

# ZONING BOARD OF APPEALS

SEPTEMBER 20,  
2016

# PACKET



# TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Agenda  
(Subject to Change)

Tuesday, September 20, 2016

**1:00 PM**

4 Fairgrounds Road

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

- **CALL TO ORDER:**
  - **APPROVAL OF THE AGENDA:**
  - **APPROVAL OF THE MINUTES:**
    - September 8, 2016
- 
- **OLD BUSINESS:**
    - 20-16 Gerald T. Vento & Margaret Vento, Tr. of Ninety-One Low Beach Road Nominee Trust  
Extended Action deadline October 13, 2016 91 Low Beach Road Cohen  
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).
- 
- **NEW BUSINESS:**
    - 24-16 6 Lily Street LLC & Sconset Partners LLC 6 and 8 Lily Street Dale  
**CONTINUED TO OCTOBER 13, 2016**





# 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 ~~

**Thursday, September 8, 2016**

Public Safety Facility, 4 Fairgrounds Road, Community Room –1:00 p.m.

Called to order at 1:03 p.m.

Staff in attendance: Eleanor Antonietti, Zoning Administrator;  
Attending Members: Toole, McCarthy, O'Mara, Koseatac, Poor, Thayer, Mondani  
Absent: Botticelli  
Late Arrivals: None  
Early Departures: None

Agenda adopted by unanimous consent

### I. APPROVAL OF MINUTES

1. August 11, 2016 Approved by unanimous consent

### 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

#### REQUEST FOR WITHDRAWAL WITH PREJUDICE

Voting Toole, McCarthy, O'Mara, Koseatac  
Alternates Poor, Mondani  
Recused Thayer  
Documentation File with associated plans, photos and required documentation  
Representing None  
Public None  
Discussion None  
Motion **Motion to Approve the Withdrawal with Prejudice (made by: Koseatac) (seconded by: O'Mara )**  
Vote Carried unanimously

2. 20-16 Gerald T. Vento & Margaret Vento, Tr. of Ninety-One Low Beach Road Nominee Trust  
91 Low Beach Road Cohen

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).

Voting Toole, McCarthy, O'Mara, Koseatac  
Alternates Poor, Thayer, Mondani  
Recused None  
Documentation File with associated plans, photos and required documentation  
Representing None  
Public None  
Discussion Due to G.L. c.40A, §11, ¶2 and G.L. c.40B, §21, this public hearing may not be held due to the fact that today is a state election day. The public hearing is herewith rescheduled to be opened on September 20, 2016 at 1 pm in the Public Safety Facility Community Room at 4 Fairgrounds Road.  
Motion **Motion to Reschedule the hearing for September 20, 2016 at 1 p.m. (made by: Koseatac) (seconded by: O'Mara)**  
Vote Carried unanimously

### III. NEW BUSINESS

1. 24-16 6 Lily Street LLC & Sconset Partners LLC 6 and 8 Lily Street Dale

#### CONTINUED TO OCTOBER 13, 2016

Applicant is requesting Special Permit relief pursuant Zoning By-law Section 139-33 to reduce the area of 6 Lily Street without creating any new non-conformities and to enlarge the area of 8 Lily Street to allow for a new dwelling with a reduced side yard setback nonconformity. To the extent necessary, applicant further requests Site Plan Review pursuant to Section 139-23. Both properties are improved undersized lots of record. In the alternative, and to the extent necessary, Applicant requests relief by Variance pursuant to Section 139-32 from the provisions of Section 139-16. The properties are located at 6 and 8 Lily Street, are shown on Assessor's Map 73.3.1 as Parcels 109 and 110, and as Lot 5 and portion of Lot 7 upon Plan No. 2014-02. Evidence of owners' titles are in Book 1415, Page 296 and Book 1415, Page 287 on file at the Nantucket County Registry of Deeds. The site is zoned Sconset Old Historic (SOH).

2. 32-16 Alan A. Shuch, Trustee of the Ann F. Shuch Qualified Personal Residence Trust 45 Quidnet Road Alger

#### CONTINUED TO OCTOBER 13, 2016

Applicant is seeking Special Permit relief under By-law Section 139-33.A(1)(a) to extend, alter, or change a pre-existing, non-conforming ancillary structure used as a studio and beach changing area by raising it up above the flood plain so that it no longer floods and adding stairs necessary for access. To the extent necessary, Applicant also seeks a modification of the Board's decision in File No. 007-96 to allow for such work. The Locus is situated at 45 Quidnet Road, is shown on Assessor's Map 21 as Parcel 21, and is Lot 23 on Land Court Plan 8853-L. Owner's title is evidenced by Certificate of Title No. 21927 at the Nantucket Registry District. The site is zoned Residential-20 (R20).

3. 33-16 Susan A. Wager 3 Meader Street Brescher

Applicant is seeking Special Permit relief pursuant to Zoning By-law Section 139-33.A in order to alter the pre-existing nonconforming dwelling on the pre-existing nonconforming lot. The existing dwelling is sited within the easterly side yard setback. The alterations consist of raising the building to install a new foundation as well as conforming additions. As so altered, the structure will be no closer to the easterly lot line and will remain conforming as to height. In the alternative, and to the extent necessary, applicant seeks Variance relief from the provisions of Section 139-16. The Locus, an undersized lot of record, created pursuant to M.G.L. Chapter 41 Section 81L, situated at 3 Meader Street, is shown on Assessor's Map 42.2.3 as Parcel 39, and as Lot 1A in Plan File 2013-15. Evidence of owner's title is registered in Book 1389, Page 220 on file at the Registry of Deeds. The site is zoned Residential Old Historic (ROH).

- Voting Toole, McCarthy, O'Mara, Koseatac  
Alternates Poor, Thayer, Mondani  
Recused None  
Documentation File with associated plans, photos and required documentation  
Representing None  
Public None  
Discussion Due to G.L. c.40A, §11, ¶2 and G.L. c.40B, §21, this public hearing may not be held due to the fact that today is a state election day. The public hearing is herewith rescheduled to be opened on September 20, 2016 at 1 pm in the PSF Community Room at 2 Fairgrounds Road.  
Motion **Motion to Reschedule the hearing for September 20, 2016 at 1 p.m. (made by: Koseatac) (seconded by: O'Mara)**  
Vote Carried unanimously

4. 32-16 Polpis Harbor, LLC 248 & 250 Polpis Road Cheney

Applicant is seeking Special Permit relief pursuant to Zoning By-Law Section 139-33.A to allow the change of use of a pre-existing nonconforming garage structure to a pool house/cabana. The existing structure is sited within the easterly front yard setback. The proposed alterations will result in a decrease in size such that the structure's footprint and massing will not increase within the setback area. The Locus is situated at 248 and 250 Polpis Road, is shown on Assessor's Map 26 as Parcel 27, as Lot A-7 upon Land Court Plan 13443-E and as Lot A-3 upon Land Court Plan 13443-D. Evidence of owner's title is registered on Certificate of Title No. 25343 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

- Voting Toole, McCarthy, O'Mara, Koseatac  
Alternates Poor, Thayer, Mondani  
Recused None  
Documentation File with associated plans, photos and required documentation  
Representing None  
Public None  
Discussion Due to G.L. c.40A, §11, ¶2 and G.L. c.40B, §21, this public hearing may not be held due to the fact that today is a state election day. The public hearing is herewith rescheduled to be opened on September 20, 2016 at 1 pm in the PSF Community Room at 2 Fairgrounds Road.  
Motion **Motion to Reschedule the hearing for September 20, 2016 at 1 p.m. (made by: Koseatac) (seconded by: O'Mara)**  
Vote Carried unanimously

**IV. OTHER BUSINESS**

None

**V. ADJOURNMENT**

Motion to Adjourn: 1:09 p.m. (made by: Koseatac) (seconded by: McCarthy)

Submitted by:

Eleanor Antonietti and Terry L. Norton

PROPOSED

**OLD**

**BUSINESS**

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

**91 LOW BEACH RD.**

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**FILE NO. 20-16**



2016 AUG 23 PM 12: 54  
NANTUCKET  
TOWN CLERK

# TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

File No. 20 - 16

Map 75 Parcel 31

This agreement to extend the time limit for the Board of Appeals to make a decision, hold a public hearing, or to take other action concerning the application of:

Gerald T. & Margaret VENTO, Tr. of Ninety One Low Beach Road Nom. Tr.

Pursuant to the provisions of the Acts of 1987, Chapter 498, amending the State Zoning Act, Chapter 40A of the Massachusetts General Laws, Applicant(s)/Petitioner(s) and the Zoning Board of Appeals hereby agree to extend the time limit

- For a public hearing on the application
- For a written decision
- For other action \_\_\_\_\_

Such application is:

- An appeal from the decision of any administrative official
- A petition for a special permit
- A petition for a variance
- An extension
- A modification

The new time limit shall be midnight on October 14, 2016, which is not earlier than a time limit set by statute or bylaw.

The Applicant (s), attorney, or agent for the Applicant represented to be duly authorized to act in this matter for the applicant, in executing this agreement waives any rights under the Nantucket Zoning Bylaw and the State Zoning Act, as amended, to the extent, but only to the extent, inconsistent with this agreement.

[Signature]  
For Applicant (s)

[Signature]  
For Zoning Board of Appeals

8.23.16  
Effective Date of Agreement

Town Clerk Stamp:

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



RECEIVED  
MAY 13 2016  
By CHC#2993

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:

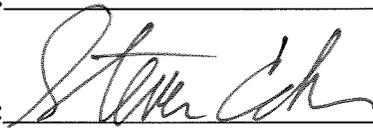
The Locus is an oversized lot of about 156,430+/- SF in the LUG-3 zoning district. It contains a 2-story dwelling of about 3,182+/- SF and a cottage of about 1,381+/- SF. There is an accessory structure about 98+/- SF. The premises has a ground cover ratio of about 2.97% in a zoning district where 3%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

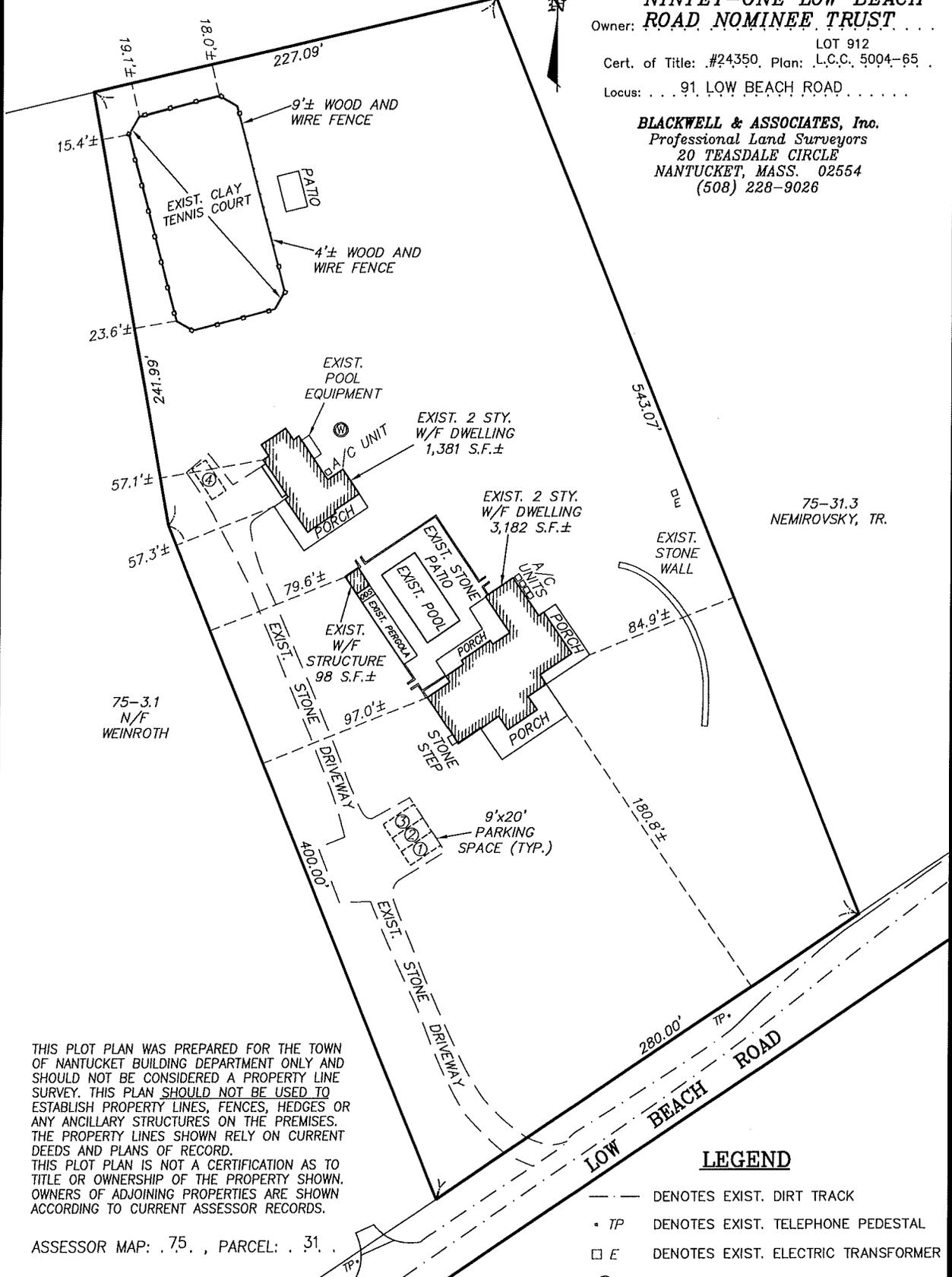
75-31.4  
N/F  
SCONSET TRUST, INC.

