion of the expansion of the second floor living space of the secondary dwelling into a portion of the first floor garage space, while maintaining a one-bay garage space for parking, subject to the following conditions (which incorporates the conditions contained in the previous Decision):

000225

- (a) The apartment shall be limited to year-round occupancy,
- (b) The footprint of the garage structure shall remain substantially unchanged, and any additions to allow for second floor access and dormers shall be made outside of the 30-foot setback area; and
- (c) The apartment shall be limited to a single bedroom.

January 20, 2004

  
\_\_\_\_\_  
C. Richard Loflin

  
\_\_\_\_\_  
Dale Waine

  
\_\_\_\_\_  
Edward S. Toole

  
\_\_\_\_\_  
Michael J. O'Mara

\_\_\_\_\_  
Edward Murphy

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER.....Janet Hanson.....  
MAILING ADDRESS.....18 Banks Farm Road.....  
PROPERTY LOCATION.....3 Pond Road.....  
ASSESSOR MAP/PARCEL.....56 151.1.....  
SUBMITTED BY.....Jen Shalley, agent for Mrs. Hanson.....

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

ABBUTTERS LISTING  
NANTUCKET, MA

Map	Block	Lot	Unit	Owner's Name	Co Owner's Name	Address	City	ST Zip	Parcel Location
56		90		LOCKLEY MARY P		7 MEADOW VIEW DR	NANTUCKET	MA 02554	7 MEADOW VIEW DR
56		91		HARVEY ROBIN LEE		5 MEADOW VIEW DR	NANTUCKET	MA 02554	5 MEADOW VIEW DR
56		92		SILFEN ERIC LIFE ESTATE	C/O BLAU DIANA SILFEN	200 EAST 72ND STREET # 2	NEW YORK	NY 10021	3 MEADOW VIEW DR
56		93		DEE TIMOTHY J & SUSAN G		1 ARLINGTON ROAD	WELLESLEY	MA 02481	8 HUSSEY FARM RD
56		94		MANCHESTER WILLIAM P & AMY L		3 MANCHESTER CIRCLE	NANTUCKET	MA 02554	3 MANCHESTER CI
56		96	1	STARR MICHELE M & JAMES		9A HUSSEY FARM RD	NANTUCKET	MA 02554	9A HUSSEY FARM RD
56		96	2	O'BRIEN EDWARD A III & HUNT ELIZABET		P O BOX 3035	NANTUCKET	MA 02584	9B HUSSEY FARM RD
56		97		MANCHESTER LAWRENCE & SUSAN L		PO BOX 594	NANTUCKET	MA 02554	11 HUSSEY FARM RD
56		145		FLASTER RICHARD P TRUSTEE	C/O REYNOLDS KATHY F	4 HEATHER WY	MILL VALLEY	CA 94941	12 MEADOW VIEW DR
56		146		FALLS ALICE ETAL		8 MEADOW VIEW DRIVE	NANTUCKET	MA 02554	10 MEADOW VIEW DR
56		147		FALLS-ALICE ETAL		8 MEADOW VIEW DR	NANTUCKET	MA 02554	8 MEADOW VIEW DR
56		148		ADAMS JERRY W & MARY E		6 MEADOW VIEW DRIVE	NANTUCKET	MA 02554	6 MEADOW VIEW DR
56		149		TRIFERO WILLIAM L TRST ETAL		61 RICHARD ROAD	HOLLISTON	MA 01746	4 MEADOW VIEW DR
56		150		CONNOR ROBERT M & BARBARA J		24 MCKINLEY AVENUE	SOUTH HADLEY	MA 01075	2 MEADOW VIEW DR
56		151		LANG DIANE J		10 HUSSEY FARM RD	NANTUCKET	MA 02554	10 HUSSEY FARM RD
56		152		RIZZO JOHN S ETAL		112 BLEDDYN RD	ARDMORE	PA 19003-1502	5 POND RD
56		153		ALLISON KENT E TRST	SEVEN POND ROAD REALTY TR	37 LORD WILLIAM PENN DRIV	MORRISTOWN	NJ 07960	7 POND RD
56		154		STARK ROBERT W III		9 POND RD	NANTUCKET	MA 02554	9 POND RD
56		155		KUSZPA JOHN & ANNE P M		11 POND RD	NANTUCKET	MA 02554	11 POND RD
56		156		KEPPLER JOHN K & DIANNE M		7508 LYNN DRIVE	CHEVY CHASE	MD 20815	8 POND RD
56		157		SHEEHAN KATHRYN K		P O BOX 3834	NANTUCKET	MA 02584	6 POND RD
56		158		GODLESKY THOMAS A & KAREN J		4 POND RD	NANTUCKET	MA 02554	4 POND RD
56		159		TAYLOR NANCIE B		76 EASTON STREET	NANTUCKET	MA 02554	1 PINKHAM CI
56		160		GELLER HARRY & PAULA J		99 MOHAWK TRAIL	STAMFORD	CT 06903	2 PINKHAM CI
56		161		BOUSQUET NICOLE		PO BOX 844	NANTUCKET	MA 02554	4 PINKHAM CI
56		162		GLIDDEN RICHARD J TRUSTEE	C/O CAPAUNO EDWARD	82 KINGSBURY RD	NEW ROCHELLE	NY 10804	6 PINKHAM CI
56		178		MONTGOMERY CHRISTOPHER &	BRIDGET C	3 PINKHAM CI	NANTUCKET	MA 02554	3 PINKHAM CI
56		294		BLANK THEODORE J & CRISTINA		PO BOX 3250	NANTUCKET	MA 02584	10 POND RD
56		295		KANE JOHN J JR & ANGELA M		83 EAGLE ROCK ROAD	STOUGHTON	MA 02072	12 POND RD

4/15/2016 1:21:16PM

Page 1

**MATERIALS**

**PROVIDED BY**

**STAFF**

**TO SUPPLEMENT**

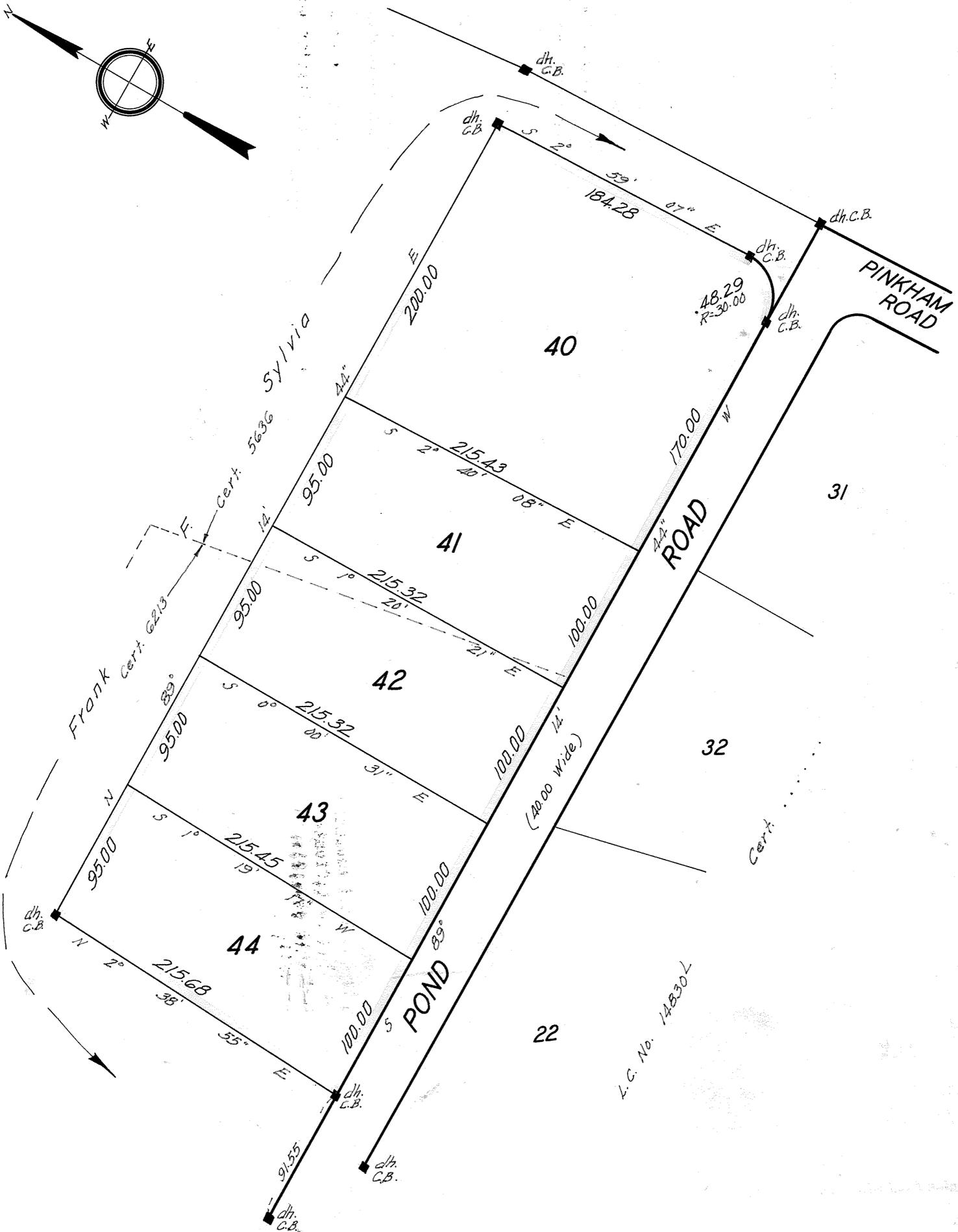
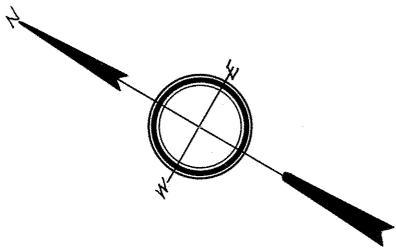
**APPLICATION**

SUBDIVISION PLAN OF LAND IN NANTUCKET

Schofield Brothers, Inc., Surveyors

December 1, 1972

14830<sup>N</sup>



Subdivision of part of Lot 19  
 Shown on Plan 14830<sup>J</sup>  
 Filed with Cert. of Title No. ....  
 Registry District of Nantucket County

Separate certificates of title may be issued for land  
 shown hereon as lots 40 thru 44  
 By the Court.

JAN. 5. 1973.

*Jeanne M. Maloney*  
 Deputy Recorder.

Copy of part of plan  
 filed in  
**LAND REGISTRATION OFFICE**  
 JAN. 5, 1973  
 Scale of this plan 80 feet to an inch  
 R.L. Woodbury, Engineer for Court

This plan filed with Certificate No. 6766

LOT 40 ON PLAN No. 14830-N FILED  
WITH CERTIFICATE No. 6766 HAS  
BEEN subdivided AND PLAN No. 14830-7  
SHOWING SUCH CHANGES IS FILED WITH  
CERTIFICATE NO. 12300  
FURTHER CERTIFICATES FOR SAID LOT 40  
ON SAID EARLIER PLAN WILL  
NOT BE ISSUED UNLESS AUTHORIZED BY  
THE COURT. (New Lots 132 & 133)

Nantucket Registry District

FEB 21 1973

RECEIVED FOR REGISTRATION

11 O'CLOCK 30 m. A M

This plan filed with Certificate No. 6766

Attest

James S. Barrett  
Assistant Recorder

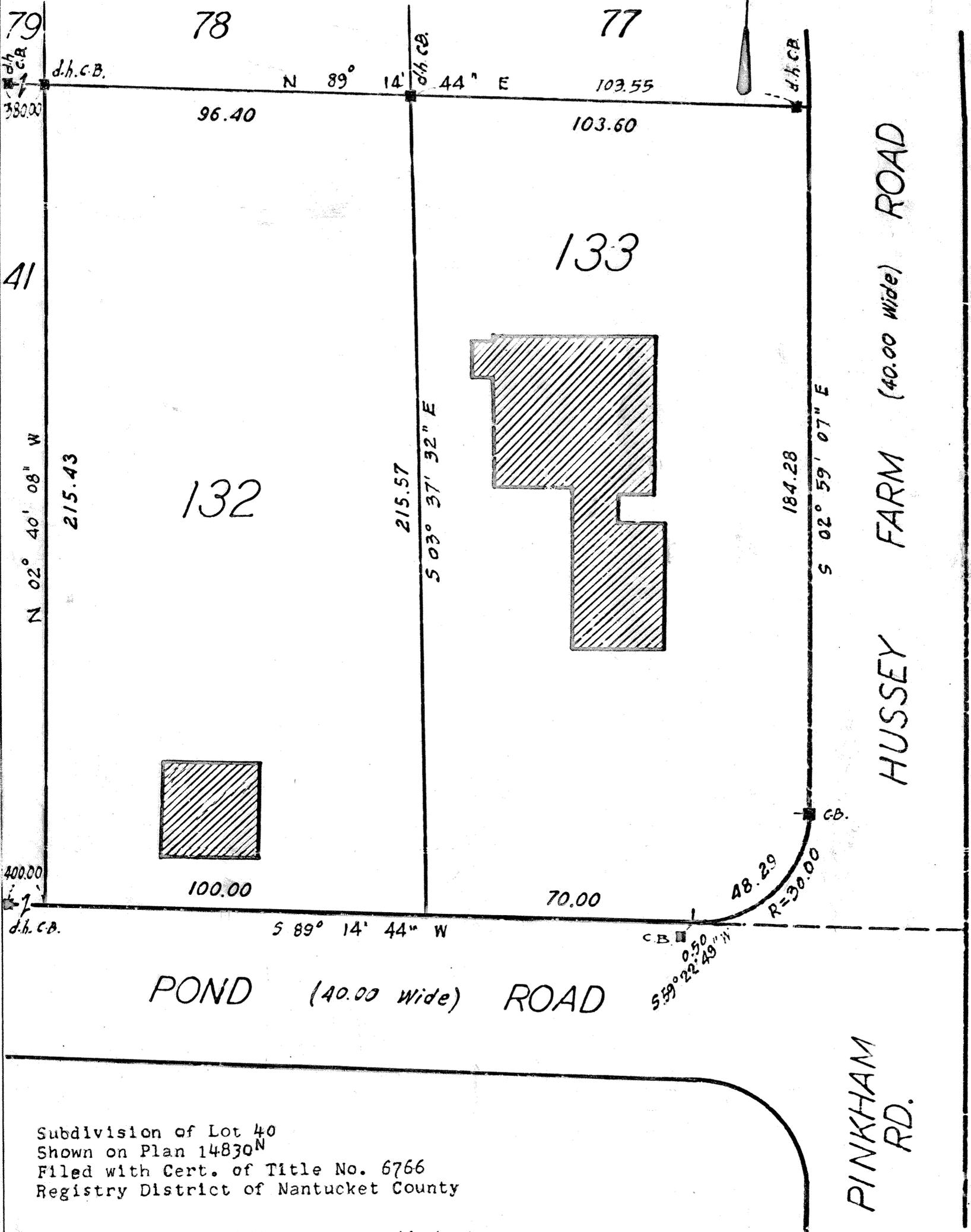
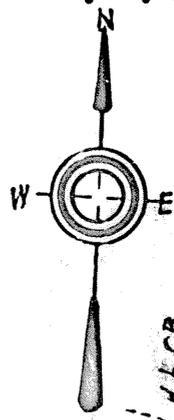
SUBDIVISION PLAN OF LAND IN NANTUCKET

Michael S. Bachman, Surveyor

January 23, 1984

14830-7

Plan No. 14830 U Sh. 1 Cert. No. 7459



THIS PLAN FILED WITH CERTIFICATE NO. 19,300

Subdivision of Lot 40  
Shown on Plan 14830<sup>N</sup>  
Filed with Cert. of Title No. 6766  
Registry District of Nantucket County

Separate certificates of title may be issued for land  
shown hereon as *lots 132 and 133*  
By the Court.

NOV 26, 1984

*James J. Maloney*  
Deputy Recorder.

Copy of part of plan  
filed in  
LAND REGISTRATION OFFICE  
NOV. 26, 1984  
Scale of this plan 30 feet to an inch  
Louis A. Moore, Engineer for Court

# Transfer Certificate of Title

Cert No:23280  
Doc No:127813

From Transfer Certificate No. 20876 Originally Registered September 15, 2003

Registry District of Nantucket County

This is to Certify that

**JANET HANSON**

of 810 Old Post Road, Bedford in the State of New York, 10506, is the owner in fee simple, of that land situated in Nantucket, in the County of Nantucket and Commonwealth of Massachusetts, bounded and described as follows:

Lot 132 as shown on plan numbered 14830-7, drawn by Michael S. Bachman, Surveyor, dated January 23, 1984, and filed with Certificate of Title No. 12300 at the Registry District of Nantucket County.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws, and that the title of said

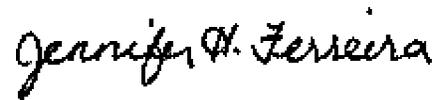
**JANET HANSON**

to said land is registered under said Chapter subject, however, to any of the encumbrances mentioned in section forty-six of said chapter, which may be subsisting, and subject also as aforesaid; and to the memoranda of encumbrances for this certificate.

Witness **KARYN F. SCHEIER**, Esquire, Chief Justice of the Land Court, at Nantucket in said County of

Nantucket the fifteenth day of July in the year two thousand and nine

at 2 o'clock and 36 minutes in the afternoon.



Attest, with the Seal of said Court, \_\_\_\_\_

**Jennifer H. Ferreira, Assistant Recorder**

Purported Property Address: 3 Pond Road

Land Court Case No. 14830

CERTIFICATE OF TITLE NO. **23280**



2009 00127813

Cert: 23280 Doc: DD

Registered: 07/15/2009 02:36 PM

**MASSACHUSETTS QUITCLAIM DEED**

We, DAVID CLOUGH and JANE B. CLOUGH, of PO Box 401, Wenham,  
Massachusetts 01984

for consideration paid and in full consideration of ONE MILLION TWENTY-FIVE  
THOUSAND AND NO/100 DOLLAR (\$1,025,000.00),

grant to JANET HANSON, of 810 Old Post Road, Bedford, New York 10506

with QUITCLAIM COVENANTS,

that certain parcel of land with all improvements thereon situate at 3 POND ROAD, in  
Nantucket, Nantucket County, Massachusetts, bounded and described as follows:

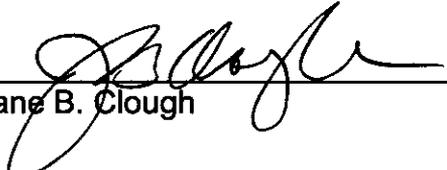
Lot 132 as shown on plan numbered 14830-7, drawn by Michael S.  
Bachman, Surveyor, dated January 23, 1984, and filed with Certificate  
of Title No. 12300 at the Registry District of Nantucket County.

Subject rights, easements and restrictions of record as noted on Certificate of Title No.  
20876 at Nantucket Registry District for the Land Court as same may be in force and  
applicable.

For Grantors' title, see Certificate of Title No. 20876 at said Registry.

WITNESS our hands and seals as of the 7<sup>th</sup> day of JULY, 2009.

  
\_\_\_\_\_  
David Clough

  
\_\_\_\_\_  
Jane B. Clough

COMMONWEALTH OF MASSACHUSETTS

County of Nantucket, ss.

On this 7<sup>th</sup> day of July, 2009, before me, the undersigned notary public, personally appeared ~~David Clough and~~ Jane B. Clough (a) \_\_\_\_\_ personally known to me, or (b) ✓ proved to me through satisfactory evidence of identification, which was Drivers license, (type of identification) to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Official Signature and Seal of Notary Public  
My Commission expires:

  
RICHARD J. GLIDDEN  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
May 18, 2012

# LETTERS

**From:** [John@ackmodern.com](mailto:John@ackmodern.com)  
**To:** [Eleanor Antonietti](#)  
**Subject:** Public Comment on Janet Hanson File# 18-16  
**Date:** Friday, May 27, 2016 7:58:21 AM

---

To whom it may concern,

I request that the board consider that there is a year round housing crisis on Nantucket. Providing a variance will remove this unit as a year round rental when we need it most.

The town is spending a considerable amount of money to create more year round housing on the island and needs to create more housing to get away from the 40B developments that have no local control.

Here is an opportunity for the town to preserve another unit for year round housing without any additional cost.

I ask the board deny this request.

Sincerely,

John Kuszpa  
Year round resident.

**From:** [matteucci7@comcast.net](mailto:matteucci7@comcast.net)  
**To:** [Eleanor Antonietti](#)  
**Cc:** [john rizzo](#)  
**Subject:** comment on File No. 18-16  
**Date:** Wednesday, June 01, 2016 12:08:20 PM

---

Dear Members of the Nantucket Zoning Board of Appeals,

The following comments are sent to you in opposition to the application by Janet Hanson of 3 Pond Road, file NO. 18-16.

We have owned our home at 5 Pond Road since 2010. The beauty of the Hussey Farm neighborhood is the solitude and peace it provides from the noise and craziness that consumes so much of Nantucket in the summer. By the time one reaches the entrance to Hussey Farm, most of the sounds you hear are simply the wind, the birds, and sometimes, the haunting ferry horn distantly from town.

When we moved into our home, which will soon be our retirement home for much of the year, and I met our neighbor at 3 Pond road for the first time, I clearly remember her asking me straight out if we were planning to cut down any of the wetland bushes that lie between our properties. When I assured her that we had no intention of doing so, she was greatly relieved as she too shared our love of the peace and tranquility of the space that we shared.

Each morning, I sit on my back patio reading the paper, and each evening, I watch the sunset to the music of the many birds that frequent the wetlands. This is an essential part of my Nantucket experience. The summer before last, this solitude was rudely destroyed when our neighbor rented her home to weekly tenants in July. As we are all aware, many weeklong visitors to magical places like Nantucket seem to forget that they are visiting a place that people consider a home, a residence, and a treasure. Each morning, my solitude was interrupted by loud phone conversations on the deck or in the yard of 3 Pond, carried on outside so as not to awaken sleeping members of their group. Soon, others arrived on the back deck for breakfast and to carry on loud conversations and laughter in recounting the previous evening and planning the day. With our wonderful acoustics, I was unfortunately a silent participant in each conversation. My sunset solitude was similarly destroyed by loud pre-dinner cocktails, followed by post dinner conversations and laughter after 11 PM. In the daytime, the large lawn between the 3Pond structures invites loud and boisterous ball games as well.

We are very much opposed to the modification of the property to allow for short term rentals at 3 Pond Road. Appreciating the difficulty for workers on Nantucket to procure housing, we are not, however, opposed to long term rentals for the season or year. We earnestly ask the Zoning Board to reject this proposal for short term renting in order to preserve the tranquility and beauty of our neighborhood. We are grateful for your consideration of our concerns.

Respectfully,

John Rizzo and Barbara M. Matteucci  
5 Pond Road

**From:** [Anne Kuszpa](#)  
**To:** [Eleanor Antonietti](#)  
**Subject:** New Event Zoning Board of Appeals For cp-stcity2.civicplus.com  
**Date:** Friday, June 03, 2016 12:10:14 PM

---

Dear Eleanor,

Regarding the application at 3 Pond Road on your 6/9 agenda, I am opposed to this application both professionally and personally as a nearby property owner. Please include this email as public comment, and I intend to speak against the application at the public hearing.

Lifting this year-round housing restriction will increase the value of the property, and as a homeowner down the street, I appreciate that. However, island values extend beyond those reflected in our real estate. The Nantucket community is working hard to create options for year-round residents, not eliminate them. It is important we continue to take steps forward, not backwards.

I strongly encourage the ZBA to uphold the existing restriction and preserve this year round housing option.

