

ZONING BOARD OF APPEALS

OCTOBER 13,
2016

PACKET



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Agenda
(Subject to Change)

Thursday, October 13, 2016

1:00 PM

4 Fairgrounds Road
Public Safety Facility – 1st Floor Community Room

▪ **CALL TO ORDER:**

1 ▪ **APPROVAL OF THE AGENDA:**

▪ **APPROVAL OF THE MINUTES:**

Pages 8 - 10 ▪ September 20, 2016

▪ **OLD BUSINESS:**

Pages 12 - 16 ▪ 051-03 Rugged Scott, LLC Release of Lots 2 & 3 from Covenant Hanley

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

Pages 17 - 27 Action deadline December 30, 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 NOVEMBER 10, 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).

- 32-16 Alan A. Shuch, Trustee of the Ann F. Shuch Qualified Personal Residence Trust

Pages 30 - 78

Action deadline January 11, 2017 45 Quidnet Road Alger
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).

2

- 35-16 Harvey C. Jones, Jr. Tr. Eight Old North Wharf Nominee Trust 8 Old North Wharf

Pages 79 - 98

Action deadline January 11, 2017 Gifford
Applicant is seeking Special Permit relief pursuant to Zoning By-law Section 139-33.A(2) to allow an increase in the pre-existing nonconforming ground cover ratio upon the pre-existing nonconforming locus. In the alternative and to the extent necessary, applicant requests Variance relief pursuant to Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Applicant is proposing to alter the pre-existing nonconforming dwelling by enclosing an existing porch such that there will be no change to the structure's footprint. The Locus is situated at 8 Old North Wharf, is shown on Assessor's Map 42.3.1 as Parcel 20, as Lot B-1 upon Land Court Plan 10169-B. Evidence of owner's title is registered on Certificate of Title No. 25811 at the Nantucket County District of the Land Court. The site is zoned Residential Commercial (RC).

▪ **OTHER BUSINESS:**

▪ **ADJOURNMENT.**



Planning and Land Use Services

Building ▪ Health ▪ Historic District Commission ▪ Planning Board ▪ Zoning Board of Appeals

STAFF REPORT

Date: October 7, 2016

To: Zoning Board of Appeals

From: Eleanor W. Antonietti
Zoning Administrator

Re: October 13, 2016

1

I. APPROVAL OF THE MINUTES:

- September 20, 2016

II. OLD BUSINESS:

- 051-03 Rugged Scott, LLC Release of Lots 2 & 3 from Covenant Hanley

The applicant is asking for the release of two market rate lots for this 40B approved in 2003. In August of 2015, the Board released 9 lots (3 Affordable and 6 Market Rate) and an additional market rate lot in August of 2016. Of the 50 lots in the subdivision, 42 are buildable with 2 of those (Lots 11 & 42) set aside for the Home Owners Assn. as community lots for tennis courts, assembly hall, and swimming pool. 29 dwelling lots have been released thus far. With the release of this lot, 9 buildable lots will remain as security for completion of improvements.

The applicant has consistently submitted a scheduling plan to ensure compliance with **Condition 3.4** of the Comprehensive Permit which stipulates that 1 Affordable Unit must be constructed for every 3 Market Rate units.

The applicant recently received building permits to construct on 6 additional lots (4 *affordable*, 5, 26, 28, 30, & 41) and is in the process of seeking Building Permits for Lots 27 and 29, both affordable homes. According to the applicant, they have received COs for 18 homes—14 market and 4 affordable. With the issuance of Building Permits for Lots 4 *affordable*, 5, 26, 28, 30, & 41, and the pending Lots 27 & 29 *both affordable*, they would have 18 completed and 8 in process. Assuming permits are issued for the 2 additional affordable homes, we will have 26 homes complete or in process, of which 19 (14 complete and 5 in process) would be market and 7 (4 complete and 3 in process) affordable. If all 8 are built and COs issued, this puts them on schedule ahead of the requirement that 1 affordable be built for every 3

market units. It is a given that COs for market units will not be issued if they are behind in completing affordable homes. The issuance of COs is the control.

- 20-16 Gerald T. Vento & Margaret Vento, Tr. of Ninety-One Low Beach Road Nominee Trust
 Extended Action deadline December 30, 2016 91 Low Beach Road Cohen
CONFLICTS: MJO SM Sitting Members: ET ~~LB~~ not present on 10/13 MP alternate KK GT JM
 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).

FROM PREVIOUS STAFF REPORT:

The Locus is improved with a 2-story 3,182 SF primary dwelling, a 1,381 SF secondary dwelling/cottage, a pool and associated pergola, a 98 SF shed, and a tennis court for a total ground cover ratio of 2.97%± where 3% is allowed. The property is among the last 4 building lots at the end of Low Beach Road, a sand road. It is surrounded to the north by protected open land.

In 2012, the Applicant hired a contractor to install a clay tennis court. However, Staff found no evidence that a Building Permit was ever filed for the construction of the court. They did receive HDC approval (Staff located COA# 58851). The contractor built the court within the 20’ side and rear yard setbacks required in the LUG-3. The westerly side yard setback is 15.4’, resulting in an intrusion of 4.6’ and the northerly rear yard setback is as close as 18.’, for an intrusion of 2’, and therefore not more than 5’ into either setback and not closer than 4’ from a lot line. As such, the Applicant seeks Special Permit relief pursuant to Bylaw Section 139-16.C(2) which reads:

The Board of Appeals may grant a special permit to validate unintentional setback intrusions not greater than five feet into a required yard and not closer than four feet from a lot line, provided that it shall first find that the burden of correcting the intrusion substantially outweighs any benefit to an abutter of eliminating the intrusion and, if the intruding structure was so sited after 1990, the siting of the structure was reasonably based upon a licensed survey.

The definition of Structure pursuant to Section 139-2.A is:

*Anything constructed or erected, the use of which requires a fixed location on the ground. “Structure” shall be construed, where the context allows, as though followed by the words “or part thereof” and shall include, but not be limited to, buildings, retaining walls which support buildings, platforms, steps, antenna towers, steel storage containers, lighthouses, docks, decks, chimneys, tents, and **game courts**. “Structure” shall not include retaining walls not exceeding four feet in height for landscaping purposes, fences, rubbish bins, and a maximum of two aboveground propane tanks not to exceed 120 gallons each.*

The burden of correcting the intrusion would require entirely removing and re-installing the court (which is at grade and to the rear of the lot) and would thus substantially outweigh any benefit to an abutter of eliminating the intrusions.

UPDATE:

This matter was opened at the June 9th hearing. The Board asked applicant to continue to July in order to provide an estimate of the cost of moving the tennis court entirely outside of the setbacks. It was continued and has not opened since.

NO NEW INFORMATION HAS BEEN PROVIDED.

III. NEW BUSINESS:

- 24-16 6 Lily Street LLC & Sconset Partners LLC 6 and 8 Lily Street Dale
CONTINUED TO November 10, 2016 CONFLICTS: ET
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).

- 32-16 Alan A. Shuch, Trustee of the Ann F. Shuch Qualified Personal Residence Trust 45 Quidnet Road Alger
Action deadline January 11, 2017 CONFLICTS: NONE KNOWN
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).

The proposal consists of vertical extension of about 3± feet of a structure which is sited as close as 2.7 feet from the easterly side yard lot line. The structure, used for recreational purposes pursuant to prior ZBA approval (see Pages 44 - 50 of Packet), is on the beach of Sesachacha Pond and has sustained flood damage in recent years. This went before the HDC and was granted a COA on September 20th. The project consists of lifting this said to be historic accessory structure to place it on a foundation which will protect it from further flood damage. In addition, a set of stairs will be built to access the newly elevated structure. There will be no increase in footprint. The applicant submitted substantial supplementary materials, including photos, to be found on Pages 41 – 66 of your packet. In addition, several abutters submitted comments and concerns, found on Pages 67 – 78.

- 35-16 Harvey C. Jones, Jr. Tr. Eight Old North Wharf Nominee Trust 8 Old North Wharf Gifford
Action deadline January 11, 2017 CONFLICTS: NONE KNOWN
Applicant is seeking Special Permit relief pursuant to Zoning By-law Section 139-33.A(2) to allow an increase in the pre-existing nonconforming ground cover ratio upon the pre-existing nonconforming locus. In the alternative and to the extent necessary, applicant requests Variance relief pursuant to Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Applicant is proposing to alter the pre-existing nonconforming dwelling by enclosing an existing porch such that there will be no change to the structure’s footprint. The Locus is situated at 8 Old North Wharf, is shown on Assessor’s Map 42.3.1 as Parcel 20, as Lot B-1 upon Land Court Plan 10169-B. Evidence of owner’s title is registered on Certificate of Title No. 25811 at the Nantucket County District of the Land Court. The site is zoned Residential Commercial (RC).

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This is a request to allow the enclosure of an existing porch which will increase the pre-existing nonconforming ground cover ratio of 71%. Specifically, applicant seeks relief pursuant to Section 139-33.A(2) which reads:

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 issuance of a special permit, provided that the special permit granting authority makes the following findings:

- a) The increase in ground cover ratio 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 the new structure is conforming to other dimensional requirements of this chapter.*

The project benefits from HDC approval. No comments have been received from abutters.

IV. OTHER BUSINESS:

V. ADJOURNMENT.



ZONING BOARD OF APPEALS

2 Fairgrounds Road
Nantucket, Massachusetts 02554
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 ~~

Tuesday, September 20, 2016

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

Called to order at 1:05 p.m.

Staff in attendance: Eleanor Antonietti, Zoning Administrator; T. Norton, Town Minutes Taker

Attending Members: Toole, Botticelli, McCarthy, O'Mara, Koseatac, Thayer, Mondani

Absent: Poor

Late Arrivals: None

Early Departures: None

Motion to Approve the Agenda as amended. (made by: Koseatac) (seconded by: Botticelli) Carried unanimously

I. APPROVAL OF MINUTES

1. September 8, 2016 Motion to Approve. (made by: Koseatac) (seconded by: McCarthy) Carried unanimously

II. OLD BUSINESS

1. 20-16 Gerald T. Vento & Margaret Vento, Tr. of Ninety-One Low Beach Road Nominee Trust

CONTINUED TO 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).

Voting Toole, McCarthy, O'Mara, Koseatac

Alternates Thayer, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing Steven Cohen, Cohen & Cohen Law PC

Public None

Discussion **Botticelli** – Stated she won't be here October 13th.

Motion **Motion to Approve the continuance.** (made by: Botticelli) (seconded by: Thayer)

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 non-conformity. 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).

Voting Toole, McCarthy, O'Mara, Koseatac

Alternates Thayer, Mondani

Recused None

Documentation File with associated plans, photos and required documentation

Representing Kevin Dale, Vaughan, Dale, Hunter and Beaudette, P.C.

Public None

Discussion None

Motion **Motion to Approve the Continuance.** (made by: Botticelli) (seconded by: O'Mara)

Vote Carried unanimously

2. 32-16 Alan A. Shuch, Trustee of the Ann F. Shuch Qualified Personal Residence Trust
CONTINUED TO OCTOBER 13, 2016 45 Quidnet Road Alger

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).

Voting Toole, McCarthy, O’Mara, Koseatac
Alternates Thayer, Mondani
Recused None
Documentation File with associated plans, photos and required documentation
Representing Sarah Alger, Sarah F. Alger P.C.
Public None
Discussion None
Motion **Motion to Approve the Continuance.** (made by: Botticelli) (seconded by: O’Mara)
Vote Carried unanimously

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, Botticelli
Alternates Thayer, Mondani
Recused None
Documentation File with associated plans, photos and required documentation
Representing **John Brescher**, Glidden & Glidden – The structure and locus are pre-existing, non-conforming. The structure is 0.7 feet from the side yard lot line. They are lifting the structure for a new foundation due to being in a flood plain, this will increase the height 4 feet to 17 feet 1¾ inches; none of the additions are within the setback but add a total of 72 square feet (SF) of ground cover; contends that this is not substantially more detrimental to the neighborhood. Noted that an existing shed is moving out of the setback.
Steve Theroux, Nantucket Architecture Group Ltd
Public None
Discussion (1:09) **Botticelli** – Confirmed that the roof is getting raised on the west side outside of the setback.
O’Mara – Asked why this needs relief; it is staying under the 30-foot limit.
Brescher – The height is increasing in the setback.
Theroux – They are restricted by the Historic District Commission (HDC) to go up no more than the minimum height necessary. The flood plain was confirmed by Blackwell and Associates; the first floor is at the flood line 9.25 feet.
O’Mara – In the “old days”, if a building was being detached from a foundation, the owner had to get approval for the number of days the building was unattached; that is no long necessary.
Antonietti – They are altering a pre-existing, non-conforming structure.
Botticelli – That old rule was for a building going back onto its foundation at the original elevation. They are going up four feet within the zoning setback. The site plan has the minimum flood elevation in the upper left corner; they are giving the floor three inches.
Theroux – Noted that they plan to start construction in November early December and be done before Memorial Day 2017.
Motion **Motion to Grant the relief as requested with the standard dates restricting exterior construction restricted between Memorial Day and Labor Day.** (made by: Botticelli) (seconded by: O’Mara)
Vote Carried unanimously

4. 34-16 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, Botticelli, McCarthy, Thayer, Mondani
- Alternates None
- Recused O’Mara, Koseatac
- Documentation File with associated plans, photos and required documentation
- Representing **Kevin Dale**, Vaughan, Dale, Hunter and Beaudette, P.C. – The property is 8.18 acres in size. The garage has been on the tax records since 1956 and the studio is dated to 1890. The garage footprint will be reduced; there will be no increase to the con-conformity. They have Conservation Commission approval and HDC approval for the work.
- Public None
- Discussion **Thayer** – Asked if the retaining walls and building will remain in the same spot. Asked if the height is changing.
Dale – The reduction in groundcover is from the removal of a small addition; the ridge height will remain the same.
Botticelli – This looks like it will have a new foundation but there is no information on how that work will be done; she would like to know the scope of work.
Dale – He will check whether or not it is getting a new foundation.
Toole – We don’t have the before grade, only the after. His concern is whether or not the building will be exactly where it is now in relation to height.
Dale – His understanding is it will be exactly as it is now except for the removal of the 460 SF.
Botticelli – Suggested the approval be conditioned on the height remaining the same; the height is currently 18 feet from grade.
Toole – It is hard to read the plan and ascertain whether or not a grade change will change the height.
Dale – The HDC insists that the current grade be maintained.
Botticelli – The grade is 33.95; for the pool they are cutting into the grade to 32.42.
Toole – He would like the decision to include the fact that the grade is not changing; you’ve said it is staying the same.
Dale – Asked for the board to approve the construction in accordance with the HDC approved plans. We’re reducing the footprint of the building.
Botticelli – The existing threshold is 19.6 feet; the pool deck is now at 16 feet. It is a lot easier to have the existing conditions on the plans.
- Motion **Motion to Grant the relief as requested.** (made by: Botticelli) (seconded by: McCarthy)
- Vote Carried unanimously

IV. OTHER BUSINESS

None

V. ADJOURNMENT

Motion to Adjourn: 1:36 p.m. (made by: Mondani) (seconded by: O’Mara) Carried unanimously

Submitted by:
Terry L. Norton

OLD

BUSINESS

READE, GULLICKSEN, HANLEY & GIFFORD, LLP

SIX YOUNG'S WAY
NANTUCKET, MASSACHUSETTS 02554
(508) 228-3128

FAX: (508) 228-5630

ARTHUR I. READE, JR., P.C.
KENNETH A. GULLICKSEN
MARIANNE HANLEY
WHITNEY A. GIFFORD

MAILING ADDRESS
POST OFFICE BOX 2669
NANTUCKET, MASS. 02584

October 7, 2016

ZBA No.
051-03

BY HAND

Edward Toole, Chairman
Nantucket Zoning Board of Appeals
2 Fairgrounds Road
Nantucket, Massachusetts 02554



Re: Rugged Scott

Dear Chairman Toole:

My client would like Lots 2 and 3 released from the Covenant, and a Form J Release is enclosed for execution. Please add this request for a Form J release on the agenda for the Board's October 13, 2016 meeting.

If you have any questions, or require any further information in order to process same, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur I. Reade, Jr." with a stylized flourish at the end.

Arthur I. Reade, Jr.

/bar

Enclosure

cc: Mr. Joshua Posner (via email)

Nantucket Board of Appeals

**Form J
Certificate of Completion and Release of Municipal Interest in
Performance Security**

Date: _____, 2016

Board of Appeals File # 051-03

Subdivision Name: Rugged Scott

Owner: Rugged Scott LLC

Owner's Address: 32 Arlington Street, Cambridge, Massachusetts 02140

Applicant, (if other than owner): _____

Applicant's Address: _____

Date of Subdivision Plan: January 25, 2006

Land Location: Off Rugged Road

Plan Recorded: Nantucket Registry of Deeds Plan 2006-19

Type of Performance Security:

• Covenant dated: February 24, 2006

Covenant recorded: Nantucket Registry of Deeds, Book 1010 Page 46.

○ Bond, agreement dated: _____

Surety Company: _____

Address of Surety: _____

○ Deposit of money, agreement dated: _____

Bank (if bank passbook): _____

Address _____ of

Bank: _____

○ Other Security , agreement dated: _____

○ Letter of credit, agreement dated: _____

Bank: _____

Address of Bank: _____

The undersigned, being a majority of the Nantucket Board of Appeals, have determined that the construction of ways and installation of municipal services in the subdivision referred to above have been completed partially completed by the applicant in accordance with the Board's rules and regulations to adequately serve the following enumerated lots:

Lots 2 and 3

Pursuant to Section 81.U of Chapter 41, M.G.L. and in consideration of said construction and installation, the Town of Nantucket, a Massachusetts corporation, acting through its Planning Board, hereby releases its interest in the Performance Security referred to above, as to the lots enumerated in the preceding paragraph only.