# 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





**Property Information**

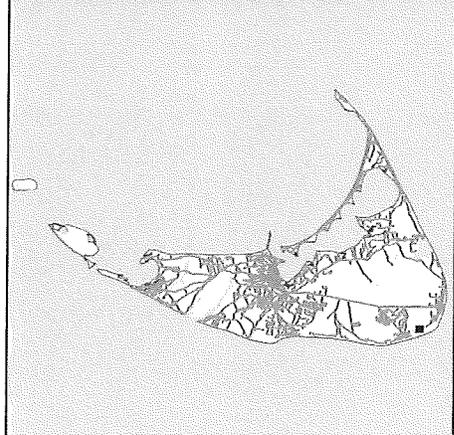
**Property ID** 75 31  
**Location** 91 LOW BEACH RD  
**Owner** VENTO GERALD T & MARGARET  
 91 LOW BEACH RD NOM TRUST



**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

**NEW**

**BUSINESS**

**6 LILY ST., LLC  
&  
SCONSET PARTNERS LLC**

**6 & 8 LILY STREET**

**FILE NO. 24-16**

**CONTINUED TO 10/13 /2016**

**ALAN A. SHUCH,  
TR. OF THE  
ANN F. SCHUCH Q.P.R.T.**

**45 QUIDNET RD.**

**FILE NO. 32-16**

**CONTINUED TO 10/13/2016**

**SUSAN WAGER**

**3 MEADER ST.**

**FILE NO. 33-16**

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)

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August 8, 2016

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

RE: 3 Meader Street – Special Permit Application

Dear Eleanor,

Enclosed on behalf of the applicant/owner, Susan A. Wager, is a request for Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-33. In the alternative, the applicant/owner is requesting Variance relief pursuant to Nantucket Zoning Bylaw Section 139-32 from the intensity regulations in Section 139-16.

I have also enclosed the filing fee of \$450.00 made payable to the Town of Nantucket and two (2) copies of the application and supporting documentation.

Please prepare public notice for public hearing on the application at the Planning Board's September 8, 2016 meeting.

Also please note that I reserve the right to supplement this application with further materials at a later time.

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.

Enclosure(s)



TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554

2016 AUG 29 PM 2:44  
NANTUCKET  
TOWN CLERK

APPLICATION

Fee: \$450.00

File No. 33-16

Owner's name(s): Susan A. Wager

Mailing address: 225 Central Park West #1122, New York, NY 10024

Phone Number: 508-228-0771 E-Mail: John@gliddenandglidden.com

Applicant's name(s): Same

Mailing Address:

Phone Number: 508-228-0771 E-Mail: John@gliddenandglidden.com

Locus Address: **3 Meader Street** Assessor's Map/Parcel: 42.2.3/<sup>3</sup>29

~~Land Court Plan/Plan Book & Page~~/Plan File No.: 2013-15, Lot 1A

Deed Reference/~~Certificate of Title~~: **Book 1389, Page 220** Zoning District: ROH

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

Residential: Number of dwellings: 1 Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Date of Structure(s): Pre-1972

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:

See Exhibit A

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, Susan A. Wager (hereinafter referred to as “Wager”) is the owner of 3 Meader Street (“the Premises”) by virtue of a Deed recorded in Book 1389, Page 220. Applicant is requesting Special Permit relief pursuant to Nantucket Zoning Bylaw Section 139-33.A.(1)(a) to alter a preexisting nonconforming structure or, in the alternative, Variance relief per Section 139-32 from the intensity regulations in Section 139-16.

The Premises, and pre-existing structure thereon, is nonconforming with respect to lot area and setbacks. The lot, a lot of record, is undersized for the Residential Old Historic (“ROH”) zoning district, having a lot size of 2,652 +/- square feet in a zoning district that requires a minimum lot size of 5,000 square feet. Said lot was created pursuant to M.G.L. c. 41, Section 81L per the endorsed Approval Not Required plan filed as Plan No. 2013-15 at the Nantucket Registry of Deeds. Pursuant to Nantucket Zoning Bylaw Section 139-33.A.(3), said lot has the benefit of being a pre-existing nonconforming lot and said structure has the benefit of being a pre-existing nonconforming structure.

The structure upon the Premises, a pre-existing nonconforming single-family dwelling with approximately 698 square feet of ground cover. Said structure is nonconforming with respect to side yard setbacks, being sited as close as 0.7 feet from the easterly side yard lot line in a zoning district that requires a five (5) foot side yard setback. The structure otherwise conforms to the intensity regulations of the ROH zoning district.

The Applicant proposes to alter the structure by lifting the structure to place a new foundation beneath the existing footprint and by increasing the overall height of the structure by four (4) feet. The applicant also proposes to construct an addition surrounding the chimney, add a front deck and steps, construct an addition in the northwest corner of the structure, and construct an addition and deck towards the rear of the structure. As a result of said additions and the foundation, the height of the structure will increase from 13' - 1 3/4" to 17' - 1 3/4" at its highest point. The proposed additions and alterations will be no closer to the lot lines than the existing structure and will be outside all setbacks. Said alterations have been approved by virtue of Historic District Commission Certificate of Appropriateness No. 66240.

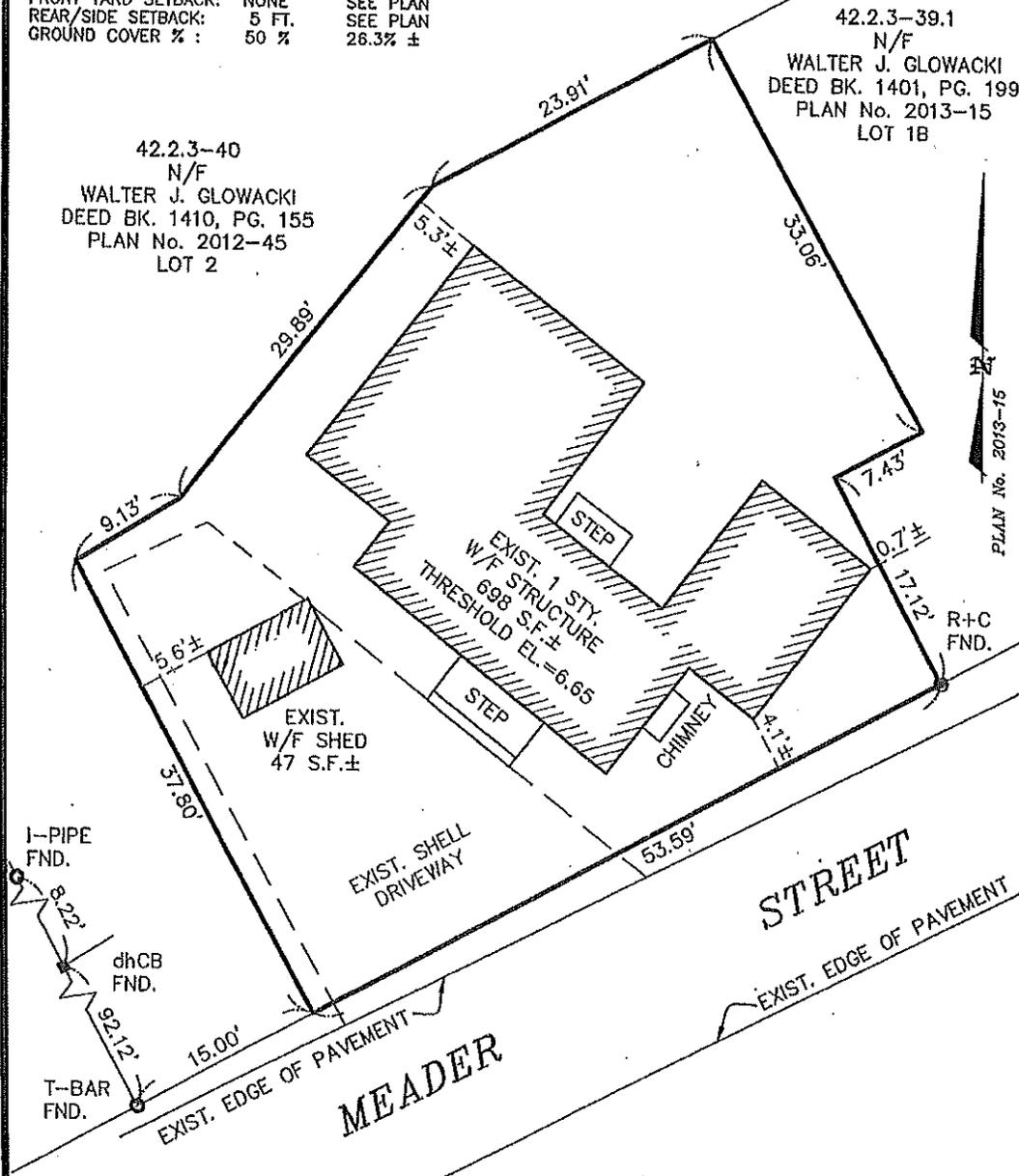
Therefore, because the proposed alteration does not increase the nonconforming nature of the lot or structure because the lot area and setback intrusions are not affected as a result of the proposed alteration, the proposed alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and Special Permit relief may be granted relief may be granted to allow the Applicant to alter the preexisting nonconforming structure in accordance with Historic District Commission Certificate of Appropriateness No. 66240 by adding a foundation and constructing an addition surrounding the chimney, adding a front deck and steps, constructing an addition to the northwest corner of the structure, and constructing an addition and deck towards

the rear of the structure . In the alternative, the Applicant is requesting Variance relief per Section 139-32 from the intensity regulations in Section 139-16 to allow said alteration.

CURRENT ZONING CLASSIFICATION:  
Residential Old Historic (R-OH)

MINIMUM LOT SIZE: 5000 S.F.  
MINIMUM FRONTAGE: 50 FT.  
FRONT YARD SETBACK: NONE  
REAR/SIDE SETBACK: 5 FT.  
GROUND COVER % : 50 %

Existing:  
2,652 S.F.±  
SEE PLAN  
SEE PLAN  
SEE PLAN  
26.3% ±



BUILDING LOCATION PLAN  
OF LAND IN  
NANTUCKET, MASS.

SCALE: 1"= 10' DATE: MAY 19, 2015

Owner: **SUSAN A. WAGER**  
LOT 1A  
Deed Bk./Pg.: 1389/220 . Plan No.: 2013-15  
Locus: . . . 3 MEADER STREET . . . . .

**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: . 42,2,3 , PARCEL: . 39 , . .

T:\CHRIS 1 JOB 61  
V:\DRAWFILES\B8096\BLP.dwg 5/19/2015 3:36:55 PM EDT

B8096

**NOTE:**  
 LOCUS LIES ENTIRELY WITHIN LAND  
 SUBJECT TO COASTAL STORM  
 FLOWAGE. REFERENCE FEMA FIRM  
 PANEL 25019C0088G ZONE AE BASE  
 FLOOD ELEVATION 9 FEET.