Sincerely,  
Anne Kuszpa  
11 Pond Road

~~~~~  
Anne Kuszpa, Executive Director  
Housing Nantucket  
75 Old South Road  
PO Box 3149  
Nantucket, MA 02554  
Direct Line: 774-333-3927  
Main Line: 508-228-4422

Check out our beautiful new website:  
[www.HousingNantucket.org](http://www.HousingNantucket.org)

On Fri, Jun 3, 2016 at 10:19 AM, Zoning Board of Appeals <[listserv@civicplus.com](mailto:listserv@civicplus.com)> wrote:

[View this in your browser](#)

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June 09, 2016 01:00 PM

**JOHN UDELSON**

**12 POND VIEW DR.**

---

**FILE NO. 19-16**

MAY 9 2016 AM 8:36

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

**TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554**

**A P P L I C A T I O N**

**Fee: \$450.00**

**File No. 19-16**

Owner's name(s): **John Udelson**

Mailing address: **49 Union Park, Unit 3, Boston, MA 02118**

Phone Number: 508-228-0771

E-Mail: [John@gliddenandglidden.com](mailto:John@gliddenandglidden.com)

Applicant's name(s): **Same**

Mailing Address:

Phone Number: 508-228-0771

E-Mail: [John@gliddenandglidden.com](mailto:John@gliddenandglidden.com)

Locus Address: **12 Pond View Drive** Assessor's Map/Parcel: **81/9**

Land Court Plan/~~Plan Book & Page/Plan File~~: **Lot 10, LC Plan No. 36550-C, Sheet 2**

~~Deed Reference/Certificate of Title~~: **25177** Zoning District: **LUG-2**

Uses on Lot- Commercial: **No** Yes (describe) \_\_\_\_\_

Residential: Number of dwellings: **2** Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Date of Structure(s): **Pre-1972, 1984, 2004, 2007**

Building Permit Numbers:

Previous Zoning Board Application Numbers: **N/A**

State below or attach a separate addendum of specific special permits or variance relief applying for:

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: \_\_\_\_\_ Owner\*

SIGNATURE: \_\_\_\_\_  
Applicant/Attorney/Agent\*

\*If an Attorney or other Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

### OFFICE USE ONLY

Application received on: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Complete: \_\_\_\_\_ Need Copies: \_\_\_\_\_  
Filed with Town Clerk: \_\_/\_\_/\_\_ Planning Board: \_\_/\_\_/\_\_ Building Dept.: \_\_/\_\_/\_\_ By: \_\_\_\_\_  
Fee deposited with Town Treasurer: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Waiver requested: \_\_\_\_\_  
Granted: \_\_/\_\_/\_\_ Hearing notice posted with Town Clerk: \_\_/\_\_/\_\_ Mailed: \_\_/\_\_/\_\_  
I&M \_\_/\_\_/\_\_ & \_\_/\_\_/\_\_ Hearing(s) held on: \_\_/\_\_/\_\_ Opened on : \_\_/\_\_/\_\_  
Continued to: \_\_/\_\_/\_\_ Withdrawn: \_\_/\_\_/\_\_ Decision Due By: \_\_/\_\_/\_\_  
Made: \_\_/\_\_/\_\_ Filed w/Town Clerk: \_\_/\_\_/\_\_ Mailed: \_\_/\_\_/\_\_

## Exhibit A

The Owner/Applicant, John Udelson (hereinafter referred to as "Udelson") is the owner of 12 Pond View Drive ("the Premises") by virtue of Certificate of Title No. 25177. Applicant is requesting Variance relief pursuant to Nantucket Zoning Bylaw Section 139-32 from the intensity regulations in Section 139-16 to validate the ground cover of the existing structures which have been in their same location and have not been altered since 2007.

The Premises, a lot containing approximately 80,298 square feet in the Limited Use General – 2 zoning district, contains four structures: a single-family dwelling, a two-story garage/studio, a shed, and a secondary dwelling. All of said structures were duly permitted and received Certificates of Occupancy from the Building Department. Said Certificates were all issued upon a duly-licensed survey.

In August 2004, the then-owner, Greg Bourbeau, applied for a building permit to modify the existing garage. Said building permit application is attached hereto as Exhibit B. As indicated on page 3 of said application, the ground cover of the principal dwelling is 1,706 and the ground cover of the existing garage will be 580. This corresponds with the ground cover of the principal dwelling as shown on the site plan from February 2004, which is attached hereto as Exhibit C. However, upon Exhibit C, the square footage of the existing garage is 667 square feet. As part of the work done in Exhibit B, a renovation was made to reduce this 87 square feet of ground cover of part of the conversion of the garage use to office use.

In 2007, a Certificate of Occupancy was issued for the building permit referenced in Exhibit B. Said Certificate of Occupancy is attached hereto as Exhibit D. Said Certificate of Occupancy was issued in part due to the site plan provided to the Building Department by John J. Shugrue, PLS, dated May 9, 2005, which shows the location of the 583 square foot garage, a 95 square foot shed (which has a Certificate of Occupancy attached as Exhibit E), and a primary dwelling with 1,692 square feet of ground cover.<sup>1</sup> Said plan from Mr. Shugrue is attached hereto as Exhibit F.

In August 2007, a building permit was applied for to add a secondary dwelling to the Locus. Said application is attached hereto as Exhibit G. As evidenced on page 3 of Exhibit G, the principal dwelling has a ground cover of 1,692 square feet, the secondary dwelling would have a ground cover of 935 square feet, and the garage/studio has a ground cover of 583 square feet (note: the 95 square foot shed is exempt from ground per Nantucket Zoning Bylaw Section 2 and therefore does not count towards the maximum allowable ground cover on the Locus). This meant that the total ground cover on the Locus would be 3,210 square feet when the maximum allowable was 3,211.96, which is 4% of the lot area of the Locus. These numbers were relied upon per the plot

---

<sup>1</sup> Please note the discrepancy in ground cover between 2004 and 2005. It does not appear as though there were any alterations to the primary dwelling that would account for this 14 square-foot difference. It may be that the overhangs were not included in the 2004 survey or that surveying equipment improved over the course of a year.

plan in Exhibit F from 2005 showing the ground cover and location of the renovated garage and shed.

Said secondary dwelling was completed in 2008 and a Certificate of Occupancy was issued in November 2008 (Exhibit H). This Certificate of Occupancy was issued based upon the survey dated October 22, 2007 prepared by Outermost Land Survey, Inc., attached hereto as Exhibit I. Per the Exhibit I, the ground cover of the structures is as follows: the garage/office has a ground cover of 505 square feet; the primary dwelling has a ground cover of 1,725 square feet, and the secondary dwelling has an existing ground cover of 934 square feet for a total ground cover of 3,164 or a ground cover ratio of 3.9%, which is less than the maximum ground cover ratio allowed in the Limited Use General – 2 zoning district. Based upon the information provided in this survey, a Certificate of Occupancy was issued.

In 2014, Udelson took title to the property and in 2015 applied for a building permit to construct a pool and appurtenant decking. Said work did not add any ground cover, but a survey was completed in order to close-out this permit. Said survey, prepared by Nantucket Surveyors, attached hereto as Exhibit J, shows a Locus with structures over the allowable ground cover for a property in the Limited Use General – 2 zoning district.

The largest discrepancy in the plans in Exhibit I and Exhibit J is the calculation of the ground cover of the garage/studio. The most recent survey shows a ground cover of 585 square feet (which corresponds with the 2005 Shugrue Survey), whereas the 2007 survey shows a ground cover of 505 square feet. The two surveys also show a discrepancy in the ground cover of the primary dwelling of nearly 50 feet.

Per Massachusetts General Laws Chapter 40A, Section 7:

“no action, criminal or civil, the effect or purpose of which is to compel the abandonment, limitation or modification of the use allowed by said permit or the removal, alteration or relocation of any structure erected in reliance upon said permit by reason of any alleged violation of the provisions of this chapter, or any ordinance or by-law adopted thereunder, shall be maintained, unless such action, suit or proceeding is commenced and notice thereof recorded in the registry of deeds for each county or district in which the land lies within six years after the commencement of the alleged violation of law.”

Because the structure was constructed with the benefit of a building permit – and received a Certificate of Occupancy – and no action to force the removal, alteration, or relocation of the structure was taken within the six years since the issuance of the building permit relative to the violative work, and therefore the structure is deemed protected.

Accordingly, although the structures upon the Locus are protected from removal, alteration, or relocation to comply with the intensity regulations of the Zoning Bylaw, the structures are deemed noncompliant because they violate the intensity regulations of ground cover. Therefore, the Applicant is requesting Variance relief pursuant to Nantucket Zoning Bylaw Section 139-32 from the intensity regulations in Section 139-16 to validate the ground cover on the Locus of approximately 3,292, per Exhibit J. This results in a ground cover ratio of 4.1% where the maximum allowable ground cover ratio is 4% in the Limited Use General – 2 zoning district.

RECEIVED

SEP 07 2004  
NANTUCKET  
BUILDING DEPT

Exhibit B

RECEIVED

AUG 23 2004

NANTUCKET  
ZONING DEPT

976-04  
9-9-04  
BUILDING PERMIT NUMBER

APPLICATION FOR  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5

1. LOCATION OF BUILDING

OWNERS NAME (print): BOURBEAU GREGORY  
 Last First Middle Initial

12 POND VIEW DRIVE  
 No. Street

Assessor's Map No. 81 Assessor's Parcel No. 09

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

|                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A. TYPE OF IMPROVEMENT</p> <p><input type="checkbox"/> New Building</p> <p><input checked="" type="checkbox"/> Addition</p> <p><input checked="" type="checkbox"/> Alteration</p> <p><input type="checkbox"/> Repair, replacement</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Moving</p> | <p>B. OWNERSHIP</p> <p><input checked="" type="checkbox"/> Private</p> <p><input type="checkbox"/> Public</p> <p>C. COST</p> <p>TOTAL COST OF IMPROVEMENT</p> <p><u>85,000</u></p> | <p>D. DIMENSIONS</p> <p>Dimensions of Structure</p> <p>First Floor Area: <u>576<sup>±</sup> EXISTING</u></p> <p>Second Floor Area: <u>576<sup>±</sup> NEW</u></p> <p>Third Floor Area: <u>-</u></p> <p>Total Floor Area: <u>576<sup>±</sup> 2ND</u></p> <p>Full Cellar Area: _____</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

E. PROPOSED USE

Residential

One Family

Studio ABOVE GARAGE

Two or more family - Enter number of units \_\_\_\_\_

Hotel, Motel, Dormitory enter number of units \_\_\_\_\_

Second Dwelling

Garage

Pool

Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.

EXISTING GARAGE LEVEL: CONVERT 1 BAY FOR HOME OFFICE USE ± 288 SF.

REMOVE EXISTING ROOF, ADD 2ND FLOOR LEVEL FOR STUDIO USE w/ FULL BATH

INSTALL STAIRS TO 2ND FLOOR DECK

DECK: 8' x 24' ± 198 SF.

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

|                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                      |                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <p>F. PRINCIPLE TYPE OF FRAME</p> <p><input checked="" type="checkbox"/> Wood frame</p> <p><input type="checkbox"/> Other - Specify _____</p>                                                                                                         | <p>H. TYPE OF SEWAGE DISPOSAL</p> <p><input type="checkbox"/> Public</p> <p><input checked="" type="checkbox"/> Private (septic tank, etc.)</p>                                                                      | <p>K. ACCESSORY HEAT SOURCE</p> <p>No. of fireplaces _____</p> <p>No. of Wood Stoves _____</p> <p>Other: _____</p>               |
| <p>G. PRINCIPLE TYPE OF HEATING</p> <p><input type="checkbox"/> Gas      <input type="checkbox"/> Electricity</p> <p><input type="checkbox"/> Oil        <input type="checkbox"/> Heat Pump</p> <p><input type="checkbox"/> Other - Specify _____</p> | <p>I. TYPE OF WATER SUPPLY</p> <p><input type="checkbox"/> Public</p> <p><input checked="" type="checkbox"/> Private (well)</p> <p>J. SMOKE DETECTORS</p> <p>No. of Detectors _____</p> <p>See Plan for Location</p> | <p>L. RESIDENTIAL BUILDINGS</p> <p>Number of Bedrooms _____</p> <p>Number of Bathrooms _____</p> <p>Full _____ Partial _____</p> |

**3. Continued**

| M. ENERGY CONSERVATION                                              | Type                                                              | Thickness       | R Value      |
|---------------------------------------------------------------------|-------------------------------------------------------------------|-----------------|--------------|
| Foundation or Floor insulation                                      | <u>RIGID</u>                                                      | <u>MIN 2"</u>   | <u>15</u>    |
| Wall Insulation                                                     | <u>BATT</u>                                                       | <u>3 1/2 6"</u> | <u>15 21</u> |
| Ceiling or Roof Insulation                                          | <u>BATT</u>                                                       | <u>3 1/2"</u>   | <u>30</u>    |
| Window Glazing: Insulated Glass <input checked="" type="checkbox"/> | Double Glass _____                                                | Storm _____     |              |
| Doors: Insulated Yes <input checked="" type="checkbox"/> No _____   | Weatherstripped: Yes <input checked="" type="checkbox"/> No _____ |                 |              |
| Percentage of Window Area to Wall Area: _____                       |                                                                   |                 |              |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

Foundation EXISTING

Footing size: \_\_\_\_\_ Footing reinforcing: \_\_\_\_\_

Wall material: \_\_\_\_\_ Wall thickness: \_\_\_\_\_

Wall height: \_\_\_\_\_ Wall reinforcing: \_\_\_\_\_

**NEW** Pier or column size: 3 1/2" Ø CALLY Pier or column spacing: 12' OC.

Pier or column footing size: 3'x3'x12" Pier or column reinforcing: #4 BARS 6" OC B/W

No. of crawl space vents: N/A Crawl space:  Full  Partial

FRAMING: Main Carrying members: Size: N/A Support Spacing: \_\_\_\_\_

First Floor Framing Joist size: N/A Maximum Span: \_\_\_\_\_ Maximum Spacing: \_\_\_\_\_

Second Floor Framing Joist size: 2x10 Maximum Span: 12' Maximum Spacing: 16" OC.

Ceiling Framing Joist size: \_\_\_\_\_ Maximum Span: \_\_\_\_\_ Maximum Spacing: \_\_\_\_\_

Roof Framing Joist size: 2x10 Maximum Span: 12' Maximum Spacing: 16" O.C.

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**

**NOTES AND DATE (For Department Use)**

called 9-8-04

**FEE CALCULATIONS**

864 SF  
198 SF DECKS  
1062  
x .75  
\$797.00

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LUG - 2 Total Land Area: 80,898 ± SF  
 Frontage on Street: 240 ±' Lot No.: 10  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 36550 D PE  
 Date Lot Purchased: MAY 2004 Certificate No.: \_\_\_\_\_  
 Name of Previous Owner: ZIEDMAN

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No.: \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING  
INFORMATION**

Is there a declaration of  
Covenants and Restrictions of  
Interval Ownership noted on  
your Title or Deed?

Yes \_\_\_\_ No \_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT ± 283' REAR 18.2 LEFT 110' RIGHT 110 ±  
 Distance between Principal and Secondary Dwelling: N/A (12ft. minimum)  
 Height of structure above finish grade: N ± 23'-9" E ± 23'-9" S ± 23'-9" W ± 23'-9"  
 Number of off-street parking spaces: Enclosed 1 On-site 2

**GROUND COVER**

Principal Dwelling: 1,706 (OLD RULE)  
 Secondary Dwelling: \_\_\_\_\_  
 Addition: (± 580 OVER EXISTING GARAGE) Total: 2286 SF.  
 Garage: ± 580 Allowable: 3211.92' SF.  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

**MISCELLANEOUS**

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO   
 If answered YES, include "Order of Conditions" with application.  
 What date was the "Order of Conditions" with application? \_\_\_\_\_  
 What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO   
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO   
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
 Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
 Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
 Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
 \_\_\_\_\_ Lot Release Form \_\_\_\_\_

Date: 9/7/4 APPROVED BY:  Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                  |                              | Mailing address - Number, street, city and state | Zip Code          | Telephone No.                       |
|-----------------------|------------------------------|--------------------------------------------------|-------------------|-------------------------------------|
| 1.<br>Owner or Lessee | GREG BOURBEAU                | Box 3420                                         | 02584             | 508                                 |
|                       |                              | NANTUCKET, MA.                                   |                   | 257-4123<br>228-6755                |
| 2.<br>Contractor      | Print Name<br>William Lemon  | 53 Thayer Rd.<br>MONSON, MA.                     | Builder's License |                                     |
|                       | Signature                    | MONSON, MA.                                      | Date              |                                     |
| 3.<br>Contact Person  | PERMITS PLUS INC<br>OR OWNER | BOX 3363<br>NANTUCKET, MA 02584                  | Date 4-30-04      | 228-6913 04<br>257-4123<br>228-6755 |

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant

Address SEE ABOVE

Telephone # 1-413 596 4700  
508-228-6755



Print name

GREG BOURBEAU

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

|                                    |                                                           |         |  |
|------------------------------------|-----------------------------------------------------------|---------|--|
| Plans Review Required              |                                                           |         |  |
| HISTORIC DISTRICTS COMMISSION      | 43706                                                     | 4/27/04 |  |
| SEPTIC                             | sanitary system replacement for 4 bedrooms & pool - OK KR |         |  |
| SEWER                              |                                                           |         |  |
| WATER WELL COMPLETION REPORT       |                                                           |         |  |
| CONSERVATION COMMISSION            |                                                           |         |  |
| FIRE CHIEF                         |                                                           |         |  |
| OVER-THE-ROAD (Board of Selectmen) |                                                           |         |  |
| ROAD OPENING PERMIT (DPW)          |                                                           |         |  |
| PLUMBING                           |                                                           |         |  |
| ELECTRICAL                         |                                                           |         |  |

**7. VALIDATION**

Building Permit Issued \_\_\_\_\_

Building Permit Fee

\$797.00  
OK

FOR DEPARTMENT USE ONLY

Use Group \_\_\_\_\_

Occupancy Load \_\_\_\_\_

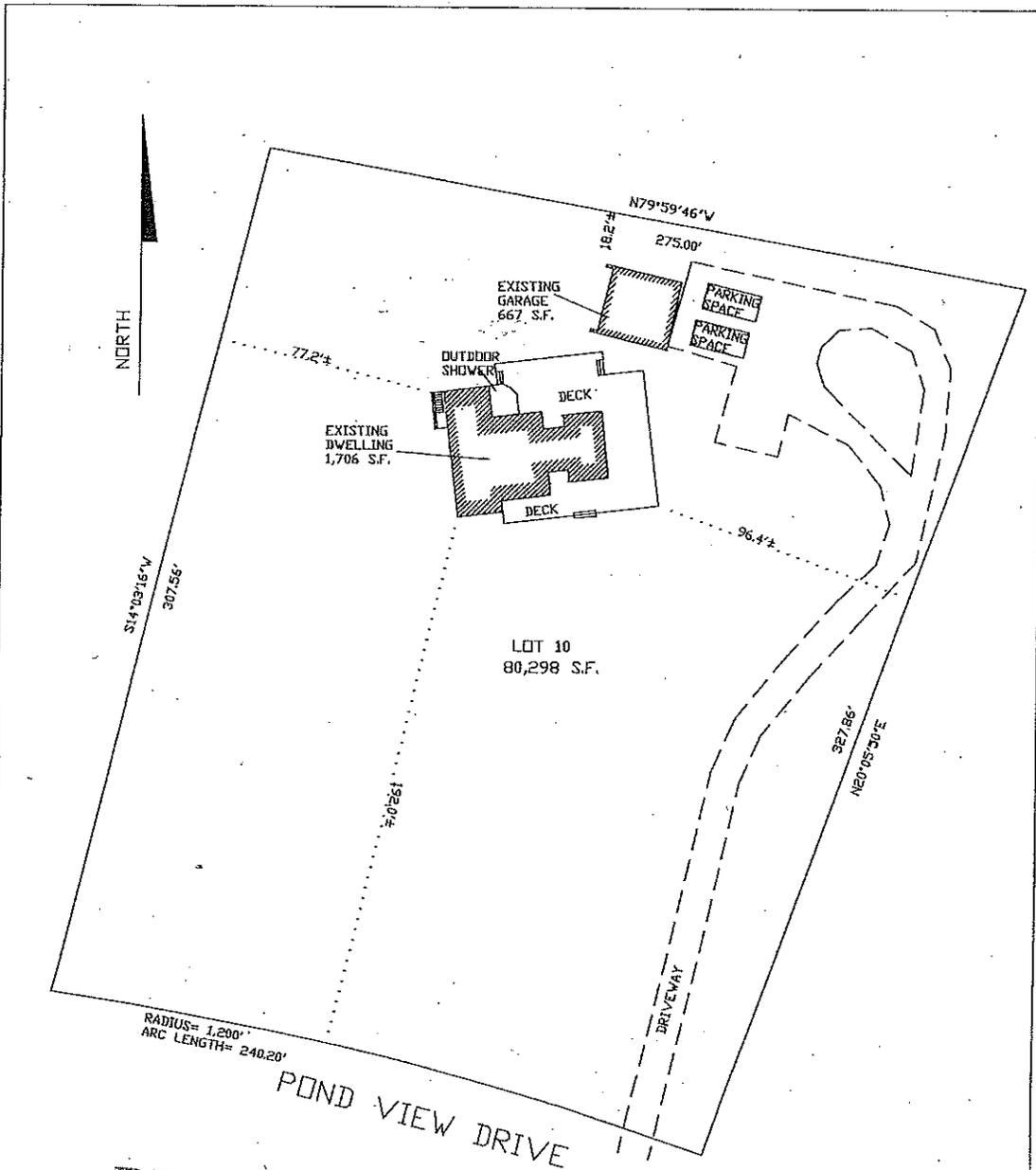
Census No. 437

Approved by:

Date of Issuance of Certificate of Occupancy \_\_\_\_\_

 9/8/04  
Building Commissioner

Exhibit C



POND VIEW DRIVE

RECEIVED

FEB 25 2004

NANTUCKET BUILDING DEPT.

ZONING: LUG-2  
 MINIMUM LOT SIZE: 80,000 S.F.  
 MINIMUM FRONTAGE: 150 FT  
 FRONT YARD SETBACK: 35 FT  
 REAR & SIDE SETBACK: 15 FT  
 GROUND COVER RATIO: 4%

PLOT PLAN OF LAND IN NANTUCKET, MA

SCALE: 1" = 50'

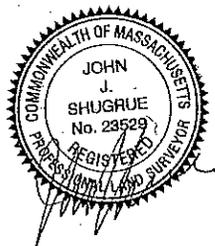
DATE: FEBRUARY 20, 2004

JOHN J. SHUGRUE, INC.  
 57 OLD SOUTH ROAD  
 NANTUCKET, MA 02554

FOR: ROBERT AND VILMA ZIEDMAN

THE STRUCTURES ARE LOCATED AS SHOWN

*John J. Shugrue*  
 JOHN J. SHUGRUE PLS  
 DATE: FEBRUARY 20, 2004



PERSONS CONTRACTING  
UNREGISTERED CONTRACTORS  
HAVE ACCESS TO THE GUARANTEE  
780 CMR/6MGL c142

**E**  
No. 97

**BI**

THIS PERMIT  
PERMISSION

*WITH FULL BATH*

THE PERSON  
FILE IN THE  
ORDINANCE  
IN THE TOWN

Certificate No: OP-2007-0421

Building Permit No.: BP-2004-0997

**Commonwealth of Massachusetts**

**Town of Nantucket**

Building Electrical Mechanical Permits

This is to Certify that the

ALTERATION

located at

Dwelling Type

12 POND VIEW DR

in the

TOWN OF NANTUCKET

Address

Town/City Name

IS HEREBY GRANTED A PERMANENT CERTIFICATE OF  
OCCUPANCY

Convert 1 bay of existing garage to office use & add 2nd fl studio 576sf  
with full bath 2nd fl deck 8' x 24' CO for 976-04 M/P 81-9

This permit is granted in conformity with the Statutes and ordinances relating thereto, and  
expires \_\_\_\_\_ unless sooner suspended or revoked.

Expiration Date

Issued On: Fri Aug 10, 2007

*Ronald Barth*

GeoTMS© 2007 Des Lauriers Municipal Solutions, Inc.

*Sketch 1 D*

~~A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RECEIPT 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  
PERMITTED 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 PREMISES.

CERTIFICATE OF OCCUPANCY NO.

68

*Ronald Barth*

BUILDING INSPECTOR

*Exhibit E*

Certificate No: OP-2014-0212

Building Permit No.: BP-2004-0629

**Commonwealth of Massachusetts**

**Town of Nantucket**

Building Electrical Mechanical Permits

This is to Certify that the

SHED

located at

Dwelling Type

12 POND VIEW DR

in the

TOWN OF NANTUCKET

Address

Town/City Name

**IS HEREBY GRANTED A PERMANENT CERTIFICATE OF OCCUPANCY**

Move 8' x 12' shed on to lot from 20 Cornwall Street  
CO for permit 535-04 M/P 81-9

This permit is granted in conformity with the Statutes and ordinances relating thereto.

Issued On: Thu May 29, 2014

*[Signature]*

*780 CMR 2110.1(i)*

GeoTMS® 2014 Des Lauriers Municipal Solutions, Inc.

MASSACHUSETTS  
**NANTUCKET**

Map 87 Parcel 9

**DEPARTMENT**

Permitting Inspector FEE \$ 200 *200*

5-25-04 20

**PERMIT**

*EAU* HAS

*TO LOT FROM 20 CORNWALL STREET*  
*12 Pond View Drive* PROVIDED THAT

FORM TO THE TERMS OF THE APPLICATION ON  
THE PROVISIONS OF THE STATUTES AND THE  
MAINTENANCE AND INSPECTION OF BUILDINGS  
UNDER THE STATE BUILDING CODE 780 CMR.

ON RETURN OF THIS PERMIT ONLY AFTER ALL  
REQUIREMENTS HAVE BEEN SATISFIED BY THE APPROPRIATE INSPECTOR.

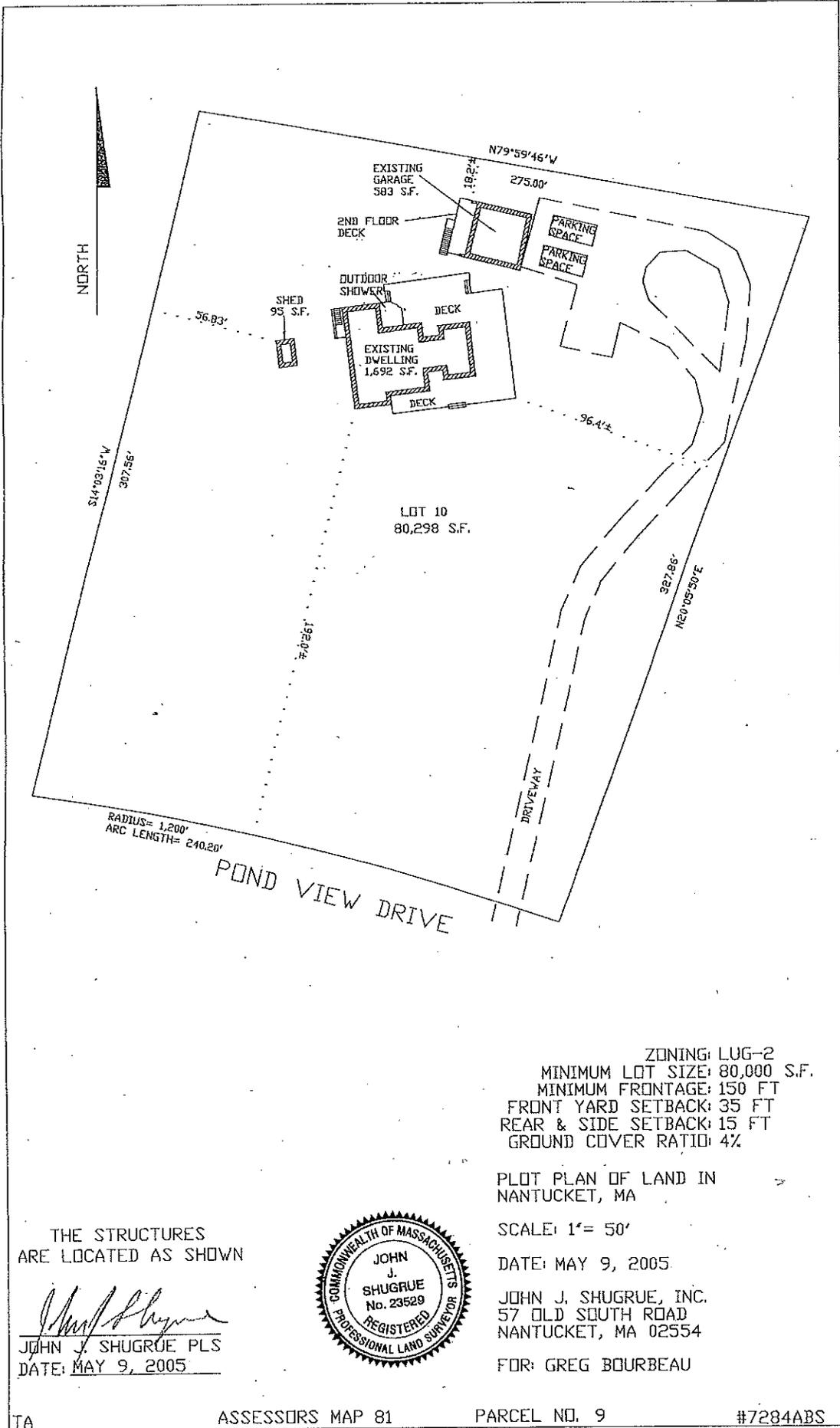
FROM THE DATE OF ISSUE IF THE WORK  
IS NOT COMPLETED CONTINUOUSLY TO COMPLETION AS

INDICATED ON THE PREMISES.

*[Signature]*

BUILDING INSPECTOR

# Exhibit F



ZONING: LUG-2  
 MINIMUM LOT SIZE: 80,000 S.F.  
 MINIMUM FRONTAGE: 150 FT  
 FRONT YARD SETBACK: 35 FT  
 REAR & SIDE SETBACK: 15 FT  
 GROUND COVER RATIO: 4%

PLOT PLAN OF LAND IN  
 NANTUCKET, MA

SCALE: 1" = 50'

DATE: MAY 9, 2005

JOHN J. SHUGRUE, INC.  
 57 OLD SOUTH ROAD  
 NANTUCKET, MA 02554

FOR: GREG BOURBEAU

THE STRUCTURES  
 ARE LOCATED AS SHOWN

*John J. Shugrue*  
 JOHN J. SHUGRUE PLS  
 DATE: MAY 9, 2005



Exhibit 6

RECEIVED

AUG 10 2007

NANTUCKET BUILDING DEPT.

RECEIVED

AUG 03 2007

NANTUCKET ZONING DEPT

806-07  
8/14/2007

BUILDING PERMIT NUMBER

APPLICATION FOR BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5

1. LOCATION OF BUILDING

OWNERS NAME (print): BOURBEAU, GREGORY  
Last First Middle Initial  
12 FOXD VIEW DRIVE  
No. Street  
Assessor's Map No. 81 Assessor's Parcel No. 09

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT

- New Building
- Addition
- Alteration
- Repair, replacement
- Demolition
- Moving

B. OWNERSHIP

- Private
- Public

C. COST

TOTAL COST OF IMPROVEMENT  
3000,000

D. DIMENSIONS

Dimensions of Structure  
First Floor Area: 935 ± S.F  
Second Floor Area: 477 ± S.F  
Third Floor Area: -  
Total Floor Area: 1,412 ± S.F  
Full Cellar Area: 935 SF  
(UNFINISHED)

E. PROPOSED USE

Residential

- One Family
- Studio
- Two or more family - Enter number of units \_\_\_\_\_
- Hotel, Motel, Dormitory enter number of units \_\_\_\_\_
- Second Dwelling
- Garage
- Pool
- Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.

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3. SELECTED CHARACTERISTICS OF BUILDING

F. PRINCIPLE TYPE OF FRAME

- Wood frame
- Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL

- Public
- Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

No. of fireplaces -  
No. of Wood Stoves \_\_\_\_\_  
Other: \_\_\_\_\_

G. PRINCIPLE TYPE OF HEATING

- Gas  Electricity
- Oil  Heat Pump
- Other - Specify \_\_\_\_\_

I. TYPE OF WATER SUPPLY

- Public
- Private (well)

J. SMOKE DETECTORS

No. of Detectors 5 PER CODE  
See Plan for Location

L. RESIDENTIAL BUILDINGS

Number of Bedrooms 2  
Number of Bathrooms 2  
Full  Partial \_\_\_\_\_

**3. Continued**

**M. ENERGY CONSERVATION**

|                                               | Type                                                       | Thickness                                                         | R Value     |
|-----------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------------|-------------|
| Foundation or <u>Floor</u> insulation         | BATT                                                       | 6" H.D.                                                           | 21          |
| Wall Insulation                               | BATT                                                       | 6" H.D.                                                           | 21          |
| Ceiling or Roof Insulation                    | BATT                                                       | 6" <del>8" HD</del>                                               | 21 / 30     |
| Window Glazing:                               | Insulated Glass <input checked="" type="checkbox"/>        | Double Glass _____                                                | Storm _____ |
| Doors:                                        | Insulated Yes <input checked="" type="checkbox"/> No _____ | Weatherstripped: Yes <input checked="" type="checkbox"/> No _____ |             |
| Percentage of Window Area to Wall Area: _____ |                                                            |                                                                   |             |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                              |                 |                             |                                                                |
|------------------------------|-----------------|-----------------------------|----------------------------------------------------------------|
| Footing size:                | 10x22           | Footing reinforcing:        | 2 #5 BARS, CONT.                                               |
| Wall material:               | CONC            | Wall thickness:             | 10"                                                            |
| Wall height:                 | 8'-10"          | Wall reinforcing:           | 2 #5 BARS T&B                                                  |
| Pier or column size:         | 3 1/2" P STL    | Pier or column spacing:     | SEE PLAN                                                       |
| Pier or column footing size: | 3' x 3' x 12" D | Pier or column reinforcing: | #4 BAR 6" O.C., B/W                                            |
| No. of crawl space vents:    | 4/4             | Crawl space:                | <input type="checkbox"/> Full <input type="checkbox"/> Partial |

FRAMING: Main Carrying members: Size: (3) 1 3/4 x 9 1/2" LVL'S Support Spacing: SEE PLAN

|                      |                  |                   |                           |
|----------------------|------------------|-------------------|---------------------------|
| First Floor Framing  | Joist size: 2x10 | Maximum Span: 15' | Maximum Spacing: 12" O.C. |
| Second Floor Framing | Joist size: 2x10 | Maximum Span: 13' | Maximum Spacing: 16" O.C. |
| Ceiling Framing      | Joist size: 2x8  | Maximum Span: 12' | Maximum Spacing: 16" O.C. |
| Roof Framing         | Joist size: 2x10 | Maximum Span: 15' | Maximum Spacing: 16" O.C. |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**

**NOTES AND DATE (For Department Use)**

8/14/07 - Spoke w/ Gregory -

**FEE CALCULATIONS**

14' x 25' F  
 329 SF DECKS  
 1741  
 x .75  
 \$1306.25

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LUG-2 Total Land Area: 80,298 ± S.F.  
 Frontage on Street: 240 ±' Lot No.: 10  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 36550 D 9 E  
 Date Lot Purchased: MAY 2024 Certificate No.: \_\_\_\_\_  
 Name of Previous Owner: ZIEDMAN

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No.: \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING INFORMATION**

Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?

Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT ± 30' REAR ± 260' LEFT 50 RIGHT ± 150  
 Distance between Principal and Secondary Dwelling: ± 110' (12ft. minimum)  
 Height of structure above finish grade: N 22' E 22' S 22' W 22'  
 Number of off-street parking spaces: Enclosed \_\_\_\_\_ On-site 2 (FOR NEW DWELLING)

**GROUND COVER**

Principal Dwelling: 1,692 ± S.F.  
 Secondary Dwelling: 935 ± S.F.  
 Addition: 583 ± S.F.  
 Garage: \_\_\_\_\_  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: SHED ± 75 S.F. (NOT INCLUDED IN G.C. CALC'S) ?

Total: 3,210 SF.  
 Allowable: 3,211.90 SF.

**MISCELLANEOUS**

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO X  
 If answered YES, include "Order of Conditions" with application.  
 What date was the "Order of Conditions" with application? \_\_\_\_\_  
 What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO X  
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO X  
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
 Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
 Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
 Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
 \_\_\_\_\_ Lot Release Form \_\_\_\_\_

Date: 8/10/7

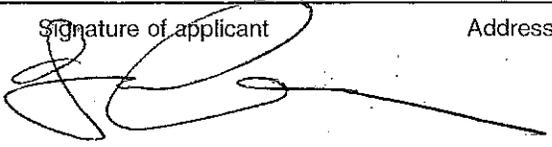
APPROVED BY: [Signature]  
 Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name               |                            | Mailing address - Number, street, city and state | Zip Code          | Telephone No.                |
|--------------------|----------------------------|--------------------------------------------------|-------------------|------------------------------|
| 1. Owner or Lessee | GREG BOURBEAN              | BOX 3420                                         |                   | 508                          |
|                    |                            | NORWICH, MA                                      | 02534             | 228 6795                     |
| 2. Contractor      | Print Name <i>HOMERUNN</i> |                                                  | Builder's License |                              |
|                    | Signature                  |                                                  | Date              |                              |
| 3. Contact Person  | OWNER OR PERMITS PLUS      | BOX 3363 AVE 02534                               | Date 8-1-07       | 508 228 6755<br>508 228 6913 |

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

|                                                                                  |               |             |
|----------------------------------------------------------------------------------|---------------|-------------|
| Signature of applicant                                                           | Address       | Telephone # |
|  | SEE ABOVE     |             |
| Print name                                                                       | GREG BOURBEAN |             |

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

|                                                         |        |            |       |
|---------------------------------------------------------|--------|------------|-------|
| Plans Review Required                                   | 500 88 | 3/13/07    |       |
| HISTORIC DISTRICTS COMMISSION                           | 50560  | 6/5/07     |       |
| SEPTIC <i>existing system acceptable for 3 bedrooms</i> |        | 3 provided | OK RB |
| SEWER                                                   |        |            |       |
| WATER WELL COMPLETION REPORT                            |        |            |       |
| CONSERVATION COMMISSION                                 |        |            |       |
| FIRE CHIEF                                              |        |            |       |
| OVER-THE-ROAD (Board of Selectmen)                      |        |            |       |
| ROAD OPENING PERMIT (DPW)                               |        |            |       |
| PLUMBING                                                |        |            |       |
| ELECTRICAL                                              |        |            |       |

**7. VALIDATION**

|                                                                                                                                                         |                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Building Permit Issued _____<br><br>Building Permit Fee \$ 1306 <sup>00</sup> / <sub>50</sub><br><br>Date of Issuance of Certificate of Occupancy _____ | FOR DEPARTMENT USE ONLY                                                                                                               |
|                                                                                                                                                         | Use Group _____                                                                                                                       |
|                                                                                                                                                         | Occupancy Load _____                                                                                                                  |
|                                                                                                                                                         | Census No. 101                                                                                                                        |
|                                                                                                                                                         | Approved by:<br> 8/13/07<br>Building Commissioner |

Exhibit H

Certificate No: OP-2008-0574

Building Permit No.: BP-2007-0630

Commonwealth of Massachusetts

Town of Nantucket

Building Electrical Mechanical Permits

This is to Certify that the SINGLE FAMILY DWELLING located at Dwelling Type

12 POND VIEW DR Address

in the

TOWN OF NANTUCKET Town/City Name

IS HEREBY GRANTED A PERMANENT CERTIFICATE OF OCCUPANCY

Dwelling unfinished cellar, 1st fl 935sf & 2nd fl 477sf 2 bedrooms 2 baths CO for permit 806-07 M/P 81-9

This permit is granted in conformity with the Statutes and ordinances relating thereto, and expires unless sooner suspended or revoked. Expiration Date

Issued On: Wed Nov 12, 2008

GeoTMS© 2008 Des Lauriers Municipal Solutions, Inc.

[Signature]

COMMONWEALTH OF TOWN OF BUILDING No. 806-07 Office of the

BUILDING

THIS PERMIT CERTIFIES THAT PERMISSION TO CONSTRUCT 100, 935SF & 2 BED ROOMS & 2 BATHS LOCAL

THE PERSON ACCEPTING THIS PERMIT SHALL FILE IN THE BUILDING DEPARTMENT AND ORDINANCES RELATING TO THE CONSTRUCTION IN THE TOWN OF NANTUCKET, AND THE MASSACHUSETTS

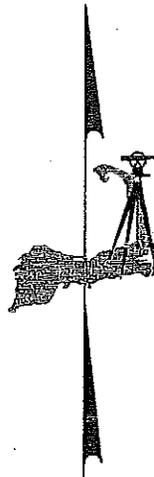
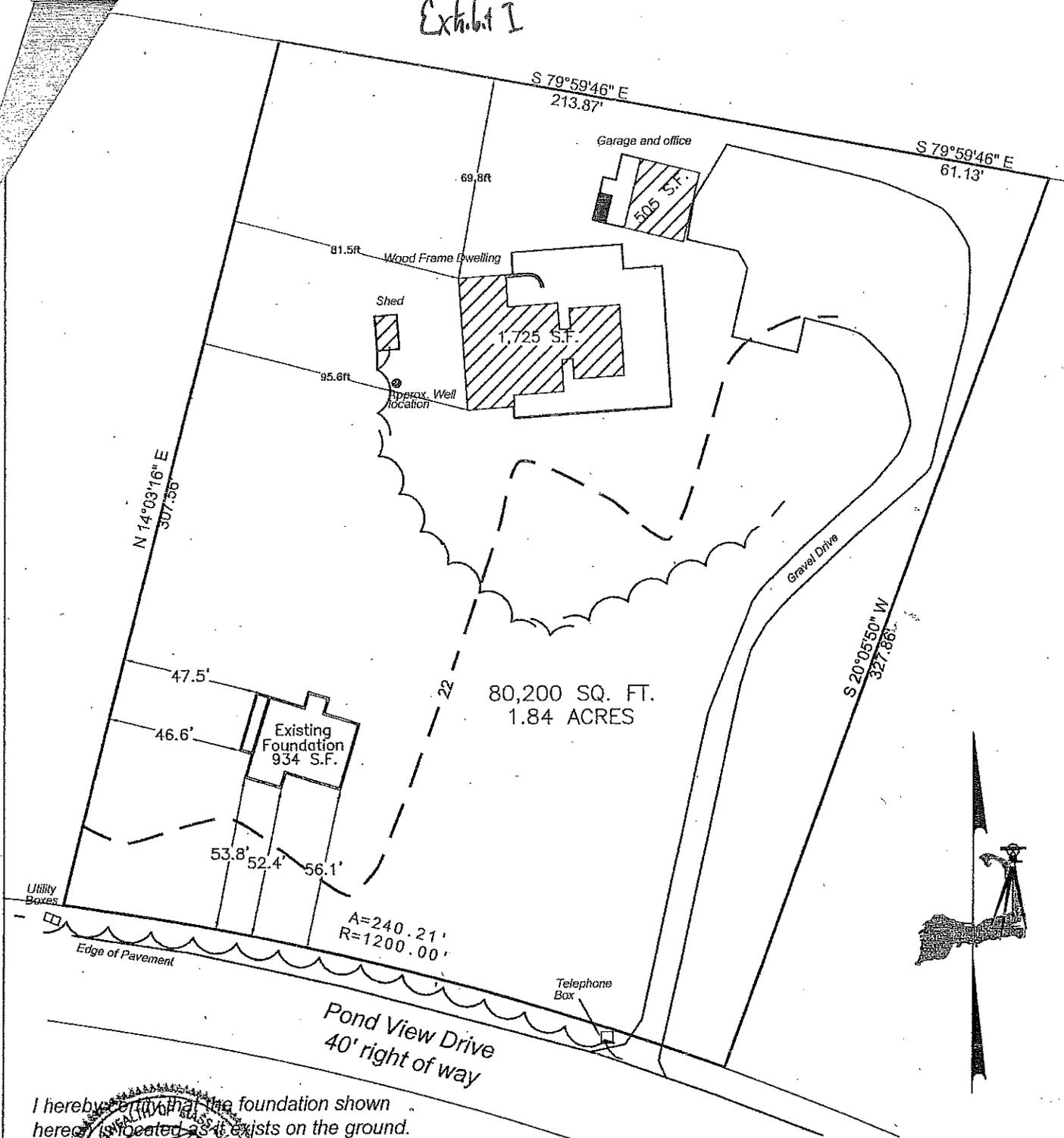
A CERTIFICATE OF OCCUPANCY WILL BE ISSUED ONLY AFTER ALL REQUIRED INSPECTIONS HAVE BEEN SIGNED AND APPROVED BY THE TOWN ENGINEER.

THIS PERMIT SHALL BECOME INVALID 6 MONTHS AFTER THE PERMIT HAS NOT COMMENCED OR IS NOT COMMENCED AS FAR AS REASONABLY PRACTICABLE.

THIS CARD MUST BE DISPLAYED IN A PROMINENT PLACE ON THE PREMISES.

CERTIFICATE OF OCCUPANCY NO.

Exhibit I



I hereby certify that the foundation shown here is located as it exists on the ground.

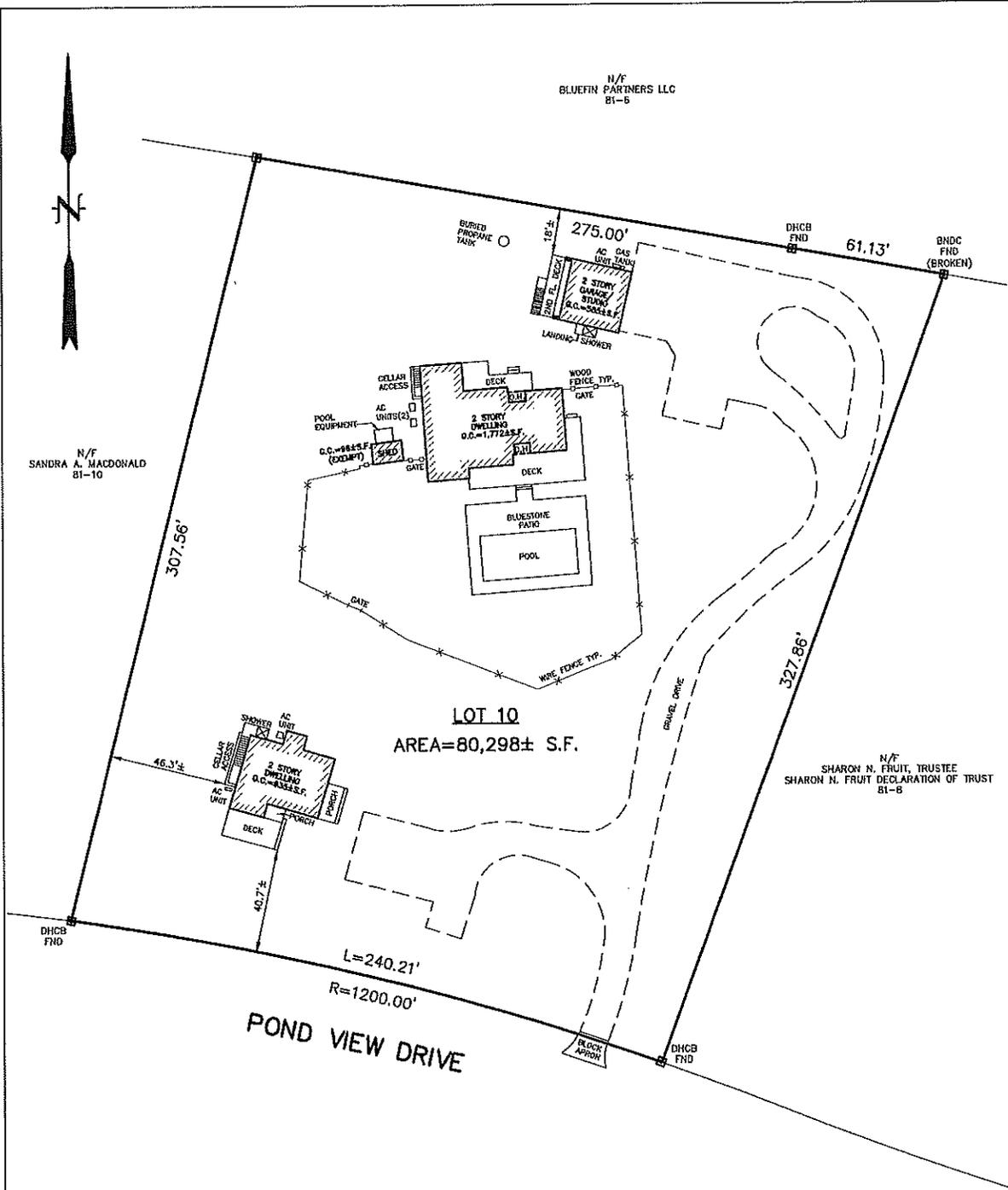
Donald T. POOLE  
 Date 10/22/07



Existing House = 1,725 SF  
 Garage/Office = 505 SF  
 Existing Foundation = 934 SF  
 Total = 3,164 SF or 3.9% lot coverage

Certified Plot Plan  
 12 Pond View Drive  
 prepared for  
 Greg Bourbeau  
 showing new foundation  
 Oct. 22, 2007 Scale 1"=50'  
 ols# 291-1

Exhibit S



CURRENT ZONING: LUG-2  
 MINIMUM LOT SIZE: 80,000 S.F.  
 MINIMUM FRONTAGE: 150'  
 FRONTYARD SETBACK: 35'  
 SIDE AND REAR SETBACK: 15'  
 ALLOWABLE G.C.R.: 4%  
 EXISTING G.C.R.: 4.1%

**NOTE:**  
 1. SEE MIACOMET REALTY DEED  
 RESTRICTIONS TO THE EXTENT APPLICABLE

AS-BUILT PLOT PLAN  
 #12 POND VIEW DRIVE  
 IN  
 NANTUCKET, MASSACHUSETTS  
 SCALE: 1"=40' DATE: 3/18/16

DEED REFERENCE: L.C. CERT. #25177  
 PLAN REFERENCE: L.C. PLAN #36550-C  
 ASSESSOR'S REFERENCE:  
 MAP: 81 PARCEL: 9

PREPARED FOR:  
 JOHN UDELSON  
 NANTUCKET SURVEYORS LLC  
 5 WINDY WAY  
 NANTUCKET, MA. 02554

FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN  
 RELIES ON CURRENT DEEDS AND PLANS OF RECORD,  
 VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON.  
 THIS PLAN IS NOT REPRESENTED TO BE A TITLE  
 EXAMINATION OR A RECORDABLE SURVEY.

N.B. 163-104/401-21/401-41  
 COPYRIGHT BY NANTUCKET SURVEYORS, LLC.

N-10736

©2016 163-104/401-21/401-41 NANTUCKET SURVEYORS, LLC. ALL RIGHTS RESERVED. 3/18/16 10:00 AM. DWG 16 PDF #43

# 12 Pond View Drive



### Property Information

Property ID 81 9  
 Location 12 POND VIEW DR  
 Owner UDELSON JOHN D



### 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

\$ 15.00

RECEIVED  
BOARD OF ASSESSORS

APR 28 2016

TOWN OF  
NANTUCKET, MA

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... John Udelsan

MAILING ADDRESS..... 49 Union Park Unit 3, Boston, MA 02118

PROPERTY LOCATION..... 12 Pond View Drive

ASSESSOR MAP/PARCEL..... 81 / 9

SUBMITTED BY..... Glidden + Gladden, P.C.

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

April 29, 2016  
DATE

Patricia Giles  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

ABBUTTERS LISTING  
NANTUCKET, MA

| Map | Block | Lot | Unit | Owner's Name                        | Co Owner's Name            | Address                 | City         | ST Zip   | Parcel Location  |
|-----|-------|-----|------|-------------------------------------|----------------------------|-------------------------|--------------|----------|------------------|
| 80  |       | 53  | 3    | BORZILLERI JAMES JR                 | BORZILLERI BETHANY S       | PO BOX 2513             | NANTUCKET    | MA 02584 | 2 RACHEL DR      |
| 80  |       | 53  | 4    | VISCO DAVID F & JANA L              |                            | 4 RACHEL DR             | NANTUCKET    | MA 02554 | 4 RACHEL DR      |
| 80  |       | 308 |      | TWEARDY MILAN P & LISA A &          |                            | 59 S SHORE RD           | NANTUCKET    | MA 02554 | 59 S SHORE RD    |
| 81  |       | 6   |      | BLUEFIN PARTNERS LLC                |                            | PO BOX 650              | NORFOLK      | MA 02056 | 120 MIRACOMET RD |
| 81  |       | 7   |      | CARUTHERS STEPHEN P & LOUISE ANN ET |                            | 3820 NORTH RICHMOND ST  | ARLINGTON    | VA 22207 | 16 POND VIEW DR  |
| 81  |       | 8   |      | FRUIT SHARON TRST                   | SNF DECLARATION OF TRUST   | 12 EAGLE COURT          | EDWARDSVILLE | IL 62025 | 14 POND VIEW DR  |
| 81  |       | 10  |      | MACDONALD SANDRA A                  |                            | 10 POND VIEW DRIVE      | NANTUCKET    | MA 02554 | 10 POND VIEW DR  |
| 81  |       | 11  |      | OCONNELL GERALD F & JUDITH A        |                            | 113A HARRISON AVE       | NEW CANAAN   | CT 06840 | 8 POND VIEW DR   |
| 81  |       | 21  |      | WERTHEIMER JAY W TRST               | WERTHEIMER JAY W REV TRUST | 150 EAST 69TH ST APT 21 | NEW YORK     | NY 10021 | 9 POND VIEW DR   |
| 81  |       | 22  |      | SEGALAS HERCULES & MARGARET TR      |                            | 10625 WITTINGHAM AVE    | VERO BEACH   | FL 32963 | 11 POND VIEW DR  |
| 81  |       | 23  |      | WELLS NANTUCKET INVEST LLC          | C/O WELLS HENRY            | 3515 HENRY HUDSON PKWY  | BRONX        | NY 10463 | 13 POND VIEW DR  |
| 81  |       | 24  |      | WORK LELLANI D TRST ETAL            |                            | PO BOX 2462             | NNATUCKET    | MA 02584 | 15 POND VIEW DR  |
| 81  |       | 25  |      | PORTHCOWL FAMILY LP                 |                            | 2210 MOCKINGBIRD RD     | HARRISBURG   | PA 17112 | 17 POND VIEW DR  |
| 81  |       | 26  |      | CARDAMONE MICHELE TRUSTEE           | C/O NICOLETTE WERNICK      | 27 RESERVOIR ROAD       | BLOOMFIELD   | CT 06002 | 19 POND VIEW DR  |
| 81  |       | 180 |      | BLUEFIN PARTNERS LLC                |                            | PO BOX 650              | NORFOLK      | MA 02056 | 27 ELLENS WY     |
| 81  |       | 181 |      | BLUEFIN PARTNERS LLC                |                            | PO BOX 650              | NORFOLK      | MA 02056 | 25 ELLENS WY     |
| 81  |       | 182 |      | BLUEFIN PARTNERS LLC                |                            | PO BOX 650              | NORFOLK      | MA 02056 | 23 ELLENS WY     |
| 81  |       | 183 |      | BLUEFIN PARTNERS LLC                |                            | PO BOX 650              | NORFOLK      | MA 02056 | 21 ELLENS WY     |

**GERALD & MARGARET VENTO,  
TRUSTEES OF  
91 LOW BEACH RD NOM. TR.**

**91 LOW BEACH RD.**

---

**FILE NO. 20-16**



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

**TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554**

**APPLICATION**

MAY 13 2016 4:48:59

**Fee: \$450.00**

**File No. 2016**

Owner's name(s): Gerald T. Vento and Margaret Vento, as Trs., Ninety-One Low Beach Road  
Nominee Trust.

Mailing address: c/o Cohen & Cohen, PO Box 786, Nantucket, MA 02554

Phone Number: 508-228-0337 E-Mail: Steven@cohenlegal.net

Applicant's name(s): same

Mailing Address: same

Phone Number: same E-Mail: same

Locus Address: 91 Low Beach Road Assessor's Map/Parcel: 75 / 31

Land Court Plan: Lot 912, Land Court Plan 5004-65

Certificate of Title: 24350 Zoning District LUG 3

Uses on Lot- Commercial: None  Yes (describe) \_\_\_\_\_

Residential: Number of dwellings 2 Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Date of Structure(s): all pre-date 7/72 no or 2007

Building Permit Numbers: \_\_\_\_\_

Previous Zoning Board Application Numbers: None

State below or attach a separate addendum of specific special permits or variance relief applying for:

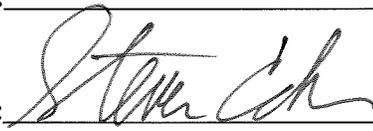
The Locus is an oversized lot of about 156,430+/- SF in the LUG-3 zoning district. It contains a 2-story dwelling of about 3,182+/- SF and a cottage of about 1,381+/- SF. There is an accessory structure about 98+/- SF. The premises has a ground cover ratio of about 2.97% in a zoning district where 3% is allowed.

In 2012 the Applicant hired a contractor, Arthur Dwyer of *Fair Play*, to install a clay tennis court and associated fence. The structure was sited based on a prior survey and was measured off multiple survey stakes, previously uses for selling the property and then for landscaping and land clearing. However, when the court was installed, the court was not correctly sited – the northwest corner is as close as 15.4 +/- feet from the side yard lot line and the northern side is as close as 18.0 +/- feet from the rear lot line, in a zoning district where 20' is required. The Applicant later discovered that the contractor had installed the tennis court with HDC approval but without a building/zoning permit, and is now trying to resolve the matter. The encroachment was discovered in the as-buit.

The contractor reasonably sited the structure base on a licensed survey, but unintentionally violated the side and rear yard setback. The intrusion is 4.6 +/- feet for the side yard and 2.0 +/- feet for the pool equipment (i.e., it is not more than 5' into the setback and not closer than 4' from a lot line). Therefore, the Applicant seeks Special Permit relief under Nantucket Zoning Bylaw Section 139-16.C.2 to validate the intrusion. The burden of correcting the intrusion, which would require entirely redoing the court and fence, substantially outweighs any benefit to an abutter of eliminating the intrusions. Applicant also seeks Variance relief, in the alternative, to the extent necessary, under Section 139-32.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: \_\_\_\_\_ Owner\*

SIGNATURE:  Applicant/Attorney/Agent\*

\*If an Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

**OFFICE USE ONLY**

Application received on: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Complete: \_\_\_\_\_ Need Copies: \_\_\_\_\_  
Filed with Town Clerk: \_\_/\_\_/\_\_ Planning Board: \_\_/\_\_/\_\_ Building Dept.: \_\_/\_\_/\_\_ By: \_\_\_\_\_  
Fee deposited with Town Treasurer: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Waiver requested: \_\_\_\_\_  
Granted: / / / Hearing notice posted with Town Clerk: \_\_/\_\_/\_\_ Mailed: / / /  
I&M / / / & / / / Hearing(s) held on: / / / Opened on: / / /  
Continued to: / / / Withdrawn: / / / Decision Due By: / / /  
Made: / / / Filed w/Town Clerk: / / / Mailed: / / /

CURRENT ZONING CLASSIFICATION:  
Limited Use General 3 (L.U.G.-3)

MINIMUM LOT SIZE: 120,000 S.F.  
MINIMUM FRONTAGE: 200 FT.  
FRONT YARD SETBACK: 35 FT.  
REAR/SIDE SETBACK: 20 FT.  
GROUND COVER % : 3%

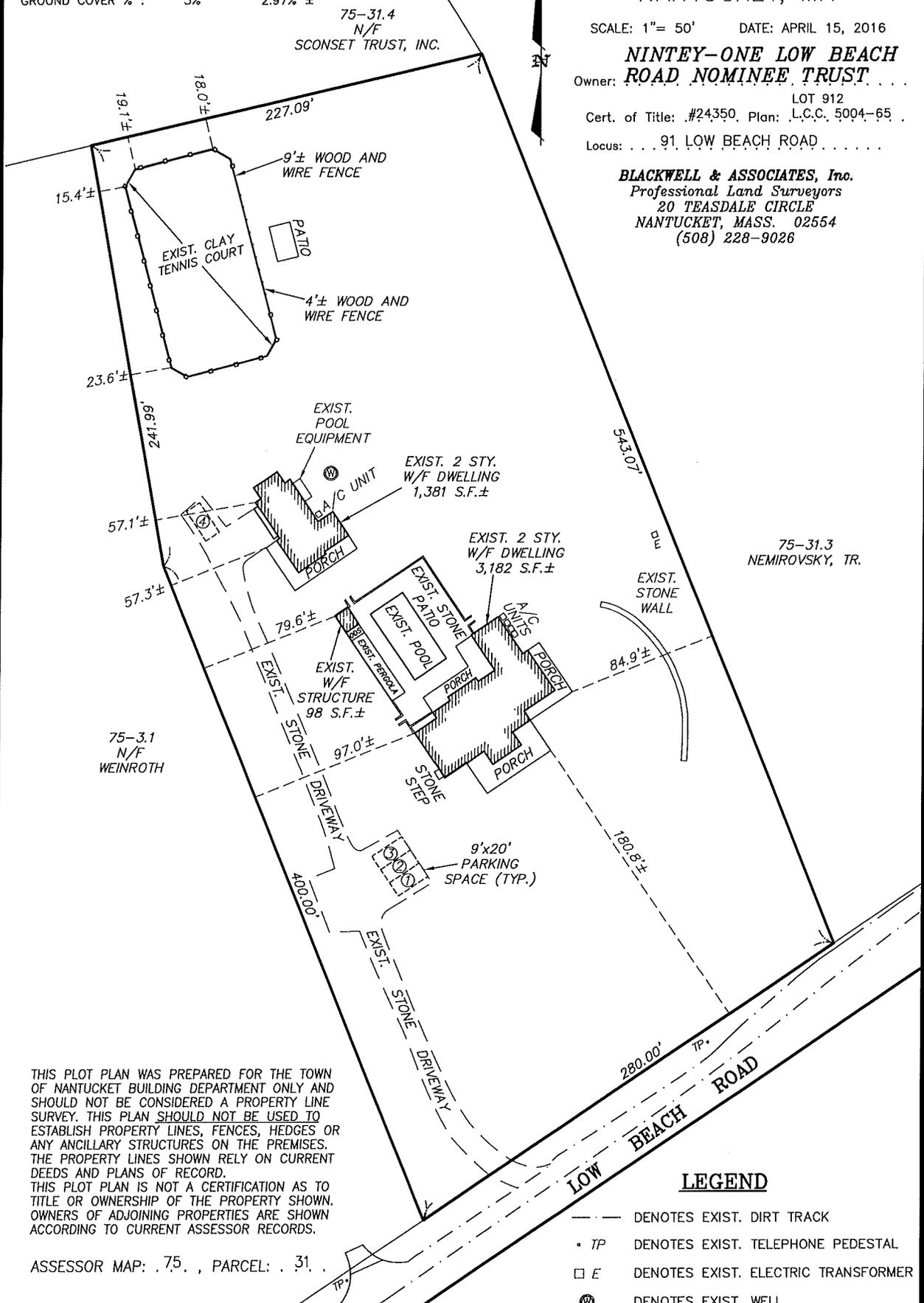
Existing:  
156,430 S.F.±  
SEE PLAN  
35 FT.  
SEE PLAN  
20 FT.  
SEE PLAN  
2.97% ±

# BUILDING LOCATION PLAN OF LAND IN NANTUCKET, MA

SCALE: 1" = 50'      DATE: APRIL 15, 2016

**NINTEY-ONE LOW BEACH  
ROAD NOMINEE TRUST**  
Owner: **NINTEY-ONE LOW BEACH  
ROAD NOMINEE TRUST** . . . . .  
LOT 912  
Cert. of Title: #24350, Plan: L.C.C. 5004-65 . . . . .  
Locus: . . . 91, LOW BEACH ROAD . . . . .

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026



THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

ASSESSOR MAP: . 75. , PARCEL: . 31. .

- LEGEND**
- — — DENOTES EXIST. DIRT TRACK
  - TP DENOTES EXIST. TELEPHONE PEDESTAL
  - E DENOTES EXIST. ELECTRIC TRANSFORMER
  - ⊙ DENOTES EXIST. WELL

85





**Property Information**

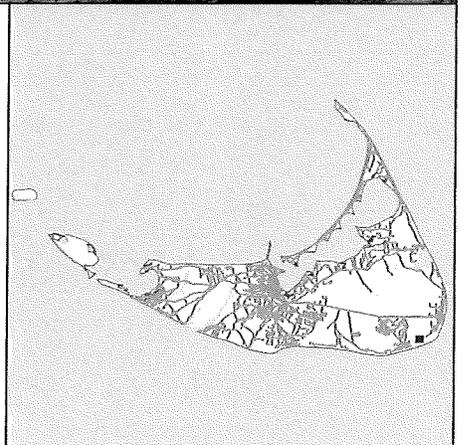
**Property ID** 75 31  
**Location** 91 LOW BEACH RD  
**Owner** VENTO GERALD T & MARGARET  
 91 LOW BEACH RD NOM TRUST



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

The Town 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





**Property Information**

**Property ID** 75 31  
**Location** 91 LOW BEACH RD  
**Owner** VENTO GERALD T & MARGARET TRST



**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

\$ 10.00

RECEIVED  
BOARD OF ASSESSORS

MAY 09 2016

TOWN OF  
NANTUCKET, MA

Town of Nantucket

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER Ninety-One Low Beach Road Nominee Trust  
 MAILING ADDRESS c/o Cohen + Cohen, PO Box 786, Nantucket, MA 02554  
 PROPERTY LOCATION 91 Low Beach Road  
 ASSESSOR MAP/PARCEL 75, 31  
 SUBMITTED BY Steven Cohen, Cohen + Cohen Law PC

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

May 10, 2016  
DATE

Patricia Giles  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

ABBUTTERS LISTING  
NANTUCKET, MA

| Map | Block | Lot | Unit | Owner-s Name                  | Co Owner-s Name                   | Address                  | City          | ST Zip   | Parcel Location  |
|-----|-------|-----|------|-------------------------------|-----------------------------------|--------------------------|---------------|----------|------------------|
| 75  |       | 26  |      | DOUGLAS KENNETH WHITE ETAL    | C/O BARKER JAMES HUNT             | 300 FRONT STREET APT #   | PAWTUCKET     | RI 02860 | 90 LOW BEACH RD  |
| 75  |       | 27  |      | ROCHAT ALICE                  |                                   | 101 MOUNTAIN TOP RD      | BERNARDSVILLE | NJ 07924 | 100 LOW BEACH RD |
| 75  |       | 28  |      | SCONSET TRUST INC             |                                   | PO BOX 821               | SIASCONSET    | MA 02564 | LOW BEACH RD     |
| 75  |       | 30  |      | 81 LOW BEACH RD LLC           |                                   | 132 TURNPIKE RD # 100    | SOUTHBOROUGH  | MA 01772 | 81 LOW BEACH RD  |
| 75  |       | 31  | 2    | DANNHEIM ERIC                 |                                   | 182 WEST 82ND STREET APT | NEW YORK      | NY 10024 | 97 LOW BEACH RD  |
| 75  |       | 31  | 3    | NEMIROVSKY OFER & SHELLY TRST | C/O THE FUSION GROUP INC          | 132 TURNPIKE RD          | SOUTHBOROUGH  | MA 01772 | 85 LOW BEACH RD  |
| 75  |       | 31  | .4   | SCONSET TRUST INC             |                                   | PO BOX 821               | SIASCONSET    | MA 02564 | LOW BEACH RD     |
| 75  |       | 32  |      | HOROWITZ JEFFREY SAMUEL TR    | CLARA R URBahn 2015 MAGMENT TRUST | PO BOX 109               | SIASCONSET    | MA 02564 | 101 LOW BEACH RD |

**2013 FREEDOM TRUST**

**9 FULLING MILL RD.**

---

**FILE NO. 21-16**

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'ELIA

BRYAN J. SWAIN

WILLIAM F. HUNTER  
OF COUNSEL

May 12, 2016

ZBA 21-16

Eleanor Antonietti  
Zoning Administrator  
Nantucket Zoning Board of Appeals  
2 Fairgrounds Road  
Nantucket, MA 02554

*Re: Request for Determination that No Relief is Required,  
Special Permit or Variance Relief  
2013 Freedom Trust  
9 Fulling Mill Road, Nantucket, MA 02554  
Map 27 / Parcel 25*

Dear Eleanor:

On behalf of our client, the 2013 Freedom Trust, enclosed please find an Application and Addendum with respect to the property located at 9 Fulling Mill Road, Nantucket, MA 02554.

Please note that I reserve the right to supplement this Application with further materials at a later time. Thank you for your help in this matter. Please feel free to call me should you have questions.

Sincerely,



Rick Beaudette

RPB/ld

Enclosures

cc: 2013 Freedom Trust



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

MAY 31 2016 PM 1:38

✓ 15881



**TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554**

**APPLICATION**

Fee: \$450.00

File No. 21-16

Owner's name(s): 2013 Freedom Trust

Mailing address: c/o Vaughan, Dale, Hunter & Beaudette, P.C., 2 Whalers Ln., P.O Box 659, Nantucket, MA 02554

Phone Number: 508-228-4455 E-Mail: rick@vdhlaw.com; lori@vdhlaw.com

Applicant's name(s): same

Mailing Address: same

Phone Number: same E-Mail: same

Locus Address: 9 Fulling Mill Road Assessor's Map/Parcel: 27 / 25

Land Court Plan/Plan Book & Page/Plan File No.: Lot 3 on Land Court Plan 14311-K  
COT

Deed Reference/Certificate of Title: 24287 Zoning District LUG - 3

Uses on Lot- Commercial: None  Yes (describe) \_\_\_\_\_

Residential: Number of dwellings \_\_\_\_\_ Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Date of Structure(s): all pre-date 7/72 \_\_\_\_\_ or \_\_\_\_\_

Building Permit Numbers: \_\_\_\_\_

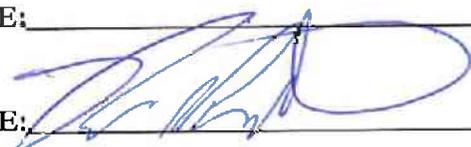
Previous Zoning Board Application Numbers: \_\_\_\_\_

State below or attach a separate addendum of specific special permits or variance relief applying for:

See Addendum, attached hereto.

I certify that the information contained herein is substantially complete and true to the best of my knowledge, under the pains and penalties of perjury.

SIGNATURE: \_\_\_\_\_ Owner\*



SIGNATURE: \_\_\_\_\_ Applicant/Attorney/Agent\*

\*If an Agent is representing the Owner or the Applicant, please provide a signed proof of agency.

**OFFICE USE ONLY**

Application received on: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Complete: \_\_\_\_\_ Need Copies: \_\_\_\_\_  
Filed with Town Clerk: \_\_/\_\_/\_\_ Planning Board: \_\_/\_\_/\_\_ Building Dept.: \_\_/\_\_/\_\_ By: \_\_\_\_\_  
Fee deposited with Town Treasurer: \_\_/\_\_/\_\_ By: \_\_\_\_\_ Waiver requested: \_\_\_\_\_  
Granted: \_\_/\_\_/\_\_ Hearing notice posted with Town Clerk: \_\_/\_\_/\_\_ Mailed: \_\_/\_\_/\_\_  
I&M \_\_/\_\_/\_\_ & \_\_/\_\_/\_\_ Hearing(s) held on: \_\_/\_\_/\_\_ Opened on: \_\_/\_\_/\_\_  
Continued to: \_\_/\_\_/\_\_ Withdrawn: \_\_/\_\_/\_\_ Decision Due By: \_\_/\_\_/\_\_  
Made: \_\_/\_\_/\_\_ Filed w/Town Clerk: \_\_/\_\_/\_\_ Mailed: \_\_/\_\_/\_\_

## ADDENDUM – 9 Fulling Mill Road

Applicant, *the 2013 Freedom Trust*, is the owner of the property located at 9 Fulling Mill Road, Nantucket, Massachusetts 02554 (the “Premises”). Applicant seeks a determination that no relief is required, or, *Special Permit Relief* under Section 139-33(2), or, in the alternative, *Variance Relief* pursuant to Section 139-32 of the Nantucket Zoning By-Law (the “By-Law”).

The Premises is located in the LUG-3 zoning district and is shown as Lot 3 on Land Court Plan 13311-K. The Premises is pre-existing non-confirming as to ground cover, having a ground cover ratio of 6.9% where 3% is permitted. The existing and proposed plans for the Premises, prepared by Blackwell and Associates as well as Design Associates Inc. (the Plans), are attached hereto as Exhibit A.

As shown on the Plans, the guest house contains a “generator shed” underneath the deck specifically designed and intended for the installation a generator. The understanding at the time the Plans were permitted was that this underground and unenclosed space did not contribute to ground cover on the Premises and, therefore, was not included in the ground cover calculations.

The Applicant recently learned that in order to function safely and ventilate properly, the generator requires a more enclosed space with strategically placed vents. As a result, the Applicant is seeking permission to construct the “proposed generator enclosure”, shown on the Plans, which will involve a rubber layer directly underneath the deck and plywood along the lattice. The proposed changes will be undetectable to the eye and the structure, intended solely for the operation of a generator, will remain substantially underground. Further, the new design will conceal the generator and help to reduce the noise level it creates.

Under the By Law, the definition of ground cover is as follows:

The horizontal area of a lot covered at grade by structures, together with those portions of any overhangs which contain enclosed interior space; excluding tents, retaining walls, substantially below grade finished or unfinished space . . .

The proposed generator enclosure is located substantially below grade, and, therefore, should not be included in the ground cover calculations for the Premises. The very nature of the structure is that it is intended to be underground. If not for the sloping topography on the Premises, the structure would be entirely underground and, therefore, the enclosed space for the generator would not contribute to ground cover.

Accordingly, the Applicant requests a determination from the Board that the structure is substantially below grade, does not contribute to ground cover and therefore no relief is required to make the proposed changes.

In the event that the Board determines that the proposed generator enclosure is not substantially below grade and contributes to groundcover, the structure will increase the ground cover on the Premises from 6.9% to 7%. Under Section 139-33(2) of the By-Law:

An extension, alteration, or change to an existing structure or a new structure that will result in an increase in the pre-existing nonconforming ground cover ratio of a lot may be allowed through the issuance of a Special Permit, provided that the Special Permit granting authority makes the following findings:

- (a) The increase in ground cover will not be substantially more detrimental to the neighborhood than the existing nonconformity;
- (b) The resulting ground cover ratio is consistent with the character of the surrounding neighborhood; and
- (c) The extension, alteration, or change to the existing structure or new structure is conforming to other dimensional requirements of this chapter.

Further, under Section 139-32 of the By-Law, the Board may grant a Variance where:

Owing to circumstances relating to the soil, conditions, shape or topography of such land or structures especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this chapter would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such bylaw.

In the event the Board does not permit the proposed generator enclosure, the emissions and noise level created by the generator will create a hardship not only for the Applicant, but also the neighbors. The proposed changes to the structure housing the generator will reduce the noise level and emissions created by the generator and therefore benefit the surrounding neighbors. Accordingly, a Special Permit is warranted because the proposed changes will not be substantially more detrimental to the neighborhood than the existing nonconformity, are consistent with the surrounding neighborhood and the Premises complies with the By-Law in all other respects.

Due to the topography of the Premises, namely the slope of the lot, a literal enforcement of the By-Law, in the event that the Board determines that the generator enclosure is not underground, would create a hardship not only to the Applicant but also to the abutting neighbors. The issuance of a Variance under these circumstances may therefore be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent / purpose of the By-Law.

In conclusion, the Applicant respectfully request that the Board determine that the proposed generator enclosure is substantially below grade and does not contribute to ground cover on the Premises. In the alternative, if the Board determines that the structure is not substantially underground, the Applicant respectfully requests Special Permit or Variance Relief for proposed changes.