Duly executed as a sealed instrument this _____ day of _____, 2016.

Signed by a Majority of the Board of Appeals
of the Town of Nantucket

Commonwealth of Massachusetts

Nantucket, SS

Date: _____, 2016

Then personally appeared _____ one of the above-named members of the Board of Appeals of Nantucket, Massachusetts, and acknowledged the foregoing instrument to be his/her free act and deed before me,

Notary Public

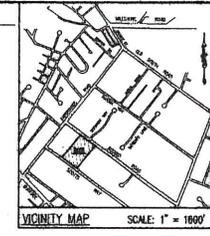
My Commission Expires: _____

10 AFFORDABLE

30 MARKET RATE

Doc: 202107-05-008
SHEET 1 of 5

FAIRGROUNDS ROAD
NANTUCKET REGISTRY OF DEEDS
Date: 03-10-2006
Time: 2:25
Plan No.: 2004-19
Attorney: J. [Signature]
SHEET 1 of 5



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
Professional Land Surveyor Date

- DISPOSITION OF LOTS
- LOTS 1 THROUGH 10 AND LOTS 12 THROUGH 41 ARE BUILDABLE LOTS.
 - LOT 11 IS A BUILDABLE LOT TO BE CONVEYED TO THE ASSOCIATION FOR USE AS A COMMUNITY TENNIS COURT AREA.
 - LOT 42 IS A BUILDABLE LOT TO BE CONVEYED TO THE ASSOCIATION FOR USE AS A COMMUNITY CENTER WITH A SWIMMING POOL AND A COMMUNITY BUILDING.
 - LOTS 43 THROUGH 46 ARE NOT BUILDABLE LOTS, AND WILL BE CONVEYED TO THE ASSOCIATION FOR DEDICATION AS "NO DISTURB" BUFFER AREAS CONSIDERED PERMANENTLY PROTECTED OPEN SPACE.
 - LOT 47 IS NOT A BUILDABLE LOT AND IS TO BE CONVEYED TO THE ASSOCIATION AS A CONSERVATION RESTRICTION AREA.
 - LOTS 48 AND 49 ARE NOT BUILDABLE LOTS AND ARE TO BE CONVEYED TO THE ASSOCIATION FOR DEDICATION AS UNDISTURBED HABITAT MANAGEMENT AREAS CONSIDERED PERMANENTLY PROTECTED OPEN SPACE.
 - LOT 50 IS NOT A BUILDABLE LOT AND IS TO BE CONVEYED TO THE ASSOCIATION TO BE USED FOR ROADWAY PURPOSES INCLUDING INFRASTRUCTURE AND MAINTENANCE.

67-303 N/F PETER SCOURIAN
67-538 N/F MICHAEL J. & TONIA S. HERSCHBHL
67-520 N/F EDWARD C. JALBERT
67-169 N/F CHRISTOPHER F. & MARRIVON SCOTT
67-168 N/F MARRJORIE AGUIAR
67-164 N/F KENNETH F. DIAZ

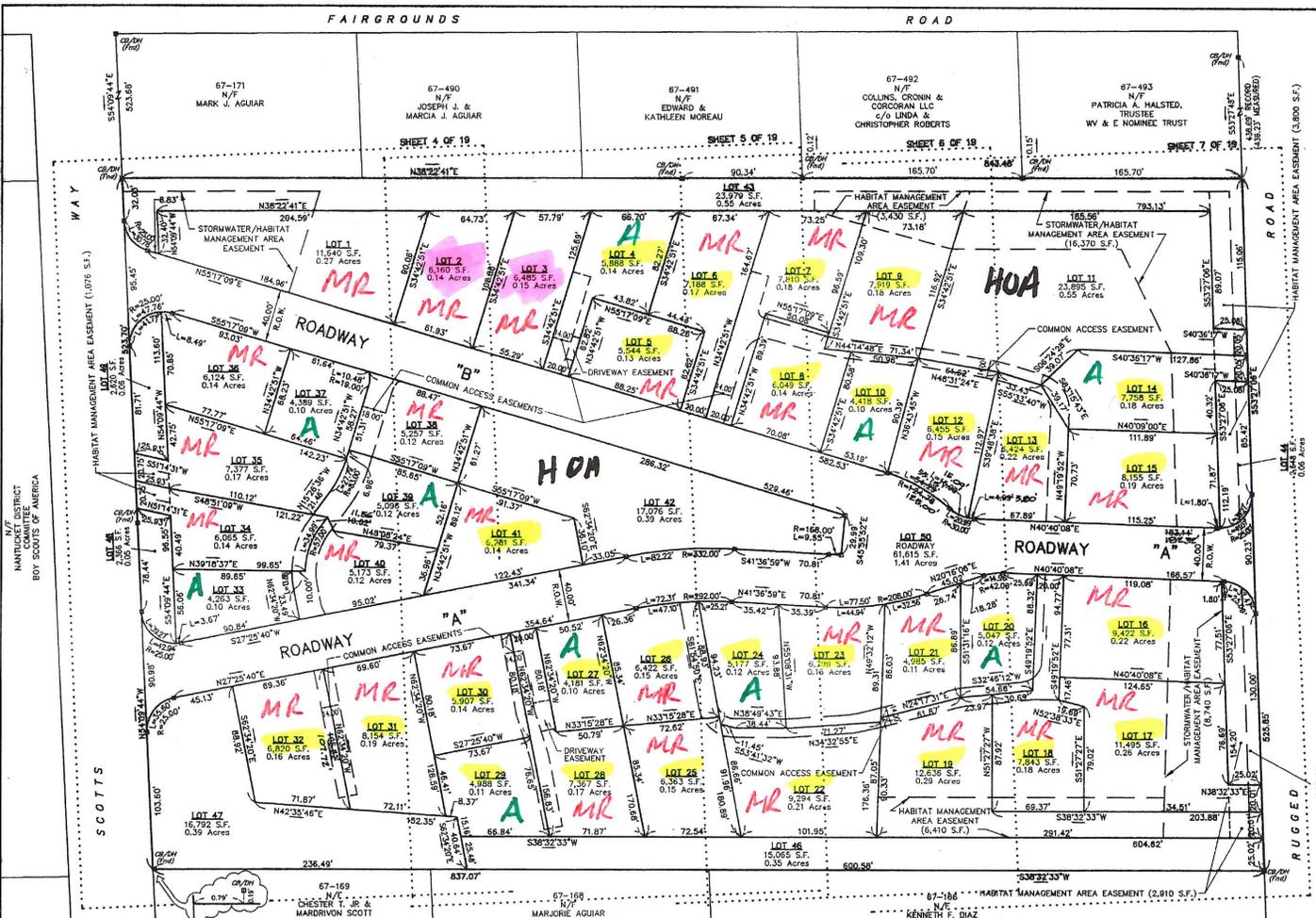
ZONING TABLE

LOT AREA	4,000-15,000 S.F.
LOT FRONTAGE	20 FT.
FRONT YARD SETBACK	MIN. 5 FT./10 FT.
REAR YARD SETBACK	5 FT.
SIDE YARD SETBACK	5 FT.
MAXIMUM GROUND COVER RATIO	30%

*50' BUILDING SETBACK ESTABLISHED FROM EASTERLY AND WESTERLY SITE PERIMETER PROPERTY LINES.
**SEE LOT COMPLIANCE TABLE FOR REQUIRED AREA FOR EACH LOT.

THE SITE IS ZONED RESIDENTIAL COMMERCIAL 2 (RC-2) AS SHOWN ON THE TOWN AND COUNTY OF NANTUCKET, MASSACHUSETTS, OFFICIAL ZONING MAP. INTENSITY REQUIREMENTS ABOVE AS DICTATED TOWN OF NANTUCKET ZONING BOARD OF APPEALS FILE NO. 051-03 DECISION.

OVERALL DEFINITIVE SUBDIVISION PLAN
SITE DEVELOPMENT FOR PROPOSED HOUSING AT
RUGGED ROAD AND SCOTTS WAY
NANTUCKET, MASSACHUSETTS
PREPARED FOR DEVELOPMENT LLC
32 ARLINGTON STREET, CAMBRIDGE, MASSACHUSETTS 02140



- GENERAL NOTES
- THIS PLAN REPRESENTS A SUBDIVISION OF MAP 67, LOTS 170, 170.1, 170.2, & 170.3, AS SHOWN ON THE OFFICIAL TAX MAPS OF THE TOWN OF NANTUCKET.
 - THE OWNER OF RECORD AND APPLICANT IS RUGGED SCOTT, LLC c/o RISING TIDE DEVELOPMENT, 32 ARLINGTON STREET CAMBRIDGE, MASSACHUSETTS 02140.
 - THE SITE DOES NOT LIE WITHIN THE SPECIAL FLOOD AREA (100 YEAR FLOOD) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 2502300 0012 D, DATED NOVEMBER 15, 1997.
 - THE SITE IS LOCATED WITHIN AN AQUIFER PROTECTION ZONE AS DETERMINED FROM THE TOWN OF NANTUCKET WATER RESOURCES PROTECTION PLAN DATED JANUARY 1990.
 - THERE ARE NO KNOWN WETLAND RESOURCE AREAS WITHIN 100 FEET OF THE SUBJECT PARCEL.

- NONE OF THE LOTS CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAW. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE NANTUCKET CONSERVATION COMMISSION.
- WATER SERVICE SHALL BE PROVIDED BY EXTENDING THE EXISTING PUBLIC WATER SUPPLY LINES THROUGH THE DEVELOPMENT. ALL DWELLINGS WILL RECEIVE WATER FROM THE PUBLIC WATER SUPPLY SYSTEM.
- SANITARY SEWER SERVICE SHALL BE PROVIDED BY EXTENDING THE EXISTING PUBLIC SEWER LINES THROUGH THE DEVELOPMENT. ALL DWELLINGS WILL BE CONNECTED TO THE PUBLIC SEWER SYSTEM.

LOT COMPLIANCE TABLE

LOT NO.	FRONTAGE	LOT AREA	**MGCA	**MIA	LOT NO.	FRONTAGE	LOT AREA	**MGCA	**MIA
1	184.94'	11,680 S.F.	3,490	2,500	22	---	9,294 S.F.	2,788	2,500
2	61.83'	6,160 S.F.	1,925	1,463	23	86.51'	6,769 S.F.	2,049	2,010
3	55.29'	6,485 S.F.	1,946	2,500	24	80.63'	5,177 S.F.	1,553	2,071
4	20.00'	5,898 S.F.	1,788	2,354	25	---	8,363 S.F.	1,909	2,500
5	20.00'	7,357 S.F.	2,218	2,500	26	73.46'	6,422 S.F.	1,926	2,568
6	20.00'	7,185 S.F.	2,156	2,500	27	50.52'	4,181 S.F.	1,254	1,672
7	20.00'	7,810 S.F.	2,343	2,500	28	20.00'	7,387 S.F.	2,210	2,830
8	70.08'	6,049 S.F.	1,815	2,420	29	---	4,985 S.F.	1,498	1,995
9	---	7,919 S.F.	2,375	2,500	30	73.07'	5,907 S.F.	1,772	2,353
10	53.19'	4,418 S.F.	1,325	1,767	31	69.80'	4,263 S.F.	1,279	1,708
11	20.00'	23,895 S.F.	7,169	2,500	32	69.36'	6,820 S.F.	2,046	2,500
12	71.65'	6,455 S.F.	1,937	2,500	33	94.91'	6,124 S.F.	1,837	2,450
13	72.88'	6,424 S.F.	1,927	2,500	34	20.75'	6,085 S.F.	1,820	2,428
14	20.00'	7,758 S.F.	2,327	2,500	35	20.75'	7,377 S.F.	2,213	2,500
15	20.00'	6,244 S.F.	1,846	2,500	36	101.52'	6,124 S.F.	1,837	2,450
16	17.05'	4,422 S.F.	1,327	2,500	37	81.64'	4,389 S.F.	1,317	1,768
17	17.05'	4,499 S.F.	1,349	2,500	38	88.47'	6,124 S.F.	1,837	2,450
18	20.00'	7,843 S.F.	2,354	2,500	39	---	5,096 S.F.	1,529	2,038
19	20.00'	12,636 S.F.	3,791	2,500	40	40.85'	5,173 S.F.	1,553	2,068
20	58.83'	3,047 S.F.	1,014	2,010	41	122.43'	6,281 S.F.	1,884	2,500
21	59.30'	4,985 S.F.	1,498	1,994	42	286.32'	17,076 S.F.	5,123	2,500

** MAXIMUM GROUND COVER ALLOWABLE (MGCA) IN S.F.
*** MAXIMUM IMPERVIOUS AREA (MIA)-40% OR A MAXIMUM OF 2,500 S.F., WHICHEVER IS LESS

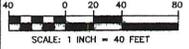
- LOTS SHOWN HEREON ARE SUBJECT TO A COMPREHENSIVE PERMIT ISSUED BY THE NANTUCKET ZONING BOARD OF APPEALS PURSUANT TO M.G.L. 20A-23, BY DECISION IN FILE NO. 051-03
- LEGEND
- 49-178 ASSESSOR'S MAP 49 LOT 178
 - DHCB DRILL HOLE CONCRETE BOUND
 - PCB PROPOSED CONCRETE BOUND
- OWNER'S REFERENCE
- RUGGED SCOTT LLC
ASSESSOR MAP: 67, PARCELS: 170, 170.1, 170.2 & 170.3
32 ARLINGTON STREET
CAMBRIDGE, MASSACHUSETTS

THIS PLAN HAS BEEN APPROVED PURSUANT TO A COMPREHENSIVE PERMIT ISSUED BY THE NANTUCKET ZONING BOARD OF APPEALS PURSUANT TO M.G.L. 20A-23, BY DECISION IN FILE NO. 051-03

DATE: 3-8-06

NANTUCKET ZONING BOARD OF APPEALS
ENDORSED (DATE): 2-24-06
ZBA FILE NUMBER: 051-03

OWNER'S REFERENCE
[Signatures]



RELEASED REQUESTED RELEASE 15



NANTUCKET REGISTRY OF DEEDS
 Date: 03.10.2006
 Time: 2:25
 Plan No.: 2006-11
 Attest: *James A. Kelly*
 Register
 SHEET 3 of 5

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
Harold W. Sullivan
 PROFESSIONAL LAND SURVIVOR

20 0 10 20 40
 SCALE: 1 INCH = 20 FEET
 NANTUCKET REGISTRY OF DEEDS
 100 STATE STREET
 NANTUCKET, MASSACHUSETTS 02543

LOTS SHOWN HEREON ARE SUBJECT TO A COVENANT DATED AND RECORDED IN THE REGISTRY OF DEEDS AS DOCUMENT NO.

LEGEND
 49-178 ASSESSOR'S MAP 49 LOT 178
 ■ DWHCS DRILL HOLE CONCRETE BOUND
 ■ PCB PROPOSED CONCRETE BOUND

OWNER'S REFERENCE
 RUGGED SCOTT LLC
 ASSESSOR MAP: 67, PARCELS: 170, 170.1, 170.2 & 170.3
 32 ARLINGTON STREET
 CAMBRIDGE, MASSACHUSETTS

THIS PLAN HAS BEEN APPROVED PURSUANT TO A COMPREHENSIVE PERMIT ISSUED BY THE NANTUCKET ZONING BOARD OF APPEALS PURSUANT TO M.G.L. 20-23, BY DECISION IN FILE NO. 051-03.
[Signature]
 TOWN CLERK, NANTUCKET, MA

NANTUCKET ZONING BOARD OF APPEALS
 ENDORSED (DATE): 2-24-06
 S.B.A. FILE NUMBER: 051-03

[Signatures]

DISPOSITION OF LOTS
 • LOTS 1 THROUGH 10 AND LOTS 12 THROUGH 41 ARE BUILDABLE LOTS.
 • LOT 42 IS A BUILDABLE LOT TO BE CONVEYED TO THE ASSOCIATION FOR USE AS A COMMUNITY CENTER WITH A SWIMMING POOL AND A COMMUNITY BUILDING.
 • LOTS 43 THROUGH 46 ARE NOT BUILDABLE LOTS, AND WILL BE CONVEYED TO THE ASSOCIATION FOR DEDICATION AS "NO DISTURB" BUFFER AREAS CONSIDERED PERMANENTLY PROTECTED OPEN SPACE.
 • LOT 47 IS NOT A BUILDABLE LOT AND IS TO BE CONVEYED TO THE ASSOCIATION AS A CONSERVATION RESTRICTION AREA.
 • LOTS 48 AND 49 ARE NOT BUILDABLE LOTS AND ARE TO BE CONVEYED TO THE ASSOCIATION FOR DEDICATION AS UNDISTURBED HABITAT MANAGEMENT AREAS CONSIDERED PERMANENTLY PROTECTED OPEN SPACE.
 • LOT 50 IS NOT A BUILDABLE LOT AND IS TO BE CONVEYED TO THE ASSOCIATION TO BE USED FOR ROADWAY PURPOSES INCLUDING INFRASTRUCTURE AND MAINTENANCE.