**CURRENT ZONING CLASSIFICATION:**  
 Residential Old Historic (ROH)

MINIMUM LOT SIZE: 5000 S.F.  
 MINIMUM FRONTAGE: 50 FT.  
 FRONT YARD SETBACK: NONE  
 REAR/SIDE SETBACK: 5 FT.  
 GROUND COVER % : 50%

**LEGEND**

- DENOTES CONCRETE BOUND FOUND
- DENOTES STEEL SURVEY MARKER FOUND
- DENOTES EXIST. GRADE SPOT ELEVATION
- x - x - DENOTES PROPOSED SILT FENCE
- ⊕ DENOTES PROPOSED ROOF GUTTER DOWNSPOUT
- DENOTES PROPOSED INFILTRATOR QUICK 4 PLUS EQUALIZER 36 LOW PROFILE (11)

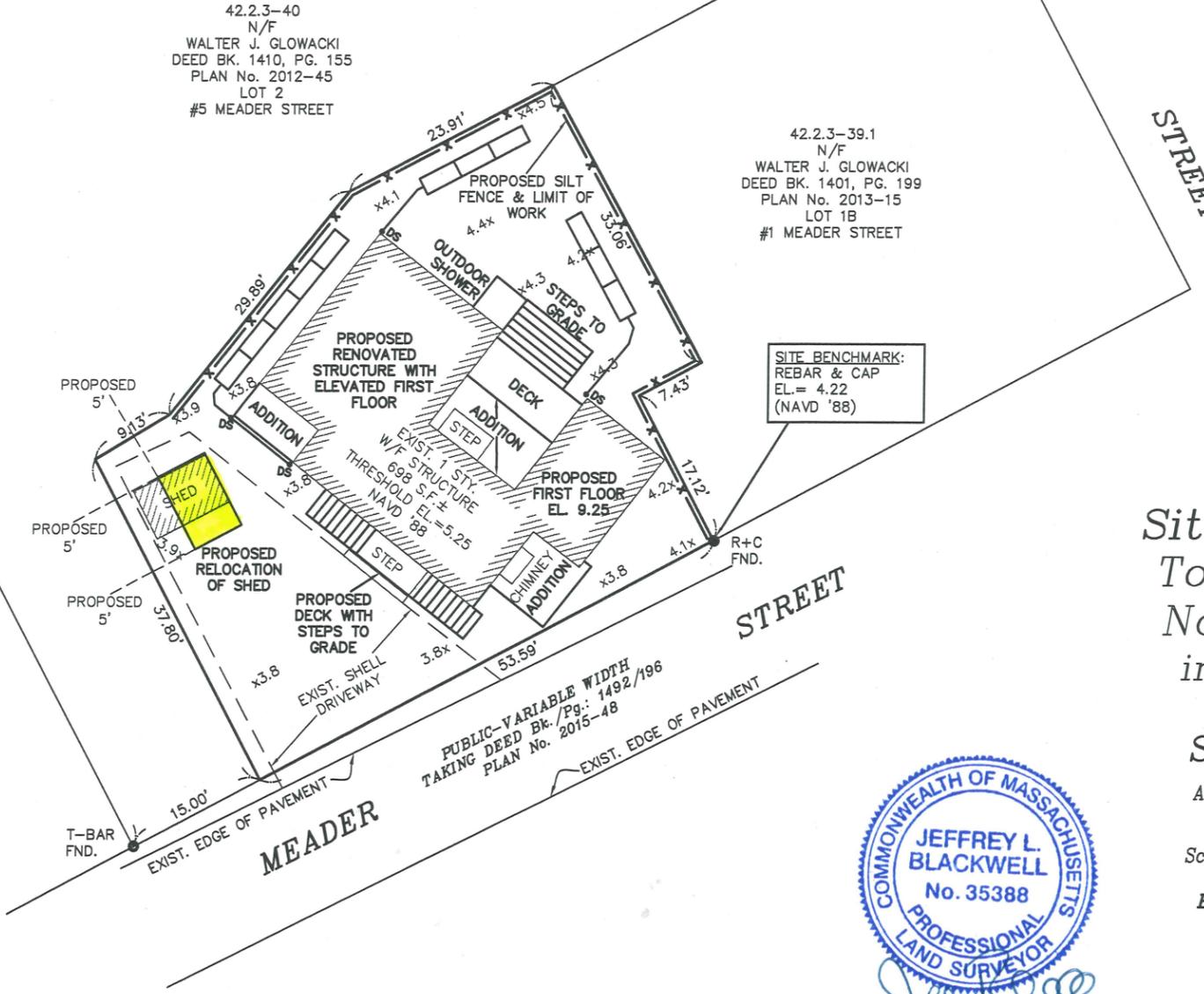
PLAN No. 2013-16

1-PIPE FND.  
 dhCB FND.

42.2.3-40  
 N/F  
 WALTER J. GLOWACKI  
 DEED BK. 1410, PG. 155  
 PLAN No. 2012-45  
 LOT 2  
 #5 MEADER STREET

42.2.3-39.1  
 N/F  
 WALTER J. GLOWACKI  
 DEED BK. 1401, PG. 199  
 PLAN No. 2013-15  
 LOT 1B  
 #1 MEADER STREET

SITE BENCHMARK:  
 REBAR & CAP  
 EL. = 4.22  
 (NAVD '88)

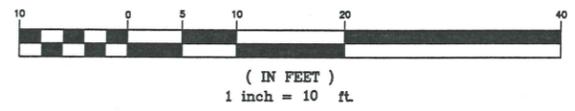


Site Plan of Land  
 To Accompany A  
 Notice of Intent  
 in Nantucket, MA  
 Prepared for  
**SUSAN A. WAGER**

ASSESSOR'S MAP 42.2.3, PARCEL 39  
 #3 MEADER STREET  
 Scale: 1" = 10' AUGUST 04, 2016  
 REV: AUGUST 24, 2016  
**BLACKWELL & ASSOCIATES, Inc.**  
 Professional Land Surveyors  
 20 TEASDALE CIRCLE  
 NANTUCKET, MASS. 02554  
 (508) 228-9026



GRAPHIC SCALE

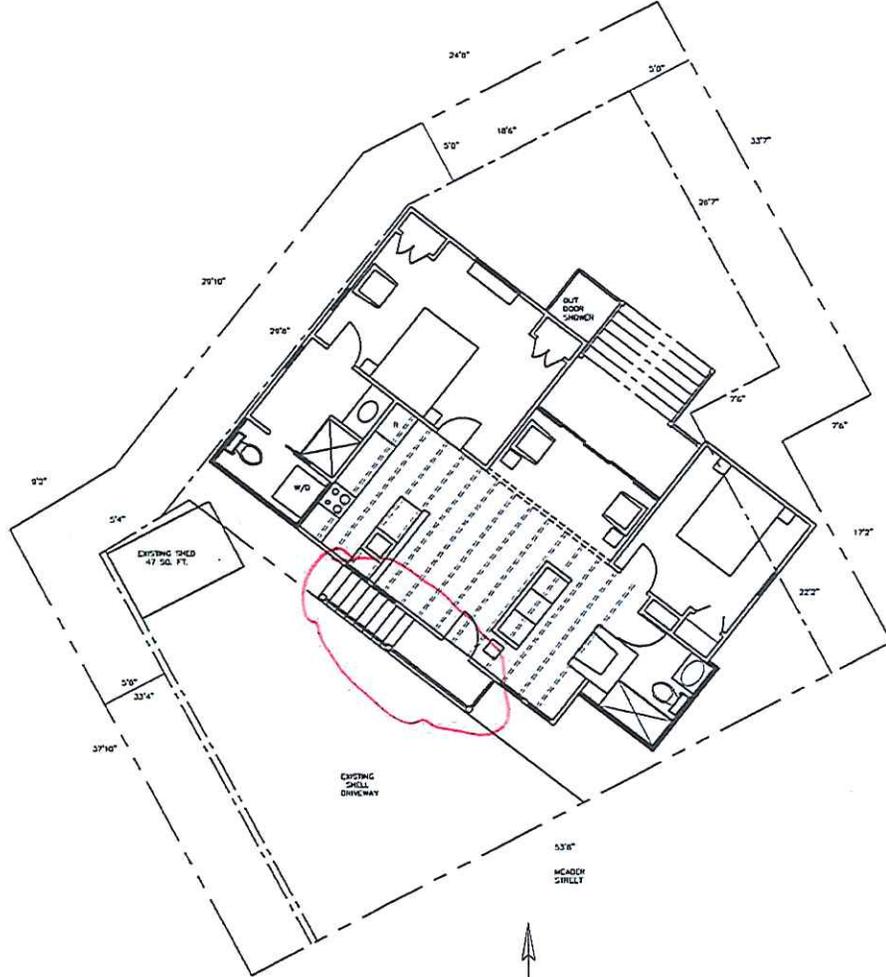


**OWNER INFORMATION**  
 SUSAN A. WAGER  
 DEED BK. 1389, PG. 220  
 ASSESSOR'S MAP 42.2.3, PARCEL 39  
 #3 MEADER STREET

T:\CHRIS 1 JOB 61  
 V:\DRAWFILES\B8096\NOI.dwg 8/24/2016 2:42:18 PM EDT

LOT AREA 2652± S.F.

B8096



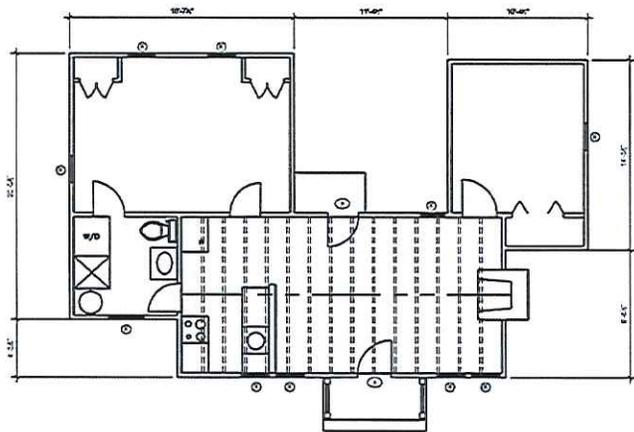
1 SITE PLAN  
Scale: 1/4" = 10'



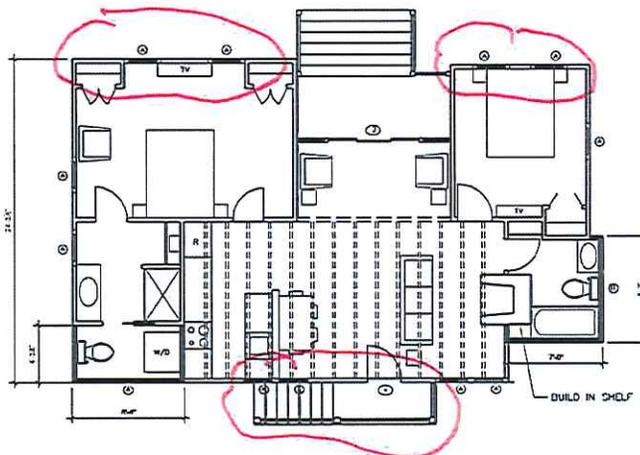
NANTUCKET ARCHITECTURE GROUP LTD.  
POST OFFICE BOX 1814  
NANTUCKET, MASSACHUSETTS, 02554  
TELEPHONE 508.228.6631  
WWW.NANTUCKETARCHITECTURE.COM

RENOVATION FOR:  
SUSAN WAGER  
3 MEADER STREET, NANTUCKET, MA 02554

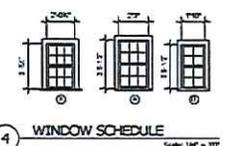
DATE	SCALE = 1/4" = 10'
HDC: XXXXXXX	
BIDDING:	
BLDC DEPT:	
REVISIONS:	
REVISIONS:	
REVISIONS:	
DATE	
CLIENT REVIEW	
HDC	



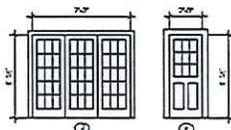
2 AS BUILT FLOOR PLAN  
Scale: 1/4" = 1'-0"



3 PROPOSED FLOOR PLAN  
Scale: 1/4" = 1'-0"



4 WINDOW SCHEDULE  
Scale: 1/4" = 1'-0"



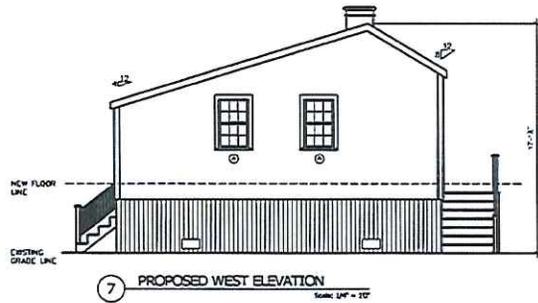
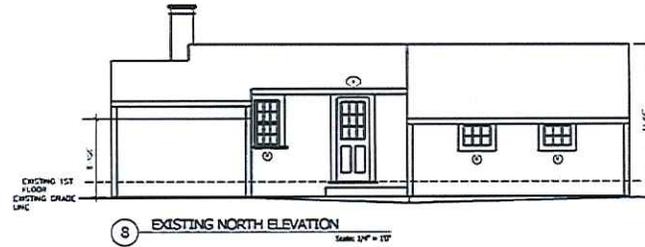
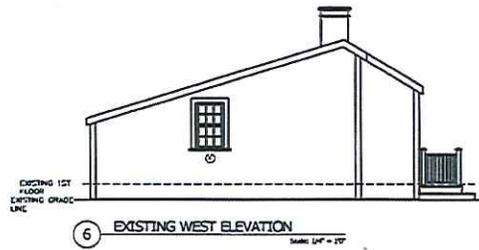
5 DOOR SCHEDULE  
Scale: 1/4" = 1'-0"

NANTUCKET ARCHITECTURE GROUP LTD.  
POST OFFICE BOX 1814  
NANTUCKET, MASSACHUSETTS, 02554  
TELEPHONE 508.228.5631  
WWW.NANTUCKETARCHITECTURE.COM

RENOVATION FOR:  
SUSAN WAGER  
3 MEADER STREET, NANTUCKET, MA 02554

HDC: XXXXXX
BIDDING:
BLOC. DEPT:
REVISIONS:
REVISIONS:
REVISIONS:
REVISIONS:
D/B

Client number  
HDC 2



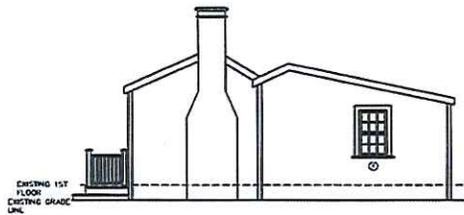
NANTUCKET ARCHITECTURE GROUP LTD.  
POST OFFICE BOX 1814  
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RENOVATION FOR:  
SUSAN WAGER  
3 MEADER STREET, NANTUCKET, MA 02554