EXHIBIT A

CURRENT ZONING CLASSIFICATION:  
Limited Use General 3 (L.U.G.-3)

MINIMUM LOT SIZE: 120,000 S.F.  
MINIMUM FRONTAGE: 200 FT.  
FRONT YARD SETBACK: 35 FT.  
REAR/SIDE SETBACK: 20 FT.  
GROUND COVER %: 3%

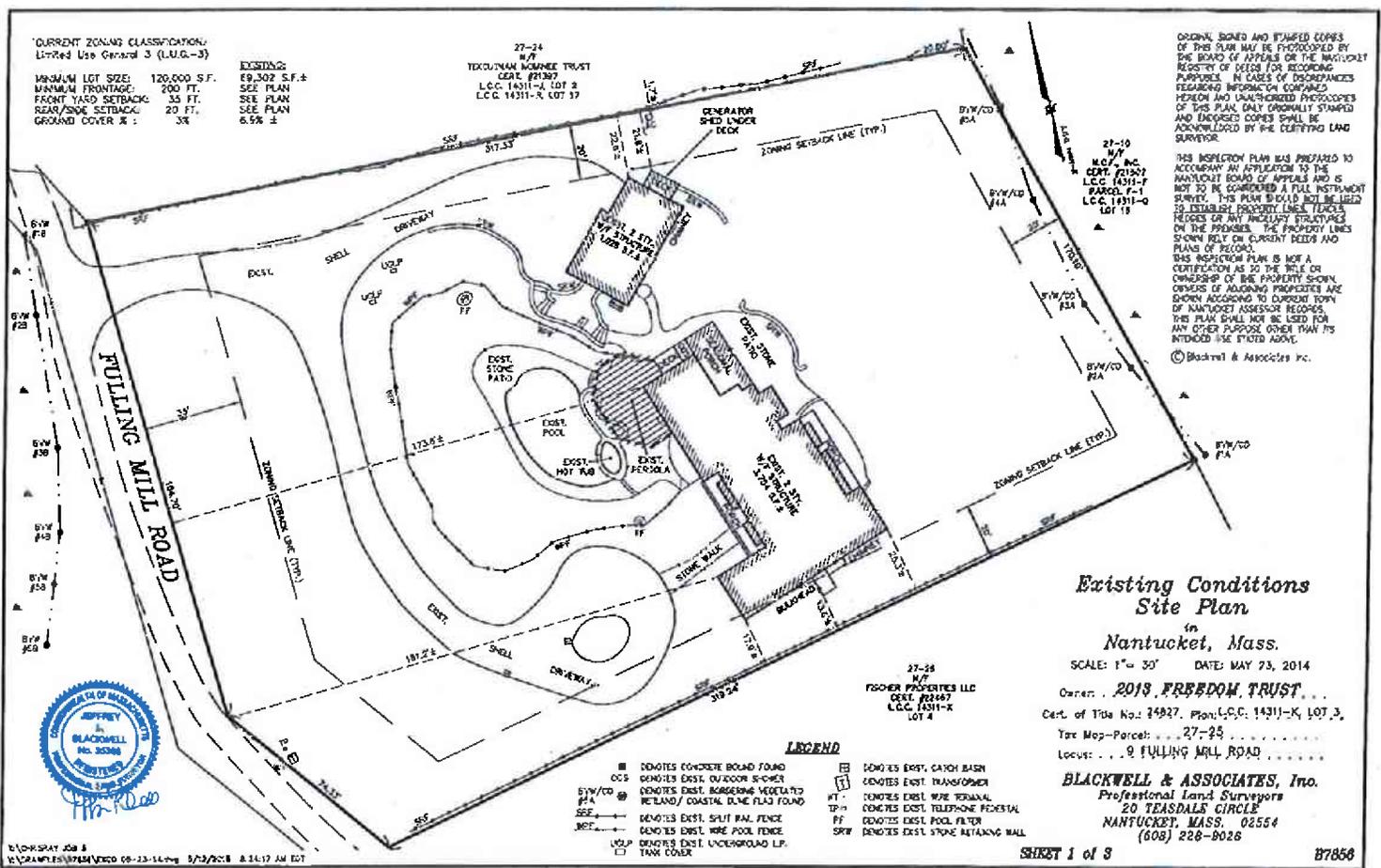
EXISTING:  
EG,302 S.F.±  
SEE PLAN  
SEE PLAN  
SEE PLAN  
6.5% ±

27-24  
M/W  
TEKONNAN HOUSING TRUST  
CERT. #21367  
L.C.C. 14311-K LOT 3  
L.C.C. 14311-K LOT 17

27-10  
M/W  
M.C.F., INC.  
CERT. #21567  
L.C.C. 14311-F  
PARCEL F-1  
L.C.C. 14311-G  
LOT 18

THIS INSPECTION PLAN WAS PREPARED TO ACCOMPANY AN APPLICATION TO THE NANTUCKET BOARD OF APPEALS AND IS NOT TO BE CONSIDERED A FULL INSTRUMENT SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCE LINES OR ANY INCLOSURE STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS INSPECTION PLAN IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJACENT PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF NANTUCKET ASSESSOR RECORDS. THIS PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN ITS INTENDED USE STATED ABOVE.

© Blackwell & Associates Inc.



**Existing Conditions  
Site Plan**  
in  
**Nantucket, Mass.**

SCALE: 1" = 30' DATE: MAY 23, 2014

Owner: 2018 FREEDOM TRUST  
Cert. of Title No: 14927, Plan: L.C.C. 14311-K, LOT 3,  
Tax Map-Parcel: 27-25  
Locust: 9 FULLING MILL ROAD

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(608) 228-8028

**LEGEND**

- OC9 ■ DENOTES CONCRETE FOUND FOUND
- OC9 ○ DENOTES EXIST. OUTDOOR SHOWER
- EW/CO #1A ○ DENOTES EXIST. BORROWING VEGETATED WETLAND/ COASTAL DUNE FLAG FOUND
- SEE → DENOTES EXIST. SPLIT RAIL FENCE
- WPF → DENOTES EXIST. WIRE POOL FENCE
- ULP □ DENOTES EXIST. UNDERGROUND LP
- T.C. □ DENOTES EXIST. TANK COVER
- BT ○ DENOTES EXIST. CATCH BASIN
- TR ○ DENOTES EXIST. TRANSFORMER
- TRP ○ DENOTES EXIST. WIRE TERMINAL
- PF ○ DENOTES EXIST. TELEPHONE PEGS/TAL
- SPF ○ DENOTES EXIST. POOL FILTER
- SRW ○ DENOTES EXIST. STONE RETAINING WALL



PROJECT JOB #  
DRAWN BY: JWB/ML/TKD 08-23-14 Rev 3/23/2014 8:14:17 AM EDT

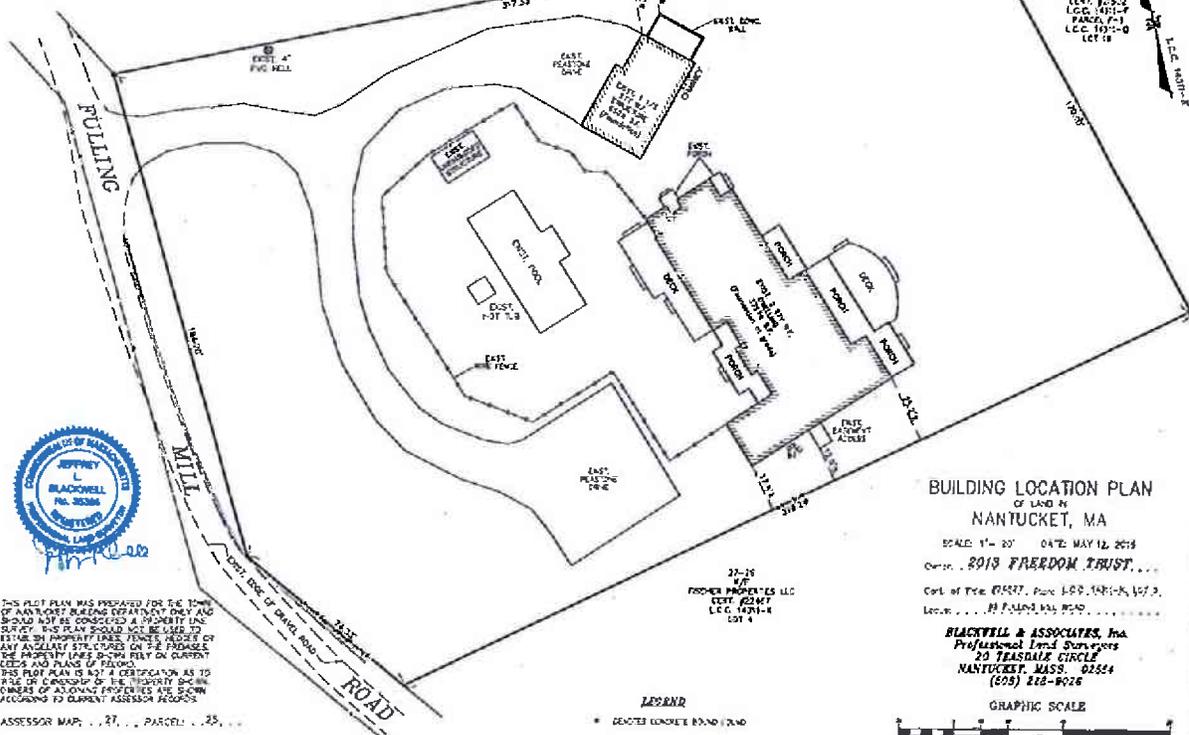
SHEET 1 of 3

87856

CURRENT ZONING CLASSIFICATION  
 DISTRICT USE CATEGORY 3 (L.U.C.-3)  
 MINIMUM LOT SIZE: 150,000 S.F. EASTING: 28,302 S.F.±  
 MINIMUM FRONTAGE: 200 FT. SEE PLAN  
 FRONT YARD SETBACK: 25 FT. SEE PLAN  
 REAR YARD SETBACK: 20 FT. SEE PLAN  
 MINIMUM COVER %: 35 SEE PLAN

27-24  
 N/T  
 TROOPMAN MOUNTAIN TRUST  
 DIST. 10/1987  
 LOC. 14311-1, LOT 2  
 LOC. 14311-4, LOT 17

27-25  
 N/T  
 R.O.P. INC.  
 CERT. 02/2012  
 L.C.C. 14311-4  
 PARCEL F-1  
 L.C.C. 14311-0  
 Lot 18



THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, BODIES OR ANY ANGLELY STRUCTURES ON THE PREMISES OF THE PROPERTY UNLESS SHOWN PERTAINING TO CURRENT DEEDS AND PLANS OF RECORD.  
 THIS PLOT PLAN IS NOT A CERTIFICATION AS TO THE ORIGIN OR CORRECTNESS OF THE PROPERTY OR THE CORRECTNESS OF ASSIGNED PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

ASSESSOR MAP: . . . 27, . . . PARCELS: . . . 25, . . .

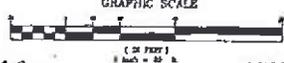
T:\NO-PRINT JOB 5  
 W:\GRAPHICS\B7666\B7666\BULLY.dwg 5/12/2014 9:34:33 AM EST

**BUILDING LOCATION PLAN**  
 OF LAND IN  
**NANTUCKET, MA**

SCALE: 1" = 20' DATE: MAY 12, 2014  
 Owner: . . . 2013 FREEDOM TRUST . . .  
 Cert. of Title: 07/2017, Parc. 14311-1, 14311-4, 14311-5,  
 Loc.: . . . 14311-4, 14311-5, 14311-6, . . .

**BLACKWELL & ASSOCIATES, Inc.**  
 Professional Land Surveyors  
 20 TEASDALE CIRCLE  
 NANTUCKET, MASS. 02554  
 (508) 218-8028

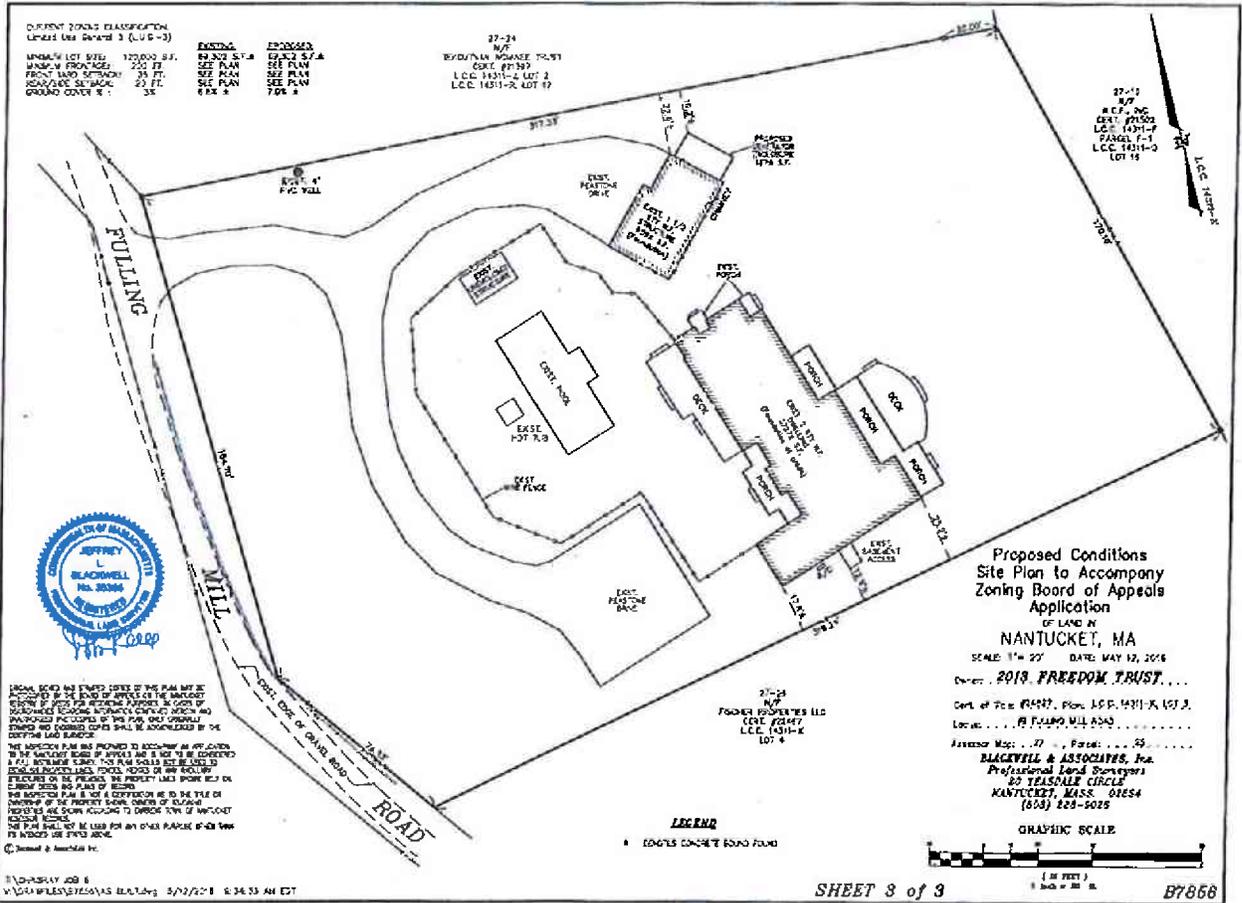
**LEGEND**  
 \* DOTTED CONCRETE FOUNDATION



CURRENT ZONING CLASSIFICATION  
 Limited Use District 3 (L.U.D.-3)

| EXISTING                       | PROPOSED     |
|--------------------------------|--------------|
| MINIMUM LOT SIZE: 120,000 S.F. | 62,302 S.F.A |
| MINIMUM FRONTAGE: 250 FT.      | 62,302 S.F.A |
| FRONT YARD SETBACK: 25 FT.     | SEE PLAN     |
| REAR YARD SETBACK: 25 FT.      | SEE PLAN     |
| GROUND COVER: 3%               | SEE PLAN     |
|                                | TYPE A       |

27-24  
 MAP  
 REVISION NUMBER: 70-91  
 DATE: 07-19-93  
 L.C.C. 14311-2 LOT 2  
 L.C.C. 14311-2 LOT 19



THIS PLAN AND EVERY OTHER OF THE SAME MAY 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 PERMISSION IN WRITING FROM THE AUTHOR. THE AUTHOR ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN, AND THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND OFFICIALS. THE PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE AUTHOR.

THE AUTHOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN, AND THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND OFFICIALS. THE PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE AUTHOR.

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Proposed Conditions  
 Site Plan to Accompany  
 Zoning Board of Appeals  
 Application  
 OF LAND IN  
 NANTUCKET, MA

SCALE: 1" = 20' DATE: MAY 12, 2018

Owner: 2018 FREEDOM TRUST...

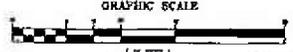
Dist. of Town: 01457, Plan: 100 P. 14311-K 107.3

Local: 19 FULFILLING MILL ROAD

Address: Map: 27, Parcel: 24

BLACKWELL & ASSOCIATES, Inc.  
 Professional Land Surveyors  
 20 SEASIDE CIRCLE  
 NANTUCKET, MASS. 01954  
 (508) 228-5028

LEGEND  
 ■ EDGES CONCRETE FOUND



SHEET 3 of 3

B7868



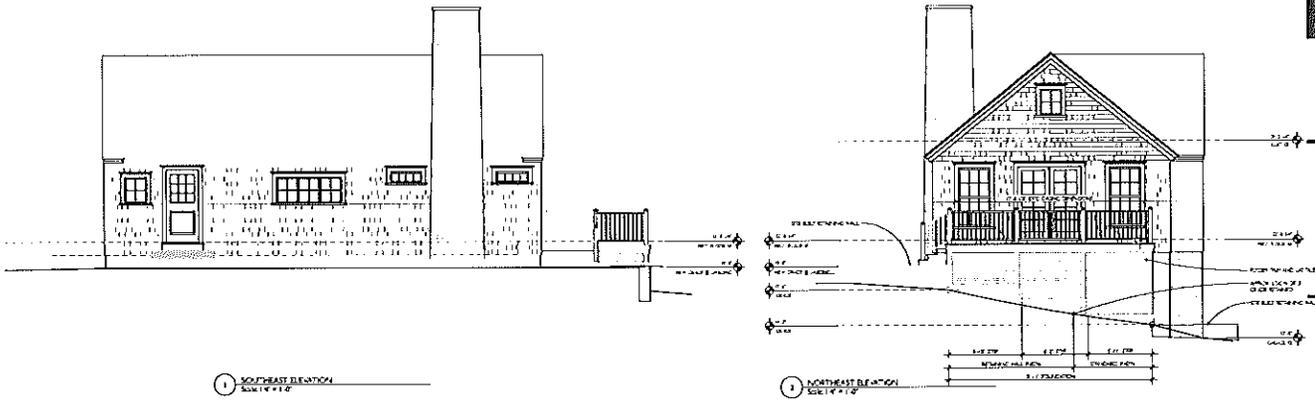




ARCHITECTURE  
PLANNING  
HISTORIC  
PRESERVATION

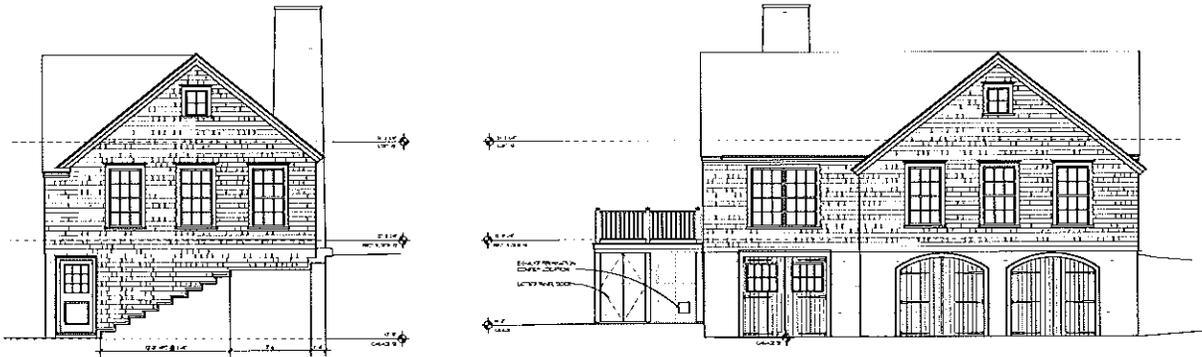
1035 Cambridge Street  
Cambridge MA 02141  
☎ 617 661 9582  
☎ 617 661 2550  
  
PO Box 1530  
Nantucket MA 02554  
☎ 508 228 4342  
☎ 508 228 3428  
<http://www.BaighAssociates.com>

The Renovation of  
**THE  
BATTLE  
RESIDENCE**  
9 Fulling Mill Road  
Nantucket MA 02554



1 SOUTHEAST ELEVATION  
SCALE 1/4" = 1'-0"

1 NORTHEAST ELEVATION  
SCALE 1/4" = 1'-0"



1 NORTHWEST ELEVATION  
SCALE 1/4" = 1'-0"

1 NORTH WEST ELEVATION  
SCALE 1/4" = 1'-0"

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EXTERIOR ELEVATIONS

A2.1



\$ 12.00

RECEIVED  
BOARD OF ASSESSORS

MAY 06 2016

Town of Nantucket

TOWN OF  
NANTUCKET, MA

Zoning Board of Appeals

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... 2013 Freedom Trust

MAILING ADDRESS..... c/o VDH&B, PO Box 659, 2 Whalers Ln., Nantucket, MA 02554

PROPERTY LOCATION..... 9 Fulling Mill Road

ASSESSOR MAP/PARCEL..... 27 / 25

SUBMITTED BY..... VDH&B, P.C.

SEE ATTACHED PAGES

I certify that the foregoing is a list of all persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 and Zoning Code Chapter 40A, Section 139-29B (2)).

May 9, 2016  
DATE

Patricia Giles  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

ABBUTTERS LISTING  
NANTUCKET, MA

| Map | Block | Lot | Unit | Owner-s Name                        | Co Owner-s Name          | Address                  | City           | ST Zip   | Parcel Location    |
|-----|-------|-----|------|-------------------------------------|--------------------------|--------------------------|----------------|----------|--------------------|
| 27  |       | 8   |      | JAMES MOLLY F TRUSTEE               | C/O STRAYER EDUCATION    | 2303 DULLES STATION BLVD | HERNDON        | VA 20171 | 15 FULLING MILL RD |
| 27  |       | 9   |      | SHERIDAN PHILIP H TRST              | TEKSCUTMAN NOMINN TRUST  | 4831 INDIAN LANE NW      | WASHINGTON     | DC 20016 | 13 FULLING MILL RD |
| 27  |       | 10  |      | NANTUCKET CONSERVATION FOUNDATION I |                          | PO BOX 13                | NANTUCKET      | MA 02554 | 160 POLPIS RD      |
| 27  |       | 14  |      | JOHNSON DAVID H &                   | HALBOWER KATHRYN S       | ONE LEXINGTON AVENUE     | NEW YORK       | NY 10010 | 150 POLPIS RD      |
| 27  |       | 23  | 1    | DOUGLASS DAVID L                    |                          | 18 REDBERRY RIDGE        | PORTOLA VALLEY | CA 94028 | 20 FULLING MILL RD |
| 27  |       | 23  | 2    | PERRY FAMILY TRUST                  |                          | 424 MARRETT ROAD         | LEXINGTON      | MA 02421 | 16 FULLING MILL RD |
| 27  |       | 24  |      | SHERIDAN PHILIP H TRST              | TEKSCUTMAN NOMINEE TRUST | 4831 INDIAN LANE NW      | WASHINGTON     | DC 20016 | 11 FULLING MILL RD |
| 27  |       | 26  |      | FISCHER PROPERTIES LLC              |                          | 6 WEST CEDAR STREET      | BOSTON         | MA 02108 | 5 FULLING MILL RD  |
| 27  |       | 27  |      | JOHNSTON TODD D & LESLEY L          |                          | 11BRISTOL COURT          | SKILLMAN       | NJ 08558 | 3 FULLING MILL RD  |
| 27  |       | 29  |      | PILLA DEBORAH & VOLPI DAVID O       |                          | 1035 PARK AV APT 9A      | NEW YORK       | NY 10028 | 4 FULLING MILL RD  |
| 27  |       | 30  |      | COE RICHARD L & ELLEN               |                          | 8 FULLING MILL RD        | NANTUCKET      | MA 02554 | 8 FULLING MILL RD  |
| 27  |       | 35  |      | JOHNSON DAVID H &                   | HALBOWER KATHRYN S       | ONE LEXINGTON AVENUE     | NEW YORK       | NY 10010 | 150 POLPIS RD      |

5/6/2016 2:56:00PM

Page 1

**MATERIALS**

**PROVIDED BY**

**APPLICANT**

**TO SUPPLEMENT**

**APPLICATION**

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

June 3, 2016

Eleanor Antonietti  
Zoning Administrator  
Nantucket Zoning Board of Appeals  
2 Fairgrounds Road  
Nantucket, MA 02554

*Re: Supplemental Information  
Request for Determination that No Relief is Required,  
Special Permit or Variance Relief  
2013 Freedom Trust  
9 Fulling Mill Road, Nantucket, MA 02554  
Map 27 / Parcel 25*

The purpose of this letter is to provide the zoning history for the above mentioned property located at 9 Fulling Mill Road (the "Premises") with respect to the related Application currently scheduled to be heard at the June Board of Appeals Meeting.

The Premises is currently located in LUG-3 Zoning District and is preexisting non-conforming as to ground cover ratio and lot size, having an original ground cover ratio of 6.9% where 3% is permitted and a lot size of 69,302 square feet where a minimum of 120,000 square feet is required. The Premises was originally located in the LUG-1 Zoning District where a minimum lot size of 40,000 square feet was required and a maximum ground cover ratio of 7% was permitted. As further explained below, when the structures on the Premises were originally constructed, the Premises had the benefit of the LUG-1 intensity regulations and complied with zoning at that time.

The lot for the Premises was created in 1955 and was over-sized when zoning went into effect, being 69,302 square feet in the LUG-1 Zoning District where a minimum of 40,000 square feet is required. In 1990, at a Special Town Meeting and as shown on the 1989 and 1990 Zoning Maps, attached hereto as Exhibit "A", the area east of Gardner Road was changed from LUG-1 to LUG-3, which included the Premises. As noted in Section 139-16 of the 1996 By-Law, a copy of which is attached hereto as Exhibit "B", this zoning change was amended so that all lots in existence at the time of the change continued to have the benefit of the LUG-1 intensity regulations until January 1, 2000.

Accordingly, in 1998, the Premises had benefit of the LUG-1 intensity regulations when the original main house, garage dwelling and pool were permitted by the Building Department (see Building Permits, Applications, Certificates of Occupancy and As-Built prepared by Blackwell & Associates, dated July 24, 2001 attached hereto as Exhibit "C"). As a result, the Premises was developed in compliance with zoning with a ground cover of 6.9%.

The current owner recently received permission from the Building Department to redevelop the Premises by renovating the existing main house and the existing generator pit attached to the garage dwelling and constructing a new pool and accessory structure (see the Building Permits attached hereto as Exhibit "D"). The new permitted generator pit was intended to be uncovered and therefore was not included in ground cover calculations. As a result, the permitted plans reduced the ground cover on the Premises from 6.9% to 6.8%.

The Applicant then learned that the new generator requires an enclosed space with strategically placed vents to ventilate properly and function safely. Because the Applicant is now proposing to enclose the generator pit, there is a possibility that it may count towards ground cover. Under Section 139-2 of the By-Law, structures located "substantially below grade" are excluded from the definition of ground cover and there is a question as to whether the generator pit falls under

this category. In the event that the Board of Appeals determines that the generator pit is not substantially below grade, the proposed changes to enclose it will increase the original ground cover on the Premises from 6.9% to 7%.

We hope that this letter helps to illustrate the history of zoning for the Premises and the ground cover issue currently before the Board. Should you have any questions or concerns, please do not hesitate to call me. Thank you for your help with this matter.

Sincerely,



Richard P. Beaudette

RPB/lld  
Enclosures  
cc: 2013 Freedom Trust

EXHIBIT A

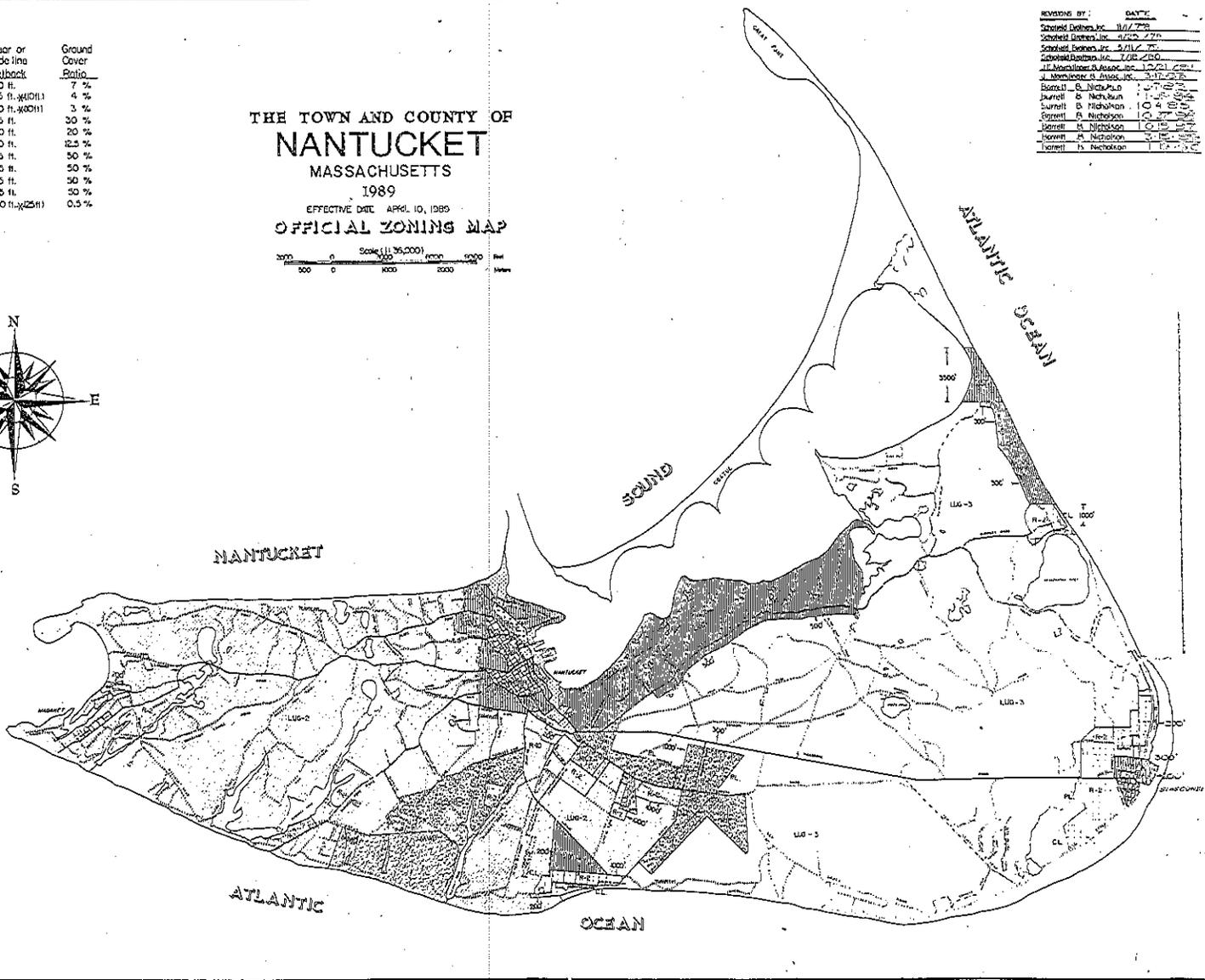
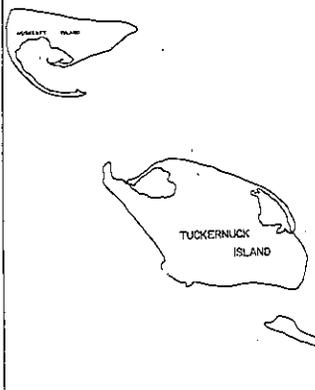
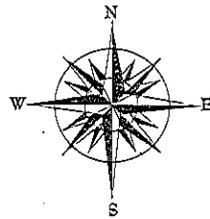
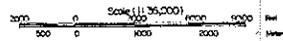
**LEGEND**

| Zoning                   | Minimum Lot Size | Minimum Frontage | Front yard Setback | Rear or Side line Setback | Ground Cover Ratio |
|--------------------------|------------------|------------------|--------------------|---------------------------|--------------------|
| Limited Use General 1    | 40,000 sq.ft.    | 100 ft.          | 35 ft.             | 10 ft.                    | 7%                 |
| Limited Use General 2    | 80,000 sq.ft.    | 150 ft.          | 35 ft.             | 15 ft. (40 ft.)           | 4%                 |
| Limited Use General 3    | 120,000 sq.ft.   | 200 ft.          | 35 ft.             | 20 ft. (40 ft.)           | 3%                 |
| Residential 1            | 5,000 sq.ft.     | 50 ft.           | 10 ft.             | 5 ft.                     | 30%                |
| Residential 10           | 10,000 sq.ft.    | 75 ft.           | 20 ft.             | 10 ft.                    | 20%                |
| Residential 2            | 20,000 sq.ft.    | 75 ft.           | 30 ft.             | 10 ft.                    | 12.5%              |
| Residential Old Historic | 5,000 sq.ft.     | 50 ft.           | none               | 5 ft.                     | 50%                |
| Residential Commercial   | 5,000 sq.ft.     | 40 ft.           | none               | 5 ft.                     | 50%                |
| Residential Commercial 2 | 5,000 sq.ft.     | 40 ft.           | 20 ft.             | 5 ft.                     | 50%                |
| Limited Commercial       | 5,000 sq.ft.     | 40 ft.           | none               | 5 ft.                     | 50%                |
| Moorlands Management     | 10 acres         | 300 ft.          | 50 ft.             | 50 ft. (25 ft.)           | 0.5%               |

\* Rear or sideline setback for lot at record - 1 ft.

OHK denotes special Our Island Home district  
 AH denotes special Academy Hill district.  
 P.L. denotes property line  
 C.L. denotes 10 foot contour

THE TOWN AND COUNTY OF  
**NANTUCKET**  
 MASSACHUSETTS  
 1989  
 EFFECTIVE DATE APRIL 10, 1989  
**OFFICIAL ZONING MAP**



REVISED BY: DATE

|                             |          |
|-----------------------------|----------|
| Schiffel Brothers, Inc.     | 11/1/79  |
| Schiffel Brothers, Inc.     | 4/22/79  |
| Schiffel Brothers, Inc.     | 2/11/78  |
| Schiffel Brothers, Inc.     | 3/28/78  |
| J. MacMillan & Assoc., Inc. | 12/21/77 |
| J. MacMillan & Assoc., Inc. | 3/17/77  |
| Barrett, B. Nicholson       | 1/1/75   |
| Barrett, B. Nicholson       | 1/1/75   |
| Barrett, B. Nicholson       | 10/4/75  |
| Barrett, B. Nicholson       | 10/27/75 |
| Barrett, B. Nicholson       | 10/15/75 |
| Barrett, B. Nicholson       | 7/15/75  |
| Barrett, B. Nicholson       | 7/15/75  |

BASIC MAP PROVIDED BY NANTUCKET PLANNING AND ECONOMIC DEVELOPMENT COMMISSION

**LEGEND**

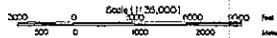
| Zoning | Minimum Lot Size | Minimum Frontage | Front yard Setback | Rear or Side line Setback | Ground Cover Ratio |
|--------|------------------|------------------|--------------------|---------------------------|--------------------|
| LU-1   | 40,000 sq.ft.    | 100 ft.          | 35 ft.             | 10 ft.                    | 7%                 |
| LU-2   | 80,000 sq.ft.    | 150 ft.          | 35 ft.             | 15 ft. (400 ft)           | 4%                 |
| LU-3   | 120,000 sq.ft.   | 200 ft.          | 35 ft.             | 20 ft. (400 ft)           | 3%                 |
| R-1    | 5,000 sq.ft.     | 50 ft.           | 10 ft.             | 5 ft.                     | 30%                |
| R-10   | 10,000 sq.ft.    | 75 ft.           | 20 ft.             | 10 ft.                    | 30%                |
| R-2    | 20,000 sq.ft.    | 75 ft.           | 30 ft.             | 10 ft.                    | 25%                |
| R-OH   | 5,000 sq.ft.     | 50 ft.           | none               | 5 ft.                     | 50%                |
| R-AC   | 5,000 sq.ft.     | 40 ft.           | 20 ft.             | 5 ft.                     | 50%                |
| LC-2   | 5,000 sq.ft.     | 40 ft.           | none               | 5 ft.                     | 50%                |
| M      | 10 acres         | 300 ft.          | 50 ft.             | 50 ft. (400 ft)           | 0.5%               |

\* Rear or sideline setback for lot of record - 1 ft.

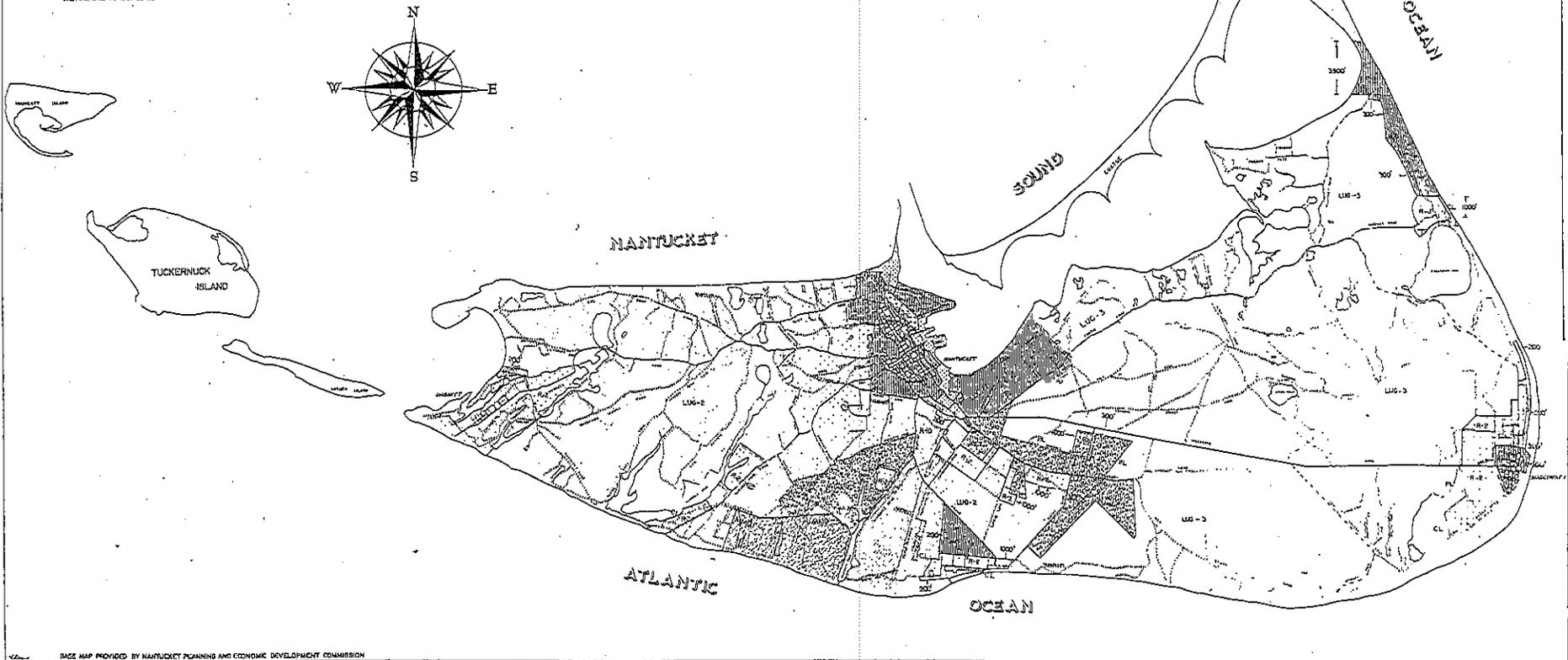
O.H. denotes special Our Island Home district.  
 A.R. denotes special Academy Hill district.  
 P.L. denotes property line.  
 C.L. denotes 10 foot contour.

THE TOWN AND COUNTY OF  
**NANTUCKET**  
 MASSACHUSETTS  
 1990

EFFECTIVE DATE: MARCH 19, 1991  
**OFFICIAL ZONING MAP**



| REVISION BY                 | DATE     |
|-----------------------------|----------|
| Schmitt Builders Inc.       | 11/7/76  |
| Schmitt Builders Inc.       | 4/23/77  |
| Schmitt Builders Inc.       | 3/21/79  |
| Tibbitts Builders Inc.      | 7/28/80  |
| J.C. Macomber & Assoc. Inc. | 10/21/81 |
| J. Macomber & Assoc. Inc.   | 3/18/82  |
| Burrell & Nicholson         | 1-7-83   |
| Burrell & Nicholson         | 11-25-83 |
| Burrell & Nicholson         | 10-4-85  |
| Burrell & Nicholson         | 10-27-85 |
| Burrell & Nicholson         | 10-15-87 |
| Burrell & Nicholson         | 3-19-88  |
| Burrell & Nicholson         | 1-8-89   |
| Burrell & Nicholson         | 2-17-92  |



BASE MAP PROVIDED BY NANTUCKET PLANNING AND ECONOMIC DEVELOPMENT COMMISSION

EXHIBIT B

**§ 139-15. Accessory uses.**

In addition to the principal buildings, structures or uses permitted in a district, there shall be allowed in that district, as accessory uses, such activities as are subordinate and customarily incident to such permitted uses.

**§ 139-16. Intensity regulations.<sup>1</sup>**

A. [Amended 5-5-1992 ATM, Art. 45, AG approval 8-3-1992; 4-8-1996 ATM, Art. 40, AG approval 7-15-1996] Except as expressly provided by § 139-33 of this Zoning Bylaw, no structure or building shall be constructed or used, and no lot or parcel of land shall be built upon, improved or used, and no lot shall be changed in size, shape, boundaries or frontage, unless in conformity with the requirements set forth below:

| District Defined in § 139-3+ | Minimum Lot Size Sq. Feet | Yard Setback |                  |     | Frontage (feet) <sup>*</sup> | Ground Cover Ratio |
|------------------------------|---------------------------|--------------|------------------|-----|------------------------------|--------------------|
|                              |                           | Front (feet) | Side/Rear (feet) |     |                              |                    |
| LUG-1                        | 40,000                    | 35           | 10               | 100 | 7%                           |                    |
| LUG-2                        | 80,000                    | 35           | 15               | 150 | 4%                           |                    |
| LUG-3                        | 120,000                   | 35           | 20               | 200 | 3%                           |                    |
| R-1                          | 5,000                     | 10           | 5 <sup>1</sup>   | 50  | 30%                          |                    |
| R-10                         | 10,000                    | 20           | 10               | 75  | 20%                          |                    |
| R-2                          | 20,000                    | 30           | 10               | 75  | 12.5%                        |                    |
| ROH                          | 5,000                     | None         | 5                | 50  | 50%                          |                    |
| RC                           | 5,000                     | None         | 5 <sup>1</sup>   | 40  | 50%                          |                    |
| RC-2                         | 5,000                     | 20           | 5                | 40  | 50%                          |                    |
| LC                           | 5,000                     | None         | 5                | 40  | 50%                          |                    |
| MMD                          | 10 acres                  | 50           | 50               | 300 | 0.5%                         |                    |

NOTES: See § 139-33E for nonconforming lots  
<sup>1</sup>For corner lots in the R-1 and RC-2 districts, side yard setbacks shall be ten (10) feet from any abutting street or way, whether constructed or not.

<sup>1</sup> Editor's Note: 11-13-1990 STM, Art. 20, AG approval 3-19-1991, changed an area bounded by Gardner Road, Nantucket Harbor, Polpis Harbor, and 500 feet south of Polpis Road from its classification as LUG-1 to a LUG-3 classification, with the following amendment "Provided, however that all lots in this district in existence as of November 15, 1990 shall have the benefit of the LUG-1 intensity regulations." Subsequently, said amendment was rescinded 4-10-1995 ATM, Art. 51, AG approval 5-22-1995, effective January 1, 2000.

EXHIBIT C

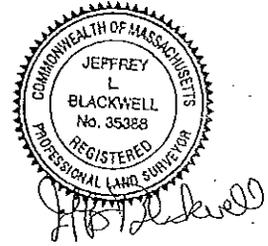
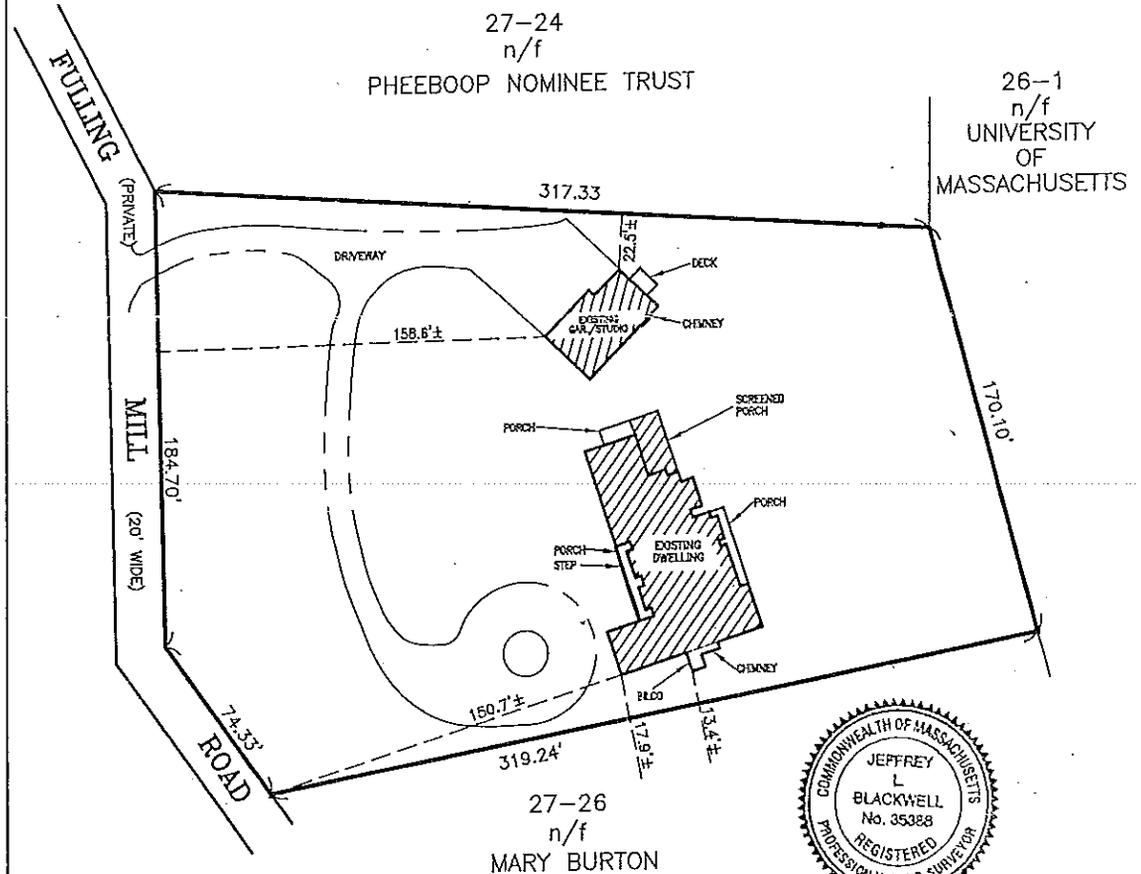
ZONING CLASSIFICATION LUG-3\* EXISTING:

MIN. AREA: . . . 40,000 SF . . . . . 69,302± SF  
 MIN. FRONTAGE: . . . 100 FT . . . . . SEE PLAN  
 FRONT YARD S.B.: . . . 35 FT . . . . .  
 REAR & SIDE S.B.: . . . 10 FT . . . . .  
 GROUND COVER (%): . . . 7% . . . . . 6.9% ±

\*REFER TO ARTICLE 51, 1995 A.T.M. LUG-1 INTENSITY REGULATIONS UNTIL JAN. 1, 2000

ONLY ORIGINALLY STAMPED AND ENDORSED COPIES OF THIS PLAN SHALL BE ACKNOWLEDGED BY THE CERTIFYING LAND SURVEYOR.

NOTE: LOCUS SUBJECT TO ORDER OF CONDITIONS ISSUED UNDER THE MASS. WETLANDS PROTECTION ACT AND THE NANTUCKET WETLANDS BYLAW. DEP FILE NO. SE48-1184



TO: CITIBANK, F.S.B. . . . . AND NO OTHERS.

I CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THE PREMISES SHOWN ARE LOCATED IN FLOOD HAZARD ZONE: . . . C . . . DELINEATED ON F.I.R.M. / COMMUNITY PANEL NUMBER: 250230-0006D, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. EFFECTIVE DATE OF MAPS: JUNE 3, 1986 AND AS PERIODICALLY REVISED.

THIS INSPECTION PLAN WAS PREPARED FOR MORTGAGE PURPOSES ONLY AND IS NOT TO BE CONSIDERED A FULL INSTRUMENT SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD.

THIS INSPECTION PLAN IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF NANTUCKET ASSESSOR RECORDS.

THIS PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN ITS INTENDED USE STATED ABOVE.

MORTGAGE INSPECTION PLAN OF LAND IN NANTUCKET, MA

SCALE: 1"=60' DATE: JULY 24, 2001

Owner: JEFFERY A. & MARY H. SMITH . . . . .

Locus: . . . #9 FULLING MILL ROAD . . . . .

Certificate: #18060 . . . LC Plan: . . 14311-K . . . . .

Tax Map: . 27 . Parcel: . 25 . . . . . Lot: . 3 . . . . .

BLACKWELL & ASSOCIATES, Inc.  
Professional Land Surveyors

20 Teasdale Circle  
Nantucket, Massachusetts 02554

(508) 228-9026

B4906

©Blackwell & Associates Inc.

C:\PROJ\ADG\B4906\MPP1

NOT TO BE RECORDED

FBK.: 68/115

ZONING CLASSIFICATION LUG-3\* EXISTING:

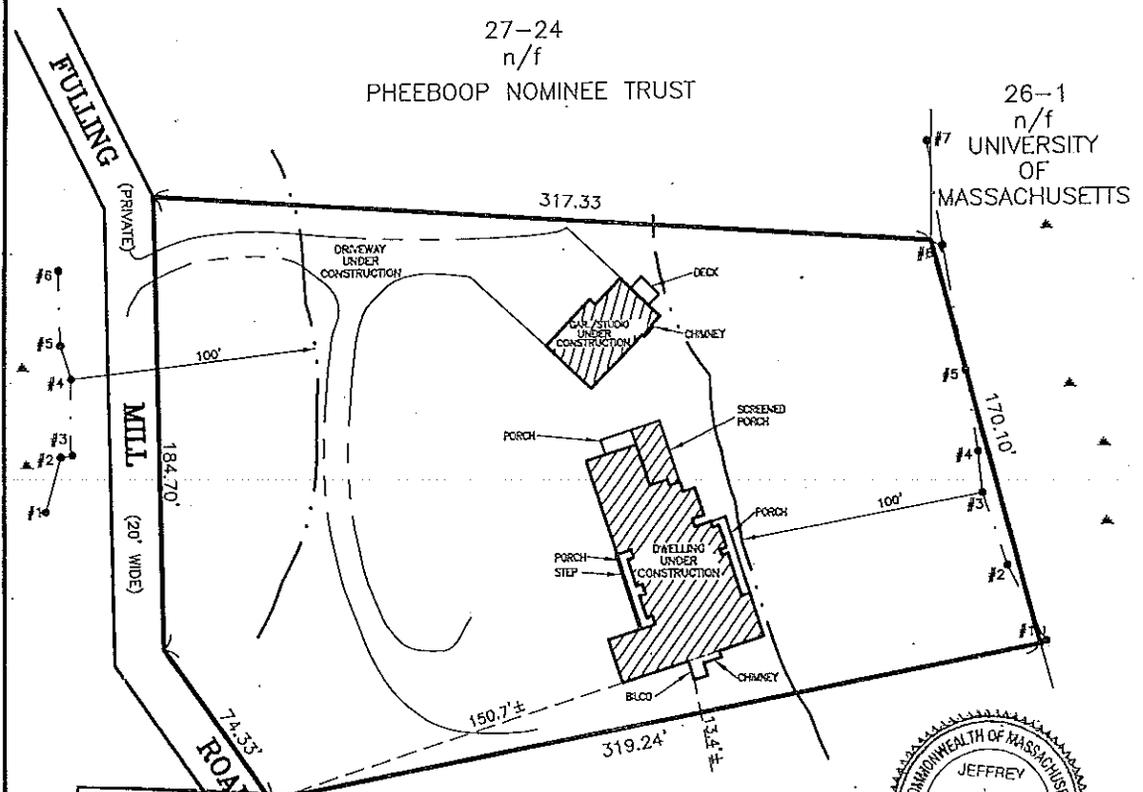
MIN. AREA: . 40,000. SF . . . . . 69,302± SF  
 MIN. FRONTAGE: . 100. FT. . . . . SEE PLAN  
 FRONT YARD S.B.: . 35. FT. . . . .  
 REAR & SIDE S.B.: . 10. FT. . . . .  
 GROUND COVER (%): . 7% . . . . . 6.9% ±

\*REFER TO ARTICLE 51, 1995 A.T.M. LUG-1 INTENSITY REGULATIONS UNTIL JAN. 1, 2000

ONLY ORIGINALLY STAMPED AND ENDORSED COPIES OF THIS PLAN SHALL BE ACKNOWLEDGED BY THE CERTIFYING LAND SURVEYOR.

—●— DENOTES WETLAND BOUNDARY APPROVED BY NANTUCKET CONSERVATION COMMISSION

NOTE: LOCUS SUBJECT TO ORDER OF CONDITIONS ISSUED UNDER THE MASS. WETLANDS PROTECTION ACT AND THE NANTUCKET WETLANDS BYLAW. DEQE FILE NO. SE48-1184



**RECEIVED**  
 AUG - 7 2000  
 NANTUCKET BUILDING DEPT.



I CERTIFY, AS OF: 8-7-2000 THAT THE BUILDING(S) IS/ARE LOCATED ON THE GROUND AS SHOWN HEREON.

*Jeffrey Blackwell*  
 PROFESSIONAL LAND SURVEYOR

THIS PLOT PLAN WAS PREPARED FOR THE TOWN OF NANTUCKET BUILDING DEPARTMENT ONLY AND SHOULD NOT BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

**BUILDING LOCATION PLAN IN NANTUCKET, MA**

SCALE: 1"=60' DATE: AUGUST 7, 2000  
 Owner: JEFFERY A. & MARY H. SMITH . . .  
 Locus: . . . #9 FULLING MILL ROAD . . .  
 Certificate: #18060. . . LC Plan: . 14311-K. . .  
 Tax Map: . 27 . Parcel: . 25 . . . Lot: . 3 . . .

**BLACKWELL & ASSOCIATES, Inc.**  
 Professional Land Surveyors  
 20 Teasdale Circle  
 Nantucket, Massachusetts 02554

117

**Commonwealth of Massachusetts**

**Town of Nantucket**

Building Electrical Mechanical Permits

This is to Certify that the INGROUND POOL located at  
Dwelling Type

9 FULLING MILL RD in the TOWN OF NANTUCKET  
Address Town/City Name

**IS HEREBY GRANTED A PERMANENT CERTIFICATE OF  
OCCUPANCY**

48'x24' GUNITE POOL WITH FENCE / GATE  
C.O. IS FOR PERMIT # 1035-99 - MAP 27-25

This permit is granted in conformity with the Statutes and ordinances relating thereto, and  
expires \_\_\_\_\_ unless sooner suspended or revoked.  
Expiration Date

*Seamus Barth*

Issued On: Thu Oct 3, 2002

27-25

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND 780 CMR/6 REG. 6142A

COMMONWEALTH OF MASSACHUSETTS

# TOWN OF NANTUCKET BUILDING DEPARTMENT

No. 1035-99

Office of the Building Inspector

FEE \$ 50<sup>00</sup>

780 CMR SIXTH EDITION

Oct. 14 19 99

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT Mary + Jeff Smith HAS PERMISSION TO build a inground heated swimming pool

LOCATED ON 9 Fulling Mill Rd 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 PERMITTED 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 PREMISES.

CERTIFICATE OF OCCUPANCY NO. \_\_\_\_\_

John H. Dumas  
BUILDING INSPECTOR

DEPARTMENT

PERMIT NO.

INSPECTOR

DATE

HEALTH

FINAL

DPW

PLUMBING

ROUGH

FINAL

WIRING

TEMPORARY

SERVICE

946-99

Pool Bond OK - 10-19-02  
JFC

ROUGH

FINAL

*William H. Jander*

4-25-02

GAS

ROUGH

FINAL

HDC

33192

FINAL

*M. S. [Signature]*

9/27/2000

Zoning  
FIRE DEPT.

*[Signature]*

9/30/02

ALARM

FUEL & MECH

BUILDING

BUILDING DEPT.  
NATL BUREAU

FOOTINGS

FOUNDATION

ROUGH

*[Signature]*

10/19/01

INSULATION

FIREPLACE

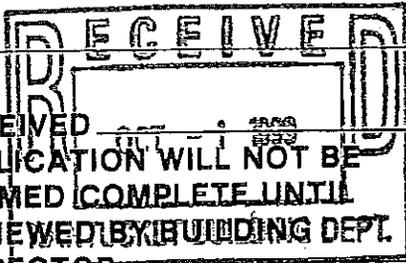
FINAL

*S. Bell*

9-24-02

RECEIVED  
SEP 04 2002

8-5-02



APPROVED

NANTUCKET BUILDING DEPT.

Date 10/14/99  
By John H. Dunn

1035-99  
BUILDING APPLICATION NUMBER

APPLICATION FOR  
PLAN EXAMINATION AND  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1,2,3,4, and 5

1. LOCATION OF BUILDING

OWNERS NAME: SMITH, MARY & JEFF  
 Last First Middle Initial  
 9 Folling Mill Road, NANTUCKET, MA  
 No. Street Village  
 Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT  
 New Building  
 Addition (If residential, enter number of new housing units added, if any, in Part D, 13)  
 Alteration (See 2 above)  
 Repair, replacement  
 Demolition (If multifamily residential, enter number of units in building in Part D, 13)  
 Moving (relocation)  
 Foundation only

B. OWNERSHIP  
 Private (individual, corporation, nonprofit institution, etc.)  
 Public (Federal, State, or local government)

D. PROPOSED USE - (For "Demolition" most recent use)  
 Residential  
 One Family  
 Two or more family - Enter number of units \_\_\_\_\_  
 Transient Hotel, Motel or dormitory; or INTERVAL OWNERSHIP - enter number of units \_\_\_\_\_  
 Garage  
 Carport  
 Other - Specify Pool

Detail scope of work by floor & provide the square footage.  
 Organic Shape granite  
 pool 48 x 24 ft  
 Pool gate / Fence

C. COST Pool  
 Cost of: a. Structure \_\_\_\_\_  
 b. Electrical \_\_\_\_\_  
 c. Plumbing \_\_\_\_\_  
 d. Heating \_\_\_\_\_  
 e. Other \_\_\_\_\_  
 TOTAL COST OF IMPROVEMENT \_\_\_\_\_  
 BUILDING INSPECTOR'S ESTIMATE \_\_\_\_\_

omit cents  
 \$ 50,000

E. DIMENSIONS  
 Dimensions (New) of Dwelling or Addition:  