LOT COMPLIANCE TABLE

LOT NO.	PERCENTAGE	LOT AREA	**MGCA**	**MIA**	
2	51.93	6,160 S.F.	1,847	2,463	
3	52.25	6,485 S.F.	1,946	2,500	
4	20.00	5,866 S.F.	1,768	2,354	
5	86.25	5,544 S.F.	1,662	2,218	
6	20.00	7,188 S.F.	2,156	2,500	
7	60.63	5,177 S.F.	1,555	2,071	
24		6,353 S.F.	1,909	2,500	
26		73.46	6,422 S.F.	1,926	2,500
27	60.80	4,181 S.F.	1,254	1,955	
28	20.00	7,367 S.F.	2,210	2,500	
29		4,988 S.F.	1,496	1,955	
30	73.67	5,907 S.F.	1,772	2,363	
41	122.43	6,291 S.F.	1,824	2,500	
42	286.32	17,076 S.F.	5,125	2,500	

** MAXIMUM GROUND COVER ALLOWABLE (MGCA) IN S.F.
 *** MAXIMUM IMPERVIOUS AREA (MIA)-40% OR A MAXIMUM OF 2,500 S.F., WHICHEVER IS LESS

EASEMENT TABLE

EASEMENT	AREA (S.F.)	LOT NO.
CA-E4	1,086	4
D-E4	108	4
CA-E34	357	24
CA-E25	108	25
CA-E26	1,245	26
CA-E28	1,344	28
D-E28	271	28
CA-E29	228	28
CA-E30	543	30

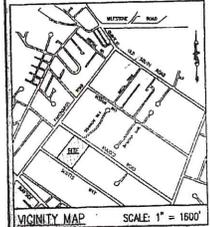
EASEMENT DESIGNATIONS
 CA-COMMON ACCESS
 D-DRIVEWAY

ZONING TABLE

LOT AREA	REQUIRED
LOT FRONTAGE	4,000-15,000 S.F.
LOT FRONTAGE	20 FT.
FRONT YARD SETBACK	MIN. 5 FT./10 FT.
REAR YARD SETBACK	5 FT.
SIDE YARD SETBACK	5 FT.
**MAXIMUM GROUND COVER RATIO	30%

*50' BUILDING SETBACK ESTABLISHED FROM EASTERLY AND WESTERLY SITE PERIMETER PROPERTY LINES.
 **SEE LOT COMPLIANCE TABLE FOR REQUIRED AREA FOR EACH LOT.

THE SITE IS ZONED LIMITED USE GENERAL 2 (LUG-2) AS SHOWN ON THE TOWN AND COUNTY OF NANTUCKET, MASSACHUSETTS, OFFICIAL ZONING MAP. INTENSITY REQUIREMENTS ABOVE AS DICTATED TOWN OF NANTUCKET ZONING BOARD OF APPEALS FILE NO. 051-03 DECISION.



PROJECT NUMBER 202307-10-100
 SHEET 5 OF 19
 AS NOTED
 DATE JANUARY 25, 2006
 REVISION
 NO. 1
 DATE 2/22/06
 DESCRIPTION
 MINOR MODIFICATIONS TO SOME INTERIOR LOT LINES
 FILE NO. 051-03
 PROJECT NUMBER 202307-10-100
 SHEET 5 OF 19

DEFINITIVE SUBDIVISION PLAN 2
 SITE DEVELOPMENT FOR PROPOSED HOUSING AT
 RUGGED ROAD AND SCOTTS WAY
 NANTUCKET, MASSACHUSETTS
 PREPARED BY
 RISING TIDE DEVELOPMENT, LLC
 32 ARLINGTON STREET, CAMBRIDGE, MASSACHUSETTS 02140

CULLINAN ENGINEERING
 ARCHITECTS, ENGINEERS, PLANNERS
 100 STATE STREET, NANTUCKET, MASSACHUSETTS 02543
 TEL: 508-225-1111 FAX: 508-225-1112
 WWW.CULLINAN-ENGINEERING.COM

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

91 LOW BEACH RD.

FILE NO. 20-16



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 December 30, 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)

Eleanor Weller Antonietti, Zoning Administrator
For Zoning Board of Appeals

September 28, 2016
Effective Date of Agreement

Town Clerk Stamp:



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

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- 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



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:

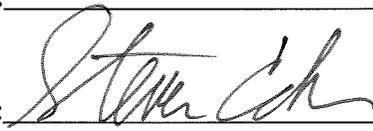
The Locus is an oversized lot of about 156,430+/- SF in the LUG-3 zoning district. It contains a 2-story dwelling of about 3,182+/- SF and a cottage of about 1,381+/- SF. There is an accessory structure about 98+/- SF. The premises has a ground cover ratio of about 2.97% in a zoning district where 3%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

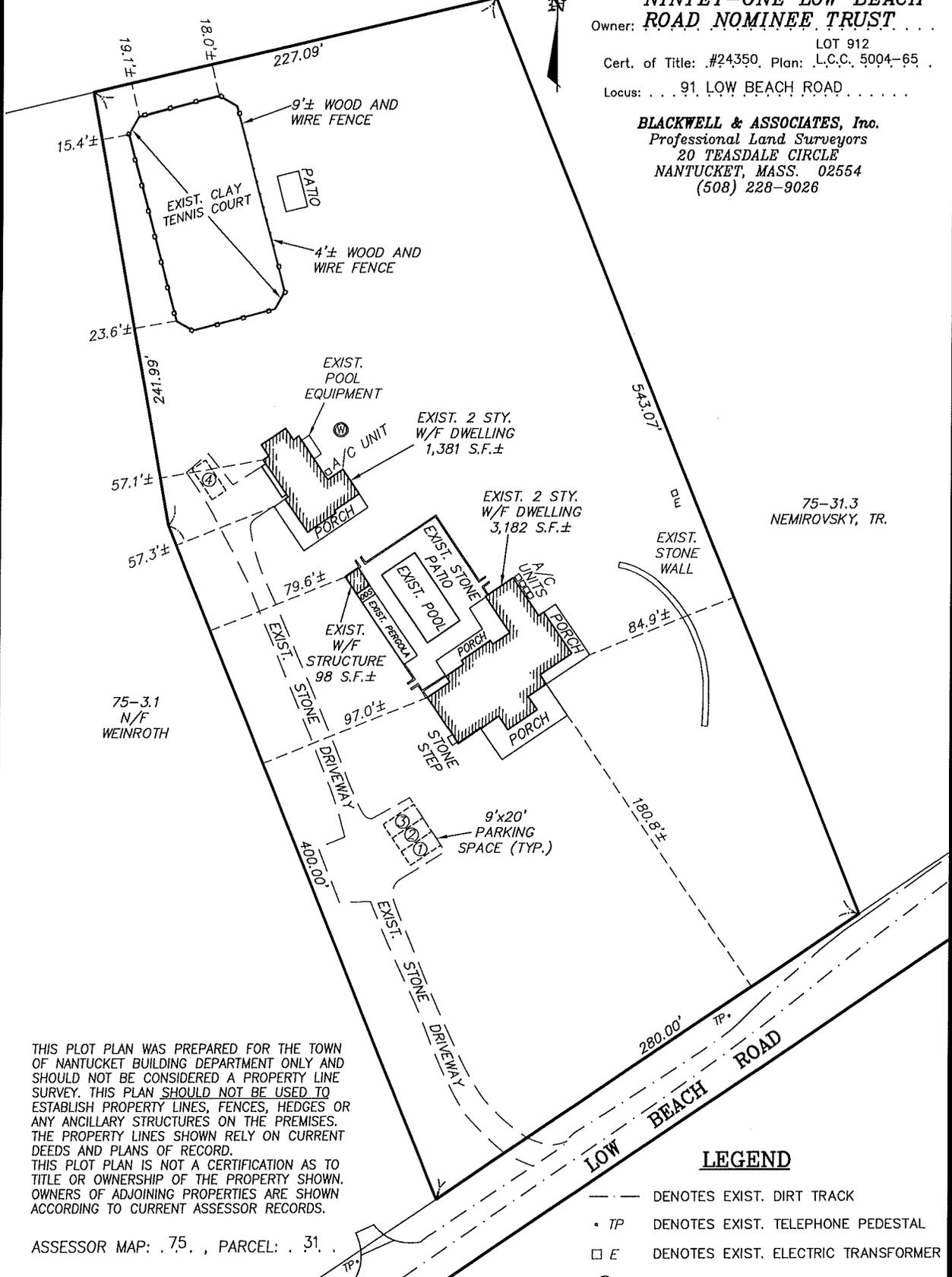
75-31.4
N/F
SCONSET TRUST, INC.

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

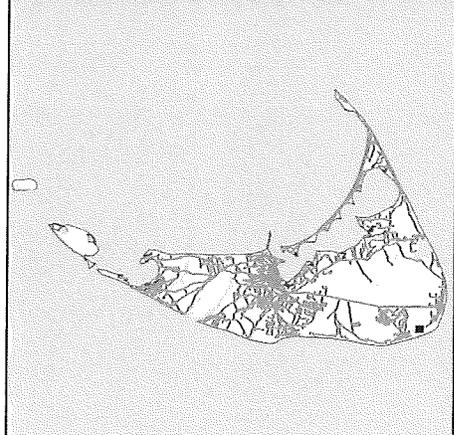
Property ID 75 31
Location 91 LOW BEACH RD
Owner VENTO GERALD T & MARGARET
 91 LOW BEACH RD NOM TRUST

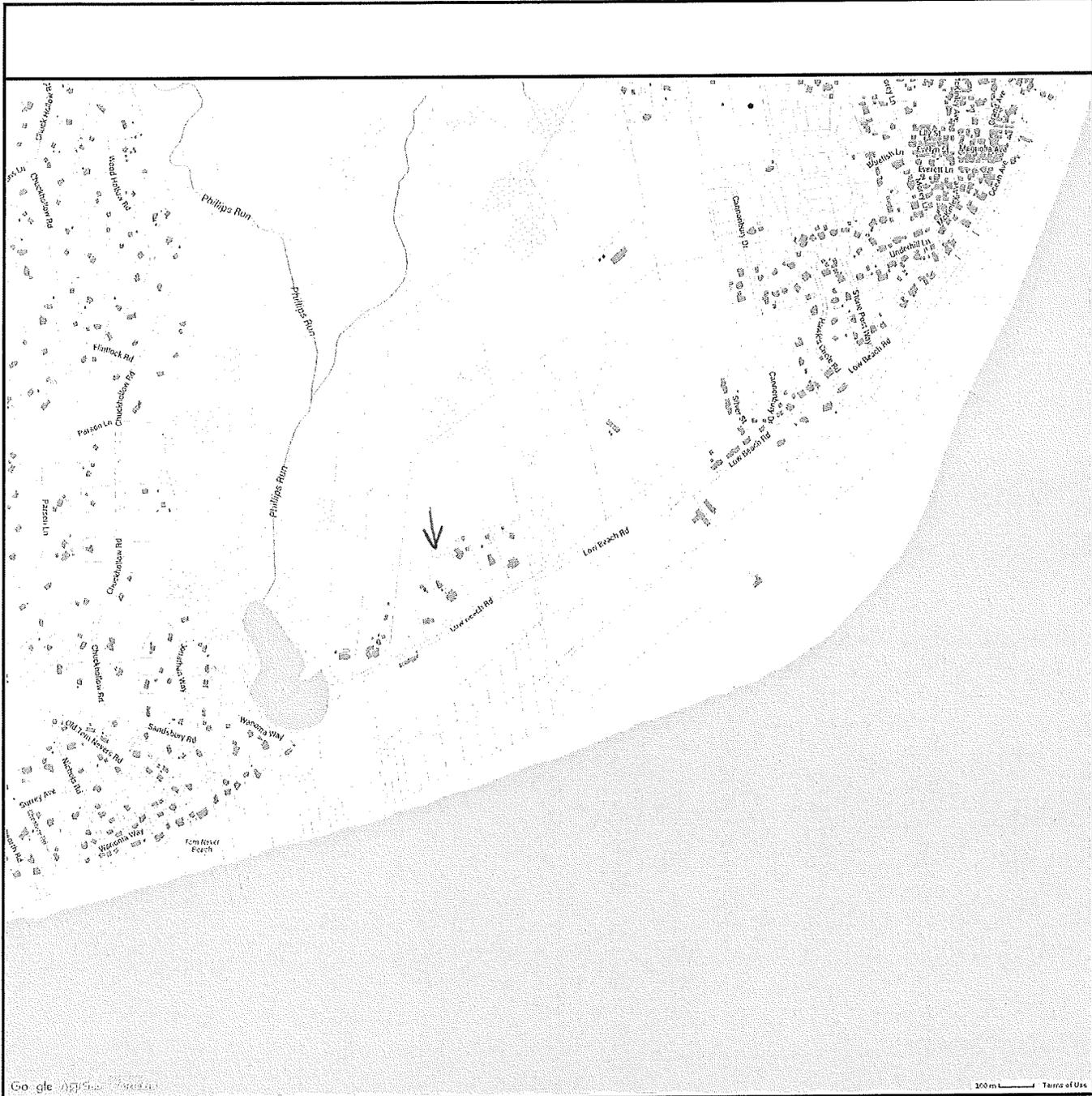


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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 ST.

FILE NO. 24-16

CONTINUED TO 11/10/16

**Alan A. SHUCH, Tr.
Ann F. Shuch QPRT**

45 QUIDNET RD.

FILE NO. 32-16

SARAH F. ALGER, P.C.

ATTORNEYS AT LAW

TWO SOUTH WATER STREET • NANTUCKET, MASSACHUSETTS • 02554

TELEPHONE: 508-228-1118 FACSIMILE: 508-228-8004

SARAH F. ALGER
sfa@sfapc.com

CHRISTINE A. JENNESS
caj@sfapc.com

FIVE PARKER ROAD • POST OFFICE BOX 449
OSTERVILLE • MASSACHUSETTS • 02655
TELEPHONE: 508-428-8594 FACSIMILE: 508-420-3162

JOHN R. ALGER
1931-2007

August 4, 2016

BY HAND

Eleanor Antonietti, Zoning Administrator
Planning and Land Use Services
Two Fairgrounds
Nantucket, Massachusetts 02554

Re: Shuch, Trustee
45 Quidnet Road
Nantucket, Massachusetts

Dear Eleanor:

As discussed, we would like to continue the above matter, without opening the public hearing, from August 11, 2016, to the October 13, 2016 meeting. Given the amount of interest that this application has generated, we would like to have a full set of plans available for review at the hearing. After consulting with our engineers and architects, it appears that we will not have those plans and other materials in hand until the end of the month at the earliest, and I am currently scheduled to be off island September 8th, the date of the Board's next meeting.

Thank you for your attention to this matter.

Sincerely,



SFA/

cc: Alan A. Shuch, Trustee



2016 JUL 20 AM 9: 24

RECEIVED
JUL 20 2016
By: *CH# 9325*

2016 AUG - 1 PM 3: 49

NANTUCKET
TOWN CLERK

TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

APPLICATION

Fee: \$450.00

File No. 32-16

Owner's name(s): Alan A. Shuch, as Trustee of the Ann F. Shuch Qualified Personal Residence Trust

Mailing address: c/o Sarah F. Alger, Attorney, 2 South Water Street, Nantucket, MA 02554

Phone Number: 508-228-1118 E-Mail: sfa@sfapc.com

Applicant's name(s): Same as above

Mailing Address: Same as above

Phone Number: Same as above E-Mail: _____

Locus Address: 45 Quidnet Road Assessor's Map/Parcel: Map 21, Parcel 21

Land Court Plan/Plan Book & Page/Plan File No.: Lot 23, Land Court Plan 8853-L

Deed Reference/Certificate of Title: 21927 Zoning District R-20

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: 10574-94, 11168-94, 11169-94, 11627-94, 11793-95, 12781-95, 286-00, & 287-00

Previous Zoning Board Application Numbers: 007-96

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: [Handwritten Signature] Owner*

SIGNATURE: [Handwritten Signature] Applicant/Attorney/Agent*
Sarah F. Alger, Attorney for Alan A. Shuch, as Trustee as aforesaid

*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: ___/___/___

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

Addendum

(Alan A. Shuch, Trustee, 45 Quidnet Road,
Nantucket, Massachusetts)

Applicant seeks a special permit under By-law §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 located at 45 Quidnet Road, is shown on Nantucket Tax Assessor's Map 21 as Parcel 21, is shown as Lot 23 on Land Court Plan 8853-L, and is located in the Residential-Twenty zoning district.

Amended Addendum

**(Alan A. Shuch, Trustee, 45 Quidnet Road,
Nantucket, Massachusetts)**

Applicant seeks a special permit under By-law §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 plan submitted as part of the application is using a benchmark for purposes of measuring elevation. The floor elevation of the beach cabana is currently seven (7) feet above the reference point, but the ground is between five (5) and six (6) feet above the reference point. As a result, the first floor is currently only between one (1) and two (2) feet above the ground. Accordingly, the highest ridge is between fourteen and one-half (14.5) and fifteen and one-half (15.5) feet above the ground.

When the structure was renovated pursuant to the relief granted in File No. 007-96, the level of the pond was not an issue. In recent years, however, the level of the pond as well the severity of the storms, particularly in the winter, have increased, making the raising of the structure necessary.

The Applicant is currently working with his engineer to determine the amount that the cabana needs to be raised. The Applicant wants to go high enough to get the structure out of harm's way and to avoid having to raise the cabana again (at least for a good number of years). At the same time, the Applicant wants to keep the cabana low enough that the impact on surrounding properties is limited as much as possible.

At the moment (subject to change as discussions with the Applicant's engineers and architects progress), the Applicant believes that that raising the building up to three (3) feet is all that will be required. With a three (3) foot lift, the building would be about eighteen and one-half (18.5) feet above the ground at its tallest, a low, one story building by any standards.

In addition to obtaining Zoning Board of Appeals approval, the Applicant will be filing applications with and seeking the approval of the Nantucket Historic District Commission and the Nantucket Conservation Commission.

The locus is located at 45 Quidnet Road, is shown on Nantucket Tax Assessor's Map 21 as Parcel 21, is shown as Lot 23 on Land Court Plan 8853-L, and is located in the Residential-Twenty (R-20) and Limited Use General 3 (LUG-3) zoning districts.

#16.00

Town of Nantucket
Zoning Board of Appeals

RECEIVED
BOARD OF ASSESSORS
JUL 19 2016
TOWN OF
NANTUCKET, MA

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

PROPERTY OWNER... Alan A. Shuch, as Trustee of the Ann F. Shuch QPRT
c/o Sarah F. Alger, P.C.
MAILING ADDRESS... Two South Water Street, Nantucket, MA
PROPERTY LOCATION... 45 Quidnet Road, Nantucket
ASSESSOR MAP/PARCEL... Map 21, Parcel 21
SUBMITTED BY... Sarah F. Alger, 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)).