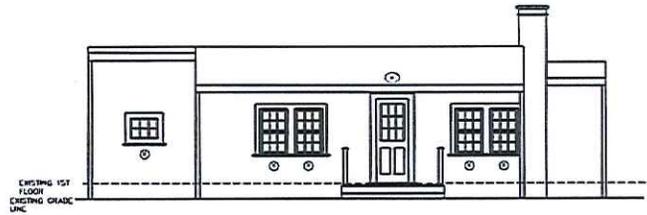
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BIDDING:  
BLDC. DEPT:  
REVISIONS:  
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REVISIONS:  
REVISIONS:  
D/E:

Client number

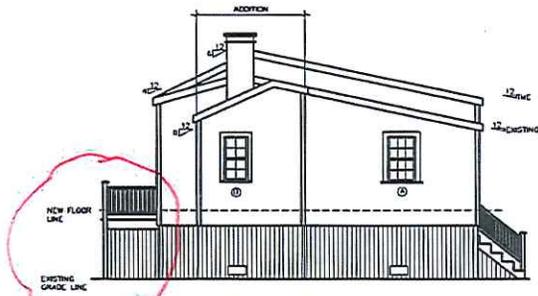
HDC 3



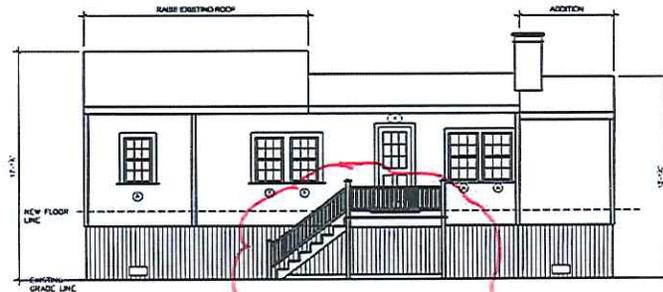
10 EXISTING EAST ELEVATION  
Scale: 1/4" = 1'-0"



12 EXISTING SOUTH ELEVATION  
Scale: 1/4" = 1'-0"



11 PROPOSED EAST ELEVATION  
Scale: 1/4" = 1'-0"



13 PROPOSED SOUTH ELEVATION  
Scale: 1/4" = 1'-0"

NANTUCKET ARCHITECTURE GROUP LTD.  
POST OFFICE BOX 1814  
NANTUCKET, MASSACHUSETTS, 02554  
TELEPHONE 508.228.5631  
WWW.NANTUCKETARCHITECTURE.COM

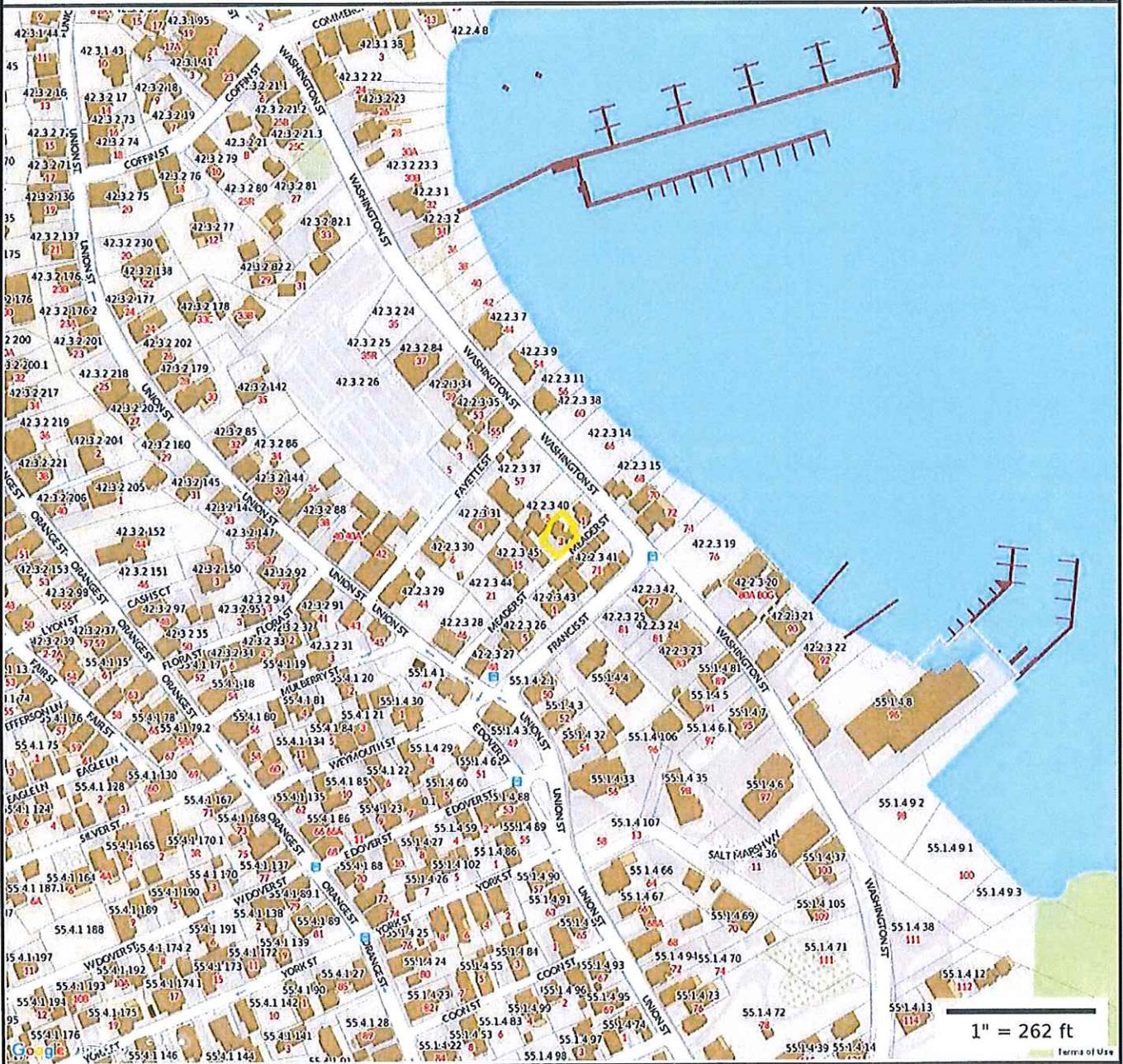
RENOVATION FOR:  
SUSAN WAGER  
3 MEADER STREET, NANTUCKET, MA 02554

HDC: XXXXXXX  
BIDDING:  
BLDG. DEPT:  
REVISIONS:  
REVISIONS:  
REVISIONS:  
REVISIONS:  
DJI:

CLIENT NUMBER

HDC 4

8/2x11



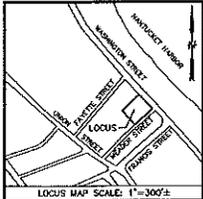
**Property Information**  
**Property ID** 42.2.3 39  
**Location** 3 MEADER ST  
**Owner** WAGER SUSAN A



**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

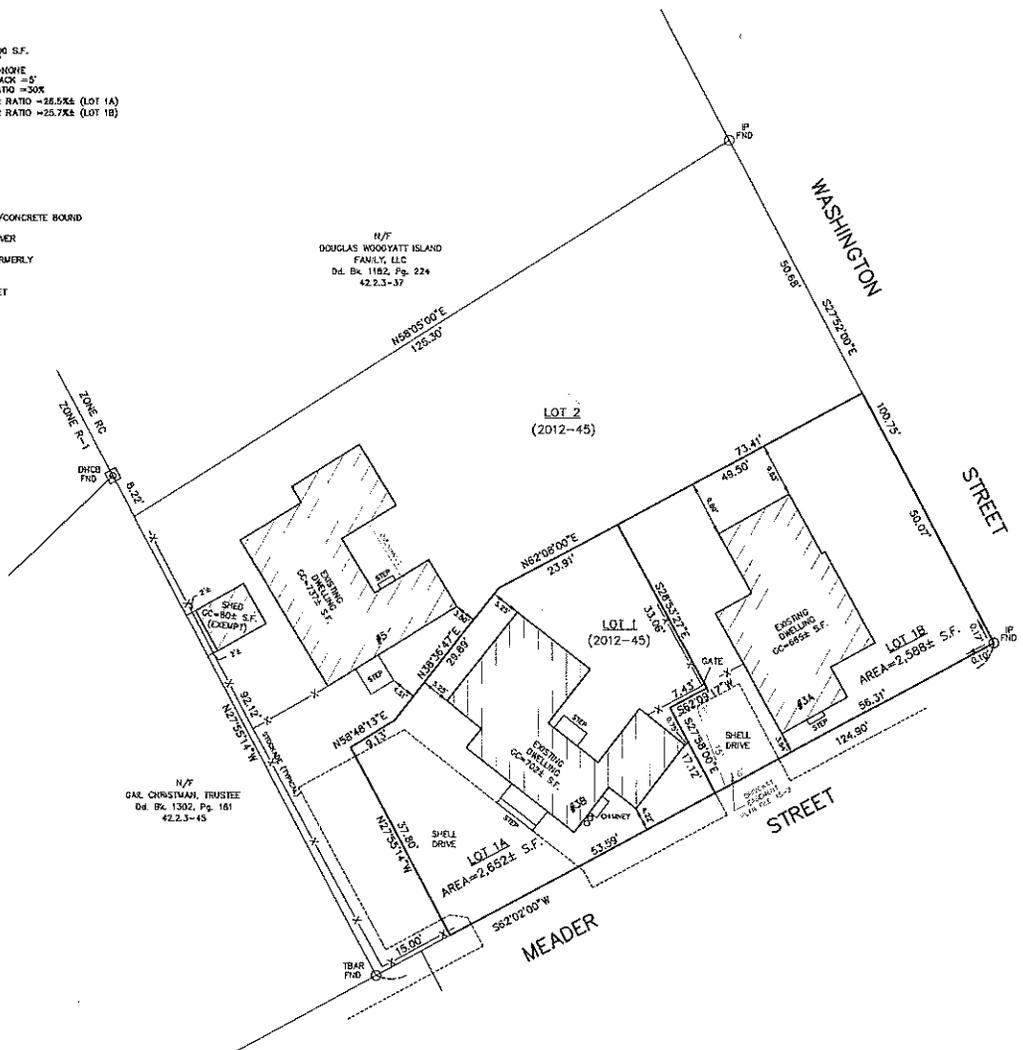


**REFERENCES:**  
 OWNER: HARBOR WIND COTTAGES, LLC  
 DEED REF.: DEED BOOK 1238, PAGE 254  
 PLAN REF.: PLAN FILE NO. 2012-45 (LOTS 1 & 2)  
 ASSESSORS REF.: MAP: 42.2.3 PARCELS: 39 & 40

**ZONING CLASSIFICATION**  
 DISTRICT: RC  
 MINIMUM LOT SIZE = 5,000 S.F.  
 MINIMUM FRONTAGE = 40'  
 FRONT YARD SETBACK = NONE  
 REAR & SIDE YARD SETBACK = 5'  
 MAX. GROUND COVER RATIO = 30%  
 EXISTING GROUND COVER RATIO = 26.5% (LOT 1A)  
 EXISTING GROUND COVER RATIO = 25.7% (LOT 1B)

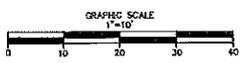
**LEGEND:**

DA BL	DEED BOOK
DH CL	DRILL HOLE/CONCRETE BOUND
FND	FOUND
GC	GROUND COVER
IP	IRON PIPE
N/F	NOW OR FORMERLY
Pg.	PAGE
PL Bk.	PLAN BOOK
S.F.	SQUARE FEET



- NOTES:**
1. STRUCTURES PREDATE ZONING JULY 27, 1972, (BUILDINGS STANDING PRIOR TO 1955).
  2. LOT 1A AND LOT 1B CREATED PURSUANT TO CHAPTER 41 SECTION 81L.
  3. THE PREMISES SHOWN ON THIS PLAN ARE LOCATED WITHIN THE "TYP" ZONE AS DELINEATED ON THE "TYP" MAP OF COMMUNITY NO. 250230-0211 D, MAP REVISED: JULY 2, 1992 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
  4. TOTAL AREA = 5,240.4 S.F.

**PLAN OF LAND**  
 #3A & 3B MEADER STREET  
 AT  
 NANTUCKET, MASSACHUSETTS  
 SCALE: 1"=10' DATE: MARCH 20, 2013  
 PREPARED FOR:  
 MARION PIETROVASO  
 NANTUCKET SURVEYORS, LLC  
 5 WARDY WAY  
 NANTUCKET, MA 02554  
 (508) 228-0240



THE PLANNING BOARD DETERMINES THAT:  
 LOT(S) LOT 1A AND LOT 1B DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."  
*Paul Parks* 4/1/13  
 PROFESSIONAL LAND SURVEYOR DATE



PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.  
**NANTUCKET PLANNING BOARD**  
 APPROVAL UNDER THE SUBMISSION CONTROL LAW NOT REQUIRED

BURY ECTOR, CHAIRMAN  
*[Signature]*  
 SILVA HONARD, VICE-CHAIRMAN  
 MARION LONELL  
 JAMES [Signature]  
 LINDA WELLS  
 DATE APPROVED: 04-09-13  
 DATE SIGNED: 04-08-13  
 FILE NO. 7545

\$ 40.00

RECEIVED  
BOARD OF ASSESSORS

JUL 15 2016

Town of Nantucket  
Zoning Board of Appeals

TOWN OF  
NANTUCKET, MA

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

PROPERTY OWNER..... SUSAN A. WAGER

MAILING ADDRESS..... 225 CENTRAL PARK WEST #122, New York, NY 10024

PROPERTY LOCATION..... S MEADOW STREET

ASSESSOR MAP/PARCEL..... 42.23/39

SUBMITTED BY..... Glidden + Glidden

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)).