 No. of Stories: \_\_\_\_\_  
 First Floor Area: \_\_\_\_\_  
 Second Floor Area: \_\_\_\_\_  
 Third Floor Area: \_\_\_\_\_  
 Total Floor Area: \_\_\_\_\_  
 Full Cellar Area: \_\_\_\_\_

Dimensions of Additional Structures:  
 Garage: \_\_\_\_\_  
 Accessory Bldg. \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

3. SELECTED CHARACTERISTICS OF BUILDING For new buildings and additions, complete Parts E-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME  
 Masonry (wall bearing)  
 Wood frame  
 Structural steel  
 Reinforced concrete  
 Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL  
 Public or private company  
 Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY  
 Public or private company  
 Private (well, cistern)

G. PRINCIPLE TYPE OF HEATING  
 Gas  
 Oil  
 Electricity  
 Coal  
 Other - Specify \_\_\_\_\_

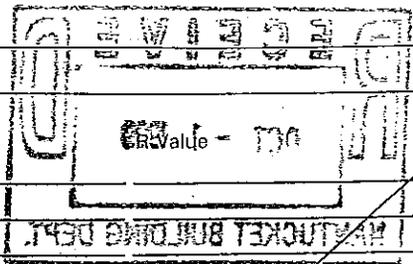
J. SPECIAL CHARACTERISTICS  
 Air Conditioning  
 Heat Pump  
 Central Vacuum  
 Other \_\_\_\_\_

K. ACCESSORY HEAT SOURCE  
 No. of fireplaces \_\_\_\_\_  
 No. of Wood Stoves \_\_\_\_\_  
 No. of Coal Stoves \_\_\_\_\_  
 Solar Collector \_\_\_\_\_  
 Other: Pool heater

L. SMOKE DETECTORS  
 No. of Dectectors \_\_\_\_\_  
 Type (Battery or AC) \_\_\_\_\_  
 See Pign for Location

M. RESIDENTIAL BUILDINGS ONLY  
 Number of Bedrooms \_\_\_\_\_  
 Number of Bathrooms \_\_\_\_\_  
 Full \_\_\_\_\_ Partial \_\_\_\_\_

3. Continued



N. ENERGY CONSERVATION      Type \_\_\_\_\_ Thickness \_\_\_\_\_

Foundation or Floor Insulation \_\_\_\_\_

Wall Insulation \_\_\_\_\_

Ceiling or Roof Insulation \_\_\_\_\_

Window Glazing:      Insulated Glass \_\_\_\_\_      Double Glass \_\_\_\_\_      Storm \_\_\_\_\_

Doors: Insulated Yes \_\_\_\_\_ No \_\_\_\_\_      Weatherstripped: Yes \_\_\_\_\_ No \_\_\_\_\_

Percentage of Window Area to Wall Area: \_\_\_\_\_

Maximum BTU loss per hour of structure: \_\_\_\_\_ (Do not fill in if % of window to wall area is less than 20%)

O. STRUCTURAL CHARACTERISTICS OF BUILDING

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

Foundation

|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height _____                  | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                    |                     |                        |
|----------------------|--------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Rafter size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss      Applicant must submit design calculations for all wood trusses stamped by a Registered Profession Engineer.

| INTERIOR FINISH   | Walls | Floors | Ceiling |
|-------------------|-------|--------|---------|
| Bedrooms          | _____ | _____  | _____   |
| Living Room       | _____ | _____  | _____   |
| Family Room       | _____ | _____  | _____   |
| Dining Room       | _____ | _____  | _____   |
| Bathroom          | _____ | _____  | _____   |
| Utility Room      | _____ | _____  | _____   |
| Special (specify) | _____ | _____  | _____   |
| Attic             | _____ | _____  | _____   |
| Cellar            | _____ | _____  | _____   |

EXTERIOR FINISH

Wall Material \_\_\_\_\_

Roof Material \_\_\_\_\_

Roof Type \_\_\_\_\_

NOTES AND DATE (For Department Use)

\_\_\_\_\_  
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FEE CALCUALTIONS

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

4. ZONING COMPLIANCE To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LVG-3 Total Land Area: \_\_\_\_\_  
Frontage on Street: 189.70 + 74.33 Lot No. 3  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No. 14311K  
Date Lot Purchased: \_\_\_\_\_ Certificate No. 17732  
Name of Previous Owner: Keman

SUBDIVISION INFORMATION

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No. \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No. \_\_\_\_\_ Date \_\_\_\_\_

TIME SHARING INFORMATION  
Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

DIMENSIONS

Distance from Property Lines: FRONT on change REAR \_\_\_\_\_ LEFT \_\_\_\_\_ RIGHT \_\_\_\_\_  
Distance between Principal and Secondary Dwelling: \_\_\_\_\_ (12ft. minimum.)  
Height of structure above finish grade: N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_  
Number of off-street parking spaces: Enclosed \_\_\_\_\_ On-site \_\_\_\_\_

GROUND COVER

Principal Dwelling: 3690  
Secondary Dwelling: \_\_\_\_\_  
Addition: \_\_\_\_\_  
Garage: STABLE 1000  
Accessory Building: \_\_\_\_\_  
Swimming Pool: 1152 (N/A inground pool)  
Other: \_\_\_\_\_

Total: 69,302 SF.  
Allowable: 4851.14 SF.

MISCELLANEOUS

Was a request to "Determining Applicability of the Wetland Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, include "Order of Conditions" with application.  
What date was the "Order of Conditions" with application. \_\_\_\_\_  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

FOR BUILDING DEPARTMENT USE ONLY

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_  
Additional Comments: \_\_\_\_\_

Date: 10/14/99

APPROVED BY: John H. Dumas  
Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                     |                                 | Mailing address - Number, street, city, and State | Zip Code | Telephone No.   |
|--------------------------|---------------------------------|---------------------------------------------------|----------|-----------------|
| 1. Owner or Lessee       | Jeff & Mary Smith               | 63 TEMPE Wick Rd                                  |          | 973-548<br>6384 |
| 2. General Contractor    | Warren Hill                     | 450 Mill St<br>Nantucket                          | 02895    | 518-3366        |
| 3. Contractor Signature  |                                 |                                                   | Date     |                 |
| 4. Architect or Engineer | Botticelli & Pohl<br>Architects | 200 Washington Street<br>Nantucket, MA.           |          |                 |

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant

Address

*[Handwritten Signature]*

Mary A. Smith

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required                        |    |       |          |  |
|----------------------------------------------|----|-------|----------|--|
| HISTORIC DISTRICTS COMMISSION                | OK | 33192 | 11-10-98 |  |
| SEPTIC                                       |    |       |          |  |
| SEWER                                        |    |       |          |  |
| WATER WELL COMPLETION REPORT                 |    |       |          |  |
| CONSERVATION COMMISSION                      |    |       |          |  |
| BOARD OF APPEALS                             |    |       |          |  |
| SECONDARY DWELLING APPROVAL (Planning Board) |    |       |          |  |
| FIRE CHIEF                                   |    |       |          |  |
| OVER-THE-ROAD (Board of Selectmen)           |    |       |          |  |
| RELEASE FORM (Planning Board)                |    |       |          |  |
| ROAD OPENING PERMIT (DPW)                    |    |       |          |  |
| PLUMBING                                     |    |       |          |  |
| ELECTRICAL                                   |    |       |          |  |

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |

**7. VALIDATION**

Building Permit number 1035-99

Building Permit issued 10/14/99

Date of Reissuance \_\_\_\_\_

Building Permit Fee 50

Date of Issuance of Certificate of Occupancy \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

Use Group \_\_\_\_\_

Fire Grading \_\_\_\_\_

Live Loading \_\_\_\_\_

Occupancy Load \_\_\_\_\_

Census No. 329

Approved by:

*[Handwritten Signature]*

Building Inspector

Certificate No: OP-2002-0191

Building Permit No.: BP-2002-0717

**Commonwealth of Massachusetts**

**Town of Nantucket**

**Building Electrical Mechanical Permits**

This is to Certify that the STRUCTURE located at  
Dwelling Type

9 FULLING MILL RD in the TOWN OF NANTUCKET  
Address Town/City Name

**IS HEREBY GRANTED A PERMANENT CERTIFICATE OF  
OCCUPANCY**

**2 STORY GARAGE APARTMENT - SEPTIC  
C.O. IS FOR PERMIT # 620-98 - MAP 27-25**

This permit is granted in conformity with the Statutes and ordinances relating thereto, and  
expires \_\_\_\_\_ unless sooner suspended or revoked.

Expiration Date

*Bernard Bartlett*

Issued On: Thu May 30, 2002

GeoTMS© 2002 Des Lauriers Municipal Solutions, Inc.

Amendment # 2  
Approval Date 7/24/01  
Plan # 620-98  
Type Change to DW  
Building Official JHO

27-25

COMMONWEALTH OF MASSACHUSETTS

# TOWN OF NANTUCKET BUILDING DEPARTMENT

No. 620-98

Office of the Building Inspector

FEE \$ 800<sup>00</sup>

NOT FOR HUMAN  
HABITATION

JUNE 9 1998

780 CMR SIXTH EDITION

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT JEFF + MAEG Smith HAS  
PERMISSION TO build a studio STORAGE + GARAGE building 1000' x 1000' and  
LOCATED ON 9 Felling Mill Rd 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  
PERMITTED 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 PREMISES.

CERTIFICATE OF OCCUPANCY NO. \_\_\_\_\_



BUILDING INSPECTOR

DEPARTMENT

PERMIT NO.

INSPECTOR

DATE

HEALTH

FINAL

*Richard [Signature]*  
**RECEIVED**  
MAY 13 2002

4-13-02

DPW

WANTUCKEY  
BUILDING DEPT.

PLUMBING

99-556

ROUGH

*William [Signature]*

10/15/99

FINAL

*William [Signature]*

12/18/01

WIRING

638-00

TEMPORARY

SERVICE

ROUGH

*William [Signature]*

7-14-00

FINAL

*William [Signature]*

4-25-02

GAS

06-56

ROUGH

*William [Signature]*

9/6/00

00-56

FINAL

*William [Signature]*

8/31/01

8/31/01

HDC

31368

FINAL

*Fade Stone*

12/12/01

*Zoning*  
FIRE DEPT.

*[Signature]*

5/29/02  
ALARM

FUEL & MECH

BUILDING

FOOTINGS

FOUNDATION

ROUGH

INSULATION

FIREPLACE

FINAL

*S. Beeth*

*S. Beeth*

*S. Beeth*

*S. Beeth*

*S. Beeth*

SEE BOOK

7-7-00

7-7-00

7-7-00

8-31-99

4-25-02

ALARM LENSEN [Signature] DOOR OK

Lus-1  
Amendment # 2  
Approval Date 7/24/01  
Plan # 620-98  
Type CUBIC SUD  
Building Official SUD

Amendment # 1  
Approval Date 9-29-98  
Plan # 620-98  
Type ADD BATH + WORK SINK  
Building Official JHD

RECEIVED

AMMEND BUILDING PERMIT NO. 620-98

30

RECEIVED APPLICATION WILL NOT BE DEEMED COMPLETE UNTIL REVIEWED BY BUILDING INSPECTOR

SEP 25 1998

BUILDING APPLICATION NUMBER

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

9/29/98 [Signature]

IMPORTANT - Applicant to complete all items in Sections: 1,2,3,4, and 5

1. LOCATION OF BUILDING

OWNERS NAME: SMITH, MARY & JEFF
Last First Middle Initial
9 FALLING MILL ROAD, NANTUCKET MA 02534
No. Street Village
Assessor's Map No. 21 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT

- X New Building
Addition (If residential, enter number of new housing units added, if any, in Part D, 13)
Alteration (See 2 above)
Repair, replacement
Demolition (If multifamily residential, enter number of units in building in Part D, 13)
Moving (relocation)
Foundation only

B. OWNERSHIP

- Private (individual, corporation, nonprofit institution, etc.)
Public (Federal, State, or local government)

D. PROPOSED USE - (For "Demolition" most recent use)

- Residential
One Family
Two or more family - Enter number of units
Transient Hotel, Motel or dormitory; or INTERVAL
OWNERSHIP - enter number of units
Garage
Carport
Other - Specify STUDIO W/ BATHROOM

Detail scope of work by floor & provide the square footage.

ADD BATH & WORK SINK.

C. COST

- Cost of: a. Structure
b. Electrical
c. Plumbing 10,000
d. Heating
e. Other

omit cents

\$ 10,000

E. DIMENSIONS

- Dimensions (New) of Dwelling or Addition:
No. of Stories:
First Floor Area:
Second Floor Area:
Third Floor Area:
Total Floor Area:
Full Cellar Area:

Dimensions of Additional Structures:

- Garage:
Accessory Bldg:
Swimming Pool:
Other:

TOTAL COST OF IMPROVEMENT
BUILDING INSPECTOR'S ESTIMATE

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts E-N for Demolition, complete only Part 1.. for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME

- Masonry (wall bearing)
Wood frame
Structural steel
Reinforced concrete
Other - Specify

H. TYPE OF SEWAGE DISPOSAL

- Public or private company
Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

- No. of fireplaces
No. of Wood Stoves
No. of Coal Stoves
Solar Collector
Other:

I. TYPE OF WATER SUPPLY

- Public or private company
Private (well, cistern)

L. SMOKE DETECTORS

- No. of Detectors
Type (Battery or AC)
See Plan for Location

G. PRINCIPLE TYPE OF HEATING

- Gas
Oil
Electricity
Coal
Other - Specify

J. SPECIAL CHARACTERISTICS

- Air Conditioning
Heat Pump
Central Vacuum
Other

M. RESIDENTIAL BUILDINGS ONLY

- Number of Bedrooms
Number of Bathrooms
Full Partial



4. ZONING COMPLIANCE To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: \_\_\_\_\_ Total Land Area: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Lot No. \_\_\_\_\_  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No. \_\_\_\_\_  
Date Lot Purchased: \_\_\_\_\_ Certificate No. \_\_\_\_\_  
Name of Previous Owner: \_\_\_\_\_

SUBDIVISION INFORMATION

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No. \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No. \_\_\_\_\_ Date \_\_\_\_\_

TIME SHARING INFORMATION  
Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

DIMENSIONS

Distance from Property Lines: FRONT \_\_\_\_\_ REAR \_\_\_\_\_ LEFT \_\_\_\_\_ RIGHT \_\_\_\_\_ y  
Distance between Principal and Secondary Dwelling: \_\_\_\_\_ (12ft. minimum.)  
Height of structure above finish grade: N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_  
Number of off-street parking spaces: Enclosed \_\_\_\_\_ On-site \_\_\_\_\_

GROUND COVER

Principal Dwelling: \_\_\_\_\_  
Secondary Dwelling: \_\_\_\_\_  
Addition: \_\_\_\_\_  
Garage: \_\_\_\_\_  
Accessory Building: \_\_\_\_\_  
Swimming Pool: \_\_\_\_\_  
Other: \_\_\_\_\_

Total: \_\_\_\_\_ SF.  
Allowable: \_\_\_\_\_ SF.

MISCELLANEOUS

Was a request to "Determining Applicability of the Wetland Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, include "Order of Conditions" with application.  
What date was the "Order of Conditions" with application.  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located withing a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

FOR BUILDING DEPARTMENT USE ONLY

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_  
Additional Comments: \_\_\_\_\_

Date: \_\_\_\_\_ 9/29/98

APPROVED BY: \_\_\_\_\_

Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                     |                                      | Mailing address - Number, street, city, and State | Zip Code          | Telephone No.    |
|--------------------------|--------------------------------------|---------------------------------------------------|-------------------|------------------|
| 1. Owner or Lessee       | JEFF + MARY SMITH                    | 63 TEMPE WICK RD<br>MENDHAM NJ                    |                   | 973-543<br>02534 |
| 2. General Contractor    | WARREN Hill<br>KATZ CONSTRUCTION INC |                                                   | Builder's License | 028945           |
| 3. Contractor Signature  | <i>[Signature]</i>                   |                                                   | Date              | 9/12/98          |
| 4. Architect or Engineer | BOTTICELLI + POHL                    | 0 WASHINGTON ST.<br>NAUTICKET MA                  | 02534             | 278-5455         |

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant: *[Signature]* Address: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

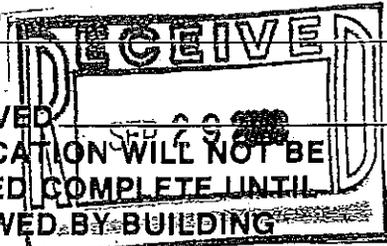
|                                              |  |  |  |  |
|----------------------------------------------|--|--|--|--|
| Plans Review Required                        |  |  |  |  |
| HISTORIC DISTRICTS COMMISSION                |  |  |  |  |
| SEPTIC                                       |  |  |  |  |
| SEWER                                        |  |  |  |  |
| WATER WELL COMPLETION REPORT                 |  |  |  |  |
| CONSERVATION COMMISSION                      |  |  |  |  |
| BOARD OF APPEALS                             |  |  |  |  |
| SECONDARY DWELLING APPROVAL (Planning Board) |  |  |  |  |
| FIRE CHIEF                                   |  |  |  |  |
| OVER-THE-ROAD (Board of Selectmen)           |  |  |  |  |
| RELEASE FORM (Planning Board)                |  |  |  |  |
| ROAD OPENING PERMIT (DPW)                    |  |  |  |  |
| PLUMBING                                     |  |  |  |  |
| ELECTRICAL                                   |  |  |  |  |

Amendment # 1  
 Approval Date 9-29-98  
 Plan # 620-98  
 Type ADD BATH + WORK SINK  
 Building Official JHD

**7. VALIDATION**

|                                                                                                                                                                                                                  |                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Permit number _____<br><br>Building Permit issued <u>OCTOBER 1, 1998</u><br><br>Date of Reissuance _____<br><br>Building Permit Fee <u>30</u><br><br>Date of Issuance of Certificate of Occupancy _____ | <p align="center">FOR DEPARTMENT USE ONLY</p> Use Group _____<br>Fire Grading _____<br>Live Loading _____<br>Occupancy Load _____<br>Census No. _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|

Approved by: *[Signature]* Building Inspector



Denied 7/24/01  
12/1/00  
AMMEND EXISTING PERMIT NO. 620-98

BUILDING APPLICATION NUMBER

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1,2,3,4, and 5

1. LOCATION OF BUILDING

OWNERS NAME: SMITH, JEFF & MARY  
 Last First Middle Initial

9 FOLLING MILL ROAD  
 No. Street Village

27 Assessor's Map No. 25 Assessor's Parcel No.

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT

New Building

Addition (If residential, enter number of new housing units added, if any, in Part D, 13)

Alteration (See 2 above)

Repair, replacement

Demolition (If multifamily residential, enter number of units in building in Part D, 13)

Moving (relocation)

Foundation only

B. OWNERSHIP

Private (individual, corporation, nonprofit institution, etc.)

Public (Federal, State, or local government)

D. PROPOSED USE - (For "Demolition" most recent use)

Residential

One Family

Two or more family - Enter number of units \_\_\_\_\_

Transient Hotel, Motel or dormitory; or INTERVAL OWNERSHIP - enter number of units \_\_\_\_\_

Garage

Carport

Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.

\*CHANGE FROM STUDIO TO DWELLING

C. COST

Cost of: a. Structure \_\_\_\_\_

b. Electrical \_\_\_\_\_

c. Plumbing \_\_\_\_\_

d. Heating \_\_\_\_\_

e. Other \_\_\_\_\_

TOTAL COST OF IMPROVEMENT \_\_\_\_\_

BUILDING INSPECTOR'S ESTIMATE \_\_\_\_\_

omit cents \$

E. DIMENSIONS

Dimensions (New) of Dwelling or Addition:

No. of Stories 2

First Floor Area: \_\_\_\_\_

Second Floor Area: \_\_\_\_\_

Third Floor Area: \_\_\_\_\_

Total Floor Area: \_\_\_\_\_

Full Cellar Area: \_\_\_\_\_

Dimensions of Additional Structures:

Garage: \_\_\_\_\_

Accessory Bldg. \_\_\_\_\_

Swimming Pool: \_\_\_\_\_

Other: \_\_\_\_\_

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts E-N for Demolition, complete only Part L, for all others skip to 4:

F. PRINCIPLE TYPE OF FRAME

Masonry (wall bearing)

Wood frame

Structural steel

Reinforced concrete

Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL

Public or private company

Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY

Public or private company

Private (well, cistern)

G. PRINCIPLE TYPE OF HEATING

Gas

Oil

Electricity

Coal

Other - Specify \_\_\_\_\_

J. SPECIAL CHARACTERISTICS

Air Conditioning

Heat Pump

Central Vacuum

Other \_\_\_\_\_

K. ACCESSORY HEAT SOURCE

No. of fireplaces \_\_\_\_\_

No. of Wood Stoves \_\_\_\_\_

No. of Coal Stoves \_\_\_\_\_

Solar Collector \_\_\_\_\_

Other: \_\_\_\_\_

L. SMOKE DETECTORS

No. of Dectectors \_\_\_\_\_

Type (Battery or AC) \_\_\_\_\_

See Plan for Location

M. RESIDENTIAL BUILDINGS ONLY

Number of Bedrooms 1

Number of Bathrooms \_\_\_\_\_

Full \_\_\_\_\_ Partial \_\_\_\_\_

**3. Continued**

| N. ENERGY CONSERVATION                                                                                      | Type                         | Thickness                           | R-Value     |
|-------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------|-------------|
| Foundation or Floor Insulation                                                                              | _____                        | _____                               | _____       |
| Wall Insulation                                                                                             | _____                        | _____                               | _____       |
| Ceiling or Roof Insulation                                                                                  | _____                        | _____                               | _____       |
| Window Glazing:                                                                                             | Insulated Glass _____        | Double Glass _____                  | Storm _____ |
| Doors:                                                                                                      | Insulated Yes _____ No _____ | Weatherstripped: Yes _____ No _____ |             |
| Percentage of Window Area to Wall Area: _____                                                               |                              |                                     |             |
| Maximum BTU loss per hour of structure: _____ (Do not fill in if % of window to wall area is less than 20%) |                              |                                     |             |

**O. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                              |       |                             |                                                                |
|------------------------------|-------|-----------------------------|----------------------------------------------------------------|
| Footing size:                | _____ | Footing reinforcing:        | _____                                                          |
| Wall material:               | _____ | Wall thickness:             | _____                                                          |
| Wall height:                 | _____ | Wall reinforcing:           | _____                                                          |
| Pier or column size:         | _____ | Pier or column spacing:     | _____                                                          |
| Pier or column footing size: | _____ | Pier or column reinforcing: | _____                                                          |
| No. of crawl space vents:    | _____ | Crawl space:                | <input type="checkbox"/> Full <input type="checkbox"/> Partial |

**FRAMING: Main Carrying members:** Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                    |                     |                        |
|----------------------|--------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____  | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Rafter size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Profession Engineer.

| INTERIOR FINISH        | Walls | Floors | Ceiling |
|------------------------|-------|--------|---------|
| Bedrooms               | _____ | _____  | _____   |
| Living Room            | _____ | _____  | _____   |
| Family Room            | _____ | _____  | _____   |
| Dining Room            | _____ | _____  | _____   |
| Bathroom               | _____ | _____  | _____   |
| Utility Room           | _____ | _____  | _____   |
| Special (specify)      | _____ | _____  | _____   |
| Attic                  | _____ | _____  | _____   |
| Cellar                 | _____ | _____  | _____   |
| <b>EXTERIOR FINISH</b> |       |        |         |
| Wall Material          | _____ |        |         |
| Roof Material          | _____ |        |         |
| Roof Type              | _____ |        |         |

**NOTES AND DATE (For Department Use)**

**FEE CALCUALTIONS**

Conversion 1.00

4. ZONING COMPLIANCE To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: \_\_\_\_\_ Total Land Area: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Lot No. \_\_\_\_\_  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No. \_\_\_\_\_  
Date Lot Purchased: \_\_\_\_\_ Certificate No. \_\_\_\_\_  
Name of Previous Owner: \_\_\_\_\_

*UNSUBMITTED*

SUBDIVISION INFORMATION

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No. \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No. \_\_\_\_\_ Date \_\_\_\_\_

TIME SHARING INFORMATION  
Is there a declaration of Covenants and Restrictions of Interval Ownership, noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

DIMENSIONS

Distance from Property Lines: FRONT 150'-0" REAR 120'-0" LEFT 16'-0" RIGHT 140'-0"  
Distance between Principal and Secondary Dwelling: 20'-0" (12ft. minimum.)  
Height of structure above finish grade: N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_  
Number of off-street parkig spaces: Enclosed 2 On-site 3

GROUND COVER

Principal Dwelling: 3764  
Secondary Dwelling: 1017  
Addition: \_\_\_\_\_  
Garage: \_\_\_\_\_  
Accessory Building: N/A  
Swimming Pool: N/A  
Other: \_\_\_\_\_

Total: 4781 SF.  
Allowable: 4851 SF.

MISCELLANEOUS

Was a request to "Determining Applicability of the Wetland Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO   
If answered YES, Incide "Order of Conditions" with application. *ON FILE*  
What date was the "Order of Conditions" with application.  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located withing a Flood Hazard district? YES \_\_\_\_\_ NO   
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO   
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

FOR BUILDING DEPARTMENT USE ONLY

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_  
Additional Comments: \_\_\_\_\_

Date: 12/11/00

APPROVED BY: John H. Dunne  
Zoning Officer

**IDENTIFICATION - To be completed by all applicants**

| Name                                                     | Mailing address - Number, street, city, and State | Zip Code          | Telephone No. |
|----------------------------------------------------------|---------------------------------------------------|-------------------|---------------|
| 1. Owner or Lessee<br>SMITH, JEFF & MARY                 | 63 TEMPE WICK ROAD<br>MENDHAM, NJ                 | 07945             | 973-543-6834  |
| 2. General Contractor<br>HILL CONSTRUCTION CO            | 4 SOUTH MILL ST.<br>NANTUCKET, MA 02554           | 028945            |               |
| 3. Contractor Signature<br><i>[Signature]</i>            | WARREN W HILL                                     | Date<br>9/21/2000 |               |
| 4. Architect or Engineer<br>BOTTICELLI & POHL ARCHITECTS | 2 SOUTH WATER STREET<br>NANTUCKET, MA             | 02554             | 228-5155      |

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant: *Mary A. Smith* Address: 63 TEMPE WICK ROAD, MENDHAM, NJ 07945

**DO NOT WRITE BELOW THIS LINE**

| 6. PLAN REVIEW RECORD - For Office Use       |    |          |  |
|----------------------------------------------|----|----------|--|
| Plans Review Required                        |    |          |  |
| HISTORIC DISTRICTS COMMISSION                |    |          |  |
| SEPTIC                                       | ok |          |  |
| SEWER                                        |    |          |  |
| WATER WELL COMPLETION REPORT                 |    |          |  |
| CONSERVATION COMMISSION                      |    |          |  |
| BOARD OF APPEALS                             |    |          |  |
| SECONDARY DWELLING APPROVAL (Planning Board) | ok | 1-7-2000 |  |
| FIRE CHIEF                                   |    |          |  |
| OVER-THE-ROAD (Board of Selectmen)           |    |          |  |
| RELEASE FORM (Planning Board)                |    |          |  |
| ROAD OPENING PERMIT (DPW)                    |    |          |  |
| PLUMBING                                     |    |          |  |
| ELECTRICAL                                   |    |          |  |

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Amendment # 2  
 Approval Date 7/24/01  
 Plan # 620-98  
 Type CHANGE TO DW  
 Building Official [Signature]

| 7. VALIDATION                                      |                                 | FOR DEPARTMENT USE ONLY |
|----------------------------------------------------|---------------------------------|-------------------------|
| Building Permit number <u>620-98</u>               |                                 | Use Group _____         |
| Building Permit issued <u>12/12/01</u>             |                                 | Fire Grading _____      |
| Date of Reissuance _____                           |                                 | Live Loading _____      |
| Building Permit Fee <u>50.00</u>                   |                                 | Occupancy Load _____    |
| Date of Issuance of Certificate of Occupancy _____ | Approved by: <i>[Signature]</i> | Census No. <u>101</u>   |