7-20-2016
DATE

Elizabeth M. Hanagan
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
21		15		MASSACHUSETTS AUDUBON SOCIETY		153 HUMMOCK POND RD	NANTUCKET	MA	02554	25 SESACHACHA RD
21		16		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	23 SESACHACHA RD
21		17		NANTUCKET ISLANDS LAND BANK		22 BROAD ST	NANTUCKET	MA	02554	21 SESACHACHA RD
21		18		DEBENEDICTIS DANIELLE		P O BOX 880	SIASCONSET	MA	02564	17 SESACHACHA RD
21		19		DEBENEDICTIS DANIELLE		P O BOX 880	SIASCONSET	MA	02564	17 SESACHACHA RD
21		20		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	SESACHACHA RD
21		21		SHUCH ALAN A TRUSTEE		15 CENTRAL PARK WEST #26D	NEW YORK	NY	10023	45 QUIDNET RD
21		23		GARDNER WILLIAM L TRUSTEE	AVANT GARDNER NOMINEE TRST	3900 WATSON PL NW APT B-5	WASHINGTON	DC	20016	3 SESACHACHA RD
21		24		ALBRIGHT RALPH N JR & SUSANNE TRST		5026 KLINGLE ST	WASHINGTON	DC	20016	1 SESACHACHA RD
21		26		KELLNER PETER L & MARIA T TRST		15 JUBILEE PLACE	LONDON ENGLAND	.	SW3 3TD	4 SAKEDAN LN
21		26	1	MCKEE WILLIAM J JR ETAL		355 DOVER STREET	WESTWOOD	MA	02090	41 QUIDNET RD
21		26	3	FLORENCE CHARLOTTE TRST	FOUR NAAUMA LANE NOM TRUST	99 LYMAN ROAD	CHESTNUT HILL	MA	02467	4 NAAUMA LN
21		26	4	DOYLE RICHARD A & KATE O TRST ETAL	C/O PETER KELLNER	15 JUBILEE PLACE	LONDON ENGLAND	.	SW3 3TD	5 SAKEDAN LN
21		26	5	MCKEE WILLIAM J JR ETAL		355 DOVER STREET	WESTWOOD	MA	02090	41 QUIDNET RD
21		26	6	POND HEDGES LLC ETAL	C/O PETER KELLNER	15 JUBILEE PLACE	LONDON	.	SWS 3TD	7 SAKEDAN LN
21		26	7	POND HEDGES LLC ETAL	C/O PETER KELLNER	15 JUBILEE PLACE	LONDON ENGLAND	.	SW3 3TD	6 SAKEDAN LN
21		26	8	DOYLE RICHARD A & KATE O TRST		71 HANCOCK STREET	BOSTON	MA	02114	5 BEACON LN
21		48		CLARK HERBERT T III TR ETAL		52 INGHAM HILL ROAD	ESSEX	CT	06426	2 SQUAM RD
21		49		LANDMANN ROBERT S & SUSAN S		6 SQUAM RD	NANTUCKET	MA	02554	6 SQUAM RD
21		50		BECK GARY W TRUSTEE	QUIDNET NOMINEE TRUST	8625 BLOME ROAD	CINCINNATI	OH	45243	40 QUIDNET RD
21		51		SEEMAN ISABELLE PETTIT		8323 SOUTHMEADOW CIRCLE	DALLAS	TX	75231	8 SQUAM RD
21		52		STEWARDSON FAMILY LLC	C/O CONNOLLY LIZA	31 WACHUSETT DR	LEXINGTON	MA	02421	36 QUIDNET RD
21		81	1	NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	18 SESACHACHA RD
21		81	3	HALL BROOKS CHAPMAN TR	LAKE VIEW VILLA II NOM TRUST	30 PEACHCROFT DR	BERNARDSVILLE	NJ	07924	61 QUIDNET RD
21		82		HALL PERRY EDWARDS III ETAL TR		30 PEACHCROFT DR	BERNARDSVILLE	NJ	07924	14 SESACHACHA RD
21		83		MILLER LEON L & ELIZABETH P		1 MILLAY CIRCLE	PITTSFORD	NY	14534-1722	12 SESACHACHA RD
21		85		JONES RICHARD M		3 HILLSIDE PLACE	TARRYTOWN	NY	10591	8 SESACHACHA RD
21		87		RICKARDS ASSOCIATES		2 CRAWFORD CI	WILMINGTON	DE	19805-2616	6 SESACHACHA RD
21		88		WENDY LIPP		27 SPRING HOUSE RD	POUND RIDGE	NJ	10516	2 SESACHACHA RD
21		140		SEIGER JOSEPH R TRUSTEE	SEIGER NANTUCKET NOMINEE TR	27087 OLD TRACE LN	LOS ALTOS HILLS	CA	94022	11 SESACHACHA RD
21		141		PAULSEN WILLIAM F TRST ETAL	WF PAULSEN 2012 TRUST	408 GREENWICH ST	UNIT NEW YORK	NY	10013	9 SESACHACHA RD
21		142		NEWHOUSE JUDITH W TRUSTEE	SESACHACHA FAMILY TRUST	600 COCONUT PALM RD	VERO BEACH	FL	32963-3713	7 SESACHACHA RD
21		143		BURBAGE STEPHEN W & SUSAN C		54 GLEZEN LANE	WAYLAND	MA	01778	47 QUIDNET RD



Property Information

Property ID 21 21
Location 45 QUIDNET RD
Owner SHUCH ALAN A TRUSTEE

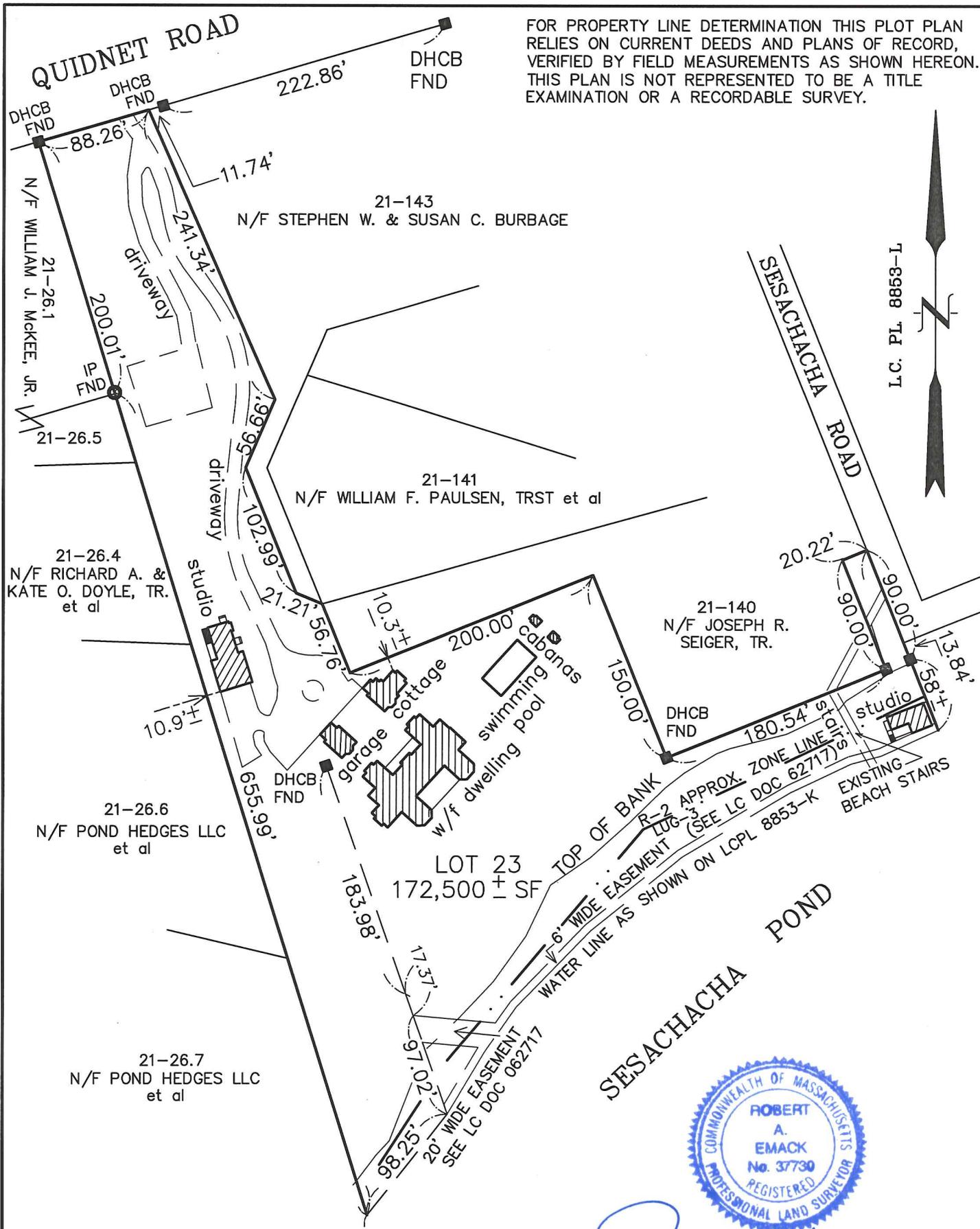


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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

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.



L.C. PL. 8853-L

CURRENT ZONING: MIXED: R-20 / LUG-3
 MINIMUM LOT SIZE: 20,000 SF / 120,000 SF
 MINIMUM FRONTAGE: 75 FT / 200 FT
 FRONTYARD SETBACK: 30 FT / 35 FT
 SIDE AND REAR SETBACK: 10 FT / 20 FT
 ALLOWABLE G.C.R.: 12.5% / 3%
 EXISTING G.C.R.: 3.4% ±
 DWELLING G.C.: 3320 SF ±
 COTTAGE G.C.: 550 SF ±
 GARAGE G.C.: 390 SF ±
 CABANAS G.C.: 2X50 SF=100 SF ±
 STUDIO G.C.: 1040 SF ±
 STUDIO ON BEACH G.C.: 440 SF ±

NOTE: ALL STRUCTURES EXCEPTING STUDIO ON THE BEACH ARE LOCATED IN R-20 ZONE. STUDIO ON THE BEACH ACCOUNTS FOR 0.3% GCR.

NB 15 / PG 89

PLOT PLAN TO ACCOMPANY APPLICATION TO THE ZONING BOARD OF APPEALS IN NANTUCKET, MASSACHUSETTS
 SCALE: 1"=100' DATE: JULY 28, 2016
 REVISED SEPT. 30, 2016
 DEED REFERENCE: LC CERT.# 21927
 PLAN REFERENCE: LC PL 8853-L
 ASSESSOR'S REFERENCE:
 MAP: 21 PARCEL: 21
 PREPARED FOR:

ALAN A. SHUCH, TRUSTEE

EMACK SURVEYING, LLC
 2 WASHAMAN AVENUE
 NANTUCKET, MA. 02554
 (508) 325-0940



R.A. Emack

J-685

SH 1 OF 2

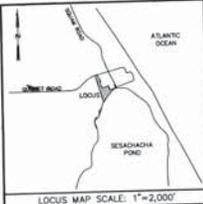
MATERIALS

PROVIDED BY

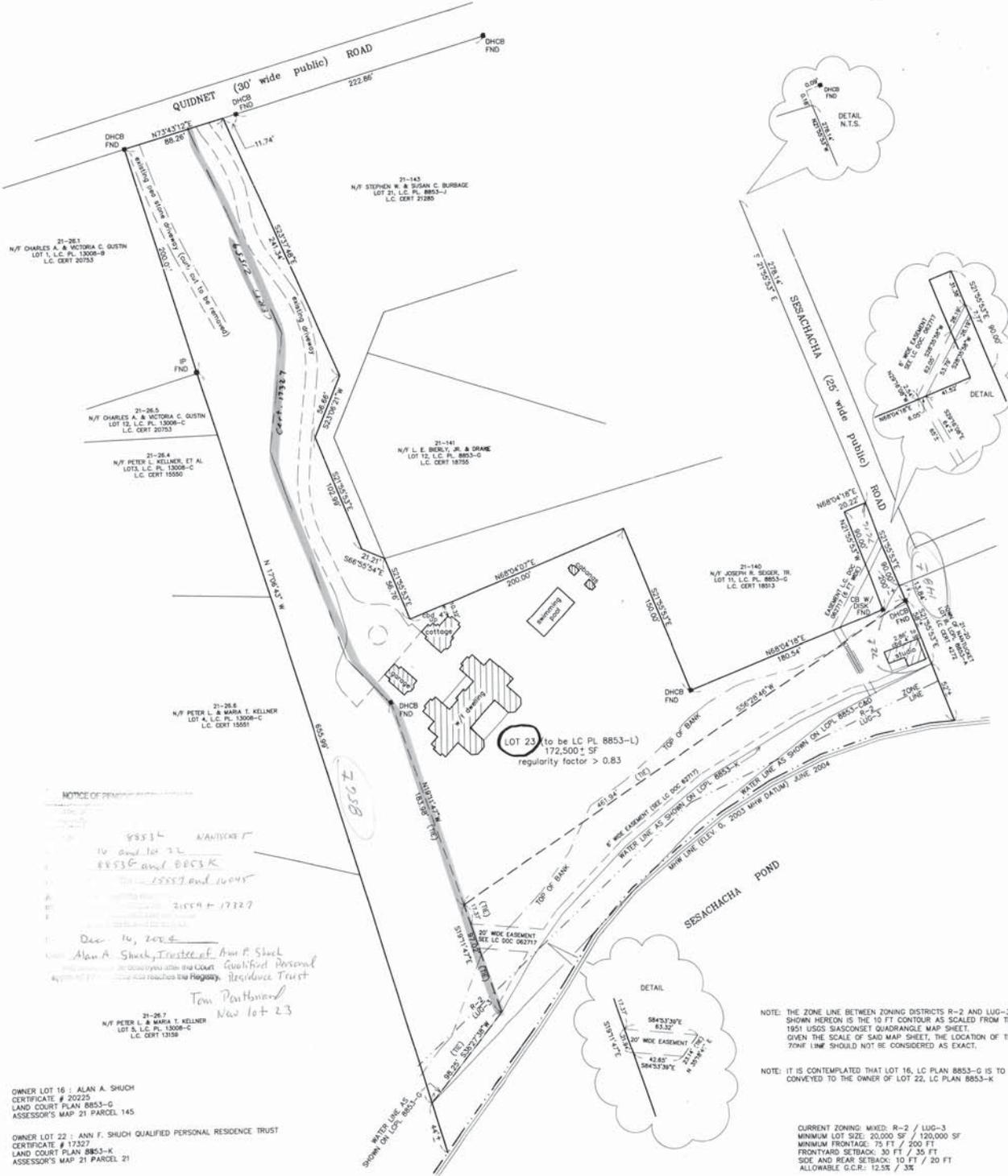
APPLICANT

TO SUPPLEMENT

APPLICATION



THE PLANNING BOARD DETERMINES THAT: WHILE LOT 23 MAY 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, THE LOT AS CONFIGURED CONTAINS MORE THAN THE REQUIRED UPLAND AREA. THE LOT MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND LAWS AND BY-LAWS. DETERMINATION OF APPLICABILITY FOR WETLANDS MAY BE OBTAINED THROUGH APPLICATION TO THE NANTUCKET CONSERVATION COMMISSION.



NOTICE OF PERMITS
 8853-K NANTUCKET
 16 and lot 22
 8853-G and 8853-K
 21559 and 21045
 21559 + 17227
 Dec 10, 2004
 Alan A. Shuch, Trustee of Ann F. Shuch
 Qualified Personal Residence Trust
 Tom Pantalone
 New lot 23

OWNER LOT 16 : ALAN A. SHUCH
 CERTIFICATE # 20225
 LAND COURT PLAN 8853-G
 ASSESSOR'S MAP 21 PARCEL 145

OWNER LOT 22 : ANN F. SHUCH QUALIFIED PERSONAL RESIDENCE TRUST
 CERTIFICATE # 17327
 LAND COURT PLAN 8853-K
 ASSESSOR'S MAP 21 PARCEL 21

PERIMETER PLAN OF LAND IN
 NANTUCKET, MASSACHUSETTS
 BEING A PERIMETER PLAN OF LOT 16 SHOWN ON
 LAND COURT PLAN 8853-G AND
 LOT 22 SHOWN ON LAND COURT PLAN 8853-K
 PREPARED FOR: ALAN A. SHUCH, TRUSTEE
 SCALE: 1"=40' DATE: OCTOBER 15, 2004



TRAVERSE INFORMATION
 PRECISION: 1/72443
 ERROR: S87-37-03W 0.029'

I CERTIFY THAT THIS ACTUAL SURVEY
 WAS MADE ON THE GROUND IN ACCORDANCE
 WITH THE LAND COURT INSTRUCTIONS OF 1989
 BETWEEN JUNE 1, 2004 AND JUNE 8, 2004
 Oct 15 2007
 PROFESSIONAL LAND SURVEYOR



8853-L
 LAND COURT
 FILED
 OBE 16 2004

NANTUCKET PLANNING BOARD
 APPROVAL UNDER THE
 SUBDIVISION CONTROL LAW
 NOT REQUIRED
 October 25, 2004 10:19:22
 DATE FILE #

NOTE: THE ZONE LINE BETWEEN ZONING DISTRICTS R-2 AND LUG-3 SHOWN HEREON IS THE 10 FT CONTOUR AS SCALED FROM THE 1951 USGS SHANNONSET QUADRANGLE MAP SHEET. GIVEN THE SCALE OF SAID MAP SHEET, THE LOCATION OF THE 70KPI LHM SHOULD NOT BE CONSIDERED AS EXACT.