July 15, 2016  
DATE

Patricia Miles  
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
4223		7		HARBORSIDE REALTY TRUST	C/O SWETT VALERIE TRST	22 BROAD STREET	NANTUCKET	MA 02554	44 WASHINGTON ST
4223		9		ZEHNER VICTORIA HOLMES		PO BOX 3161	FRIDAY HARBOR	WA 98258	54 WASHINGTON ST
4223		11		HERON JOANNE		PO BOX 2200	NANTUCKET	MA 02584	56 WASHINGTON ST
4223		14		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA 02554	66 WASHINGTON ST
4223		15		WOLFE RICHARD C	PIONEERS NOMINEE TRUST	PO BOX 160	MYSTIC	CT 06355	68 WASHINGTON ST
4223		16		GLOWACKI WALTER J		PO BOX 28	NANTUCKET	MA 02554	70 WASHINGTON ST
4223		17		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA 02554	72 WASHINGTON ST
4223		18		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA 02554	74 WASHINGTON ST
4223		19		NANTUCKET TOWN OF	C/O PARK & REC	2 BATHING BEACH RD	NANTUCKET	MA 02554	76 WASHINGTON ST
4223		20	75						80A 80G WASHINGTON ST
4223		20	1	ALEXANDER CANDACE		10 MYSTIC STREET #1	CHARLESTOWN	MA 02129	80B WASHINGTON ST
4223		20	2	PERRY TERESSA D GIGUERE TRS	GIGUERE REALTY TRUST	P O BOX 4400	VAIL	CO 81658	80C WASHINGTON ST
4223		20	3	PERRY TERESSA D GIGUERE TRS	GIGUERE REALTY TRUST	P O BOX 4400	VAIL	CO 81658	80D WASHINGTON ST
4223		20	4	DOLCEAMORE ANTHONY R JR ETAL		2155 COTTONWOOD DRIVE	SEA GRIT	NJ 08750	80E WASHINGTON ST
4223		20	5	BNB REALTY LLC ETAL	C/O ASAKER BAHIGE	9 HUNT DRIVE	DOVER	MA 02030	80F WASHINGTON ST
4223		20	6	NANTUCKET HARBORSIDE LP		58 BEDFORD STREET	CONCORD	MA 01742	80G WASHINGTON ST
4223		20	7	REFVIK REBECCA J		19 COVLEE DRIVE	WESTPORT	CT 06880	80H WASHINGTON ST
4223		20	8	RICHTER RICHARD JR		185 BEACON ST # 4F	BOSTON	MA 02116	80 WASHINGTON ST
4223		23		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	83 WASHINGTON ST
4223		24		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	81 WASHINGTON ST
4223		25		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	81 WASHINGTON ST
4223		26		PATE WILLIAM C & KATHE A		21 E BROAD OAKS DR UNIT	HOUSTON	TX 77056	5 FRANCIS ST
4223		27		JOHNSON ERIC		PO BOX 805	NANTUCKET	MA 02554	48 UNION ST
4223		28		COFFIN ALBERT F ETAL		PO BOX 464	NANTUCKET	MA 02554	46 UNION ST
4223		29		KELLOGG DIANE W B		44 UNION ST	NANTUCKET	MA 02554	44 UNION ST
4223		30		PEVERLEY EVAN		82 BERKELEY ST APT 5	BOSTON	MA 02116	6 FAYETTE ST
4223		31		KUEHN ALFRED L		4829 GREYMOSS LN	SARASOTA	FL 34233	4 FAYETTE ST
4223		32		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA 02554	5 FAYETTE ST
4223		33		AMICK ROBERT A ETAL		22 WALKER TERRACE	ATLANTA	GA 30309	1 FAYETTE ST
4223		33	1	SEA OH AIRS LLC		331 MILLER RD	BETHANY	CT 06524	3 FAYETTE ST
4223		34		HARBORSIDE REALTY TRUST	C/O SWETT VALERIE TRST	22 BROAD STREET	NANTUCKET	MA 02554	39 WASHINGTON ST
4223		35		RICHMOND GREAT POINT DEV LLC ETAL		23 CONCORD STREET	WILMINGTON	MA 01887	53 WASHINGTON ST
4223		36		BARLOW DORIS E TRST ETAL		865 CENTRAL AV APT J507	NEEDHAM	MA 02492-1384	55 WASHINGTON ST
4223		37		WESQUO PROPERTY B LLC		37 OLD SOUTH RD # 6	NANTUCKET	MA 02554	57 WASHINGTON ST
4223		38		NANTUCKET ISLANDS LAND BANK		22 BROAD STREET	NANTUCKET	MA 02554	60 WASHINGTON ST
4223		39	1	GLOWACKI WALTER J		P O BOX 28	NANTUCKET	MA 02554	1 MEADER ST
4223		40		GLOWACKI WALTER J		PO BOX 28	NANTUCKET	MA 02554	5 MEADER ST
4223		41		NISDA INC		PO BOX 1848	NANTUCKET	MA 02554	71 WASHINGTON ST
4223		42		ZSCHAU PETER B & MELANIE Y		PO BOX 93	MILLERS FALLS	MA 01349	77 WASHINGTON ST
4223		43		JAKES DILEMMA LLC		1 FRANCIS STREET	NANTUCKET	MA 02554	1 FRANCIS ST
4223		44		LEGG BRIAN W & SUZANNE L	C/O SUZANNE L BELANGER	18 POLPIS RD	NANTUCKET	MA 02554	21 MEADER ST
4223		45		PRESERVE ACK LLC		43 WINTER ST # 6	BOSTON	MA 02108	15 MEADER ST
4232		26		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	WASHINGTON ST
4232		28		UNION STREET PARTNERS LLC		15 B VESTAL STREET	NANTUCKET	MA 02554	42 B UNION ST
4232		28	1	FAYETTE ST PARTNERS LLC		105 NEWBURY ST 4TH FL	BOSTON	MA 02116	13 FAYETTE ST
4232		28	2	42 UNION STREET LLC	C/O FAYETTE STREET PART II LLC	105 NEWBURY STREET 4TH F	BOSTON	MA 02116	11 FAYETTE ST

7/15/2016 2:09:14PM

Page 1

ABBUTTERS LISTING  
NANTUCKET, MA

Map	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
4232		28	3	UNION STREET PARTNERS II LLC		105 NEWBURY ST 4TH FL	BOSTON	MA 02116	42 A UNION ST
4232		89	1	DAVELLA JOHN F & DENISE A		118 MAIN STREET	FARMINGTON	CT 06032	40A UNION ST
4232		89	2	WEINMAN RHODA H		PO BOX 1365	NANTUCKET	MA 02554	40C UNION ST
4232		89	3	ROBINSON JANET LYNN		164 E 72ND ST APT 11A	NEW YORK	NY 10021	40D UNION ST
4232		89	4	WALSH DANIEL	C/O FIRST AMERICAN RE TAX SERVICE	1 FIRST AMERICAN WY DEW	WESTLAKE	TX 76262	40B UNION ST
4232		89	66						40 40A UNION ST
5514		1		ALLERHAND ELIZABETH COFFIN		47 UNION ST	NANTUCKET	MA 02554	47 UNION ST
5514		2		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA 02554	50 UNION ST
5514		2	1	NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA 02554	UNION ST
5514		3		AVERY EMILY		52 UNION ST	NANTUCKET	MA 02554	52 UNION ST
5514		4		BERLYN LYNNE F		5 BLACKWELL LANE	WORCESTER	MA 01609	2 FRANCIS ST
5514		31		NANTUCKET LIGHTSHIP BASKET	MUSEUM	PO BOX 2517	NANTUCKET	MA 02584	49 UNION ST
5514		32		VARIAN HENRY & MIRIAM		54 UNION ST	NANTUCKET	MA 02554	54 UNION ST

**POLPIS HARBOR LLC**

**248 & 250**  
**POLPIS RD.**

**FILE NO. 34-16**



PLANNING OFFICE  
AUG 12 2016  
RECEIVED

TOWN OF NANTUCKET  
BOARD OF APPEALS  
NANTUCKET, MA 02554

2016 AUG 29 PM 2:45  
NANTUCKET  
TOWN CLERK

APPLICATION

Fee: \$450.00

File No. 34-16

Owner's name(s): Polpis Harbor LLC

Mailing address: c/o Vaughan Dale & Hunter, PO Box 659, Nantucket, MA 02554

Phone Number: 508-228-4455 E-Mail: \_\_\_\_\_

Applicant's name(s): (Same)

Mailing Address: \_\_\_\_\_

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

Locus Address: 250 Polpis Road Assessor's Map/Parcel: 26-27

Land Court Plan/Plan Book & Page/Plan File No.: 13443-D, Lo A3

Deed Reference/Certificate of Title: 002535<sup>4</sup>3 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 \_\_\_\_\_ 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:

Applicant is seeking Special Permit relief pursuant to Nantucket Zoning By-Law Section 139-33A to change the use of a pre-existing nonconforming garage structure to a pool house/cabana. The structure is sited as close as about 8.6 feet from the easterly front yard lot line on Polpis Road in a district that requires a minimum front yard setback of 35 feet. There is no increase of the nonconformity within the required setback area as the structure's footprint and massing will not increase, but decrease from about 520 SF to about 474 SF with the removal of a small westerly side addition. The property is conforming as to lot size, ground cover, frontage, and side and rear yard setback requirements. There is a separate existing nonconforming structure that dates from 1890 that is sited as close as about 27.3 feet from the front yard lot line. No change is proposed under this application for that structure.

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\*

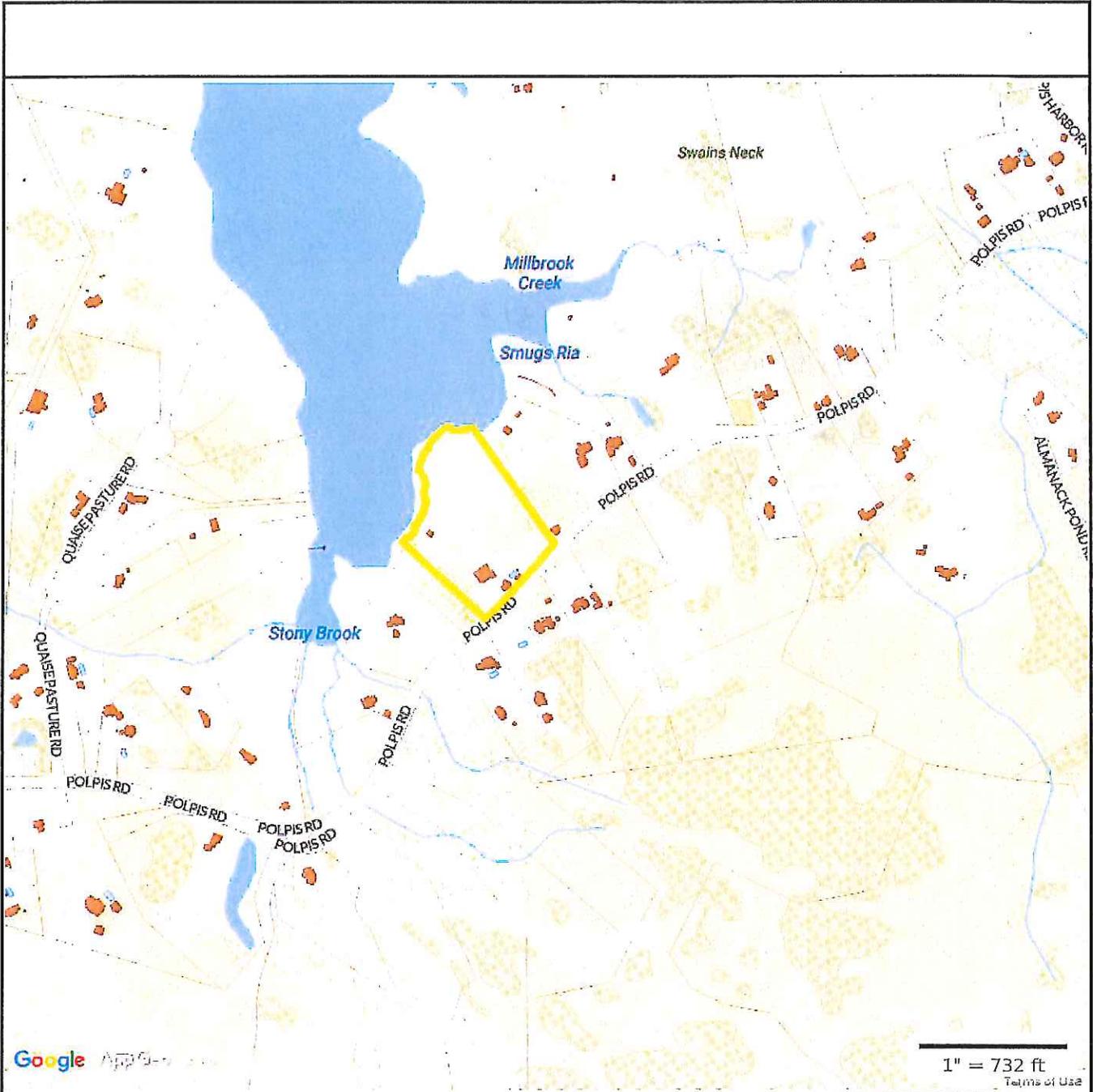
SIGNATURE:  \_\_\_\_\_ Applicant/Attorney/Agent\*