|                                                    |                                 | Building Inspector      |

RECEIVED

APR 15 1998

APPROVED

620-98

BUILDING APPLICATION NUMBER

RECEIVED  
APPLICATION WILL NOT BE  
DEEMED COMPLETE UNTIL  
REVIEWED BY BUILDING  
INSPECTOR

5/6/98  
*J. M. H. [Signature]*

APPLICATION FOR  
PLAN EXAMINATION AND  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1,2,3,4, and 5

1. LOCATION OF BUILDING

OWNERS NAME: Smith Jeff and Mary  
 Last First Middle Initial

9 Pulling Hill Road  
 No. Street Village

Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-D

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A. TYPE OF IMPROVEMENT</p> <p><input checked="" type="checkbox"/> New Building</p> <p><input type="checkbox"/> Addition (If residential, enter number of new housing units added, if any, in Part D, 13)</p> <p><input type="checkbox"/> Alteration (See 2 above)</p> <p><input type="checkbox"/> Repair, replacement</p> <p><input type="checkbox"/> Demolition (If multifamily residential, enter number of units in building in Part D, 13)</p> <p><input type="checkbox"/> Moving (relocation)</p> <p><input type="checkbox"/> Foundation only</p> | <p>D. PROPOSED USE - (For "Demolition" most recent use)</p> <p>Residential</p> <p><input checked="" type="checkbox"/> One Family</p> <p><input type="checkbox"/> Two or more family - Enter number of units _____</p> <p><input type="checkbox"/> Transient Hotel, Motel or dormitory; or INTERVAL</p> <p>OWNERSHIP - enter number of units</p> <p><input checked="" type="checkbox"/> Garage <del>with attached carport</del></p> <p><input type="checkbox"/> Carport</p> <p><input type="checkbox"/> Other - Specify _____</p> <p>Detail scope of work by floor &amp; provide the square footage.</p> <p><u>First Floor 2000</u><br/> <u>garage third floor</u><br/> <u>for bike, etc. storage</u><br/> <u>second floor studio</u><br/> <u>of workspace finished</u></p> |
| <p>B. OWNERSHIP</p> <p><input checked="" type="checkbox"/> Private (individual, corporation, nonprofit institution, etc.)</p> <p><input type="checkbox"/> Public (Federal, State, or local government)</p>                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                                                                                                                                                                                                                                                                                                  |                                   |                                                                                                                                                                                                                                                                                        |                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <p>C. COST</p> <p>Cost of: a. Structure <u>50,000</u></p> <p>b. Electrical <u>20,000</u></p> <p>c. Plumbing <u>20,000</u></p> <p>d. Heating <u>10,000</u></p> <p>e. Other <u>100,000</u></p> <p>TOTAL COST OF IMPROVEMENT <u>200,000</u></p> <p>BUILDING INSPECTOR'S ESTIMATE <u>250,000</u></p> | <p>omit cents</p> <p>\$ _____</p> | <p>E. DIMENSIONS</p> <p>Dimensions (New) of Dwelling or Addition:</p> <p>No. of Stories: <u>2</u></p> <p>First Floor Area: <u>1,000</u></p> <p>Second Floor Area: <u>1,000</u></p> <p>Third Floor Area: _____</p> <p>Total Floor Area: <u>2,000</u></p> <p>Full Cellar Area: _____</p> | <p>Dimensions of Additional Structures:</p> <p>Garage: _____</p> <p>Accessory Bldg. _____</p> <p>Swimming Pool: _____</p> <p>Other: _____</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|

3. SELECTED CHARACTERISTICS OF BUILDING For new buildings and additions, complete Parts E-N for Demolition, complete only Part 1., for all others skip to 4.

|                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>F. PRINCIPLE TYPE OF FRAME</p> <p><input type="checkbox"/> Masonry (wall bearing)</p> <p><input checked="" type="checkbox"/> Wood frame</p> <p><input type="checkbox"/> Structural steel</p> <p><input type="checkbox"/> Reinforced concrete</p> <p><input type="checkbox"/> Other - Specify _____</p> | <p>H. TYPE OF SEWAGE DISPOSAL</p> <p><input type="checkbox"/> Public or private company</p> <p><input checked="" type="checkbox"/> Private (septic tank, etc.)</p> <p>I. TYPE OF WATER SUPPLY</p> <p><input type="checkbox"/> Public or private company</p> <p><input checked="" type="checkbox"/> Private (well, cistern)</p> | <p>K. ACCESSORY HEAT SOURCE</p> <p>No. of fireplaces <u>1</u></p> <p>No. of Wood Stoves <u>—</u></p> <p>No. of Coal Stoves <u>—</u></p> <p>Solar Collector <u>—</u></p> <p>Other: _____</p>                                                                                     |
| <p>G. PRINCIPLE TYPE OF HEATING</p> <p><input checked="" type="checkbox"/> Gas</p> <p><input type="checkbox"/> Oil</p> <p><input type="checkbox"/> Electricity</p> <p><input type="checkbox"/> Coal</p> <p><input type="checkbox"/> Other - Specify _____</p>                                             | <p>J. SPECIAL CHARACTERISTICS</p> <p><input checked="" type="checkbox"/> Air Conditioning</p> <p><input type="checkbox"/> Heat Pump</p> <p><input type="checkbox"/> Central Vacuum</p> <p><input type="checkbox"/> Other _____</p>                                                                                             | <p>L. SMOKE DETECTORS</p> <p>No. of Detectors <u>2</u></p> <p>Type (Battery or AC) <u>AC</u></p> <p>See Plan for Location</p> <p>M. RESIDENTIAL BUILDINGS ONLY</p> <p>Number of Bedrooms <u>3</u></p> <p>Number of Bathrooms <u>3</u></p> <p>Full <u>—</u> Partial <u>—</u></p> |

3. Continued

**N. ENERGY CONSERVATION**

| Type                           | Thickness | R Value |
|--------------------------------|-----------|---------|
| Foundation or Floor Insulation | Batt 9"   | 2.30    |
| Wall Insulation                | Batt 6"   | 2.19    |
| Ceiling or Roof Insulation     | Batt 9"   | 2.30    |

Window Glazing: Insulated Glass \_\_\_\_\_ Double Glass \_\_\_\_\_ Storm

Doors: Insulated Yes \_\_\_\_\_ No  Weatherstripped: Yes \_\_\_\_\_ No \_\_\_\_\_

Percentage of Window Area to Wall Area: 105% (Do not fill in if % of window to wall area is less than 20%)

Maximum BTU loss per hour of structure: \_\_\_\_\_

**O. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

Footing size: 1'0" x 2'0" cont. Footing reinforcing: 2#5 rebar

Wall material: concrete Wall thickness: 8" 12"

Wall height: 8'0" Wall reinforcing: 2#5 rebar

Pier or column size: 4" lally column Pier or column spacing: \_\_\_\_\_

Pier or column footing size: 2'0" x 2'0" x 12" Pier or column reinforcing: 4#5 rebar

No. of crawl space vents: \_\_\_\_\_ Crawl space:  Full  Partial

**FRAMING: Main Carrying members: Size: 2x6 @ 16" O.C. Support Spacing: \_\_\_\_\_**

| Member               | Joist size    | Maximum Span | Maximum Spacing |
|----------------------|---------------|--------------|-----------------|
| First Floor Framing  | SLAB ON GRADE | 13'0"        | 16" O.C.        |
| Second Floor Framing | 2x10          | 12'0"        | 16" O.C.        |
| Ceiling Framing      | 2x10          | 15'0"        | 16" O.C.        |
| Roof Framing         | 2x10          | 15'0"        | 16" O.C.        |

Roof Truss: Applicant must submit design calculations for all wood trusses stamped by a Registered Profession Engineer.

**INTERIOR FINISH**

| Rooms             | Walls                                              | Floors | Ceiling |
|-------------------|----------------------------------------------------|--------|---------|
| Bedrooms          |                                                    |        |         |
| Living Room       | 1/2" blue w/ plaster on wall & ceiling @           |        |         |
| Family Room       | <del>1/2" blue w/ plaster</del> SECOND FLOOR, typ. |        |         |
| Dining Room       |                                                    |        |         |
| Bathroom          |                                                    |        |         |
| Utility Room      | 1x standard floor @ second floor, typ.             |        |         |
| Special (specify) |                                                    |        |         |
| Attic             |                                                    |        |         |
| Cellar            |                                                    |        |         |

**EXTERIOR FINISH**

Wall Material: Shingles - white cedar

Roof Material: Shingles - red cedar

Roof Type: Gable

**NOTES AND DATE (For Department Use)**

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**FEE CALCUALTIONS**

2000 x .4 = 800

**4. ZONING COMPLIANCE** To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: W6 3 Total Land Area: 69,302 s.f. ±  
 Frontage on Street: 259.02 Lot No. 3  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No. A311K  
 Date Lot Purchased: \_\_\_\_\_ Certificate No. 3973  
 Name of Previous Owner: Phceboop Trust

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No. \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No. \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING INFORMATION**  
 Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 155' REAR 120' LEFT 22'0" RIGHT 150'  
 Distance between Principal and Secondary Dwelling: 25'0" (12ft. minimum.)  
 Height of structure above finish grade: N 25'0" E 23'0" S 21'0" W 22'0"  
 Number of off-street parking spaces: Enclosed 3 On-site 2

**GROUND COVER**

Principal Dwelling: 3821 s.f.  
 Secondary Dwelling: \_\_\_\_\_  
 Addition: \_\_\_\_\_  
 Garage: 980 s.f.  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

Total: 4801 SF.  
 Allowable: 9851.14 SF.  
70%

**MISCELLANEOUS**

Was a request to "Determining Applicability of the Wetland Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO   
 If answered YES, include "Order of Conditions" with application. A NEGATIVE DETERMINATION WAS GIVEN.  
 What date was the "Order of Conditions" with application. \_\_\_\_\_  
 What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO   
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO   
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR BUILDING DEPARTMENT USE ONLY**

Minimum Lot Size: 4000  
 Frontage on Street: 150  
 Front Yard: 35  
 Additional Comments: \_\_\_\_\_

Ground Cover Ratio: 7%  
 Side and Rear Setback: 10

See 139-16 Aug-1 till 2000

Date: 5/6/98

APPROVED BY: [Signature]  
 Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                     |                             | Mailing address - Number, street, city, and State | Zip Code          | Telephone No.    |
|--------------------------|-----------------------------|---------------------------------------------------|-------------------|------------------|
| 1. Owner or Lessee       | Jeff & Mary Smith           | 63 Tempe Wick Rd<br>Mendham, NJ 07945             | 07945             | 913-<br>632-6324 |
| 2. General Contractor    | Warren Hill<br>Hilcoast Inc | 45 Mill St New MA.                                | Builder's License | 025943           |
| 3. Contractor Signature  | <i>[Signature]</i>          |                                                   | Date              | 9/18/98          |
| 4. Architect or Engineer | Batticelli + Pohl           | 0 Washington St.<br>Nantucket, Ma                 | 02584             | 508<br>228 6455  |

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant: *[Signature]* Address: 63 Tempe Wick Rd Mendham, NJ 07945

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required                        |    |       |          |
|----------------------------------------------|----|-------|----------|
| HISTORIC DISTRICTS COMMISSION                | ok | 31308 | 12-16-97 |
| SEPTIC                                       |    |       |          |
| SEWER                                        |    |       |          |
| WATER WELL COMPLETION REPORT                 |    |       |          |
| CONSERVATION COMMISSION                      |    |       |          |
| BOARD OF APPEALS                             |    |       |          |
| SECONDARY DWELLING APPROVAL (Planning Board) |    |       |          |
| FIRE CHIEF                                   |    |       |          |
| OVER-THE-ROAD (Board of Selectmen)           |    |       |          |
| RELEASE FORM (Planning Board)                |    |       |          |
| ROAD OPENING PERMIT (DPW)                    |    |       |          |
| PLUMBING                                     |    |       |          |
| ELECTRICAL                                   |    |       |          |

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**7. VALIDATION**

|                                                                                                                                                                                                                   |                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Building Permit number <u>620-98</u><br><br>Building Permit issued <u>6-9-98</u><br><br>Date of Reissuance _____<br><br>Building Permit Fee <u>800.</u><br><br>Date of Issuance of Certificate of Occupancy _____ | FOR DEPARTMENT USE ONLY<br><br>Use Group _____<br>Fire Grading _____<br>Live Loading _____<br>Occupancy Load _____<br>Census No. <u>438</u> |
| Approved by: <i>[Signature]</i><br>Building Inspector                                                                                                                                                             |                                                                                                                                             |

# TOWN OF NANTUCKET, MASS.

Certificate of Occupancy No. 443-00

This certifies that the.....Structure....., located at No.....<sup>9</sup>.....  
Street...Fulling Mill Road.. Zone...LUG-1..... conforms substantially to the approved  
lot plan and detailed statements for which Building Permit No...443-98..... was issued  
April 30....., 19<sup>98</sup> Nantucket

This certificate therefore is issued to Jeffrey & Mary Smith..... to occupy or  
use said premises or building or part thereof for the following purpose.....

...build 2 story 5 br 1 du.....

C.O. is for work performed under the above permit.....

.....  
Septic  
subject to and in accordance with all the provisions of the Zoning By-Law of the Town of Nantucket.

Dated...October 4, 2000.....

*Bernard Bartlett*  
Building Inspector.

27-25

COMMONWEALTH OF MASSACHUSETTS

# TOWN OF NANTUCKET BUILDING DEPARTMENT

No. 443-98

Office of the Building Inspector

FEE \$ 2597.00

April 30 19 98

780 CMR SIXTH EDITION

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT Jeffrey + Mary Smith HAS

PERMISSION TO build 2 story 5 hr lot 3680 sq ft 2803 sq ft

LOCATED ON 9 Tilling Mill Rd 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 PERMITTED 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 PREMISES.

443-00

CERTIFICATE OF OCCUPANCY NO.

*John W. Dunne*  
BUILDING INSPECTOR

DEPARTMENT

PERMIT NO.

INSPECTOR

DATE

HEALTH

61-98

FINAL

*A. E. Cooley*

9/14/00

DPW

PLUMBING

99-555

ROUGH

*William L. L.*

10/15/99

FINAL

*Henry J. G. G.*

9/27/00

WIRING

722-98

TEMPORARY

*Thomas J. Cannon*

7-26-98

SERVICE

*Thomas J. Cannon*

5-15-00

ROUGH

*Thomas J. Cannon*

10-29-99

FINAL

*Thomas J. Cannon*

10-3-00

GAS

glo

00-55

00-55

ROUGH

*William L. L.*

9/6/00

FINAL

*William L. L.*

9/29/00

HDC

31439

FINAL

*W. J. D. 12er PSR*

9/27/2000

FIRE DEPT.

581-99

12/31/99

ALARM

*Thomas J. Cannon*

10-3-00

FUEL & MECH

*oil*

*oil*

BUILDING

FOOTINGS

*B. B. D.*

7-28-98

FOUNDATION

ROUGH

*A. C.*

10-29-99

INSULATION

*A. C.*

11-5-99

FIREPLACE

*B. B. D.*

1-4-99

FINAL

*B. B. D.*

10-4-00

HANGERS & CEILING (PICTURE)

Mech. VENT IN BASEMENT 10-2-00 SD

ONLY ORIGINAL STAMPED AND ENDORSED COPIES OF THIS PLAN SHALL BE ACKNOWLEDGED BY THE CERTIFYING LAND SURVEYOR.

ZONING CLASSIFICATION LUG-3\* EXISTING: MIN. AREA: 40,000 SF. 69,302± SF MIN. FRONTAGE: 100 FT. SEE PLAN. FRONT YARD S.B.: 35 FT. REAR & SIDE S.B.: 10 FT. GROUND COVER (%): 7% 6.9% ±

NOTES WETLAND BOUNDARY APPROVED BY NANTUCKET CONSERVATION COMMISSION

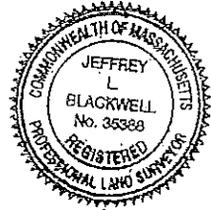
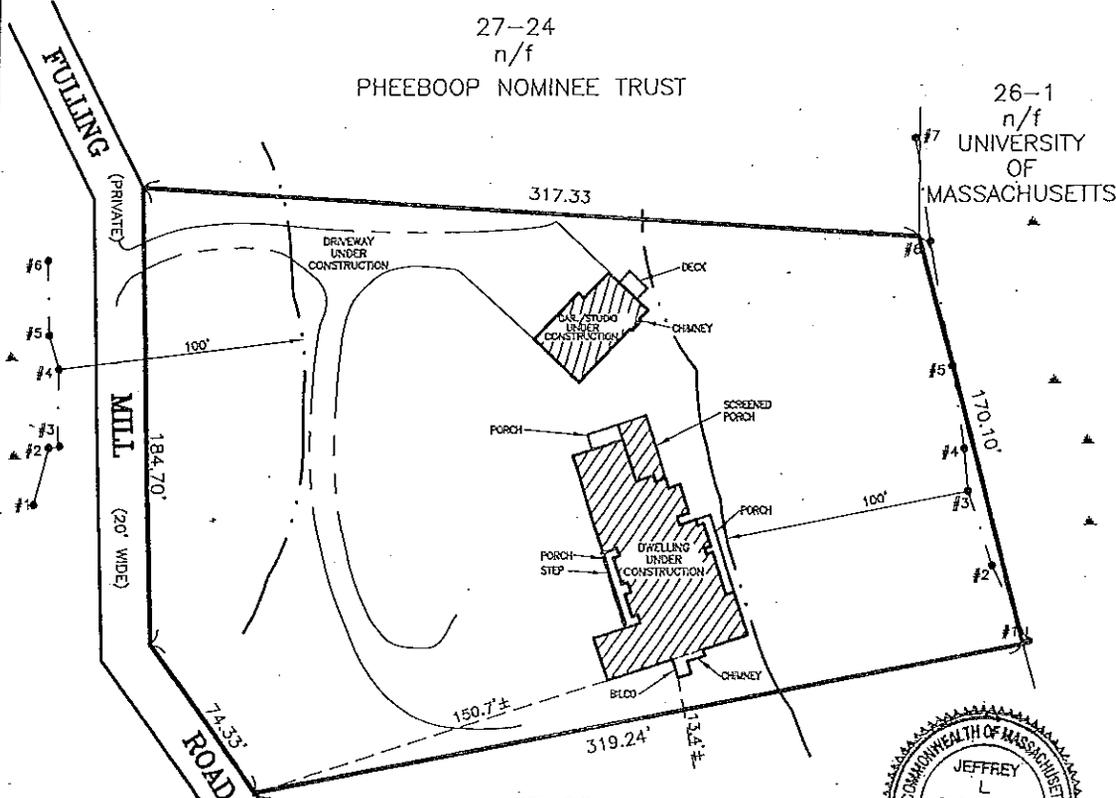
\*REFER TO ARTICLE 51, 1995 A.T.M. LUG-1

ZONING CLASSIFICATION LUG-3\* EXISTING:  
 MIN. AREA: .40,000 SF . . . . . 69,302± SF  
 MIN. FRONTAGE: . . . 100 FT. . . . . SEE PLAN  
 FRONT YARD S.B.: . . . 35 FT. . . . .  
 REAR & SIDE S.B.: . . . 10 FT. . . . .  
 GROUND COVER (%): .7% . . . . . 6.9% ± . . .

ONLY ORIGINALLY STAMPED AND  
 ENDORSED COPIES OF THIS PLAN  
 SHALL BE ACKNOWLEDGED BY  
 THE CERTIFYING LAND SURVEYOR.

—●— DENOTES WETLAND BOUNDARY APPROVED  
 BY NANTUCKET CONSERVATION COMMISSION

NOTE: LOCUS SUBJECT TO ORDER OF CONDITIONS ISSUED UNDER  
 THE MASS. WETLANDS PROTECTION ACT AND THE NANTUCKET  
 WETLANDS BYLAW, DEQE FILE NO. SE48-1184



**RECEIVED**  
 OCT - 4 2000  
 NANTUCKET BUILDING DEPT.

**BUILDING LOCATION PLAN  
 IN  
 NANTUCKET, MA**

I CERTIFY, AS OF: 8-7-00 THAT  
 THE BUILDING(S) IS/ARE LOCATED ON THE  
 GROUND AS SHOWN HEREON.

*Jeffrey L. Blackwell*  
 PROFESSIONAL LAND SURVEYOR

SCALE: 1"=60' DATE: AUGUST 7, 2000

Owner: JEFFERY A. & MARY H. SMITH  
 Locus: #9 FULLING MILL ROAD  
 Certificate: 18060 LC Plan: 14311-K  
 Tax Map: 27 Parcel: 25 Lot: 3

THIS PLOT PLAN WAS PREPARED FOR THE TOWN  
 OF NANTUCKET BUILDING DEPARTMENT ONLY AND  
 SHOULD NOT BE CONSIDERED A PROPERTY LINE  
 SURVEY. THIS PLAN SHOULD NOT BE USED TO  
 ESTABLISH PROPERTY LINES, FENCES, HEDGES OR  
 ANY ANCILLARY STRUCTURES ON THE PREMISES.  
 THE PROPERTY LINES SHOWN RELY ON CURRENT  
 DEEDS AND PLANS OF RECORD.  
 THIS PLOT PLAN IS NOT A CERTIFICATION AS TO  
 TITLE OR OWNERSHIP OF THE PROPERTY SHOWN.  
 OWNERS OF ADJOINING PROPERTIES ARE SHOWN  
 ACCORDING TO CURRENT ASSESSOR RECORDS.

**BLACKWELL & ASSOCIATES, Inc.**  
 Professional Land Surveyors  
 20 Teasdale Circle  
 Nantucket, Massachusetts 02554  
 (508) 228-9026 B4908

©Blackwell & Associates Inc.  
 C:\PROJ\ADG\B4908\BLP

NOT TO BE RECORDED FBK.: 68/115

RECEIVED

2597

RECEIVED  
APPLICATION WILL NOT BE  
DEEMED COMPLETE UNTIL  
REVIEWED BY BUILDING  
INSPECTOR

APR 15 1998

MAIN HOUSE  
APPROVED

443.98

BUILDING APPLICATION NUMBER

APPLICATION FOR  
PLAN EXAMINATION AND  
BUILDING PERMIT

4/30/98  
*[Signature]*

IMPORTANT - Applicant to complete all items in Sections: 1,2,3,4, and 5

1. LOCATION OF BUILDING

OWNERS NAME: Smith Jeff and Mary  
 Last First Middle Initial  
9 Folling Mill Road  
 No. Street Village  
 Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT  
 New Building  
 Addition (If residential, enter number of new housing units added, if any, in Part D, 13)  
 Alteration (See 2 above)  
 Repair, replacement  
 Demolition (If multifamily residential, enter number of units in building in Part D, 13)  
 Moving (relocation)  
 Foundation only

B. OWNERSHIP  
 Private (individual, corporation, nonprofit institution, etc.)  
 Public (Federal, State, or local government)

D. PROPOSED USE - (For "Demolition" most recent use)  
 Residential  
 One Family  
 Two or more family - Enter number of units \_\_\_\_\_  
 Transient Hotel, Motel or dormitory; or INTERVAL OWNERSHIP - enter number of units \_\_\_\_\_  
 Garage  
 Carport  
 Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.  
New dwelling  
96'-0" x 60'-0"  
3690 sqft. first flr.  
2803 sqft. second flr.

C. COST

Cost of: a. Structure \_\_\_\_\_  
 b. Electrical \_\_\_\_\_  
 c. Plumbing \_\_\_\_\_  
 d. Heating \_\_\_\_\_  
 e. Other \_\_\_\_\_

TOTAL COST OF IMPROVEMENT \_\_\_\_\_  
 BUILDING INSPECTOR'S ESTIMATE \_\_\_\_\_

omit cents  
 \$ \_\_\_\_\_

E. DIMENSIONS

Dimensions (New) of Dwelling or Addition:  
 No. of Stories: 2  
 First Floor Area: 3690  
 Second Floor Area: 2803  
 Third Floor Area: \_\_\_\_\_  
 Total Floor Area: 6493  
 Full Cellar Area: 3690

Dimensions of Additional Structures:  
 Garage: \_\_\_\_\_  
 Accessory Bldg. \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

3. SELECTED CHARACTERISTICS OF BUILDING For new buildings and additions, complete Parts E-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME  
 Masonry (wall bearing)  
 Wood frame  
 Structural steel  
 Reinforced concrete  
 Other - Specify \_\_\_\_\_

G. PRINCIPLE TYPE OF HEATING  
 Gas  
 Oil  
 Electricity  
 Coal  
 Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL  
 Public or private company  
 Private (septic tank, etc.)

I. TYPE OF WATER SUPPLY  
 Public or private company  
 Private (well, cistern)

J. SPECIAL CHARACTERISTICS  
 Air Conditioning  
 Heat Pump  
 Central Vacuum  
 Other \_\_\_\_\_

K. ACCESSORY HEAT SOURCE  
 No. of fireplaces 4  
 No. of Wood Stoves \_\_\_\_\_  
 No. of Coal Stoves \_\_\_\_\_  
 Solar Collector \_\_\_\_\_  
 Other: \_\_\_\_\_

L. SMOKE DETECTORS  
 No. of Dectors 5  
 Type (Battery or AC) AC  
 See Plan for Location

M. RESIDENTIAL BUILDINGS ONLY  
 Number of Bedrooms 5  
 Number of Bathrooms 87  
 Full 5 Partial 2

3. Continued

**N. ENERGY CONSERVATION**

| Type                                          | Thickness                                                                                                                    | R Value |                                                               |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------|
| Foundation or Floor insulation                | Batt insulation                                                                                                              | 6"      | R-19                                                          |
| Wall Insulation                               | Batt insulation                                                                                                              | 9"      | R-30                                                          |
| Ceiling or Roof Insulation                    |                                                                                                                              |         |                                                               |
| Window Glazing:                               | Insulated Glass _____ Double Glass _____ Storm <input checked="" type="checkbox"/>                                           |         |                                                               |
| Doors:                                        | Insulated Yes <input checked="" type="checkbox"/> No _____ Weatherstripped: Yes <input checked="" type="checkbox"/> No _____ |         |                                                               |
| Percentage of Window Area to Wall Area: _____ |                                                                                                                              |         | (Do not fill in if % of window to wall area is less than 20%) |
| Maximum BTU loss per hour of structure: _____ |                                                                                                                              |         |                                                               |

**O. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                              |                       |                             |                                                                |
|------------------------------|-----------------------|-----------------------------|----------------------------------------------------------------|
| Footing size:                | 1'0" x 2'0" x cont    | Footing reinforcing:        | 2 # 5 rebar                                                    |
| Wall material:               | Poured concrete       | Wall thickness:             | 8"                                                             |
| Wall height:                 | 8'-6"                 | Wall reinforcing:           |                                                                |
| Pier or column size:         | 3 lally               | Pier or column spacing:     | 10' o.c.                                                       |
| Pier or column footing size: | 2'-6" x 2'-6" x 1'-0" | Pier or column reinforcing: | 4 # 5 rebar                                                    |
| No. of crawl space vents:    |                       | Crawl space:                | <input type="checkbox"/> Full <input type="checkbox"/> Partial |

**FRAMING: Main Carrying members:** Size: 2x6 @ 16" o.c. Support Spacing: 16" o.c.

|                      |                                          |                          |                                  |
|----------------------|------------------------------------------|--------------------------|----------------------------------|
| First Floor Framing  | Joist size: <u>2x12</u>                  | Maximum Span: <u>18'</u> | Maximum Spacing: <u>16" o.c.</u> |
| Second Floor Framing | Joist size: <u>VARIABLES - SEE PLANS</u> | Maximum Span: _____      | Maximum Spacing: _____           |
| Ceiling Framing      | Joist size: _____                        | Maximum Span: _____      | Maximum Spacing: _____           |
| Roof Framing         | Rafter size: <u>2x12</u>                 | Maximum Span: <u>11'</u> | Maximum Spacing: <u>16" o.c.</u> |

Roof Truss Applicant must submit design calculations for \_\_\_\_\_ Engineer.

**INTERIOR FINISH**

| Rooms             | Walls                    | Plaster | Other |
|-------------------|--------------------------|---------|-------|
| Bedrooms          | 1/2" blue bd. w/ plaster |         | 1/2"  |
| Living Room       | " " " "                  |         | "     |
| Family Room       | " " " "                  |         | "     |
| Dining Room       | " " " "                  |         | "     |
| Bathroom          | " " " "                  |         | "     |
| Utility Room      | " " " "                  |         | "     |
| Special (specify) |                          |         |       |
| Attic             | unfinished               |         |       |
| Cellar            | 1/2" blue bd. w/ plaster |         | slab  |

35,000 Htg  
 30,000 Elect  
 2,000 Structure  
 20,000 Plum  
 650,000 other

**EXTERIOR FINISH**

|               |                      |
|---------------|----------------------|
| Wall Material | white cedar shingles |
| Roof Material | Red Cedar shingles   |
| Roof Type     | gable                |

**NOTES AND DATE (For Department Use)**  
 9/27/2009 and 10/1/2009 separate permit # 99-535 Rev. 9/15

**FEE CALCUALTIONS**  
 6493 x .4 = 2597

**4. ZONING COMPLIANCE** To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LUG-3 Total Land Area: 69,302 s.f. ±  
 Frontage on Street: 259.0'2 Lot No.: 3  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No. 14311K  
 Date Lot Purchased: \_\_\_\_\_ Certificate No. 3973  
 Name of Previous Owner: Freeborn Trust

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No. \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No. \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING  
INFORMATION**  
 Is there a declaration of  
 Covenants and Restrictions of  
 Interval Ownership noted on  
 your Title or Deed?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 78' REAR 105' LEFT 90' RIGHT 20'  
 Distance between Principal and Secondary Dwelling: \_\_\_\_\_ (12ft. minimum.)  
 Height of structure above finish grade: N 27'-0" E 27'-0" S 27'-0" W 27'-0"  
 Number of off-street parkig spaces: Enclosed \_\_\_\_\_ On-site 3+

**GROUND COVER**

Principal Dwelling: 3821  
 Secondary Dwelling: \_\_\_\_\_  
 Addition: \_\_\_\_\_  
 Garage: \_\_\_\_\_  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

Total: 3821 SF.  
 Allowable: 4851.14 SF.  
 7%

**MISCELLANEOUS**

Was a request to "Determining Applicability of the Wetland Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO ✓  
 If answered YES, include "Order of Conditions" with application. NEGATIVE DETERMINATION WAS GIVEN  
 What date was the "Order of Conditions" with application. \_\_\_\_\_  
 What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO ✓  
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO ✓  
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR BUILDING DEPARTMENT USE ONLY**

Minimum Lot Size: 90,000 Ground Cover Ratio: 7%  
 Frontage on Street: 100 Side and Rear Setback: 10  
 Front Yard: 35  
 Additional Comments: \_\_\_\_\_

LUG-1 UNTIL 2000 See 139-16

Date: 4/30/98

APPROVED BY: [Signature]  
 Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                     |                             | Mailing address - Number, street, city, and State | Zip Code          | Telephone No.                     |
|--------------------------|-----------------------------|---------------------------------------------------|-------------------|-----------------------------------|
| 1. Owner or Lessee       | Jeff and Mary Smith         | 63 Temple Wick Road<br>Mendham N.J.               | 07945             | 973<br><del>201</del> 543<br>6334 |