NOTE: IT IS CONTEMPLATED THAT LOT 16, LC PLAN 8853-G IS TO BE CONVEYED TO THE OWNER OF LOT 22, LC PLAN 8853-K.

CURRENT ZONING: MIXED: R-2 / LUG-3
 MINIMUM LOT SIZE: 20,000 SF / 120,000 SF
 MINIMUM FRONTAGE: 75 FT / 200 FT
 FRONTYARD SETBACK: 30 FT / 35 FT
 SIDE AND REAR SETBACK: 10 FT / 20 FT
 ALLOWABLE G.C.R.: 12.5% / 3%

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



Structure shown
and in existence
per this 1971 aerial



TOWN OF NANTUCKET

088241

007-96

BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: February 14, 1996

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

Application No.: 007-96

Owner/Applicant: ANN F. SHUCH

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.


Dale W. Waine, Vice-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.

NANTUCKET ZONING BOARD OF APPEALS
37 Washington Street
Nantucket, Massachusetts 02554

Assessor's Map 21, Parcel 21 Land Court Plan 8853-K
45 Quidnet Road Lot 22
Residential-2 Certificate of Title No. 16045

DECISION:

1. At a public hearing of the Nantucket Zoning Board of Appeals, on Friday, February 2, 1996, at 1:00 P.M., in the Selectmen's Meeting Room, in the Town and County Building, Broad Street, Nantucket, Massachusetts, the Board made the following decision on the application of ANN F. SHUCH, c/o Reade & Alger Professional Corporation, Post Office Box 2669, Nantucket, Massachusetts 02584, File No. 007-96:

2. The applicant is requesting a FINDING under Massachusetts General Laws, c. 40A, §6, and Nantucket Zoning By-law §139-33.A(4)(a), that a proposed alteration of a structure upon the Locus, said to be pre-existing of zoning requirements with which it is nonconforming, from use as a dwelling to use as an ancillary structure to the two dwelling units (a principal single-family dwelling and a cottage) upon the Locus, will not be substantially more detrimental to the neighborhood than the existing nonconformities. The structure is nonconforming as to setback, being sited 2.8± feet at its closest point from the easterly side yard lot line in a district that requires a minimum side yard setback of 10 feet. The applicant proposes to use the structure as a studio and beach changing area, eliminating the existing dwelling unit in the cottage, with any upward expansion of the structure to be done within the existing footprint, coming no closer to the side yard lot line. See also Board of Appeals File No. 001-96 that was withdrawn without prejudice. The subject property (the "Locus") is located at 45 QUIDNET ROAD, Assessor's Map 21, Parcel 21, and is shown on Land Court Plan 8853-K as Lot 22. The locus is zoned RESIDENTIAL-2.

3. Our decision is based upon the application and accompanying materials, and representations and testimony received at our public hearing. There was no Planning Board recommendation. Two neighbors spoke in opposition, and several others also sent letters in opposition.

Alan A. Shuch Trustee of Ann F. Shuch
Qualified Personal Residence Trust

Current owner:

4. The applicant represented that the subject structure, shown as "exist. w/f cottage" upon the plot plan by Nantucket Surveyors, Inc., dated August 30, 1995, a reduced copy of which is attached hereto as Exhibit A, pre-exists the effective date of the Nantucket Zoning By-law in July, 1972, and that this structure was used as a dwelling in the past, but not for several years. Since acquiring the Locus in 1993, the applicant has erected two dwellings upon the Locus, and has taken steps to ensure that the subject structure (and the other cottage near Sesachacha Pond to the west of the subject structure, shown as "exist. w/f bldg." on Exhibit A, which was also formerly used as a dwelling) cannot be used as a dwelling. The applicant now seeks approval to convert the subject structure into an ancillary structure to be used as a studio and beach changing area, not to be used as a dwelling. In connection therewith, there will be some upward alteration within the footprint of the structure, including the portion thereof within the side yard setback area of ten feet from the easterly boundary of the Locus (which will, however, continue to be a single-story structure), and addition of a deck not encroaching upon any setback. The applicant argued that the renovation of the subject structure, together with demolition of the cottage to its west, will benefit the neighborhood by improving the appearance of the structure and providing a presence which may reduce incidences of dumping of trash and other materials. The applicant further represented that relocating the structure so that it will conform to dimensional requirements of the by-law would be difficult or impossible because of wetlands considerations, and that the structure has an existing poured foundation. Approval for the proposed alterations has been secured from the Nantucket Historic District Commission and the Nantucket Conservation Commission.

5. The proposed use of the structure for recreational purposes and as a studio will be a permitted use, as subordinate and customarily incident to the principal use of the use of the Locus as a residential lot with two dwellings thereon, pursuant to By-law §139-15. The subject structure, pre-existing of the By-law, is entitled to remain in existence, and may be used only as an ancillary structure to the two dwellings (the maximum now permitted) recently constructed upon the Locus, for which Certificates of Occupancy have been issued by the Building Department. The project's opponents argued at the public hearing that By-law §139-33.C prohibits continued use of the subject structure, on the basis that its nonuse for more than three years constitutes an abandonment; however, that provision, as it relates to a

structure which continues to be in existence, merely prevents re-establishment of a discontinued nonconforming use, and the applicant proposes to use the structure for a conforming use.

6. The issues presented to the Board of Appeals, in this request for a finding under M.G.L. c. 40A, §6, and By-law §139-33.A(4), are whether the proposed alterations to the subject structure, as described herein, will intensify the nonconformities of the structure, and, if so, whether the alterations will be substantially more detrimental to the neighborhood than the pre-existing nonconformities.

7. By a unanimous vote, the Board determined that the proposed alteration will intensify the nonconformities of the subject structure, in that there will be some upward extension of the structure within the side yard setback area.

8. As to the request for a finding under M.G.L. c. 40A, §6, and By-law §139-33.A(4), the Board of Appeals made the finding that the alterations will not be substantially more detrimental to the neighborhood than the pre-existing nonconformities, provided that the conditions set forth in Paragraph 9 are met, by a vote of four members (Waine, Williams, Hourihan and Angelastro) in favor, and one (Sevrens) against.

9. The Board's finding is made subject to the following conditions:

(a) The proposed alterations shall be made in substantial conformity with the plans approved by the Nantucket Historic District Commission in Certificate of Appropriateness No. 26,898, and with the Order of Conditions issued by the Nantucket Conservation Commission under Department of Environmental Protection File No. SE48-935.

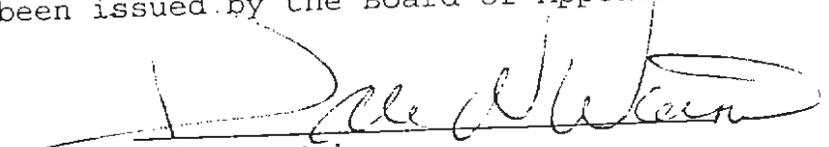
(b) The structure shown upon Exhibit A as "exist. w/f bldg.", to the west of the subject structure, shall be demolished or removed from the Locus prior to the issuance of a Certificate of Occupancy for the proposed alterations.

(c) All kitchen facilities shall be completely removed from the subject structure prior to the issuance of a Certificate of Occupancy for the proposed alterations.

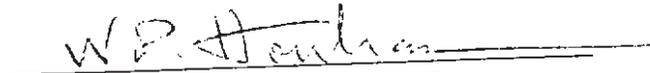
(d) The subject structure shall not be used at any time for human habitation.

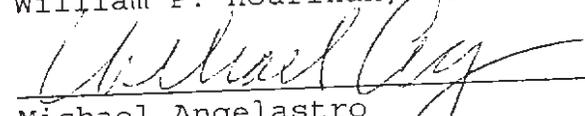
(e) No further changes in use, nor structural changes, to the subject structure shall be made without further relief approving such changes having been issued by the Board of Appeals.

Dated: February 14, 1996


Dale W. Waine


Linda F. Williams


William P. Hourihan, Jr.


Michael Angelastro

Nancy J. Sevens

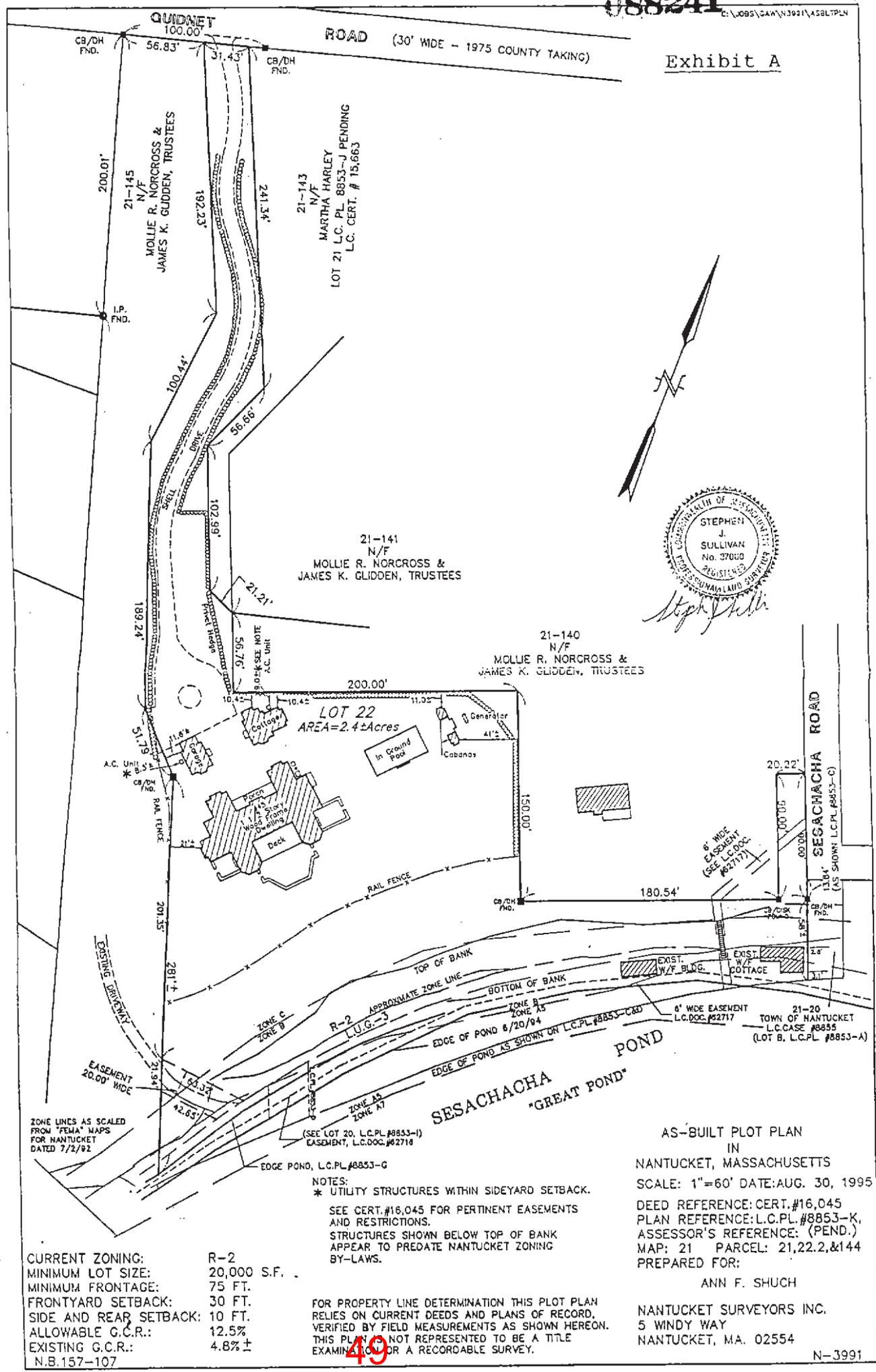
f:\wp\shuch\boa00795.dec

RECEIVED
TOWN CLERK'S OFFICE
NANTUCKET, MA 02554

FEB 14 1996
TIME: 11:15 AM

CLERK: Alvan J. Con

Exhibit A



ZONE LINES AS SCALED FROM "FEMA" MAPS FOR NANTUCKET DATED 7/2/92

CURRENT ZONING:
 MINIMUM LOT SIZE: 20,000 S.F.
 MINIMUM FRONTAGE: 75 FT.
 FRONTYARD SETBACK: 30 FT.
 SIDE AND REAR SETBACK: 10 FT.
 ALLOWABLE G.C.R.: 12.5%
 EXISTING G.C.R.: 4.8% ±
 N.B.157-107

NOTES:
 * UTILITY STRUCTURES WITHIN SIDYARD SETBACK.
 SEE CERT.#16,045 FOR PERTINENT EASEMENTS AND RESTRICTIONS.
 STRUCTURES SHOWN BELOW TOP OF BANK APPEAR TO PREDATE NANTUCKET ZONING BY-LAWS.

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.

AS-BUILT PLOT PLAN
 IN
 NANTUCKET, MASSACHUSETTS
 SCALE: 1"=60' DATE:AUG. 30, 1995
 DEED REFERENCE: CERT.#16,045
 PLAN REFERENCE: L.C.PL.#8853-K,
 ASSESSOR'S REFERENCE: (PEND.)
 MAP: 21 PARCEL: 21,22.2,&144
 PREPARED FOR:

ANN F. SHUCH
 NANTUCKET SURVEYORS INC.
 5 WINDY WAY
 NANTUCKET, MA. 02554



Town of Nantucket

88241

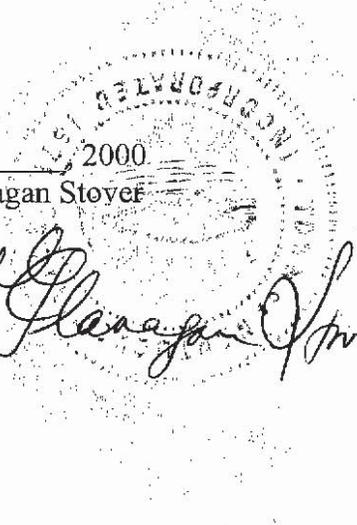
OFFICE OF THE
TOWN CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554

Catherine Flanagan Stover
Town Clerk
(508) 228-7217

I, Catherine Flanagan Stover, duly elected Clerk of the Town of Nantucket, hereby certify that a court appeal was filed in this case. It has been acted upon finally and favorably to the applicant.

Signed and certified this 3rd day of February, 2000
Catherine Flanagan Stover
Town Clerk





















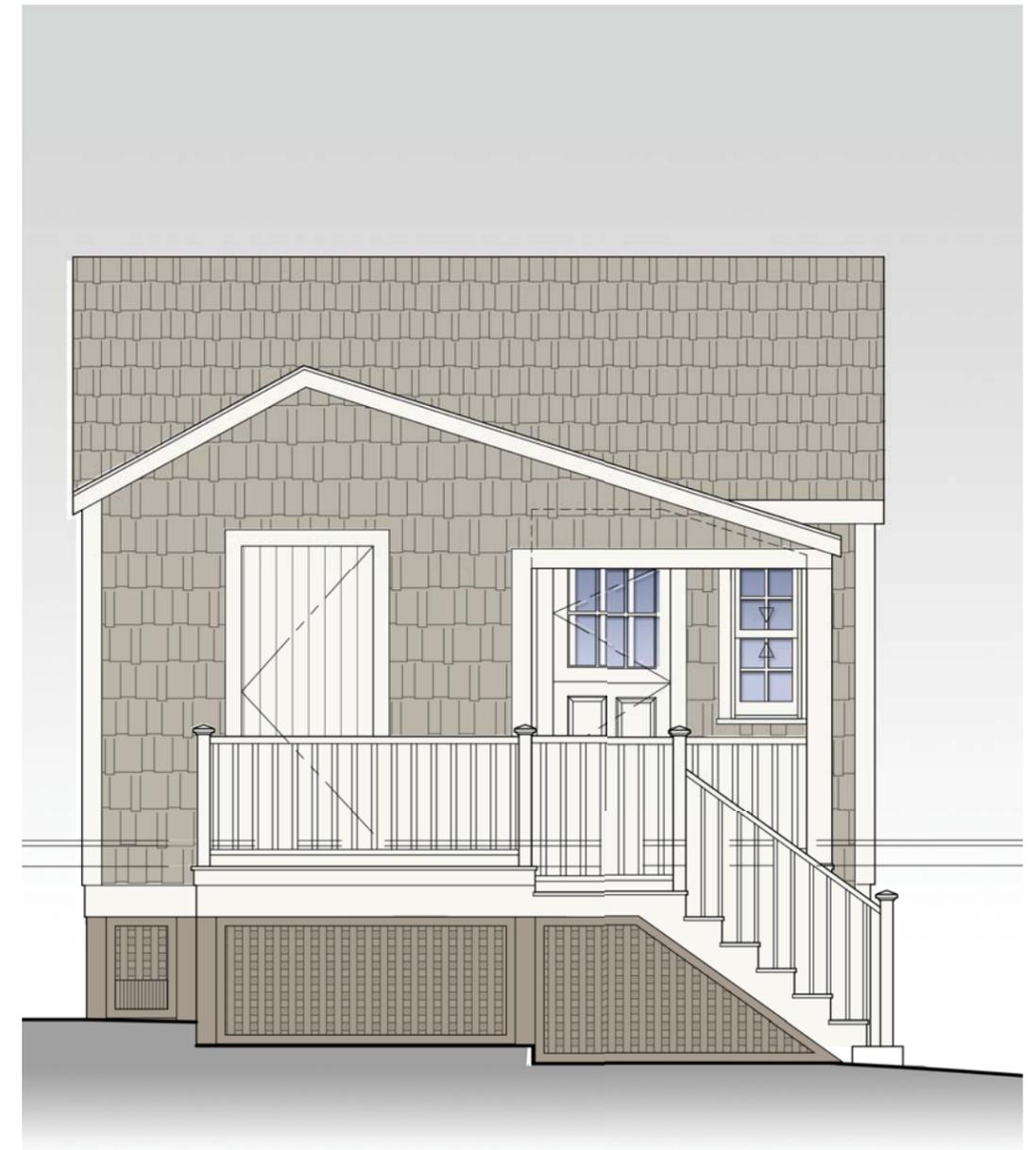








South Elevation



West Elevation



North Elevation



East Elevation





LETTERS

From: [Isabelle Seeman](#)
To: [Eleanor Antonietti](#)
Subject: Shuck hearing
Date: Saturday, July 30, 2016 9:51:50 AM

I'm not in favor of anything which will compromise the water quality of the pond
Isabelle Seeman

Sent from my iPad Isabelle

From: [Robert Landmann](#)
To: [Eleanor Antonietti](#)
Subject: Re: Alan A. Shuch as Trustee of the Ann F. Shuch Qualified Personal Residence Trust, File No. 32-16.
Date: Sunday, July 31, 2016 4:24:20 PM

Dear Ms. Antonietti,

The referenced residence is situated at 45 Quidnet Road and is shown on Assessor's Map 21 as Parcel 21, and is Lot 23 on Land Court Plan 8853-L. Owners title is evidenced by Certificate of Title No. 21927 at the Nantucket Registry District. The Site is zoned Residential-20 (R20).