\*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: / / \_



**Property Information**

Property ID 26 27  
 Location 250 POLPIS RD  
 Owner POLPIS HARBOR LLC



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

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

Parcels updated December, 2014  
 Properties updated January, 2015



**Property Information**

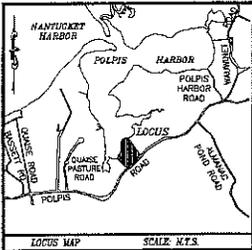
Property ID 26 27  
Location 250 POLPIS RD  
Owner POLPIS HARBOR LLC



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

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Parcels updated December, 2014  
Properties updated January, 2015



J. MARCKLINGER & ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYORS  
 P.O. BOX 896  
 NANTUCKET, MA 02554  
 (518) 945-7054



**SITE DESIGN  
 ENGINEERING, L.L.C.**  
 11 CUSHMAN STREET  
 MIDDLEBORO, MA 02346  
 T: 508-867-0070 F: 508-867-0674  
 WWW.SDE-LEEC.COM

NO.	DATE	DESCRIPTION	APPROVED

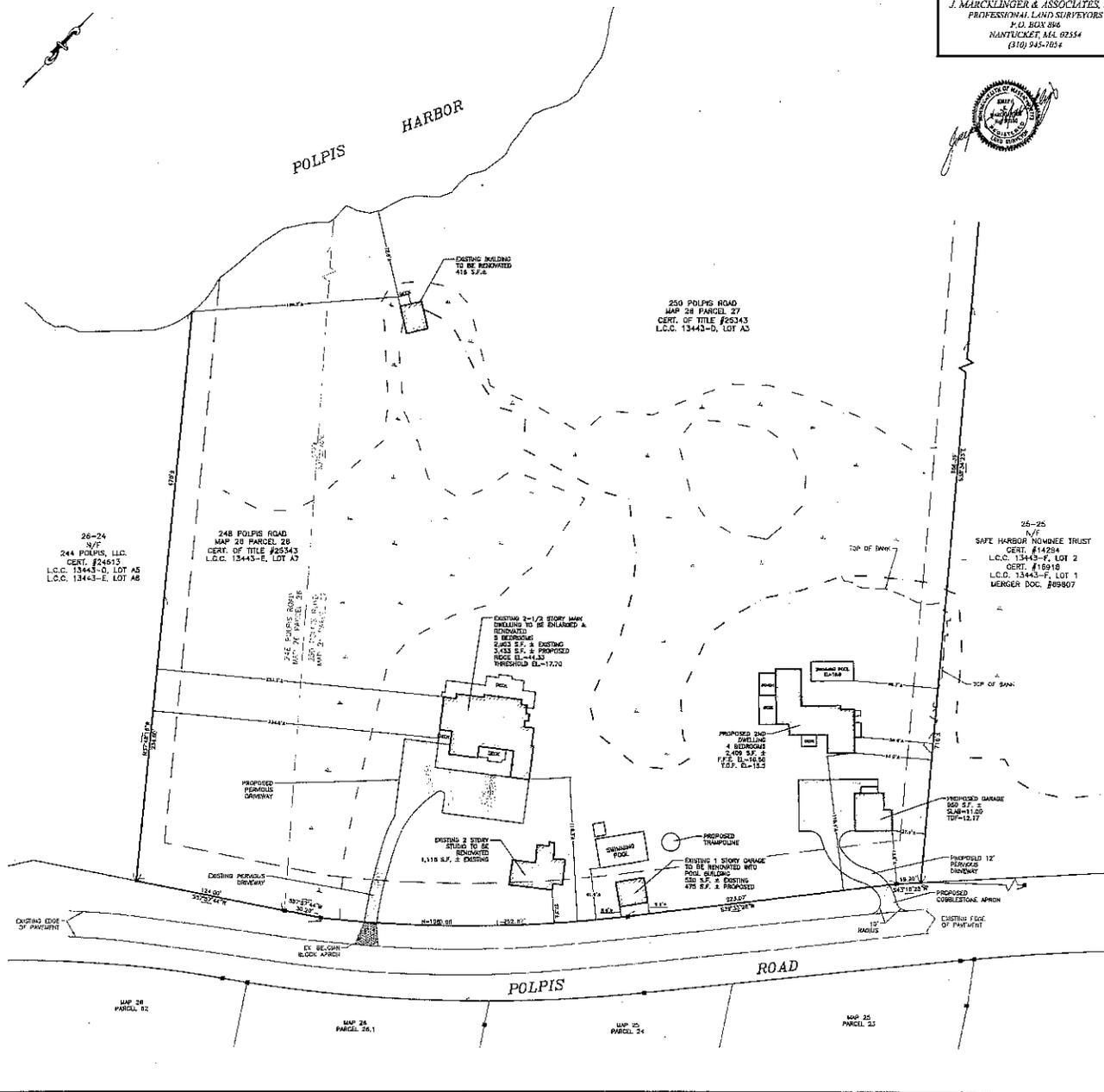
PLAN REVISIONS  
 DATE: JULY 8, 2010  
 DRAWN BY: SADRIT DESIGN BY: RT/DCM CHECK BY: DCM  
 PROJECT NO: 14122  
 ISSUED FOR: APPROVAL



**SITE PLAN**  
 748 & 750 POLPIS ROAD  
 PARCELS MAP 24, PARCELS 26 & 27  
 NANTUCKET, MASSACHUSETTS  
 PREPARED FOR: POLPIS HARBOR, LLC

DRAWING TITLE:  
**SITE PLAN**

SCALE: 1" = 40'  
 SHEET NO.:  
**1 OF 1**



ZONING REQUIREMENTS		
ZONING DISTRICT: LIMITED USE GENERAL (LUG 3)		
	REQUIRED	PROVIDED
LOT AREA	120,000 S.F.	448,888 S.F.
LOT FRONTAGE	200 FT.	614 FT.
FRONT YARD SETBACK	35 FT.	SEE PLAN
REAR YARD SETBACK	20 FT.	SEE PLAN
SIDE YARD SETBACK	20 FT.	SEE PLAN
MAX. GROUND COVER RATIO	3 %	1.37 %

- GENERAL NOTES:**
- EXISTING CONDITIONS INFORMATION WAS COMPILED FROM AN ON THE GROUND SURVEY PERFORMED BY BLACKWELL & ASSOCIATES, INC. AND SUPPLEMENTED WITH RECORD PLAN INFORMATION.
  - ELEVATIONS ARE REFERENCED TO NAVD 83.
  - THIS SITE IS LOCATED WITHIN A KNOWN FLOOD HAZARD ZONE AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 2601950002, DATED JUNE 9, 2014.
  - THIS SITE IS LOCATED WITHIN THE NATURAL HERITAGE ENDANGERED SPECIES PROGRAM (NHESP) PROTECTIVE HAZARD OF RARE SPECIES AND NICHES ESTIMATED HABITATS OF RARE WILDLIFE AS SHOWN IN THE MASSACHUSETTS NATURAL HERITAGE ATLAS, 3TH EDITION, SPECIES SECTION 1, 2008, ISSUED BY THE WILDLIFE MASSACHUSETTS DIVISION OF FISHERIES AND WILDLIFE.
  - THIS PLAN AND ANY ACCOMPANYING CERTIFICATIONS DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY DESCRIBED HEREIN. THE OWNERS OF LOCUS AND NANTUCKET PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.
  - EXISTING UTILITY LINES SHOWN ON THIS PLAN ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THERE MAY BE EXISTING LINES DEEPER THAN THOSE INDICATED. SITE DESIGN ENGINEERING, L.L.C. ASSUMES NO RESPONSIBILITY FOR CHANGES INCURRED AS A RESULT OF UTILITIES SHIFTED OR INADEQUATELY SHOWN. BEFORE PLACING ANY UTILITIES, THE APPROPRIATE PUBLIC UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED.
  - ALL UTILITIES WITH OUTLETS AND DOWNPOUTS ARE TO BE CONNECTED TO UNDERGROUND UTILIZATION SYSTEMS.





CERTIFICATE NO: 63521

DATE ISSUED: 4/14/15

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a  
**CERTIFICATE OF APPROPRIATENESS**  
for structural work.

All blanks must be filled in using BLUE OR BLACK INK (no pencil) or marked N/A.  
**NOTE: It is strongly recommended that the applicant be familiar with the HDC guidelines, *Building with Nantucket in Mind*, prior to submittal of application. Please see other side for submittal requirements. Incomplete applications will not be reviewed by the HDC.**

This is a contractual agreement and must be filled out in ink. An application is hereby made for issuance of a Certificate of Appropriateness under Chapter 395 of the Acts and Resolves of Mass., 1970, for proposed work as described herein and on plans, drawings and photographs accompanying this application and made a part hereof by reference.

The certificate is valid for three years from date of issuance. No structure may differ from the approved application. Violation may impede issuance of Certificate of Occupancy.

**PROPERTY DESCRIPTION**

TAX MAP N°: 26 PARCEL N°. 26/27  
Street & Number of Proposed Work: 250 POLPIS RD.  
Owner of record: Michael Cohen  
Mailing Address: \_\_\_\_\_  
Contact Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**AGENT INFORMATION (if applicable)**

Name: Kevin Dale  
Mailing Address: 2 Whaler's Lane  
Nantucket, MA 02554  
Contact Phone #: (508)228-4455 E-mail: kevin@vdhlaw.com

FOR OFFICE USE ONLY  
Date application received: 3/4/15 Fee Paid: \$ 215.00  
Must be acted on by: 4/28/15  
Extended to: \_\_\_\_\_  
Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_  
Chairman: Orville Cleaves  
Member: Drew Coombs  
Member: \_\_\_\_\_  
Member: \_\_\_\_\_  
Member: Jim 4/14/15  
Notes - Comments - Restrictions - Conditions  
Seal Drops - Boards  
Brown windows -  
to be fixed 2/3/15

**DESCRIPTION OF WORK TO BE PERFORMED**  
See reverse for required documentation.

New Dwelling  Addition  Garage  Driveway/Approach  Commercial  Historical Renovation  Deck/Patio  Steps  Shed  
 Color Change  Fence  Gate  Landscaping  Move Building  Demolition  Revisions to previous Cert. No. \_\_\_\_\_  
 Pool (Zoning District UG-3)  Roof  Other POOL HOUSE POOL HOUSE  
Size of Structure or Addition: Length: 45'-0" Sq. Footage 1st floor: 1078 Decks/Patio: \* Size: 3030  1st floor  2nd floor  
Width: 21'-2" Sq. Footage 2nd floor: \_\_\_\_\_ Size: \_\_\_\_\_  1st floor  2nd floor  
Sq. Footage 3rd floor: \_\_\_\_\_

Difference between existing grade and proposed finish grade: North -0'-6" South 0'-0" East 0'-0" West -2'-3"  
Height of ridge above final finish grade: North 20'-0" South 18'-0" East 19'-0" West 19'-10"

**Additional Remarks**

Historic Name: \_\_\_\_\_ REVISIONS\* 1. East Elevation \_\_\_\_\_  
Original Date: \_\_\_\_\_ (describe) 2. South Elevation \_\_\_\_\_  
Original Builder: \_\_\_\_\_ 3. West Elevation \_\_\_\_\_  
Is there an HDC survey form for this building attached?  Yes  N/A 4. North Elevation \_\_\_\_\_

\*Cloud on drawings and submit photographs of existing elevations.

**DETAIL OF WORK TO BE PERFORMED**

Foundation: Height Exposed 8"  Block  Block Parged  Brick (type) \_\_\_\_\_  Poured Concrete  Piers  
Masonry Chimney:  Block Parged  Brick (type) 8x2 R.B.  Other \_\_\_\_\_  
Roof Pitch: Main Mass 10/12 Secondary Mass 1/2 Dormer 1/2 Other \_\_\_\_\_

Roofing material:  Asphalt:  3-Tab  Architectural  
 Wood (Type: Red Cedar, White Cedar, Shakes, etc.) Red Cedar  
Fence: Height: 48  
Type: POST-RAIL  
Length: 83

Skylights (flat only): Manufacturer \_\_\_\_\_ Rough Opening \_\_\_\_\_ Size \_\_\_\_\_ Location \_\_\_\_\_  
Manufacturer \_\_\_\_\_ Rough Opening \_\_\_\_\_ Size \_\_\_\_\_ Location \_\_\_\_\_

Gutters:  Wood  Aluminum  Copper  Leaders (material) Galvanized Steel

Leaders (material and size): Galvanized Steel 4"  
Sidewall:  White cedar shingles 5" Exposure  Clapboard (exposure: \_\_\_\_\_ inches) Front  Side

Trim: A. Wood  Pine  Redwood  Cedar  Other \_\_\_\_\_  
B. Treatment  Paint  Natural to weather  Other \_\_\_\_\_

C. Dimensions: Fascia 6" Rake 6" Soffit (Overhang) 2" Corner boards 4 1/2" Frieze 3"  
Window Casing 3 1/2" Door Frame 3 1/2" Columns/Posts: Round \_\_\_\_\_ Square 8"

Windows\*:  Double Hung  Casement  All Wood  Other Picture  
 True Divided Lights (muntins), single pane  SDL's (Simulated Divided Lights) Manufacturer Marvin

Doors\* (type and material):  TDL  SDL Front Barn/Panel Rear Barn/Plank Side \_\_\_\_\_  
Garage Door(s): Type \_\_\_\_\_ Material \_\_\_\_\_

Hardscape materials: Driveways \_\_\_\_\_ Walkways \_\_\_\_\_ Walls Drystack Bluestone

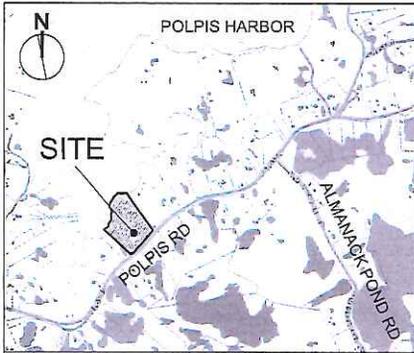
\* Note: Complete door and window schedules are required.