| 2. General Contractor    | X MARY SMITH                | 63 Temple Wick Rd<br>Mendham NJ 07945             | Builder's License | "                                 |
| 3. Contractor Signature  | X Mary H. Smith             | 63 Temple Wick Rd<br>Mendham NJ 07945             | Date              |                                   |
| 4. Architect or Engineer | Bothcelli & Pohl Architects | Zero Washington Street<br>Nantucket, MA.          | 02554             | 508-228<br>5455                   |

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant: Mary H. Smith Address: 63 Temple Wick Road Mendham, NJ 07945

**DO NOT WRITE BELOW THIS LINE.**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required                        |    |         |         |
|----------------------------------------------|----|---------|---------|
| HISTORIC DISTRICTS COMMISSION                | ok | 3-14-98 | 1-13-98 |
| SEPTIC                                       | ok | 6-1-98  | 4-17-98 |
| SEWER                                        |    |         |         |
| WATER WELL COMPLETION REPORT                 | ok | 7-22-91 | RAMOS   |
| CONSERVATION COMMISSION                      | ok | 3-27-98 | NEG #3  |
| BOARD OF APPEALS                             |    |         |         |
| SECONDARY DWELLING APPROVAL (Planning Board) |    |         |         |
| FIRE CHIEF                                   |    |         |         |
| OVER-THE-ROAD (Board of Selectmen)           |    |         |         |
| RELEASE FORM (Planning Board)                |    |         |         |
| ROAD OPENING PERMIT (DPW)                    |    |         |         |
| PLUMBING                                     |    |         |         |
| ELECTRICAL                                   |    |         |         |

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |

**7. VALIDATION**

|                                                                                                                                                                                                           |                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Permit number <u>443-98</u><br>Building Permit issued <u>April 30, 1998</u><br>Date of Reissuance _____<br>Building Permit Fee <u>2597</u><br>Date of Issuance of Certificate of Occupancy _____ | <p style="text-align: center;">FOR DEPARTMENT USE ONLY</p> Use Group _____<br>Fire Grading _____<br>Live Loading _____<br>Occupancy Load _____<br>Census No. <u>101</u> |
| Approved by: <u>[Signature]</u><br>Building Inspector                                                                                                                                                     |                                                                                                                                                                         |

EXHIBIT D

TOWN OF NANTUCKET  
BUILDING DEPARTMENT

Fee \$8248.00

No. 1249-14

Office of the Building Inspector

September 2, 2014

**BUILDING PERMIT**

THIS PERMIT CERTIFIES THAT 2013 FREEDOM TRUST; WILLIAM PIETRAGALLO, TRE. HAS  
PERMISSION TO RENOVATE ENTIRE 7 BEDROOM 10 BATH 1DU; 3259 SQ' BASEMENT; 3526 SQ' 1<sup>ST</sup>;  
3012 SQ' 2<sup>ND</sup>; REMOVE SQ', RECONFIGURE ROOF LOCATED ON 9 FULLING MILL RD 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 8<sup>th</sup> EDITION.

A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RETURN OF THIS PERMIT ONLY AFTER ALL THE REQUIRED  
INSPECTIONS HAVE BEEN SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID SIX MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT  
COMMENCED OR IS NOT PROGRESSING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND  
M.G.L. c142A

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.

NEO RAA

DEPARTMENT

PERMIT NUMBER

INSPECTOR

DATE

HEALTH

FINAL

DPW/SEWER

FINAL

PLANNING BOARD

FINAL

PLUMBING

14-550

ROUGH

FINAL

WIRING

TEMPORARY

ALARM/LOW VOLTAGE

SERVICE

ROUGH

ROUGH

FINAL

FINAL

GAS

ROUGH

FINAL

61971/62203

H.D.C

FINAL

FIRE DEPARTMENT

FUEL & MECH/ALARM

SHEET METAL PERMIT

ROUGH

FINAL

ZONING

FINAL

BUILDING

FOOTINGS

FOUNDATION

ROUGH

INSULATION

FIREPLACE

FINAL

10/27/14

9.26.14

10/27/2014



CR-42- WR-21; W U-.32; BW R-19

Amendment # 1  
Approval Date 11-17-2014  
Plan # 1249-14  
Type Add. 301st floor  
Building Official S.B.  
alter floor plan

1249-14  
 9 ● / 2 / 2014  
 BUILDING PERMIT NUMBER

APPLICATION FOR  
 BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5 Please Print

**1. LOCATION OF BUILDING**

OWNERS NAME (print): WILLIAM PIETRAGALLO, TRUSTEE OF 2013 FREEDOM TRUST  
 Last First Middle Initial

9 FULING MILL ROAD

No. Street

Assessor's Map No. 27 Assessor's Parcel No. 25

**2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E**

|                                                                                                                                                                                                                                                                                                                                   |                                                                                                                      |                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A. TYPE OF IMPROVEMENT</b></p> <p><input type="checkbox"/> New Building</p> <p><input checked="" type="checkbox"/> Addition</p> <p><input checked="" type="checkbox"/> Alteration</p> <p><input type="checkbox"/> Repair, replacement</p> <p><input type="checkbox"/> Demolition</p> <p><input type="checkbox"/> Moving</p> | <p><b>B. OWNERSHIP</b></p> <p><input checked="" type="checkbox"/> Private</p> <p><input type="checkbox"/> Public</p> | <p><b>D. DIMENSIONS</b></p> <p>Dimensions of Structure</p> <p>First Floor Area: <u>3526 SF</u></p> <p>Second Floor Area: <u>3012 SF</u></p> <p>Third Floor Area: <u>    </u></p> <p>Total Floor Area: <u>6538 SF</u></p> <p>Full Cellar Area: <u>3259 SF</u></p> |
| <p><b>C. COST</b></p> <p>TOTAL COST OF IMPROVEMENT</p> <p><u>\$4,950,000</u></p>                                                                                                                                                                                                                                                  |                                                                                                                      |                                                                                                                                                                                                                                                                  |

**E. PROPOSED USE**

Residential

One Family

Studio

Two or more family - Enter number of units     

Hotel, Motel, Dormitory enter number of units     

Second Dwelling

Garage

Pool

Other - Specify     

Detail scope of work by floor & provide the square footage.

BASEMENT : 3259 SF. REMOVE EXISTING STAIR. PROVIDE NEW STAIR AT NEW LOCATION

1ST FLOOR : 3526 SF FULL RENOVATION

2ND FLOOR : 3012 SF REMOVE EXISTING ROOF + RECONFIGURE LAYOUT FOR FULL RENOVATION

**3. SELECTED CHARACTERISTICS OF BUILDING** For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

|                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                |                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>F. PRINCIPLE TYPE OF FRAME</b></p> <p><input checked="" type="checkbox"/> Wood frame</p> <p><input type="checkbox"/> Other - Specify <u>    </u></p>                                                                                                        | <p><b>H. TYPE OF SEWAGE DISPOSAL</b></p> <p><input type="checkbox"/> Public</p> <p><input checked="" type="checkbox"/> Private (septic tank, etc.)</p>                                                                                                         | <p><b>K. ACCESSORY HEAT SOURCE</b></p> <p>No. of fireplaces <u>1</u></p> <p>No. of Wood Stoves <u>    </u></p> <p>Other: <u>    </u></p>               |
| <p><b>G. PRINCIPLE TYPE OF HEATING</b></p> <p><input checked="" type="checkbox"/> Gas <input type="checkbox"/> Electricity</p> <p><input type="checkbox"/> Oil <input type="checkbox"/> Heat Pump</p> <p><input type="checkbox"/> Other - Specify <u>    </u></p> | <p><b>I. TYPE OF WATER SUPPLY</b></p> <p><input type="checkbox"/> Public</p> <p><input checked="" type="checkbox"/> Private (well)</p> <p><b>J. SMOKE DETECTORS</b></p> <p>No. of Detectors <u>SEE FLOOR PLANS</u></p> <p>See Plan for Location <u>151</u></p> | <p><b>L. RESIDENTIAL BUILDINGS</b></p> <p>Number of Bedrooms <u>7</u></p> <p>Number of Bathrooms <u>    </u></p> <p>Full <u>8</u> Partial <u>2</u></p> |

3. Continued

M. ENERGY CONSERVATION

|                                             | Type                                                | Thickness                                                         | R Value     |
|---------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------|-------------|
| Foundation or Floor insulation              | BATT (UNFACED)                                      | 10"                                                               | 70          |
| Wall Insulation                             | SPRAY FOAM (OPEN)                                   | 5 1/2"                                                            | 21          |
| Ceiling or Roof Insulation                  | SPRAY FOAM (CLOSED)                                 | 7"                                                                | 42          |
| Window Glazing:                             | Insulated Glass <input checked="" type="checkbox"/> | Double Glass _____                                                | Storm _____ |
| Doors: Insulated                            | Yes <input checked="" type="checkbox"/> No _____    | Weatherstripped: Yes <input checked="" type="checkbox"/> No _____ |             |
| Percentage of Window Area to Wall Area: 20% |                                                     |                                                                   |             |

N. STRUCTURAL CHARACTERISTICS OF BUILDING

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

Foundation

|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height: _____                 | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

NOTE: STAMPED + SIGNED STRUCTURAL DRAWINGS TO BE PREPARED + SUBMITTED WITH CALCULATIONS FOLLOWING DEMOLITION PHASE AND FIELD INVESTIGATION OF EXISTING FRAMING PRESENTLY CONCEALED BEHIND FINISHED SURFACES.

FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                   |                     |                        |
|----------------------|-------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

SKETCH OF PROPOSED WORK (minor projects)

NOTES AND DATE (For Department Use)

FEE CALCULATIONS

3259 + 3259 + 3012 + 1200  
= 10730

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LWS-3 Total Land Area: 69,702 SF  
 Frontage on Street: 259 Lot No.: 3  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 14311-K  
 Date Lot Purchased: 6/25/13 Certificate No.: 24827  
 Name of Previous Owner: MARY H. SMITH

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No.: \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No.: \_\_\_\_\_ Date: \_\_\_\_\_

**TIME SHARING INFORMATION**  
 Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 175' +/- REAR 98' +/- LEFT 21' +/- RIGHT 18' +/-  
 Distance between Principal and Secondary Dwelling: 19' +/- (EXISTING) (12ft. minimum)  
 Height of structure above finish grade: N 27'-0" E 28'-5" S 27'-8 1/4" +/- W 28'-5"  
 Number of off-street parking spaces: Enclosed 3 On-site 4

**GROUND COVER**

Principal Dwelling: 3754 SF  
 Secondary Dwelling: 1025 SF  
 Addition/REMOVAL: NO CHANGE TO EXISTING GROUND COVER  
 Garage: \_\_\_\_\_  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

Total: 4779 SF.  
 Allowable: 4779 SF.

*258 sq. ft removed, \*  
 228 sq. ft. added  
 (-30 sq. ft.)*

**MISCELLANEOUS**

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES  NO \_\_\_\_\_  
 If answered YES, include "Order of Conditions" with application. NEGATIVE DETERMINATION OF APPLICABILITY ATTACHED  
 What date was the "Order of Conditions" with application? \_\_\_\_\_  
 What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO   
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO   
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
 Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
 Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
 Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
\* Blackwell, 7/11/14 Lot Release Form \_\_\_\_\_

Date: 8/13/14 APPROVED BY: [Signature]  
 Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

|                       | Name                                                            | Mailing address - Number, street, city and state  | Zip Code                       | Telephone No.     |
|-----------------------|-----------------------------------------------------------------|---------------------------------------------------|--------------------------------|-------------------|
| 1.<br>Owner or Lessee | WILLIAM PIETRA GALLO,<br>TRUSTEE OF 2013<br>FREEDOM TRUST       | ONE OXFORD CENTER<br>PITTSBURGH, PA               | 15129                          | 412<br>263 1818   |
| 2.<br>Contractor      | Print Name<br>JAMIE FEELEY<br>COTTAGE + CASTLE<br>Signature<br> | 37 OLD SOUTH ROAD, SUITE G<br>NANTUCKET, MA 02554 | Builder's License<br>CS-036330 | 508<br>825 8825   |
| 3.<br>Contact Person  | JAMIE FEELEY<br>COTTAGE + CASTLE                                | 37 OLD SOUTH ROAD, SUITE G<br>NANTUCKET, MA 02554 | Date 7/16/14                   | 508<br>633 5500 M |

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant Address COTTAGE + CASTLE INC  
37 OLD SOUTH ROAD  
NANTUCKET, MA 02554 Telephone # 508 633 5500 M  
Print name JAMIE FEELEY E-Mail Address: JAMIE@COTTAGEANDCASTLEINC.COM

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required              |                                                                                   |         |         |  |
|------------------------------------|-----------------------------------------------------------------------------------|---------|---------|--|
| HISTORIC DISTRICTS COMMISSION      | OK                                                                                | 61971   | 7/15/14 |  |
| SEPTIC                             | reviewer explains requirements for 10 B/R. 7 cottages 7 man hours & approved OKRH |         |         |  |
| SEWER                              |                                                                                   |         |         |  |
| WATER WELL COMPLETION REPORT       |                                                                                   |         |         |  |
| CONSERVATION COMMISSION            | OK                                                                                | NEG # 3 | 6/16/14 |  |
| FIRE CHIEF                         |                                                                                   |         |         |  |
| OVER-THE-ROAD (Board of Selectmen) |                                                                                   |         |         |  |
| ROAD OPENING PERMIT (DPW)          |                                                                                   |         |         |  |
| PLUMBING                           |                                                                                   |         |         |  |
| ELECTRICAL                         |                                                                                   |         |         |  |

**7. VALIDATION**

|                                                                      |                                                                                        |
|----------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| Building Permit Issued _____<br><br>Building Permit Fee <u>82487</u> | FOR DEPARTMENT USE ONLY<br>Use Group _____<br>Occupancy Load _____<br>Census No. _____ |
|                                                                      | Approved by:<br><br>Building Commissioner                                              |
| Date of Issuance of Certificate of Occupancy _____                   |                                                                                        |

TOWN OF NANTUCKET  
BUILDING DEPARTMENT

Fee \$8248.00

Office of the Building Inspector

No. 1249-14

September 2, 2014

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT 2013 FREEDOM TRUST; WILLIAM PIETRAGALLO, TRE. HAS  
PERMISSION TO RENOVATE ENTIRE 7 BEDROOM 10 BATH 1DU; 3259 SQ' BASEMENT; 3526 SQ' 1<sup>ST</sup>;  
3012 SQ' 2<sup>ND</sup>; REMOVE SQ', RECONFIGURE ROOF LOCATED ON 9 FULLING MILL RD 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 8<sup>th</sup> EDITION.

A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RETURN OF THIS PERMIT ONLY AFTER ALL THE REQUIRED  
INSPECTIONS HAVE BEEN SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID SIX MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT  
COMMENCED OR IS NOT PROGRESSING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND  
M.G.L. c142A.

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.

AD RD

ISSUED-AMEND#1

RECEIVED  
OCT 14 2014

1249-14  
11-18-2014  
BUILDING PERMIT NUMBER

BY: Wolk

APPLICATION FOR  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5 Please Print

1. LOCATION OF BUILDING

OWNERS NAME (print): William Pietragallo, Trustee of 2013 Freedom Trust  
Last First Middle Initial  
9 Felling Mill Road  
No. Street  
Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT

- New Building
- Addition
- Alteration
- Repair, replacement
- Demolition
- Moving

B. OWNERSHIP

- Private
- Public

C. COST

TOTAL COST OF IMPROVEMENT  
\$ 200,000

D. DIMENSIONS

Dimensions of Structure  
First Floor Area: 3743  
Second Floor Area: 3165  
Third Floor Area: \_\_\_\_\_  
Total Floor Area: 6908  
Full Cellar Area: 3743

E. PROPOSED USE

- Residential
- One Family
- Studio
- Two or more family - Enter number of units \_\_\_\_\_
- Hotel, Motel, Dormitory - enter number of units \_\_\_\_\_
- Second Dwelling
- Garage
- Pool
- Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.

Basement - Remove existing stairs. Provide new stair at new location.  
Basement addition below proposed addition with an additional 301 sq/ft of basement below grade (with nothing above)

AMEND 1249-14

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME

- Wood frame
- Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL

- Public
- Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

No. of fireplaces \_\_\_\_\_  
No. of Wood Stoves \_\_\_\_\_  
Other: \_\_\_\_\_

G. PRINCIPLE TYPE OF HEATING

- Gas  Electricity
- Oil  Heat Pump
- Other - Specify \_\_\_\_\_

I. TYPE OF WATER SUPPLY

- Public
- Private (well)

J. SMOKE DETECTORS

No. of Detectors \_\_\_\_\_  
See Plan for Location

L. RESIDENTIAL BUILDINGS

Number of Bedrooms \_\_\_\_\_  
Number of Bathrooms \_\_\_\_\_  
Full \_\_\_\_\_ Partial \_\_\_\_\_

156

**3. Continued**

**M. ENERGY CONSERVATION**

|                                         | Type                                                | Thickness                                                         | R Value     |
|-----------------------------------------|-----------------------------------------------------|-------------------------------------------------------------------|-------------|
| Foundation or Floor insulation          | Batt (unfaced)                                      | 10"                                                               | 30          |
| Wall Insulation                         | Spray foam (open)                                   | 5 1/2"                                                            | 21          |
| Ceiling or Roof Insulation              | Spray Foam (closed)                                 | 7"                                                                | 42          |
| Window Glazing:                         | Insulated Glass <input checked="" type="checkbox"/> | Double Glass _____                                                | Storm _____ |
| Doors: Insulated                        | Yes <input checked="" type="checkbox"/> No _____    | Weatherstripped: Yes <input checked="" type="checkbox"/> No _____ |             |
| Percentage of Window Area to Wall Area: |                                                     | 20%                                                               |             |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height: _____                 | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                   |                     |                        |
|----------------------|-------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**

Amendment #   6    
 Approval Date   4/17/14    
 Plan # \_\_\_\_\_  
 Type \_\_\_\_\_  
 Building Official \_\_\_\_\_

**NOTES AND DATE (For Department Use)**

**FEE CALCULATIONS**

AMEND 50  
 INTERWORK 50  
 NEW 301 K.75

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LUG 3 Total Land Area: 69,302 SF  
 Frontage on Street: 259' Lot No.: 3  
 Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 14311-R  
 Date Lot Purchased: 6/25/13 Certificate No.: 24827  
 Name of Previous Owner: Mary H. Smith

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
 Date of Plan Approval: \_\_\_\_\_  
 Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
 Planning Board File No.: \_\_\_\_\_  
 Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
 Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING INFORMATION**  
 Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
 Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 175' REAR 98' LEFT 21' RIGHT 18'  
 Distance between Principal and Secondary Dwelling: 19' (12ft. minimum)  
 Height of structure above finish grade: N 27'-0" E 28'-5" S 27'-8 1/2" W 28'-5"  
 Number of off-street parking spaces: Enclosed 3 On-site 4

**GROUND COVER**

Principal Dwelling: 3743  
 Secondary Dwelling: 1025  
 Addition: \_\_\_\_\_  
 Garage: \_\_\_\_\_  
 Accessory Building: \_\_\_\_\_  
 Swimming Pool: \_\_\_\_\_  
 Other: \_\_\_\_\_

Total: 4768 SF.  
 Allowable: 4779 SF.

**MISCELLANEOUS**

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If answered YES, include "Order of Conditions" with application.  
 What date was the "Order of Conditions" with application?  
 What date was the "Order of Conditions" filed with the Registry of Deeds?  
 Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
 Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_  
 Frontage on Street: \_\_\_\_\_  
 Front Yard: \_\_\_\_\_  
 Additional Comments: 11/17/14 Expanded OUTSIDE OF  
Setbacks 139-33 A 1(c)

Ground Cover Ratio: \_\_\_\_\_  
 Side and Rear Setback: \_\_\_\_\_  
 Secondary Dwelling approval \_\_\_\_\_  
 Board of Appeals \_\_\_\_\_  
 Lot Release Form \_\_\_\_\_

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

APPROVED BY: \_\_\_\_\_

Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                  |                                     | Mailing address - Number, street, city and state | Zip Code                       | Telephone No.      |
|-----------------------|-------------------------------------|--------------------------------------------------|--------------------------------|--------------------|
| 1.<br>Owner or Lessee | William Pietragallo<br>Trustee of   | one oxford center                                | 15129                          | 412-263-           |
|                       | 2013 Freedom Trust                  | Pittsburgh, PA                                   |                                | 1818               |
| 2.<br>Contractor      | Print Name<br>Cottage & Castle, Inc | 37 Old South Rd #6<br>Nantucket MA 02554         | Builder's License<br>CS-096390 | (508) 825-<br>8825 |
|                       | Signature<br><i>[Signature]</i>     |                                                  | Date<br>10/14/14               |                    |
| 3.<br>Contact Person  | Samie Feeley                        |                                                  | Date<br>10/14/14               | 508-825-<br>8825   |

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

|                                              |                                                                               |                                                  |
|----------------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------|
| Signature of applicant<br><i>[Signature]</i> | Address<br>Cottage & Castle, Inc<br>37 Old South Rd #6<br>Nantucket, MA 02554 | Telephone #<br>508-633-5500                      |
| Print name<br>Samie Feeley - agent           |                                                                               | E-Mail Address:<br>Samie@cottageandcastleinc.com |

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required              |                                                               |       |        |
|------------------------------------|---------------------------------------------------------------|-------|--------|
| HISTORIC DISTRICTS COMMISSION      | ok                                                            | 62203 | 9/2/14 |
| SEPTIC                             | <i>sewering system complete for 10 B/E - approved OKR 7/3</i> |       |        |
| SEWER                              |                                                               |       |        |
| WATER WELL COMPLETION REPORT       |                                                               |       |        |
| CONSERVATION COMMISSION            |                                                               |       |        |
| FIRE CHIEF                         |                                                               |       |        |
| OVER-THE-ROAD (Board of Selectmen) |                                                               |       |        |
| ROAD OPENING PERMIT (DPW)          |                                                               |       |        |
| PLUMBING                           |                                                               |       |        |
| ELECTRICAL                         |                                                               |       |        |

**7. VALIDATION**

|                                                               |                                                                                                                                |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Building Permit Issued _____<br><br>Building Permit Fee: 3206 | FOR DEPARTMENT USE ONLY<br>Use Group _____<br>Occupancy Load _____<br>Census No. _____                                         |
|                                                               | Approved by:<br><br>Building Commissioner |
| Date of Issuance of Certificate of Occupancy _____            |                                                                                                                                |

CURRENT ZONING CLASSIFICATION:  
Limited Use General 3 (L.U.G.-3)

|                     | EXISTING:    | PROPOSED:    |
|---------------------|--------------|--------------|
| MINIMUM LOT SIZE:   | 120,000 S.F. | 69,302 S.F.± |
| MINIMUM FRONTAGE:   | 200 FT.      | 69,302 S.F.± |
| FRONT YARD SETBACK: | 35 FT.       | SEE PLAN     |
| REAR/SIDE SETBACK:  | 20 FT.*      | SEE PLAN     |
| GROUND COVER % :    | 3%           | 6.9% ±       |

**NOTES:**

- 1.) \*REAR/SIDE SETBACK FOR A LOT OF RECORD IS 10'.  
REF. SEC. 139-33.E(2)
- 2.) LOT WAS IN EXISTENCE AS OF 11/15/90 AND THE EXISTING STRUCTURES WERE CONSTRUCTED PRIOR TO 01/01/00 WHEN PROPERTY WAS SUBJECT TO LUG-1 INTENSITY REGULATIONS.  
REF. SEC. 130-16.A. STRUCTURES ARE PRE-EXISTING NONCONFORMING.

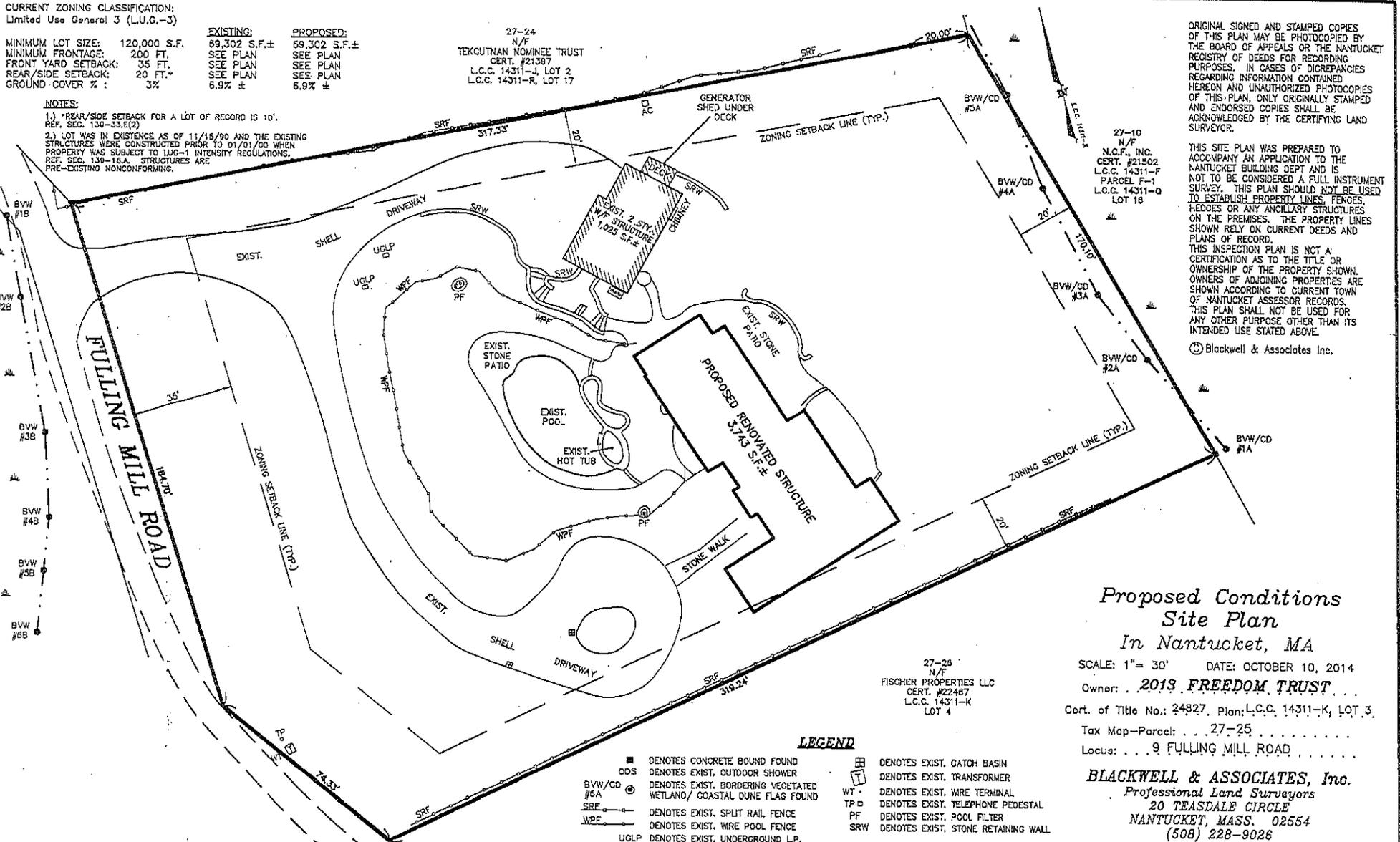
27-24  
N/F  
YEKOUTNAN NOMINEE TRUST  
CERT. #21387  
L.C.C. 14311-J, LOT 2  
L.C.C. 14311-R, LOT 17

27-10  
N/F  
N.C.F. INC.  
CERT. #21502  
L.C.C. 14311-F  
PARCEL F-1  
L.C.C. 14311-Q  
LOT 18

ORIGINAL SIGNED AND STAMPED COPIES OF THIS PLAN MAY BE PHOTOCOPIED BY THE BOARD OF APPEALS OR THE NANTUCKET REGISTRY OF DEEDS FOR RECORDING PURPOSES. IN CASES OF DISCREPANCIES REGARDING INFORMATION CONTAINED HEREON AND UNAUTHORIZED PHOTOCOPIES OF THIS PLAN, ONLY ORIGINALLY STAMPED AND ENDORSED COPIES SHALL BE ACKNOWLEDGED BY THE CERTIFYING LAND SURVEYOR.

THIS SITE PLAN WAS PREPARED TO ACCOMPANY AN APPLICATION TO THE NANTUCKET BUILDING DEPT AND IS NOT TO BE CONSIDERED A FULL INSTRUMENT SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS INSPECTION PLAN IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF NANTUCKET ASSESSOR RECORDS. THIS PLAN SHALL NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN ITS INTENDED USE STATED ABOVE.

© Blackwell & Associates Inc.



**Proposed Conditions  
Site Plan  
In Nantucket, MA**

SCALE: 1" = 30'      DATE: OCTOBER 10, 2014