We object to the proposed changes in the residence. There is no indication of how much higher the owner proposes to raise the structure which already sits on cement pilings. There is an assumed risk of flooding when building close to the water. The community should not have to have its character and scale compromised every time water encroaches on a such a structure. We urge the Board to reject the request.

Thank you,

Susan and Robert Landmann
6 Squam Rd.
Nantucket

From: [Virginia Birch](#)
To: [Eleanor Antonietti](#)
Subject: Alan Shuch plan for 45 Quidnet Road
Date: Tuesday, August 02, 2016 4:19:35 PM
Attachments: [ATT00003.txt](#)
[ATT00004.txt](#)

Dear Ms. Antonietti,

Here are 2 photos of the Shuch beach studio. Mr Shuch is requesting that the studio be lifted from the present 7 feet to new pier foundations of 10 feet. It surely doesn't appear to be presently 7 ft off the ground, so what will 10 feet look like? To be fair to the abutting landowners, we need a drawing of what that will look like. What will the new height of the roof be compared to where it is now?

Therefore, what Mr. Shuch is requesting should be denied until his request is made more clear.

Thank you,

Ginny Birch

14 Sesachacha Road and
61 Quidnet Road



71



72



Nantucket Zoning Board of Appeals
4 Fairgrounds Road
Nantucket, MA 02554

Re: File No: 32-16 Alan A Shuch as Trustee of the Ann F. Shuch Qualified Personal Residence Trust

Dear Sir or Madam:

We are writing in opposition of the application to extend, alter or change the pond cottage associated with the home at 45 Quidnet Road (Assessor's Map 21, Parcel 21 or Lot 23 on Land Court Plan 8853-L.

The reasons for our opposition to further amendments include;

- To further elevate the cottage by any amount is not in keeping with the village of Quidnet and will be an unsightly intrusion above the one other pond cottage.
- This elevation would set a precedent for elevating other non-conforming structures at the pond which would further the negative impact to the community.
- As it sits now, the cottage is only 5 feet from the property line with the town property, if elevated, the steps required would likely encroach the property line.
- Sesachacha Pond is a pristine and historic part of the Nantucket community. Increasing the human living spaces at the pond site could have detrimental impact on the water quality and flora surrounding the pond.

We have been members of the Quidnet community since 2004 and regularly use and enjoy Sesachacha Pond. We swim, kayak, paddle board and enjoy this open space with both locals and visitors, new comers and old timers.

We appreciate being given notice and respectfully request that you protect our pond by denying the request to increase the elevation of the subject pond cottage.

William F. Paulsen and Laura Taft Paulsen
9 Sesachacha Road, Nantucket, MA 02554

From: crrickards@aol.com
To: eantonietti@nantucket-ma.gov
Subject: Alan Shuch Special Permit relief File No.007-96
Date: Wednesday, August 03, 2016 8:21:51 PM

8-03-16

Charles Rickards and Susan Rickards

6 Sesachacha Rd. Quidnet
Nantucket. Mass. 02554

Oppose the request for modification of File No.007-96

This request has been denied by the board previously and should be denied at this time.

From: [Virginia Birch](#)
To: [Eleanor Antonietti](#)
Subject: Alan Shuch property at 45 Quidnet Road
Date: Thursday, August 04, 2016 12:03:24 PM

Thank you for sending me a copy of the application for the above property.

As I reread the editorial to the I. M. that our esteemed neighbor, Derek Till wrote a few weeks ago, he believes that we owe a debt to Arthur Dean who is credited with buying many years ago, most of the shoreline property around the Sesachacha Pond including a significant area of barrier beach, which protected it from development. Mr. Dean died in 1987 and bequeathed the pond property to the Maria Mitchell Association, who decided that Mass Audubon would be a much better custodian, since they had extensive experience in managing sanctuaries.

It was never intended that there be private buildings on the beach. If Mr. Shuch were granted permission to raise the roof of his building, what would stop the house next to his from applying for the same such permission? In years past Mr. Shuch applied for a bathroom in his building, but fortunately was denied.

We as Quidnet residents, are the custodians of this fragile pond and will continue to care for it. We volunteers clean the beach, keep the fences in good repair, drag derelict boats to the dump, and keep close watch that the pond be used with respect.

I sincerely ask that Mr. Shuch's request is denied.

Sincerely, Ginny

From: [Betty Miller](#)
To: [Eleanor Antonietti](#)
Subject: alan Shuch structure
Date: Thursday, August 04, 2016 2:52:20 PM

To whom this may concern, I believe that the changes Alan Shuch has proposed for his structure on Sesachacha Pond are inappropriate.

These changes compromise the integrity of the pond and surroundings. I object to his proposal.

Thank you,

Betty Miller

12 Sesachacha Rd.

From: [Bill Gardner](#)
To: [Eleanor Antonietti](#)
Subject: Shuch application - Sesachacha Pond
Date: Friday, August 05, 2016 1:49:28 PM

Dear Ms. Antonietti: My name is William Gardner and I live in Quidnet several hundred feet from the property that is the subject of the application. I wish to go on record as stating that I have no objection to what is proposed. It seems perfectly reasonable to me.

From: [Randee Seiger](#)
To: [Eleanor Antonietti](#)
Subject: Shuch Beach Studio Application-45 Quidnet
Date: Tuesday, August 30, 2016 10:59:33 AM

To Whom It May Concern:

I am writing in support of the application by Alan Shuch to raise his beach studio structure in order to mitigate effects from storm surges. My home is at 11 Sesachacha Road and is the property directly above the structure.

I have seen drawings, elevations, and photo shopped-visuals of the proposed design and have discussed these with Alan Shuch. I believe the proposed changes are modest and will not adversely impact me.

Please let me know if you have any questions.

Randee Seiger

Summer: 11 Sesachacha Road
Nantucket MA

Primary: 27087 Old Trace Lane
Los Altos Hills, CA 94022

650/948.8817
2ees@seigerspace.net

**Harvey C. JONES, Tr.
Eight Old North
Wharf Nom. Tr.**

8 OLD NORTH WHARF

FILE NO. 35-16



NANTUCKET
TOWN CLERK

2016 OCT -3 PM 3: 12



TOWN OF NANTUCKET
BOARD OF APPEALS
NANTUCKET, MA 02554

APPLICATION

Fee: \$450.00

File No. 35-16

2016 SEP 12 AM 11: 10

Owner's name(s): Harvey C. Jones, Jr., Trustee of Eight Old North Wharf Nominee Trust
c/o Reade, Gullicksen, Hanley & Gifford, LLP,
Mailing address: 6 Young's Way, Post Office Box 2669, Nantucket, Massachusetts 02584

Phone Number: 508-228-3128 E-Mail: wag@readelaw.com

Applicant's name(s): Same

Mailing Address: Same

Phone Number: Same E-Mail: Same

Locus Address: 8 Old North Wharf Assessor's Map/Parcel: 42.3.1-20

Land Court Plan/Plan Book & Page/Plan File No.: Lot B-1, Land Court Plan 10169-B

Deed Reference/Certificate of Title: 25,811 Zoning District RC

Uses on Lot- Commercial: None Yes (describe) _____

Residential: Number of dwellings One Duplex _____ Apartments _____

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

Building Permit Numbers: 2731-83, 8765-92, 1251-06 and 301-07

Previous Zoning Board Application Numbers: 070-05



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

The applicant is seeking a Special Permit under Nantucket Zoning By-Law Section 139-33.A(2). The applicant is proposing to alter the pre-existing nonconforming two-story single-family dwelling by enclosing the existing latticed porch. The building footprint will not change.

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: Harvey C. Jones, Trustee of Eight Old North Wharf
Nominee Trust Owner*

By: 
SIGNATURE: Whitney A. Gifford 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

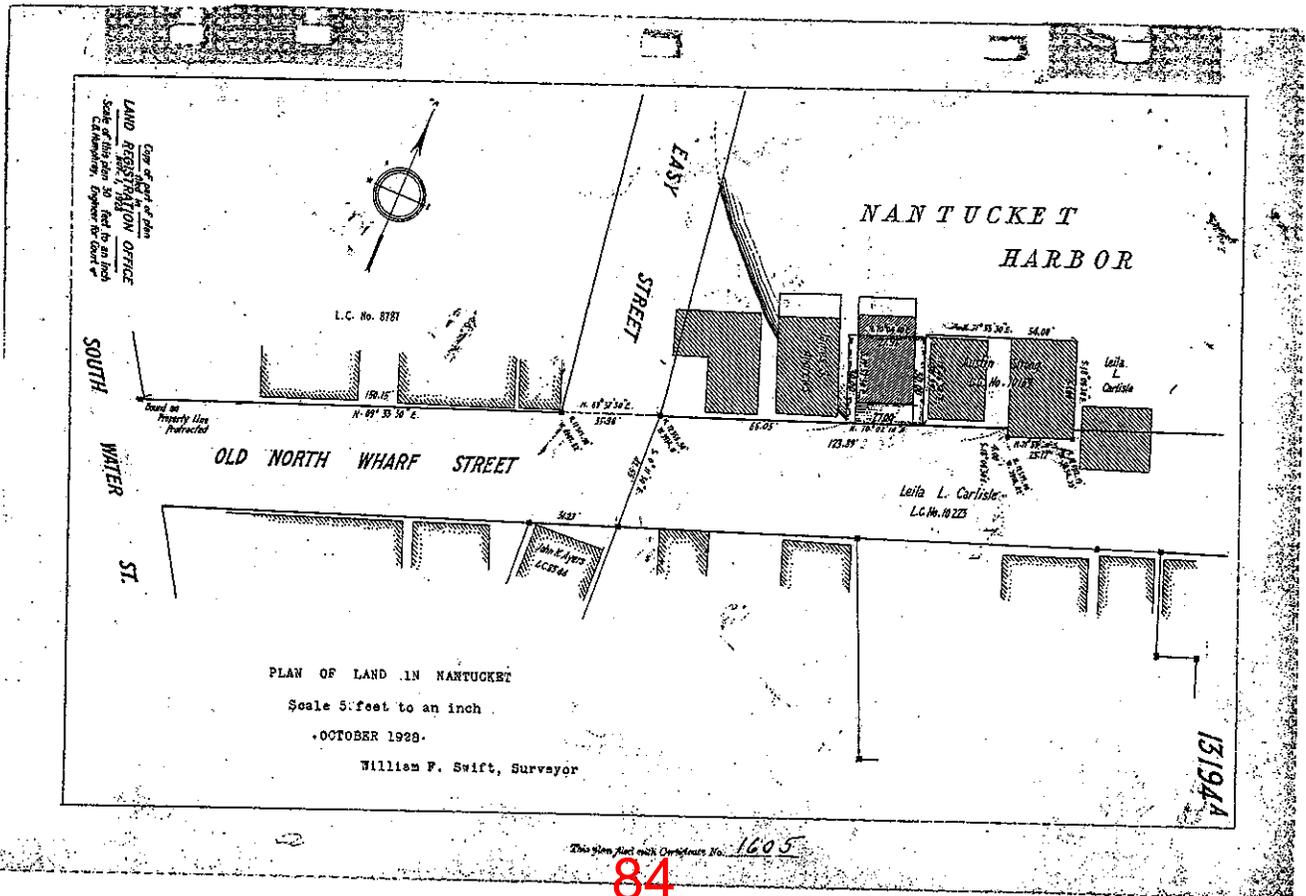
Property ID 42.3.1.20
Location 8 OLD NORTH WF
Owner JONES HARVEY C JR TRST



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



Copy of plat of plan
 LAND REGISTRATION OFFICE
 Scale of this plan 50 feet to an inch
 C.A. Mendenhall, Engineer in Charge

PLAN OF LAND IN NANTUCKET
 Scale 5 feet to an inch
 OCTOBER 1928.
 William F. Swift, Surveyor

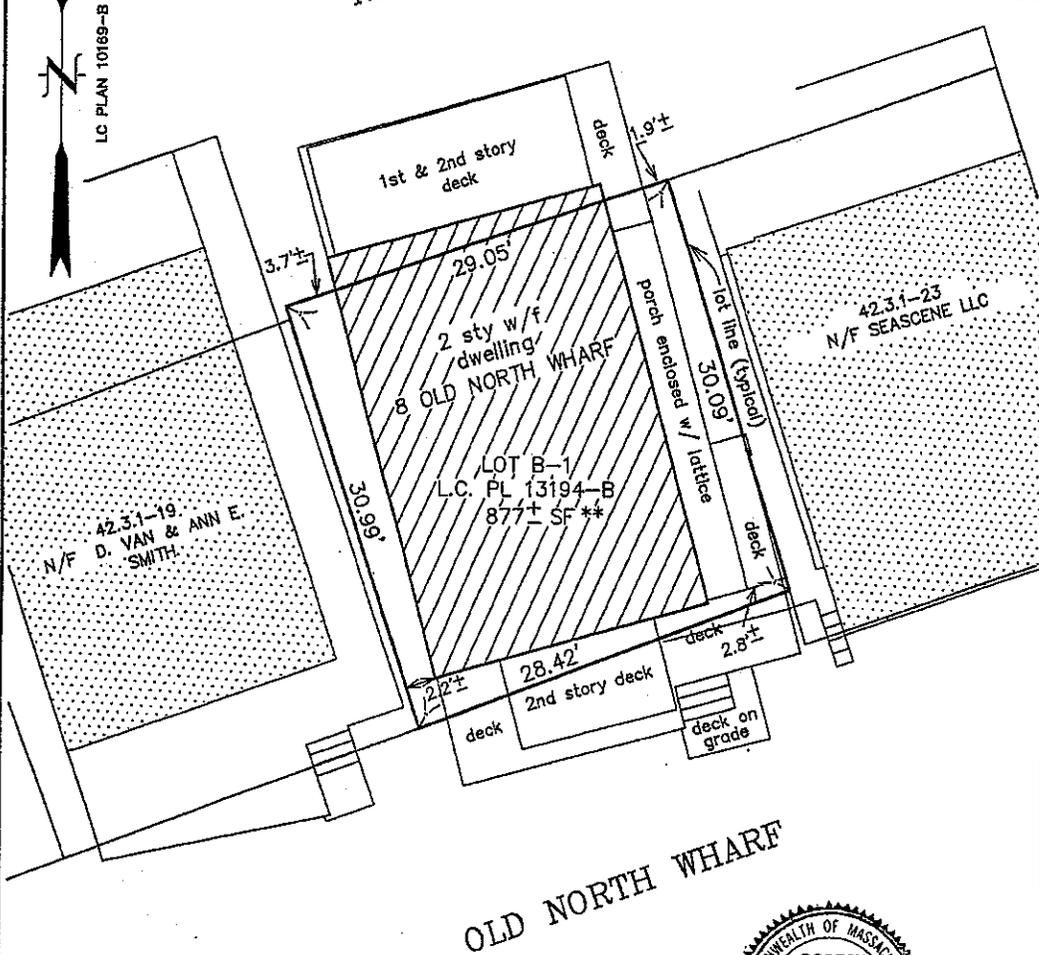
13194A

This plan filed with Certificate No. 1605

NANTUCKET HARBOR

RECEIVED
JUL 29 2015

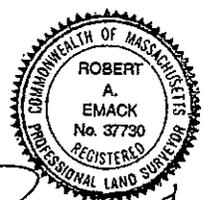
BY: _____



OLD NORTH WHARF

NOTES:

- 1.) LOT DOES NOT CONFORM TO CURRENT ZONING REQUIREMENTS WITH RESPECT TO LOT AREA AND MINIMUM FRONTAGE.
- 2.) STRUCTURE DOES NOT CONFORM TO CURRENT ZONING REQUIREMENTS WITH RESPECT TO SIDE YARD SETBACK AND ALLOWABLE GROUND COVER RATIO.
- 3.) **LOT SHOWN ON L.C. PL. 10169-B IS LOCATED BELOW MHW AS DETERMINED BY 2003 NOS NANTUCKET TIDAL DATUM AND AS SUCH, MAY HAVE NO LOT AREA WITH RESPECT TO ZONING.
- 4.) DWELLING APPEARS TO BE SHOWN ON LC PLAN 10169-A DATED IN 1928.
- 5.) LC PLAN 10169-B CREATING LOT B-1 IS DATED IN 1940.



R.A. Emack

CURRENT ZONING: RC
 MINIMUM LOT SIZE: 5000 SF
 MINIMUM FRONTAGE: 40 FT
 FRONTYARD SETBACK: NONE
 SIDE AND REAR SETBACK: 5 FT
 ALLOWABLE G.C.R.: 50%
 EXISTING G.C.R.: 71% ±**
 EXISTING G.C.: 620 SF ±
 (not including porch enclosed w/ lattice)
 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.