**COLORS**

Sidewall Natural Clapboard (if applicable) \_\_\_\_\_ Roof Natural  
Trim BM 1459 Metro Grey Sash BM 1459 Metro Grey Doors BM 1459 Metro Grey  
Deck Grey Granite Foundation Grey Stucco Fence BM 1459 Metro Grey Shutters BM 5408 Newport Blue

\* Attach manufacturer's color samples if color is not from HDC approval list.

I hereby authorize the agent named above to act on my behalf to make changes in the specifications or the plans contained in this application in order to bring the application into compliance with the HDC guidelines. I hereby agree to abide by and comply with the terms and conditions of this application. I hereby agree that the submission of any revisions to this application will initiate a new sixty-day review period.  
Date March 2, 2015 Signature of owner of record: Michael Cohen, LLC Signed under penalties of perjury  
My K Dale authorized agent



1 LOCUS MAP  
NTS

**SITE TABULATIONS**

250 Polpis Road, Nantucket MA  
 Property ID #: 26 27  
 -Zoning: LUG-3  
 -Max Building Height: 30'-0"  
 -Building Lot Setbacks:  
   Front: 35'-0"  
   Side: 20'-0"  
   Rear:  
 -Width @ Street: 50'-0"  
 -10.3 acres (448,668 sq ft)  
 -Max Impervious Building Coverage: 3% 13,460 sq ft

Existing Site Conditions	TOTAL
Main House Existing	2,934 SqFt
Studio Existing	1,116 SqFt
Garage Existing	520 SqFt
<b>BUILDING TOTAL</b>	<b>4,570 SqFt</b>
Decks / Pools	2,829 SqFt
<b>SITE TOTAL</b>	<b>7,399 SqFt</b>

Proposed Site Conditions	TOTAL
Main House Renovated	3,358 SqFt
Studio Renovated	1,116 SqFt
Garage Renovated (Pool House)	478 SqFt
Guest House New	2,245 SqFt
<b>BUILDING TOTAL</b>	<b>7,197 SqFt</b>
Tennis Court	7,221 SqFt
Decks / Pools	4,006 SqFt
<b>SITE TOTAL</b>	<b>18,227 SqFt</b>

**APPLICABLE CODES**

The 2009 International Residential Code

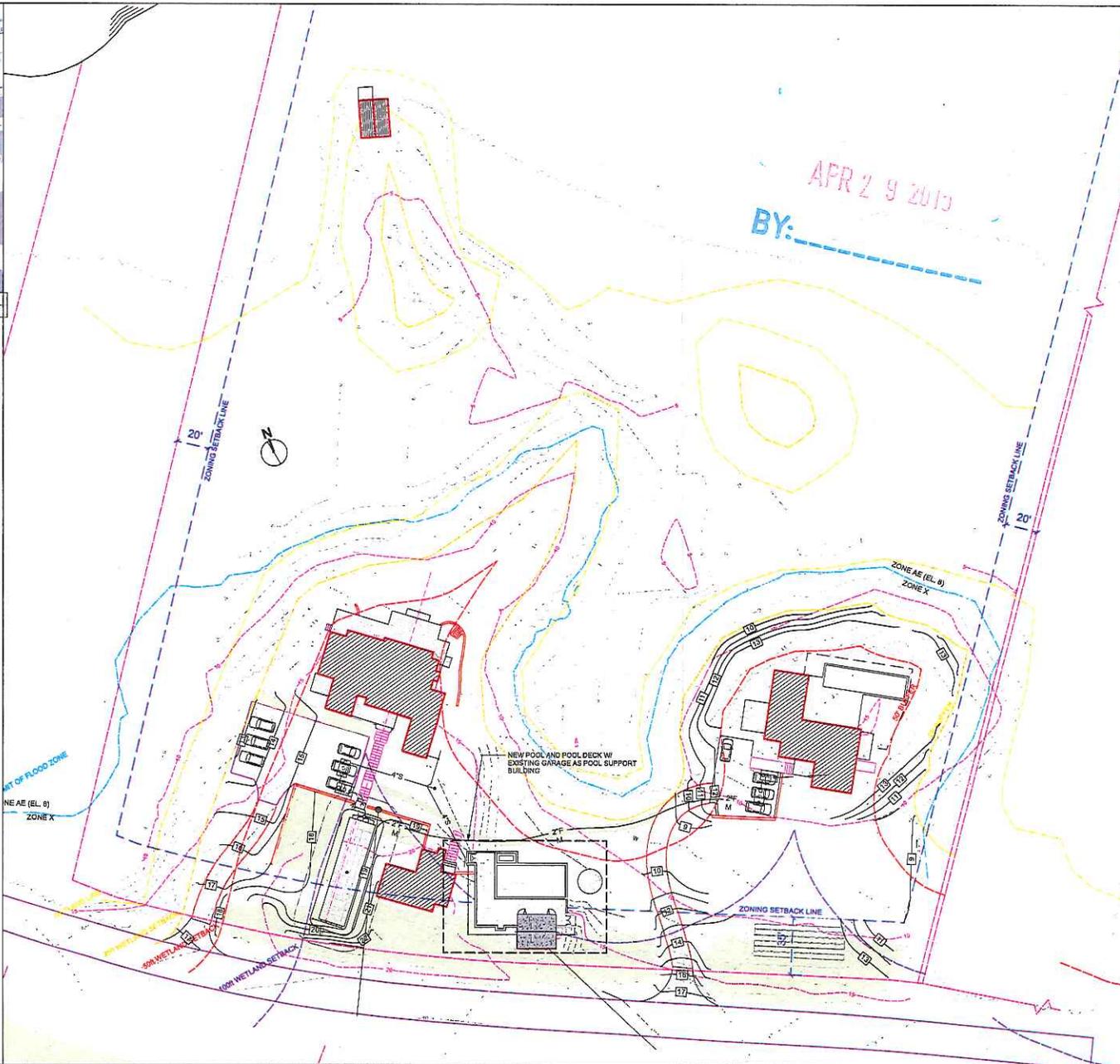
**BUILDING DESCRIPTION**

This project is a new Pool House constructed from the existing garage building on the site of an existing residence on this property in Nantucket, MA. This is a single story wood frame building with an open timber frame roof. The scope of the project includes the following:

1. One Main Living Space
2. Private Bathing / Changing Rooms
3. Indoor / Outdoor Dining Area
4. New Grill / Pool / Hot Tub Deck Area
5. New Retaining Walls and Fence

See Main House application for full scope of work.

3 PROJECT INFORMATION  
 3 SITE PLAN PROPOSED  
 Scale: 1" = 30 ft



APR 29 2013  
 BY: \_\_\_\_\_

moger · mehrhof  
 ARCHITECTS

**HDC SUBMISSION**  
 DRAWING LIST: MAIN HOUSE POOL  
 A.0.00 COVER SHEET / SITE PLAN  
 A.1.31 POOL ROOF PLAN / SITE INFO  
 A.2.00 EXTERIOR ELEVATIONS  
 A.2.01 EXTERIOR ELEVATIONS

No.	Date	Issue Notes

NOT FOR CONSTRUCTION

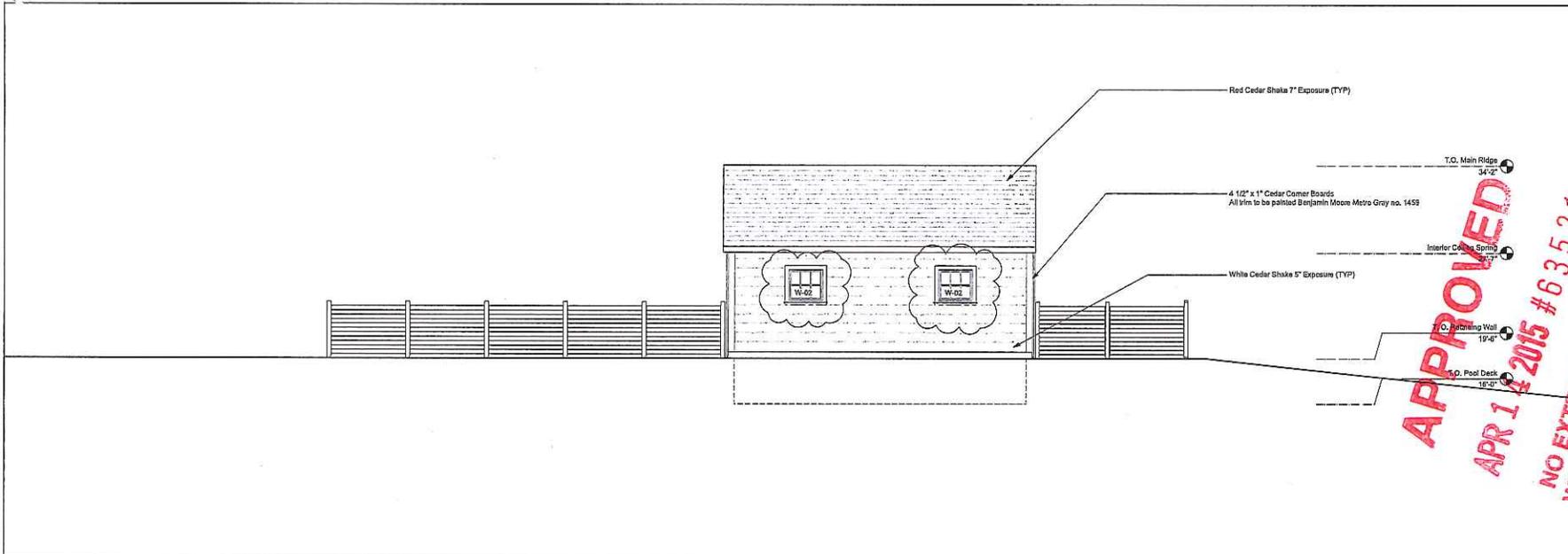
MOGER MEHRHOF ARCHITECTS  
 100 E LANCASTER AVE.  
 WAYNE, PA 19087  
 494.580.5521

Owner:  
 SITE DESIGN ENGINEERING  
 11 Cushman Street  
 Middleboro MA 02346  
 (508) 967-0673

POOL HOUSE - PRIVATE RESIDENCE  
 250 POLPIS ROAD  
 NANTUCKET, MA 02554

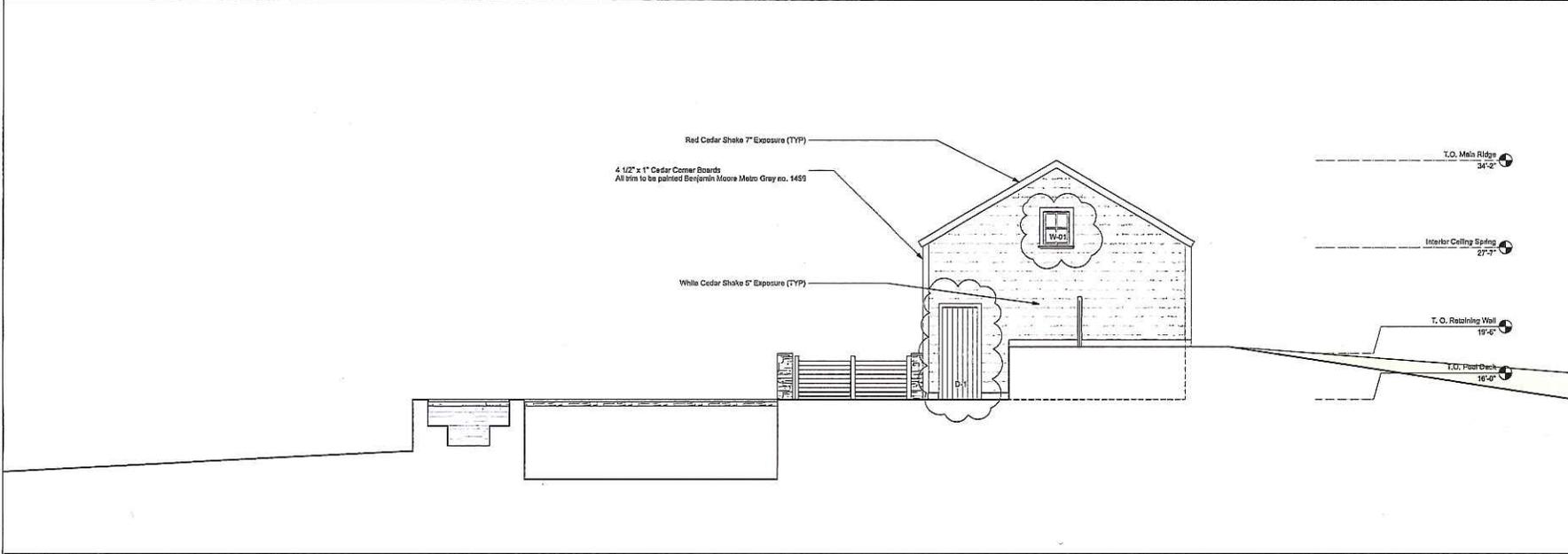
Cover Sheet / Site Plan

Project Manager KERRY MEHRHOF	File: AS NOTED
Designer ZTN	Drawn By KCM
Scale: 1" = 30 ft	Sheet No. <b>A0.00</b>
Date: 03/12/15	DWG 1 OF 23