Owner: **2013 FREEDOM TRUST**

Cert. of Title No.: 24827, Plan: L.C.C. 14311-K, LOT 3.

Tax Map-Parcel: 27-25

Locus: 9 FULLING MILL ROAD

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026

**LEGEND**

- |                                                                                |                                         |
|--------------------------------------------------------------------------------|-----------------------------------------|
| ■ DENOTES CONCRETE BOUND FOUND                                                 | ☐ DENOTES EXIST. CATCH BASIN            |
| ○ DENOTES EXIST. OUTDOOR SHOWER                                                | ☐ DENOTES EXIST. TRANSFORMER            |
| BVW/CD #3A DENOTES EXIST. BORDERING VEGETATED WETLAND/ COASTAL DUNE FLAG FOUND | WT - DENOTES EXIST. WIRE TERMINAL       |
| SRF DENOTES EXIST. SPLIT RAIL FENCE                                            | TP DENOTES EXIST. TELEPHONE PEDESTAL    |
| WPF DENOTES EXIST. WIRE POOL FENCE                                             | PF DENOTES EXIST. POOL FILTER           |
| UCLP DENOTES EXIST. UNDERGROUND L.P. TANK COVER                                | SRW DENOTES EXIST. STONE RETAINING WALL |

# TOWN OF NANTUCKET

## BUILDING DEPARTMENT

Office of the Building Inspector

No. 1583-15

Fee \$50.00

Oct. 19, 2015

# ZONING PERMIT

THIS PERMIT CERTIFIES THAT 2013 FREEDOM TRUST HAS

PERMISSION TO BUILD A 166 SQ' ACCESSORY STRUCTURE ( GAZEBO )

LOCATED ON 9 FULLING MILL RD. 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, AND MAINTENANCE OF BUILDINGS IN THE TOWN OF NANTUCKET,

THIS PERMIT WILL BE COMPLETE ONLY UPON RETURN OF THIS PERMIT AFTER ALL THE REQUIRED INSPECTIONS HAVE BEEN PERFORMED AND THE CARD SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID SIX MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT COMMENCED OR IS NOT PROGRESSING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND  
M.G.L. c142A

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.



INSPECTOR

DATE

H.D.C

C.O.A. # 63568 4/28/15

FINAL

\_\_\_\_\_

\_\_\_\_\_

ZONING FINAL

\_\_\_\_\_

\_\_\_\_\_

RECEIVED  
SEP 15 2015

1583-15  
10-19-2015  
BUILDING PERMIT NUMBER

BY: # 1

APPLICATION FOR  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5

Please Print

1. LOCATION OF BUILDING

OWNERS NAME (print): 2013. FREEDOM TRUST PETRAGALLO  
Last First Middle Initial  
9 FULING MILL RD  
No. Street  
Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT

- New Building
- Addition
- Alteration
- Repair, replacement
- Demolition
- Moving

B. OWNERSHIP

- Private
- Public

D. DIMENSIONS

Dimensions of Structure  
First Floor Area: 166 sq ft  
Second Floor Area: \_\_\_\_\_  
Third Floor Area: \_\_\_\_\_  
Total Floor Area: \_\_\_\_\_  
Full Cellar Area: \_\_\_\_\_

C. COST

TOTAL COST OF IMPROVEMENT  
\$ 50,000

E. PROPOSED USE

Residential

- One Family
- Studio
- Two or more family - Enter number of units \_\_\_\_\_
- Hotel, Motel, Dormitory enter number of units \_\_\_\_\_
- Second Dwelling
- Garage
- Pool
- Other - Specify gazebo

Detail scope of work by floor & provide the square footage.

COVERED GAZEBO 16'6" X 10'

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME

- Wood frame
- Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL

- Public
- Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

No. of fireplaces \_\_\_\_\_  
No. of Wood Stoves \_\_\_\_\_  
Other: \_\_\_\_\_

G. PRINCIPLE TYPE OF HEATING

- Gas  Electricity
- Oil  Heat Pump
- Other - Specify \_\_\_\_\_

I. TYPE OF WATER SUPPLY

- Public
- Private (well)

L. RESIDENTIAL BUILDINGS

Number of Bedrooms \_\_\_\_\_  
Number of Bathrooms \_\_\_\_\_  
Full \_\_\_\_\_ Partial \_\_\_\_\_

J. SMOKE DETECTORS

No. of Detectors \_\_\_\_\_  
See Plan for Location

**3. Continued**

| M. ENERGY CONSERVATION                        | Type                  | Thickness                  | R Value     |
|-----------------------------------------------|-----------------------|----------------------------|-------------|
| Foundation or Floor insulation                | _____                 | _____                      | _____       |
| Wall Insulation                               | _____                 | _____                      | _____       |
| Ceiling or Roof Insulation                    | _____                 | _____                      | _____       |
| Window Glazing:                               | Insulated Glass _____ | Double Glass _____         | Storm _____ |
| Doors: Insulated                              | Yes _____ No _____    | Weatherstripped: Yes _____ | No _____    |
| Percentage of Window Area to Wall Area: _____ |                       |                            |             |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height: _____                 | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

**FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_**

|                      |                   |                     |                        |
|----------------------|-------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**

**NOTES AND DATE (For Department Use)**

**FEE CALCULATIONS**

Structure less than  
200 sq ft \$50.00

ZONING EXCLUDED COVERAGE  
GALEROS

4. ZONING COMPLIANCE To be completed by all applicants

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: UG 3 Total Land Area: 69 302 #  
Frontage on Street: 259'- Lot No.: 3  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 1431-R  
Date Lot Purchased: 6/25/13 Certificate No.: 24827  
Name of Previous Owner: Mary H. Sweet

SUBDIVISION INFORMATION

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No.: \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

TIME SHARING INFORMATION  
Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

DIMENSIONS

Distance from Property Lines: FRONT 166'+ REAR 195'+ LEFT 50'+ RIGHT 155'+  
Distance between Principal and Secondary Dwelling: NA (12ft. minimum)  
Height of structure above finish grade: N 11'9"± E 11'9" S 11'9" W 11'9"  
Number of off-street parking spaces: Enclosed \_\_\_\_\_ On-site 6+

GROUND COVER

Principal Dwelling: 3743  
Secondary Dwelling: 1025  
Addition: \_\_\_\_\_  
Garage: \_\_\_\_\_  
Accessory Building: garage 166 #  
Swimming Pool: 000 #  
Other: \_\_\_\_\_

Total: 4768 SF.  
Allowable: 4779 SF.

MISCELLANEOUS

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO   
If answered YES, include "Order of Conditions" with application.  
What date was the "Order of Conditions" with application. \_\_\_\_\_  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

FOR ZONING OFFICER

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
Lot Release Form \_\_\_\_\_

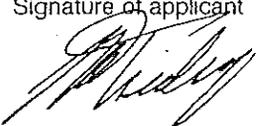
Date: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
**165** Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                                     | Mailing address - Number, street, city and state | Zip Code | Telephone No.                               |
|------------------------------------------|--------------------------------------------------|----------|---------------------------------------------|
| 1. Owner or Lessee<br>2013 Freedom Trust | 1 OXFORD CENTER                                  | 15129    | (412) 263 1818                              |
| 2. Contractor<br>COTTAGE AND CASTLE INC  | 37 Old Smith Rd unit #6<br>NANUSETT, MA 02554    |          | Builder's License CS 096390<br>Date 9/15/15 |
| 3. Contact Person<br>James Feeley        |                                                  |          | Date 9/15/15 (508) 633-5500                 |

Works Compensation Insurance Certificate of Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

|                                                                                                             |                                                          |                                                         |
|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------|
| Signature of applicant<br> | Address<br>37 Old Smith Rd unit #6<br>NANUSETT, MA 02554 | Telephone #<br>(508) 825-8825 (W)<br>(508) 633-5500 (C) |
| Print name<br>James D Feeley as agent                                                                       | E-Mail Address: JAMES@COTTAGEANDCASTLEINC.COM            |                                                         |

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required              |  |       |         |
|------------------------------------|--|-------|---------|
| HISTORIC DISTRICTS COMMISSION      |  | 63568 | 4 28 15 |
| SEPTIC                             |  |       |         |
| SEWER                              |  |       |         |
| WATER WELL COMPLETION REPORT       |  |       |         |
| CONSERVATION COMMISSION            |  |       |         |
| FIRE CHIEF                         |  |       |         |
| OVER-THE-ROAD (Board of Selectmen) |  |       |         |
| ROAD OPENING PERMIT (DPW)          |  |       |         |
| PLUMBING                           |  |       |         |
| ELECTRICAL                         |  |       |         |

**7. VALIDATION**

|                                                                                                                                             |                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Building Permit Issued <u>10 19 15</u><br><br>Building Permit Fee <u>\$ 50.00</u><br><br>Date of Issuance of Certificate of Occupancy _____ | <p style="text-align: center;">FOR DEPARTMENT USE ONLY</p> Use Group <u>R3</u><br>Occupancy Load _____<br>Census No. <u>329</u>   |
|                                                                                                                                             | Approved by:<br><br><br>Building Commissioner |



RECEIVED  
DEC 05 2014

121-15  
1-30-2015  
BUILDING PERMIT NUMBER

BY: *[Signature]*

APPLICATION FOR  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5 Please Print

**1. LOCATION OF BUILDING**

OWNERS NAME (print): 2013 FREEDOM TRUST  
Last First Middle Initial  
G. FULUM MILL RD.  
No. Street  
Assessor's Map No. 27 Assessor's Parcel No. 25

**2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E**

**A. TYPE OF IMPROVEMENT**

- New Building
- Addition
- Alteration
- Repair, replacement
- Demolition
- Moving

**B. OWNERSHIP**

- Private
- Public

**C. COST**

TOTAL COST OF IMPROVEMENT  
\$200,000.-

**D. DIMENSIONS**

Dimensions of Structure  
First Floor Area: \_\_\_\_\_  
Second Floor Area: \_\_\_\_\_  
Third Floor Area: \_\_\_\_\_  
Total Floor Area: \_\_\_\_\_  
Full Cellar Area: \_\_\_\_\_

**E. PROPOSED USE**

Residential

- One Family
- Studio
- Two or more family - Enter number of units \_\_\_\_\_
- Hotel, Motel, Dormitory enter number of units \_\_\_\_\_
- Second Dwelling
- Garage
- Pool
- Other - Specify \_\_\_\_\_

Detail scope of work by floor & provide the square footage.

20 X 40 POOL

**3. SELECTED CHARACTERISTICS OF BUILDING**

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

**F. PRINCIPLE TYPE OF FRAME**

- Wood frame
- Other - Specify \_\_\_\_\_

**H. TYPE OF SEWAGE DISPOSAL**

- Public
- Private (septic tank, etc.)

**K. ACCESSORY HEAT SOURCE**

No. of fireplaces \_\_\_\_\_  
No. of Wood Stoves \_\_\_\_\_  
Other: \_\_\_\_\_

**G. PRINCIPLE TYPE OF HEATING**

- Gas       Electricity
- Oil       Heat Pump
- Other - Specify \_\_\_\_\_

**I. TYPE OF WATER SUPPLY**

- Public
- Private (well)

**J. SMOKE DETECTORS**

No. of Detectors \_\_\_\_\_  
See Plan for Location

**L. RESIDENTIAL BUILDINGS**

Number of Bedrooms \_\_\_\_\_  
Number of Bathrooms \_\_\_\_\_  
Full \_\_\_\_\_ Partial \_\_\_\_\_

**3. Continued**

| M. ENERGY CONSERVATION                        | Type                  | Thickness                  | R Value     |
|-----------------------------------------------|-----------------------|----------------------------|-------------|
| Foundation or Floor insulation                | _____                 | _____                      | _____       |
| Wall Insulation                               | _____                 | _____                      | _____       |
| Ceiling or Roof Insulation                    | _____                 | _____                      | _____       |
| Window Glazing:                               | Insulated Glass _____ | Double Glass _____         | Storm _____ |
| Doors: Insulated                              | Yes _____ No _____    | Weatherstripped: Yes _____ | No _____    |
| Percentage of Window Area to Wall Area: _____ |                       |                            |             |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

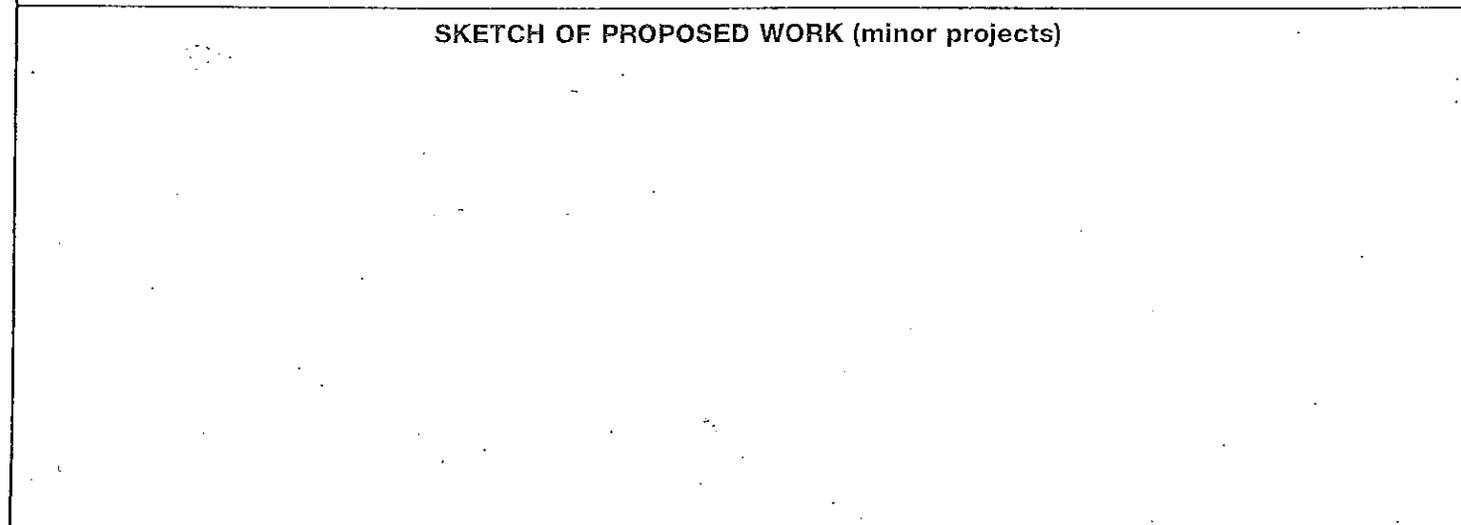
|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height: _____                 | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                   |                     |                        |
|----------------------|-------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**



**NOTES AND DATE (For Department Use)**

1-29-15 Sent e-mail

**FEE CALCULATIONS**

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: \_\_\_\_\_ Total Land Area: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Lot No.: \_\_\_\_\_  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: \_\_\_\_\_  
Date Lot Purchased: \_\_\_\_\_ Certificate No.: \_\_\_\_\_  
Name of Previous Owner: \_\_\_\_\_

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No.: \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING INFORMATION**  
Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 96'10" REAR 78'10" LEFT 114'9" RIGHT 192'7"  
Distance between Principal and Secondary Dwelling: \_\_\_\_\_ (12ft. minimum)  
Height of structure above finish grade: N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_  
Number of off-street parking spaces: Enclosed \_\_\_\_\_ On-site \_\_\_\_\_

**GROUND COVER**

Principal Dwelling: \_\_\_\_\_  
Secondary Dwelling: \_\_\_\_\_  
Addition: \_\_\_\_\_  
Garage: \_\_\_\_\_  
Accessory Building: \_\_\_\_\_  
Swimming Pool: 800 SF  
Other: \_\_\_\_\_

Total: \_\_\_\_\_ SF.  
Allowable: \_\_\_\_\_ SF.

**MISCELLANEOUS**

Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO X  
If answered YES, include "Order of Conditions" with application.  
What date was the "Order of Conditions" with application.  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
Lot Release Form \_\_\_\_\_

Date: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name                                                        | Mailing address - Number, street, city and state | Zip Code          | Telephone No. |
|-------------------------------------------------------------|--------------------------------------------------|-------------------|---------------|
| 1. Owner or Lessee<br>2013 Freedom Trust                    | 1 OXFORD CENTER<br>PITTSBURG, PA                 | 15129             | 412-263-1818  |
| 2. Contractor<br>Print Name<br>James D. Feeley<br>Signature | 37 OLD SOUTH ROAD UNIT #6<br>NANTUCKET, MA 02854 | Builder's License | CS-096390     |
| 3. Contact Person<br>Jamie Feeley                           | ll                                               | Date 4 Dec 14     | 508-825-8825  |

Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant:  Address: 37 Old South Road #6 Nantucket, MA 02854 Telephone #: 508-633-5500

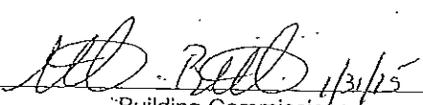
Print name: James Feeley (agent) E-Mail Address: Jamie@cotageandcastleinc.com

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required              |               |       |         |
|------------------------------------|---------------|-------|---------|
| HISTORIC DISTRICTS COMMISSION      | ok            | 62462 | 10/7/14 |
| SEPTIC                             | Pool location | OK    | R.B.    |
| SEWER                              |               |       |         |
| WATER WELL COMPLETION REPORT       |               |       |         |
| CONSERVATION COMMISSION            |               |       |         |
| FIRE CHIEF                         |               |       |         |
| OVER-THE-ROAD (Board of Selectmen) |               |       |         |
| ROAD OPENING PERMIT (DPW)          |               |       |         |
| PLUMBING                           |               |       |         |
| ELECTRICAL                         |               |       |         |

**7. VALIDATION**

|                                                                     |                                                                                                                                |
|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Building Permit Issued _____<br><br>Building Permit Fee <u>2507</u> | <p style="text-align: center;">FOR DEPARTMENT USE ONLY</p> Use Group _____<br>Occupancy Load _____<br>Census No. _____         |
| Date of Issuance of Certificate of Occupancy _____                  | Approved by:<br><br>Building Commissioner |

# TOWN OF NANTUCKET

## BUILDING DEPARTMENT

Office of the Building Inspector

No. 17-16

Fee \$126.00  
Jan. 6, 2016

# BUILDING PERMIT

THIS PERMIT CERTIFIES THAT WILLIAM PIETRAGALLO II TRUST HAS

PERMISSION TO CONSTRUCT A GENERATOR PIT WITH NEW DECK/PORCH ABOVE  
LOCATED ON 9 FULLING MILL ROAD PROVIDED

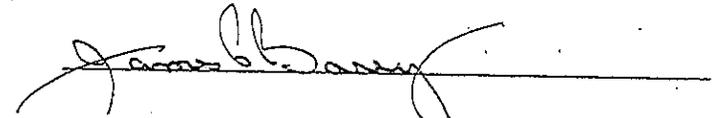
THAT THE PERSON ACCEPTING THIS PERMIT SHALL CONFORM TO THE TERMS OF THE APPLICATION ON FILE IN THE BUILDING DEPARTMENT AND TO THE PROVISIONS OF THE STATUTES AND THE ORDINANCES RELATING TO THE CONSTRUCTION, MAINTENANCE AND INSPECTION OF BUILDINGS IN THE TOWN OF NANTUCKET, AND THE MASSACHUSETTS STATE BUILDING CODE 780 CMR 8<sup>th</sup> EDITION.

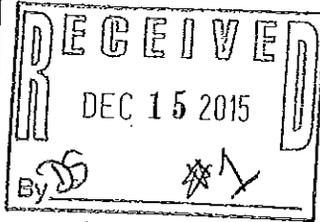
A CERTIFICATE OF OCCUPANCY WILL BE ISSUED UPON RETURN OF THIS PERMIT ONLY AFTER ALL THE REQUIRED INSPECTIONS HAVE BEEN SIGNED AND DATED BY THE APPROPRIATE INSPECTOR.

THIS PERMIT SHALL BECOME INVALID SIX MONTHS FROM THE DATE OF ISSUE IF THE WORK PERMITTED HAS NOT COMMENCED OR IS NOT PROGRESSING CONTINUOUSLY TO COMPLETION AS FAR AS REASONABLY PRACTICABLE.

PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND  
M.G.L. c142A

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES





17-16  
1-06-2016  
BUILDING PERMIT NUMBER

APPLICATION FOR BUILDING PERMIT

IMPORTANT - Applicant to complete all items in Sections: 1, 2, 3, 4, and 5 Please Print

1. LOCATION OF BUILDING

OWNERS NAME (print): William Pietragallo II trustee of 2013 Freedom Trust  
Last First Middle Initial  
9 Fulling Mill Road, Nantucket, MA 02554  
No. Street  
Assessor's Map No. 27 Assessor's Parcel No. 25

2. TYPE AND COST OF BUILDING - All applicants complete Parts A-E

A. TYPE OF IMPROVEMENT

- New Building
- Addition
- Alteration
- Repair, replacement
- Demolition
- Moving

B. OWNERSHIP

- Private
- Public

C. COST

TOTAL COST OF IMPROVEMENT  
\$150,000

D. DIMENSIONS

Dimensions of Structure  
First Floor Area: 9'11" x 18'11"  
Second Floor Area: \_\_\_\_\_  
Third Floor Area: \_\_\_\_\_  
Total Floor Area: \_\_\_\_\_  
Full Cellar Area: \_\_\_\_\_

E. PROPOSED USE

Residential

- One Family
- Studio
- Two or more family - Enter number of units \_\_\_\_\_
- Hotel, Motel, Dormitory enter number of units \_\_\_\_\_
- Second Dwelling
- Garage
- Pool
- Other - Specify generator pit

Detail scope of work by floor & provide the square footage.

Install a generator pit and 60 KW generator with a new deck porch above it.

3. SELECTED CHARACTERISTICS OF BUILDING

For new buildings and additions, complete Parts D-N for Demolition, complete only Part 1., for all others skip to 4.

F. PRINCIPLE TYPE OF FRAME

- Wood frame
- Other - Specify \_\_\_\_\_

H. TYPE OF SEWAGE DISPOSAL

- Public
- Private (septic tank, etc.)

K. ACCESSORY HEAT SOURCE

No. of fireplaces \_\_\_\_\_  
No. of Wood Stoves \_\_\_\_\_  
Other: \_\_\_\_\_

G. PRINCIPLE TYPE OF HEATING

- Gas  Electricity
- Oil  Heat Pump
- Other - Specify \_\_\_\_\_

I. TYPE OF WATER SUPPLY

- Public
- Private (well)

L. RESIDENTIAL BUILDINGS

Number of Bedrooms \_\_\_\_\_  
Number of Bathrooms \_\_\_\_\_  
Full \_\_\_\_\_ Partial \_\_\_\_\_

J. SMOKE DETECTORS

No. of Detectors \_\_\_\_\_  
See Plan for Location **173**

**3. Continued**

| M. ENERGY CONSERVATION                        | Type                         | Thickness                           | R Value     |
|-----------------------------------------------|------------------------------|-------------------------------------|-------------|
| Foundation or Floor insulation                | _____                        | _____                               | _____       |
| Wall Insulation                               | _____                        | _____                               | _____       |
| Ceiling or Roof Insulation                    | _____                        | _____                               | _____       |
| Window Glazing:                               | Insulated Glass _____        | Double Glass _____                  | Storm _____ |
| Doors:                                        | Insulated Yes _____ No _____ | Weatherstripped: Yes _____ No _____ |             |
| Percentage of Window Area to Wall Area: _____ |                              |                                     |             |

**N. STRUCTURAL CHARACTERISTICS OF BUILDING**

Applicant is required to submit complete structural framing plans with application due to the complexity of the structure, if the following information is insufficient for proper plan review.

**Foundation**

|                                    |                                                                             |
|------------------------------------|-----------------------------------------------------------------------------|
| Footing size: _____                | Footing reinforcing: _____                                                  |
| Wall material: _____               | Wall thickness: _____                                                       |
| Wall height: _____                 | Wall reinforcing: _____                                                     |
| Pier or column size: _____         | Pier or column spacing: _____                                               |
| Pier or column footing size: _____ | Pier or column reinforcing: _____                                           |
| No. of crawl space vents: _____    | Crawl space: <input type="checkbox"/> Full <input type="checkbox"/> Partial |

FRAMING: Main Carrying members: Size: \_\_\_\_\_ Support Spacing: \_\_\_\_\_

|                      |                   |                     |                        |
|----------------------|-------------------|---------------------|------------------------|
| First Floor Framing  | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Second Floor Framing | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Ceiling Framing      | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |
| Roof Framing         | Joist size: _____ | Maximum Span: _____ | Maximum Spacing: _____ |

Roof Truss Applicant must submit design calculations for all wood trusses stamped by a Registered Professional Engineer.

**SKETCH OF PROPOSED WORK (minor projects)**

**NOTES AND DATE (For Department Use)**

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**FEE CALCULATIONS**

**4. ZONING COMPLIANCE To be completed by all applicants**

Applicant is required to submit a registered plot plan with application, showing location of all structures.

Zoning District: LUG 3 Total Land Area: 69,302 SF  
Frontage on Street: 259 Lot No.: 3  
Plan Book No. and Page: \_\_\_\_\_ Land Court Plan No.: 14311-K  
Date Lot Purchased: 6/25/2013 Certificate No.: 24827  
Name of Previous Owner: Mary H. Smith

**SUBDIVISION INFORMATION**

Name of Owner: \_\_\_\_\_  
Date of Plan Approval: \_\_\_\_\_  
Type of Approval: ANR \_\_\_\_\_ AR \_\_\_\_\_  
Planning Board File No.: \_\_\_\_\_  
Is the Subdivision subject to a Covenant: YES \_\_\_\_\_ NO \_\_\_\_\_  
Is a Release required: YES \_\_\_\_\_ NO \_\_\_\_\_  
Has Plan been filed with the Registry of Deeds? YES \_\_\_\_\_ NO \_\_\_\_\_  
If YES: Plan Book and Page No.: \_\_\_\_\_ Date \_\_\_\_\_

**TIME SHARING INFORMATION**  
Is there a declaration of Covenants and Restrictions of Interval Ownership noted on your Title or Deed?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**DIMENSIONS**

Distance from Property Lines: FRONT 175 +/- REAR 98 +/- LEFT 21 +/- RIGHT 18 +/-  
Distance between Principal and Secondary Dwelling: 19 +/- (12ft. minimum)  
Height of structure above finish grade: N 27'-0" E 28'-5" S 27' 8 1/4" W 28' 5"  
Number of off-street parking spaces: Enclosed 3 On-site 4

**GROUND COVER**

Principal Dwelling: 3743  
Secondary Dwelling: 1025  
Addition: \_\_\_\_\_  
Garage: \_\_\_\_\_  
Accessory Building: \_\_\_\_\_  
Swimming Pool: \_\_\_\_\_  
Other: \_\_\_\_\_  
Total: 4728 SF.  
Allowable: 4779 SF.

**MISCELLANEOUS**

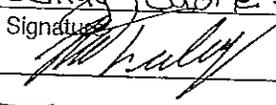
Was a request to "Determine Applicability of the Protection Act" filed with the Nantucket Conservation Committee? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, include "Order of Conditions" with application.  
What date was the "Order of Conditions" with application. \_\_\_\_\_  
What date was the "Order of Conditions" filed with the Registry of Deeds? \_\_\_\_\_  
Is the property located within a Flood Hazard district? YES \_\_\_\_\_ NO \_\_\_\_\_  
Was a Variance or Special Permit granted by the Board of Appeals? YES \_\_\_\_\_ NO \_\_\_\_\_  
If answered YES, what date was the decision filed with the Town Clerk? \_\_\_\_\_

**FOR ZONING OFFICER**

Minimum Lot Size: \_\_\_\_\_ Ground Cover Ratio: \_\_\_\_\_  
Frontage on Street: \_\_\_\_\_ Side and Rear Setback: \_\_\_\_\_  
Front Yard: \_\_\_\_\_ Secondary Dwelling approval \_\_\_\_\_  
Additional Comments: \_\_\_\_\_ Board of Appeals \_\_\_\_\_  
Lot Release Form \_\_\_\_\_

Date: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
**175** Zoning Officer

**5. IDENTIFICATION - To be completed by all applicants**

| Name               |                                                                                              | Mailing address - Number, street, city and state | Zip Code                       | Telephone No. |
|--------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------|---------------|
| 1. Owner or Lessee | William Pietragallo                                                                          | one oxford center                                | 15129                          | 412-263       |
|                    | 2013 Freedom Trust                                                                           | Pittsburgh, PA                                   |                                | 1818          |
| 2. Contractor      | Print Name : Cottage & Castle, Inc                                                           | 37 old south, #6                                 | Builder's License<br>15-096390 | 508-825       |
|                    | Signature:  | Nantucket, MA 02554                              |                                | 8825          |
| 3. Contact Person  | Jamie Feeley                                                                                 | "                                                | Date                           |               |
|                    |                                                                                              |                                                  | Date                           | 508-633-5500  |

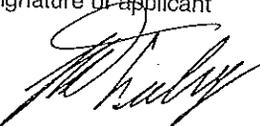
Works Compensation Insurance Certificate or Affidavit must be submitted with this application.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Signature of applicant

Address

Telephone # 508-633-5500



Cottage & Castle, Inc  
37 old south Rd, #6  
Nantucket, MA 02554

Print name

Jamie Feeley - Agent

E-Mail Address:

jamie@cottageandcastleinc.com

**DO NOT WRITE BELOW THIS LINE**

**6. PLAN REVIEW RECORD - For Office Use**

| Plans Review Required              |       |    |      |
|------------------------------------|-------|----|------|
| HISTORIC DISTRICTS COMMISSION      | 64921 | 12 | 8 15 |
| SEPTIC                             |       |    |      |
| SEWER                              |       |    |      |
| WATER WELL COMPLETION REPORT       |       |    |      |
| CONSERVATION COMMISSION            |       |    |      |
| FIRE CHIEF                         |       |    |      |
| OVER-THE-ROAD (Board of Selectmen) |       |    |      |
| ROAD OPENING PERMIT (DPW)          |       |    |      |
| PLUMBING                           |       |    |      |
| ELECTRICAL                         |       |    |      |

**7. VALIDATION**

Building Permit Issued

12 29 15

FOR DEPARTMENT USE ONLY

Use Group R3

Occupancy Load

Building Permit Fee

\$ 126.00

Census No. 434

Approved by:

  
Building Commissioner

Date of Issuance of Certificate of Occupancy

# ZONING BOARD OF APPEALS

JUNE 9, 2016

## END OF PACKET

*PART III*

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