**APPROVED**  
**APR 1 # 2015 # 63521**  
**NO EXTERIOR CHANGES**  
**WITHOUT HDC APPROVAL**

1 South Elevation  
Scale: 1/4" = 1'-0"



2 West Elevation  
Scale: 1/4" = 1'-0"

No.	Date	Issue Notes

NOT FOR CONSTRUCTION

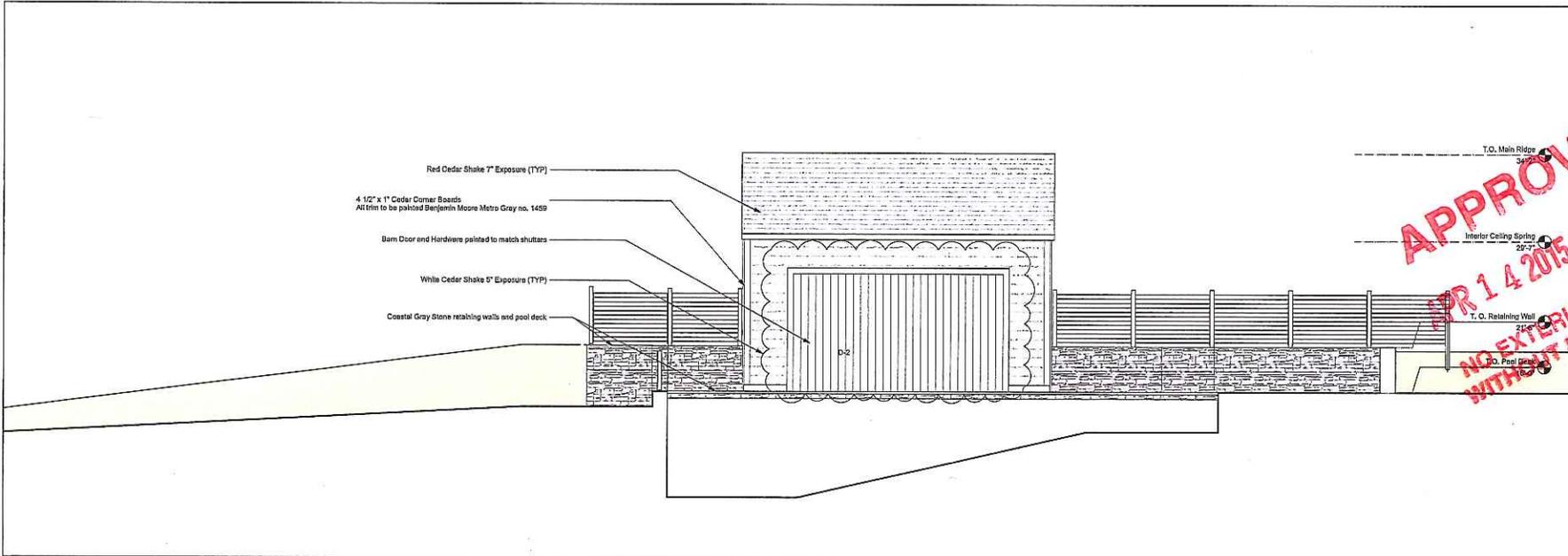
MOGER MEHRHOF ARCHITECTS  
 100 E LANCASTER AVE.  
 WAYNE, PA 19387  
 484.680.6521

Owner/  
 SITE DESIGN ENGINEERING  
 11 Cushman Street  
 Middleboro MA 02346  
 (508) 967-0673

POOL HOUSE - PRIVATE RESIDENCE  
 250 POLPIS ROAD  
 NANTUCKET, MA 02554

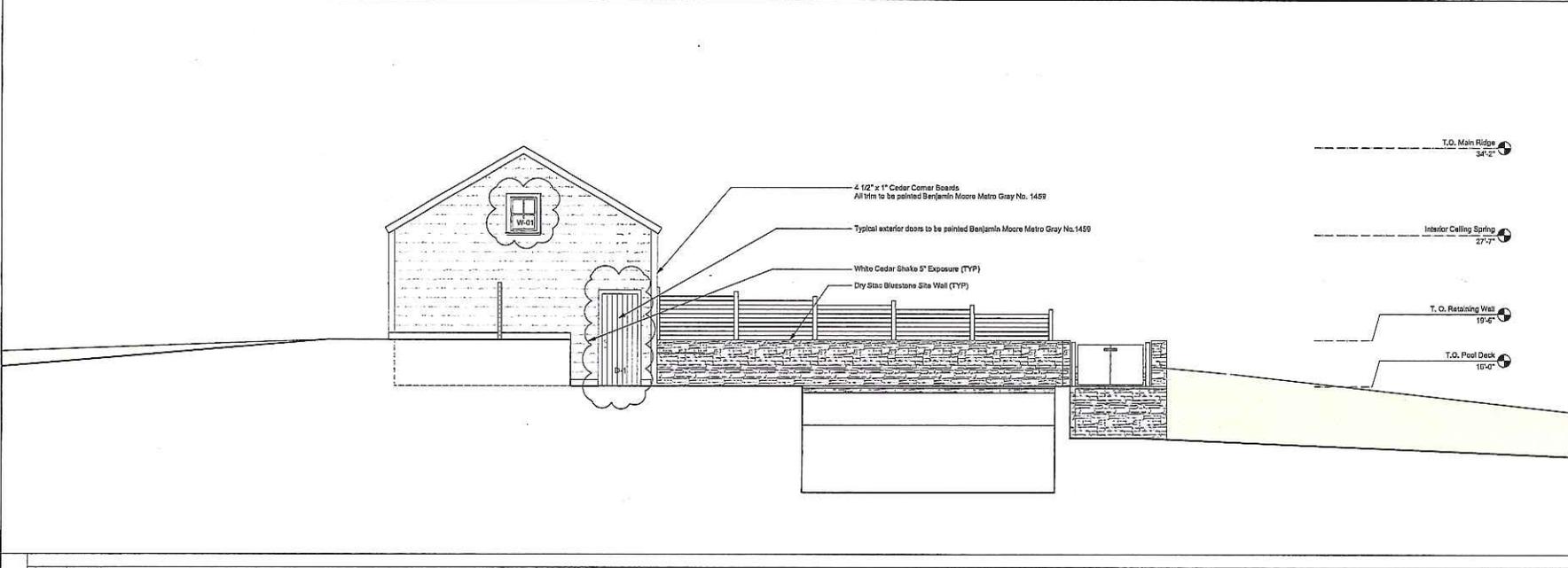
Exterior Elevations

Project Manager KIRBY MEHRHOF	Scale AS NOTED
Drawn by ZTM	Sheet No. A2.01
Reviewed by KCM	Date 03/10/15



**APPROVED**  
APR 14 2015 #63521  
**NO EXTERIOR CHANGES  
WITHOUT HDC APPROVAL**

1 North Elevation  
Scale: 1/4" = 1'-0"



Scale: 1/4" = 1'-0"

No.	Date	Issue Notes

NOT FOR CONSTRUCTION

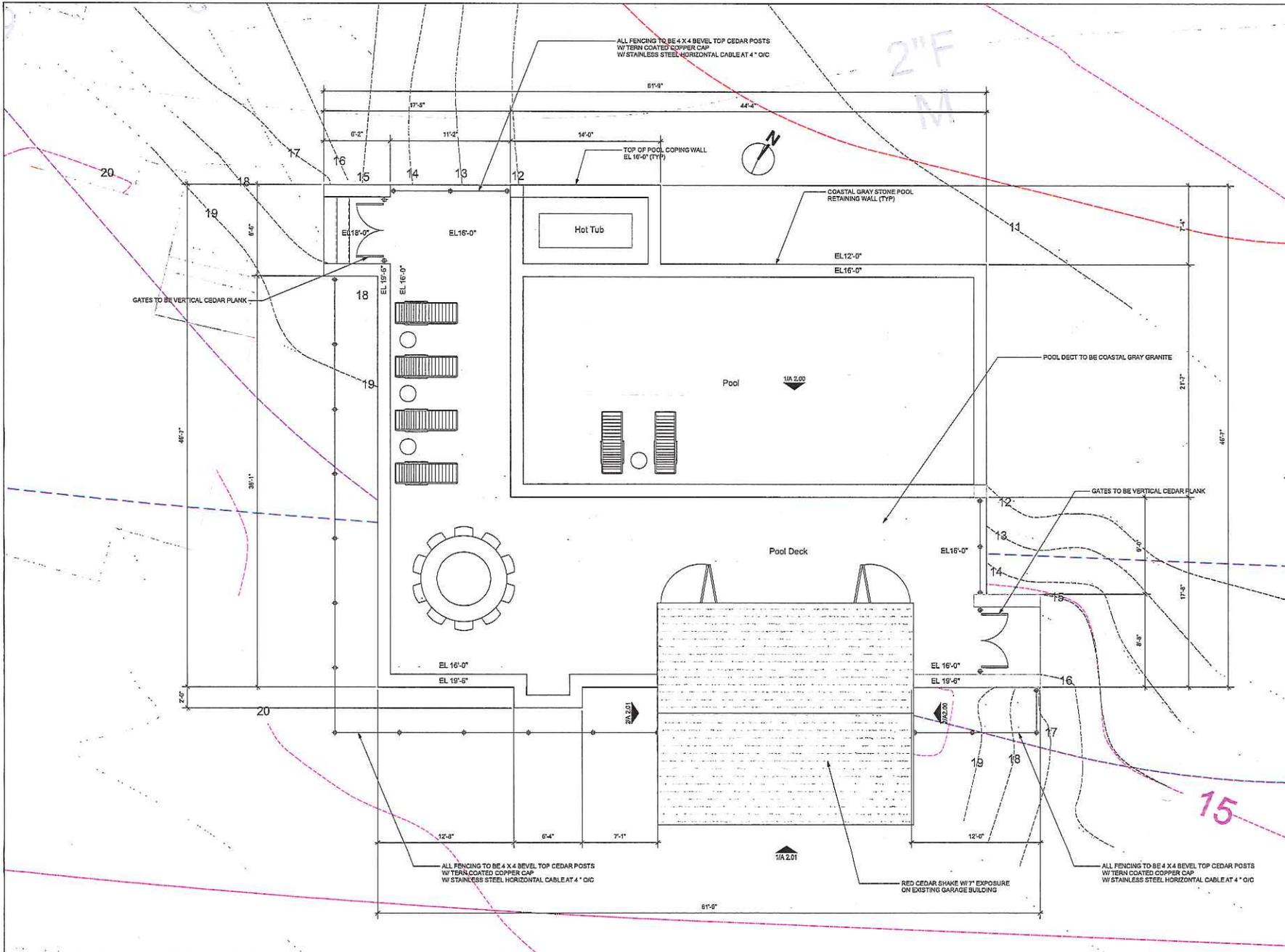
MOGER MEHRHOF ARCHITECTS  
100 E LANCASTER AVE.  
WAYNE, PA 19087  
484.580.5521

Owner  
SITE DESIGN ENGINEERING  
11 Cushman Street  
Middleboro MA 02345  
(508) 967-0673

POOL HOUSE - PRIVATE RESIDENCE  
250 POLPIS ROAD  
NANTUCKET, MA 02554

Exterior Elevations

Prepared by KIRBY MEHRHOF	Date AS NOTED
Drawn by ZTN	Checked by KCM
Scale AS NOTED	Sheet No. A2.00
Date 02/10/15	Drawn of 03



No.	Date	Issue Notes

NOT FOR CONSTRUCTION

MOGER MEHRHOF ARCHITECTS  
100 E LANCASTER AVE.  
WAYNE, PA 19087  
484.850.6521

Owner  
SITE DESIGN ENGINEERING  
11 Cushman Street  
Middleboro MA 02346  
(508) 957-0873

POOL HOUSE - PRIVATE RESIDENCE  
250 POLPIS ROAD  
NANTUCKET, MA 02554

Roof Proposed Plan

Project No. K0507 MEHRHOF	Scale 1/4" = 1'-0"
Drawn by ZTN	Checked by KCM
Scale DWG # DF 03	<b>A1.31</b>

# ZONING BOARD OF APPEALS

SEPTEMBER 20, 2016

# END OF PACKET