AS-BUILT PLOT PLAN
 IN
 NANTUCKET, MASSACHUSETTS
 SCALE: 1"=10' DATE: JULY 29, 2015
 DEED REFERENCE: LC CERT.# 14,452
 PLAN REFERENCE: LC PL 10169-B
 ASSESSOR'S REFERENCE:
 MAP: 42.3.1 PARCEL: 20
 PREPARED FOR:
 JOHN P. DUNFEY, TR.
 EMACK SURVEYING, LLC
 2 WASHAMAN AVENUE
 NANTUCKET, MA. 02554
 508-325-0940

N.B. 14/132

J-766

Application to the HISTORIC DISTRICT COMMISSION, Nantucket, Massachusetts, for a

CERTIFICATE OF APPROPRIATENESS

for structural work.

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 NO: 42.3.1 PARCEL NO: 20
Street & Number of Proposed Work: E Old North Wharf
Owner of record: John Dunbar Trust
Mailing Address: 2000 Washington St, San Francisco CA 94109
Contact Phone #: E-mail:

AGENT INFORMATION (if applicable)

Name: Kaitlin Rowland & Assoc.
Mailing Address: 15 Commercial Wharf, Nantucket MA 02554
Contact Phone #: 725-2444 E-mail:

FOR OFFICE USE ONLY
Date application received: 5/11/16 Fee Paid: \$ 25-
Must be acted on by: 7/5/16
Extended to:
Approved: [Signature] Disapproved:
Chairman: [Signature]
Member: [Signature]
Member: [Signature]
Member: [Signature]
Notes - Comments - Restrictions - Conditions
Approved with 2 story porch drilling
10' max in horizontal with horizontal
2x4 behind railing & TOE NTL.

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

- Checkboxes for: New Dwelling, Addition, Garage, Driveway/Apron, Commercial, Historical Renovation, Deck/Patio, Steps, Shed, Color Change, Fence, Gate, Landscaping, Move Building, Demolition, Revisions to previous Cert. No. 65036, Pool, Roof, Other.

Size of Structure or Addition: Length: Sq. Footage 1st floor: Decks/Patio: Size: 1st floor 2nd floor
Width: Sq. footage 2nd floor: Size: 1st floor 2nd floor
Sq. footage 3rd floor: Size: 1st floor 2nd floor

Difference between existing grade and proposed finish grade: North South East West
Height of ridge above final finish grade: North South East West

Additional Remarks

Historic Name: REVISIONS: 1. East Elevation Enclose latticed porch - LATTICE REMAINS NO VISIBLE CHANGE
Original Date: (describe) 2. South Elevation Modify existing porch
Original Builder: 3. West Elevation 2nd floor railing color change
4. North Elevation Re-lattice existing door
Is there an HDC survey form for this building attached? Yes N/A
*Cloud on drawings and submit photographs of existing elevations.

DETAIL OF WORK TO BE PERFORMED

Foundation: Height Exposed Block Block Parged Brick (type) Poured Concrete Piers
Masonry Chimney: Block Parged Brick (type) Other
Roof Pitch: Main Mass Secondary Mass Dormer Other
Roofing material: Asphalt 3-Tab Architectural Wood (Type: Red Cedar, White Cedar, Shakes, etc.)
Skylights (flat only): Manufacturer Rough Opening Size Location
Gutters: Wood Aluminum Copper Leaders (material) Size Location
Leaders (material and size):
Sidewall: White cedar shingles Clapboard (exposure: inches) Front Side
Trim: A. Wood Pine Redwood Cedar Other
B. Treatment Paint Natural to weather Other
C. Dimensions: Fascia Rake Soffit (Overhang) Corner boards Frieze
Window Casing Door Frame Columns/Posts: Round Square
Windows: Double Hung Casement All Wood Other
True Divided Lights (muntins), single pane SOL's (Simulated Divided Lights) Manufacturer
Doors* (type and material): TDL SDL Front Rear Side
Garage Door(s): Type Material
Hardscape materials: Driveways Walkways Walls

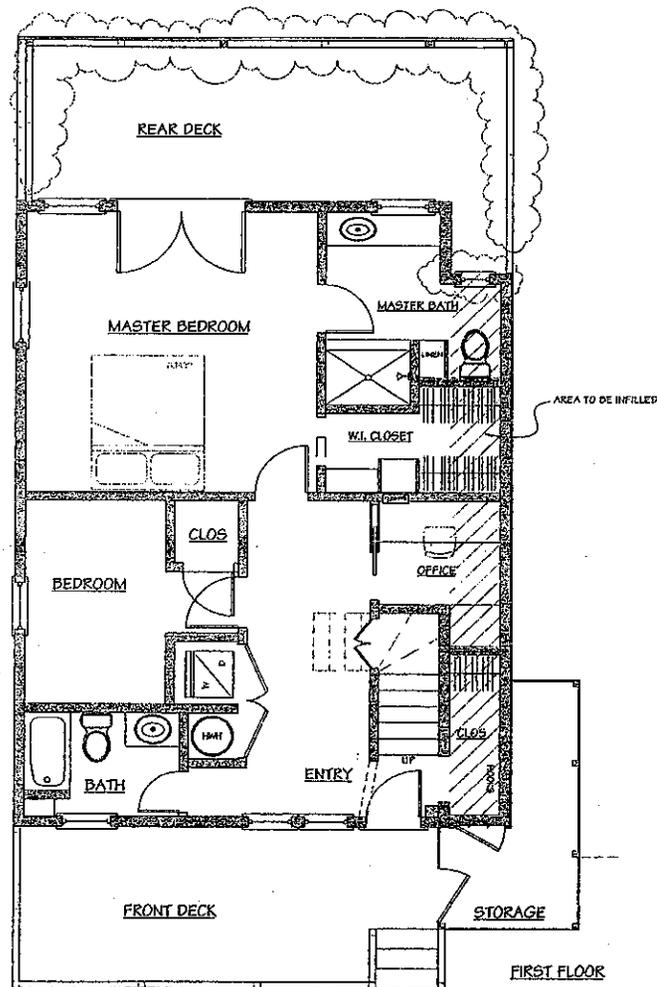
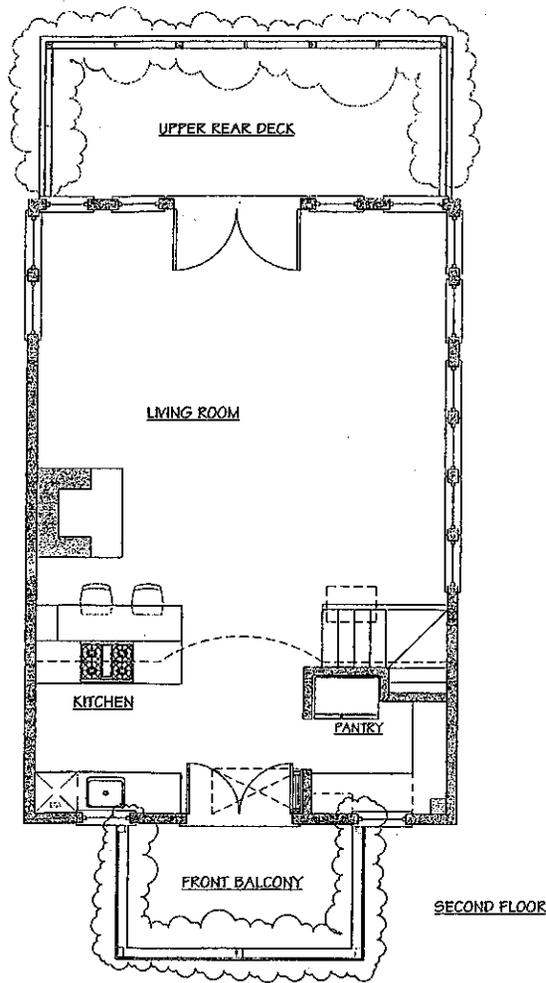
Fence: Height:
Type:
Length:

* Note: Complete door and window schedules are required.

COLORS

Sidewall Clapboard (if applicable) Roof
Trim Sash Doors
Deck Foundation Fence Shutters

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 5/10/2016 Signature of owner of record [Signature] Signed under penalties of perjury



REVISED
JUN - 9 2016

NOT FOR CONSTRUCTION

FILTON ROWLAND & ASSOCIATES
15 COMMERCIAL WHARF
NANTUCKET, MASSACHUSETTS
508.228.2044

REVISIONS:

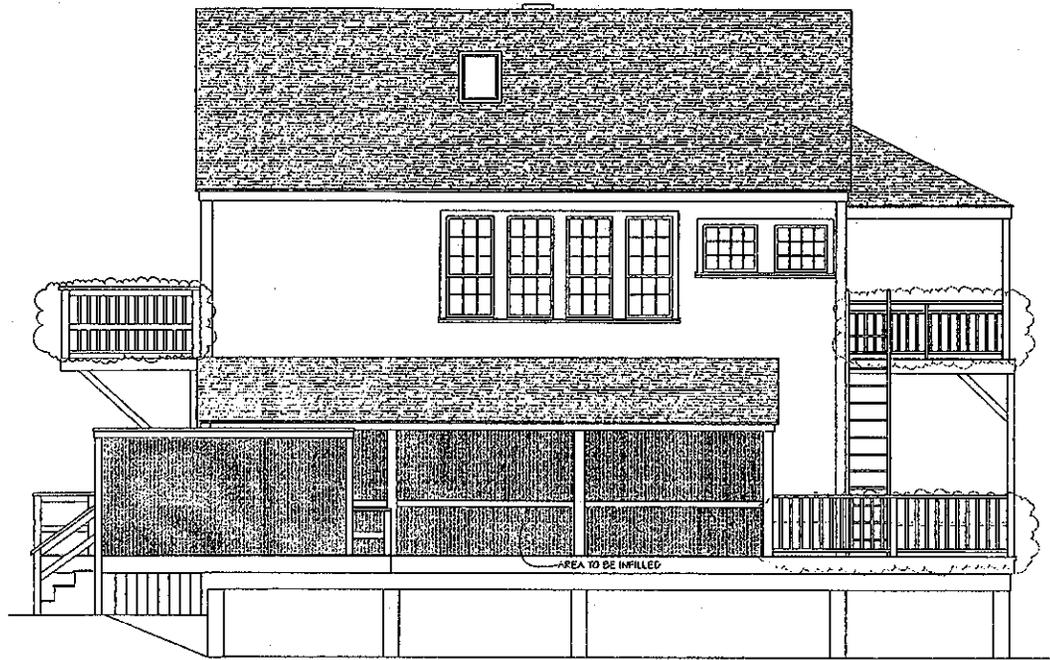
FLOOR PLANS
DATE: 06/08/2016
SCALE: 1/4" = 1'-0"

THE ESSEX
8 Old North Wharf
Nantucket, MA

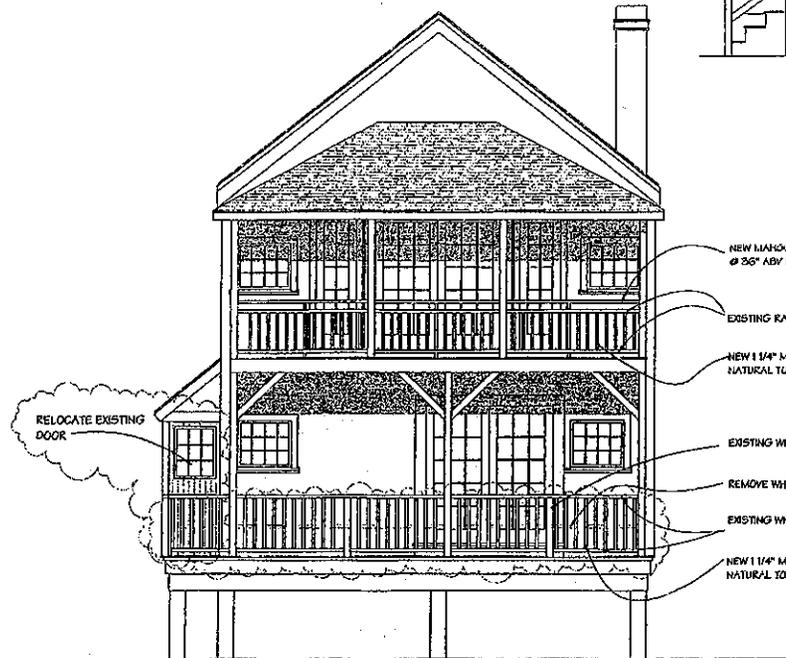
MP-4231720

1

NOT FOR CONSTRUCTION



EAST ELEVATION



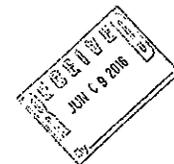
NORTH ELEVATION

- NEW MAHOGANY TOP RAIL
@ 36" ABOVE FLOOR - PAINTED WHITE
- EXISTING RAIL-NO CHANGE
- NEW 1 1/4" MAHOGANY VERTICAL BALLUSTERS-
NATURAL TO WEATHER FINISH
- EXISTING WHITE 4X4 POSTS
- REMOVE WHITE CENTER RAIL
- EXISTING WHITE RAILS-NO CHANGE
- NEW 1 1/4" MAHOGANY VERTICAL BALLUSTERS-
NATURAL TO WEATHER FINISH

APPROVED

010720165973

NO EXISTING MATERIALS
WITHOUT HOB APPROVAL



PILTON ROWLAND & ASSOCIATES
15 COMMERCIAL WHARF
NANTUCKET, MASSACHUSETTS
508.228.2044

REVISIONS:

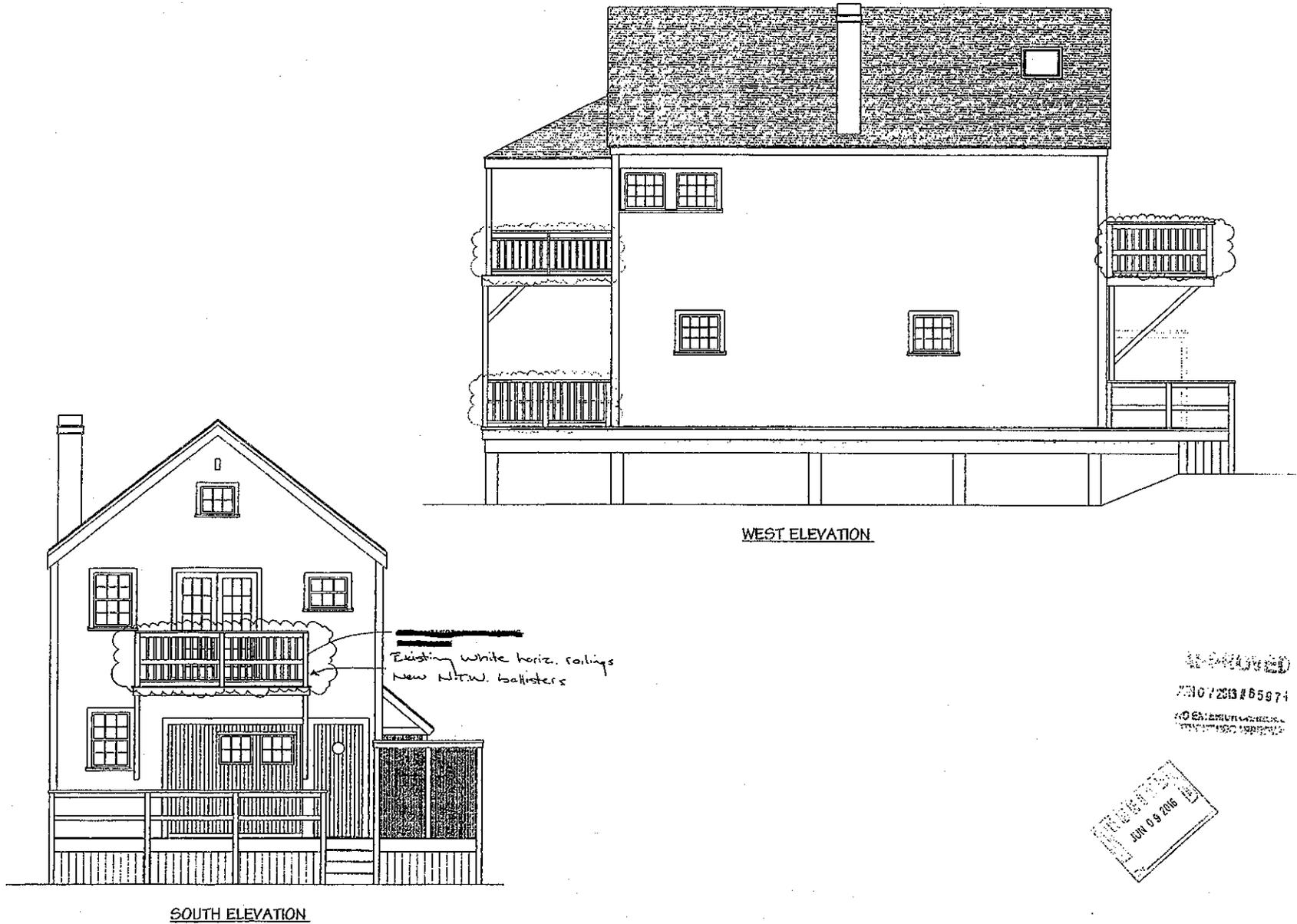
ELEVATIONS
DATE: 06/09/2016
SCALE: 1/4" = 1'-0"

THE ESSEX
8 Old North Wharf
Nantucket, MA

HP-4231/20

2

NOT FOR CONSTRUCTION



FILTON ROWLAND & ASSOCIATES
IS COMMERCIAL WHARF
NANTUCKET, MASSACHUSETTS
308.238.2044

REVISIONS:

ELEVATIONS
DATE: 06/08/2016
SCALE: 1/4" = 1'-0"

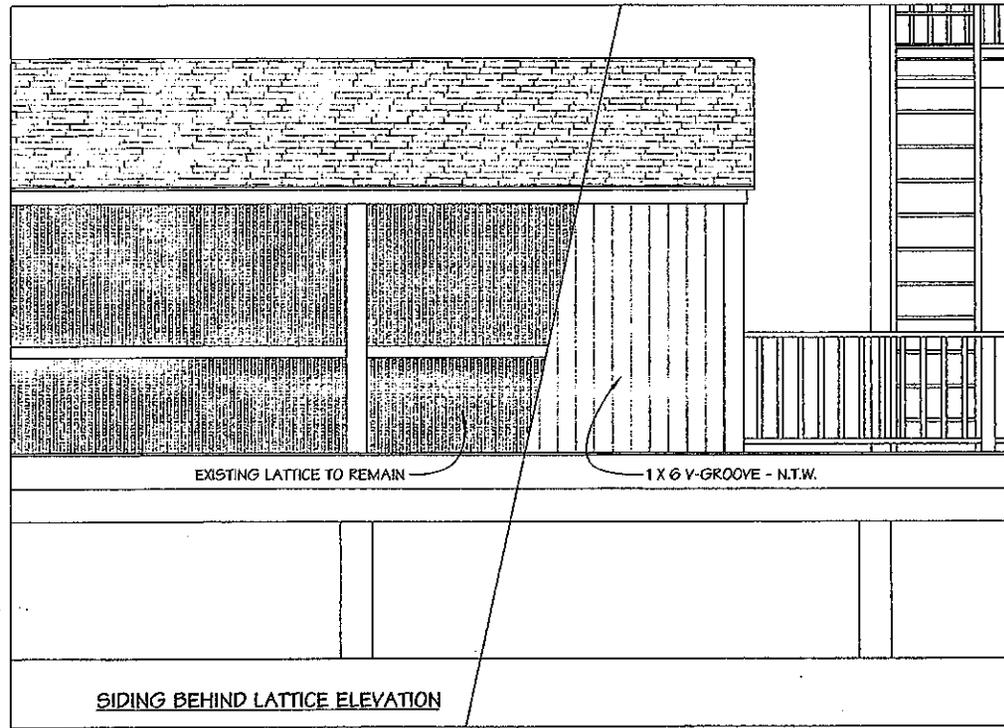
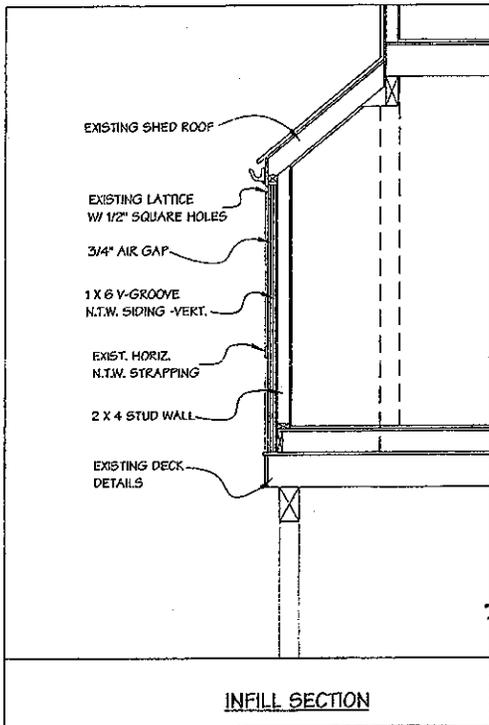
REMOVED
78107231865974
NO EXISTING RECORDS
REMOVED

JUN 9 9 2006

THE ESSEX
8 Old North Wharf
Nantucket, MA

WP-4234 / 20

3



THE ESSEX
JUN 08 2016

011072013455071
NO EXEMPT STATUS
REQUIREMENTS

NOT FOR CONSTRUCTION

MILTON ROWLAND & ASSOCIATES
15 COMMERCIAL WHARF
NANTUCKET, MASSACHUSETTS
508.228.2046

REVISIONS:

DETAILS
DATE: 06/08/2016
SCALE: 1/2" = 1'-0"

THE ESSEX
8 Old North Wharf
Nantucket, MA

MP-4231/20

4



Cert: 14452 Doc: SP
Registered: 11/16/2005 01:13 PM



TOWN OF NANTUCKET

BOARD OF APPEALS

NANTUCKET, MASSACHUSETTS 02554

Date: October 26, 2005

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

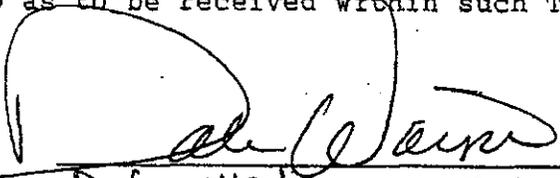
Application No.: 070-05

Owner/Applicant: John P. Dunfey as Trustee
of John P. Dunfey Nominee Trust

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.


Dale Waine, 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.

NANTUCKET BOARD OF APPEALS

1 East Chestnut Street

Nantucket, Massachusetts 02554

Map 42.3.1
Parcel 20
R-C

8 Old North Wharf
Land Court Plan 10169-B, Lot B-1
Certificate of Title 14,452

At a Public Hearing of the Nantucket Zoning Board of Appeals held at 1:00 p.m., Friday, October 14, 2005 in the Conference Room of the Town Annex Building, 37 Washington Street, Nantucket, Massachusetts, on the Application of the **JOHN P. DUNFEY AS TRUSTEE OF JOHN P. DUNFEY NOMINEE TRUST**, 230 Commerce Way, Suite 300, Portsmouth, NH 03801, Board of Appeals File No. **070-05**, the Board made the following Decision:

1. Applicant is seeking a **SPECIAL PERMIT** under Nantucket Zoning By-law Section 139-33A (alteration/expansion of a pre-existing, non-conforming use/structure). Applicant is proposing to alter the pre-existing, nonconforming two-story single-family dwelling by replacing the existing foundation with a new pile foundation substantially in its original location though the exact placement in relationship to the lot lines may be slightly altered. Therefore, Applicant further request **VARIANCE** relief from the provisions of Section 139-16A to remove the structure and remaining dock from the Locus and replace it back on its new foundation substantially in its original location. If available, the building would be temporarily relocated and stored on the solid filled portion of Old North Wharf. The building floor to ridge height is not changing and will remain about 27 feet. The first floor height is changing from about seven feet above mean low water to about 9.6 feet above mean low water, or a total of about three feet. At the highest point, the overall height would be 30 feet, and which is the maximum allowed under the Zoning By-Law. There would be no expansion of the structure as a result of this project. The Locus is non-conforming as to Lot size, with the Lot containing about 877 square feet of area, in a district that requires a minimum lot size of 5,000 square feet; as to frontage, with the Lot having about 28.5 feet of frontage along Old North Wharf, in a district that requires a minimum frontage of 40 feet; as to ground cover ratio, with the lot containing about 69%, with the maximum allowed of 30%; as to side and rear yard setbacks, with the structure being sited less than five feet from all side yard and rear yard lot lines in a district that requires a minimum of five feet; and as to parking, with the lot not providing any on-site parking spaces, and with none planned as part of this project. The existing second story deck on Old North Wharf side of the structure would remain, and the first floor deck would be cut back and steps added to accommodate the increase in first floor height above grade and both decks would remain partially situated within the layout of Old North Wharf and not contained entirely within the property boundary lines.

The Premises is located at **8 OLD NORTH WHARF**, Assessor's Map 42.3.1, Parcel 20, Land Court Plan No. 10169-B, Lot B-1. The property is zoned Residential-Commercial.

2. This Decision is based upon the Application and materials submitted with it, along with the testimony and evidence presented at the hearing. The Planning Board made no recommendation, as the matter was not of planning concern. There was no opposition to this Application expressed at the hearing or in letters. There were two letters on file in support. One letter was from an abutter to the west who stated that replacing the pilings under the dwelling and raising the cottage to meet flood plain

requirements would benefit the entire wharf area as “[i]n a storm event every bit of loose debris can cause damage to other property, so all of us on the wharf will benefit from this being done.” She also had no objection to the structure being temporarily relocated to an area on the wharf in front of her property at 4 Old North Wharf so long as fire access and other safety concerns were addressed. The president of the Old North Wharf Cooperative, Inc. also submitted a letter in support and granted permission to temporarily place the structure “in the roadway of Old North Wharf while the work is being accomplished” subject to an agreement made between the owner and the Cooperative. In reference to the existing overhanging balcony and deck that are currently located partially on the wharf and not entirely on the Applicant’s property the letter stated that the Cooperative “is willing to enter into a revocable license with the Dunfey’s to rectify the situation if they so desire” or in the alternative require removal of the encroachments.

3. Applicant, through his representative, stated that the neighboring properties at 4 and 10 Old North Wharf, as well as at 6 Old North Wharf the subject of relief granted earlier in this same meeting, had received similar relief from this Board in the past two years for a similar scope of work. As was the case in those earlier Applications, there was a need to stabilize this single-family dwelling and replace the deteriorating piling system that supported the house over Nantucket Harbor and partially on dry land, to bring it up to flood plain requirements as the structure had been flooded on several occasions. Applicants also proposed to renovate the dwelling as part of the project. The project would entail moving the house off of the Locus to a designated temporary location on Old North Wharf in order to replace the rotting pilings, after which the house would be placed back substantially in its present location. However, the structure may be shifted slightly in order to place it back on new pilings and Variance relief had been asked for to validate said re-siting should the structure be placed closer to a lot line than currently situated. The current ridge height of the structure was about 27 feet and the new height would be no higher than 30 feet above the solid fill Old North Wharf, with the maximum height allowed of 30 feet for this district. The overall height of the structure itself would not be increased as a result of the placement of new pilings. There has historically been no parking provided on site and none is planned as a result of this project.

4. Therefore, based upon the foregoing, the Board finds that raising of the overall height of the single-family dwelling within the required setback areas, without altering the actual ridge height of the structure itself, to no higher than 30 feet above mean grade on dry land, and allowing the temporary relocation and replacement back on the Locus, to enable the placement of the new pilings to meet the flood plain requirements, would not be substantially more detrimental to the neighborhood than the existing nonconforming situation. In addition, the Board finds that there would be little negative impact upon this thickly settled mixed-use neighborhood, especially as the structure would be sited substantially in the same location as it presently exists, and that owing to the soil conditions, shape and topography of the Locus (specifically, location over the harbor and topography of the lot and structure) and especially affecting the Locus but not affecting generally the Residential-Commercial zoning district within which it is situated, a literal enforcement of the provisions of the Zoning By-law would involve substantial hardship to the Applicant, place the structure in danger of further flooding, and that 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. The Board further finds that it has no jurisdiction over alteration or expansion of any portion of the balcony or deck/steps that may be located outside of the Premises’ lot lines due to the increase in height of the structure to meet the flood plain requirements and such details had to be worked out with the owner of Old North Wharf. This Decision expressly does not

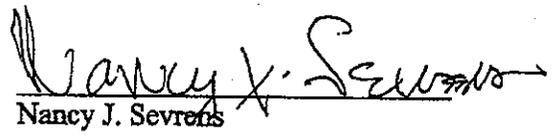
prohibit such an agreement to work on those parts of the structure outside the lot lines or sanction alteration of those parts of the structure outside of the lot lines. In addition, the Board finds that the lack of on-site parking is grandfathered and would remain grandfathered for the single-family dwelling.

5. Accordingly, by a UNANIMOUS vote, the Board hereby GRANTS the SPECIAL PERMIT relief under Nantucket Zoning By-law Section 139-33A to increase the overall height of the structure above mean grade on dry land within the required setback areas, in order to replace the pilings, involving the temporary storage of the structure on Old North Wharf; and VARIANCE relief under Section 139-16A to remove the structure and replace it back on its new foundation substantially in its original location, allowing the slight variation of the setback distances. Relief is hereby conditioned upon the following:

- a. The structure shall not exceed the maximum height above mean grade on dry land of 30 feet;
- b. No exterior work associated with this project shall be permitted from May 15 to October 15 of any given year; and
- c. The re-siting of the structure shall be done in substantial conformance with the "Plot Plan", done by Emack Surveying, dated October 10, 2005, a reduced copy of which is attached hereto as Exhibit A. The Board hereby acknowledges that Variance relief has been granted to allow for slight variations in the relocation of the structure on the Lot that would not strictly be in conformance with Exhibit A, with a slight shift in setback differences due to the site anomalies.

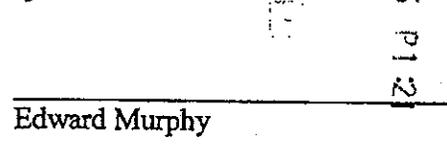
Dated: October 26, 2005


Dale Waine


Nancy J. Sevrens


David R. Wiley


Karim Koseatac

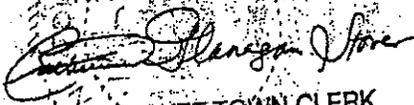

Edward Murphy

05 OCT 26 P 1 21

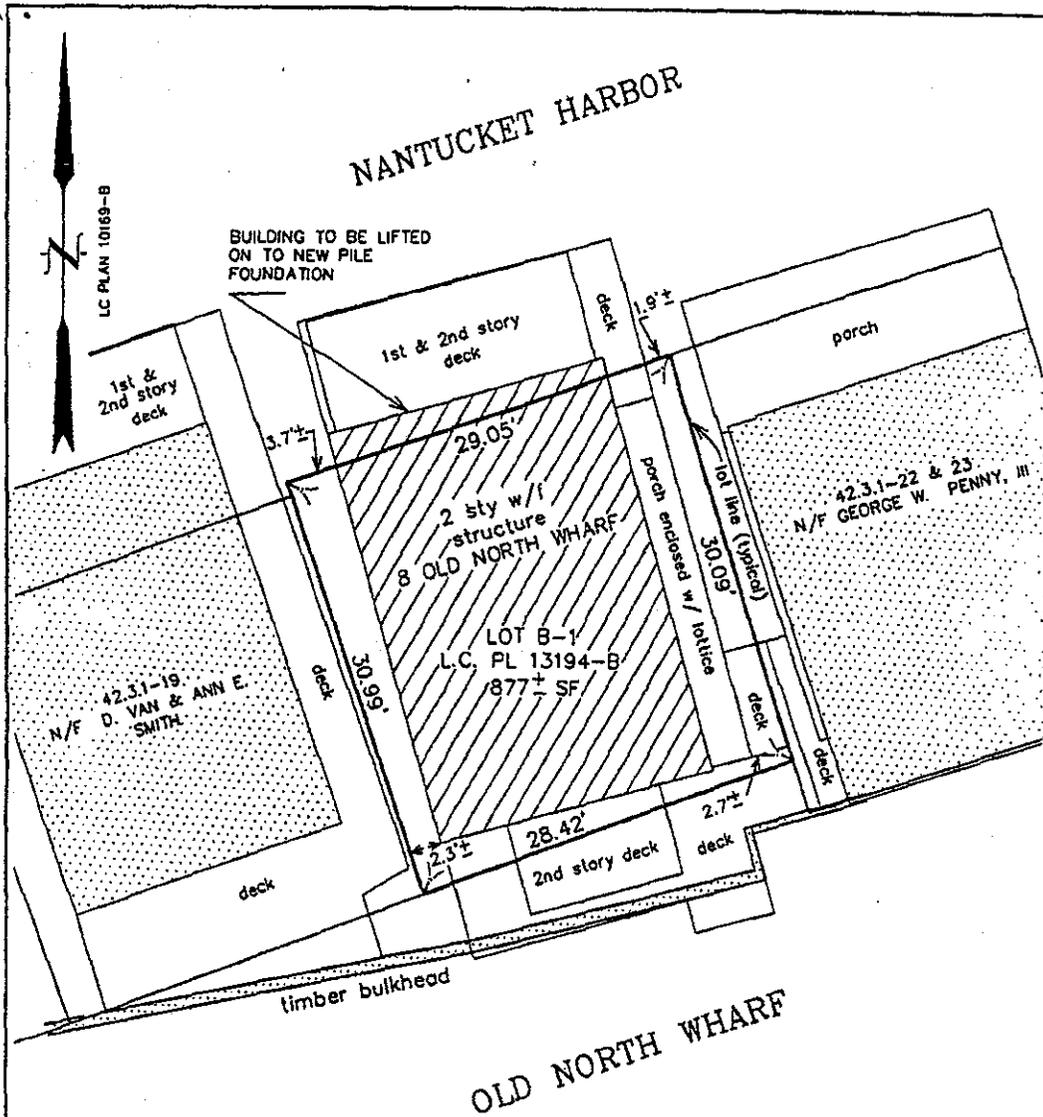
I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11


TOWN CLERK

NOV 16 2005

ATTEST A TRUE COPY

NANTUCKET TOWN CLERK

Sh. A



NOTES:

- 1.) LOT DOES NOT CONFORM TO CURRENT ZONING REQUIREMENTS WITH RESPECT TO LOT AREA AND MINIMUM FRONTAGE.
- 2.) STRUCTURE DOES NOT CONFORM TO CURRENT ZONING REQUIREMENTS WITH RESPECT TO SIDE YARD SETBACK AND ALLOWABLE GROUND COVER RATIO.
- 3.) **LOT SHOWN ON L.C. PL. 13194-A IS LOCATED BELOW MHW AS DETERMINED BY 2003 NOS NANTUCKET TIDAL DATUM AND AS SUCH, MAY HAVE NO LOT AREA WITH RESPECT TO ZONING.
- 4.) STRUCTURES ARE BUILT ON PILES.

CURRENT ZONING: RC
 MINIMUM LOT SIZE: 5000 SF
 MINIMUM FRONTAGE: 40 FT
 FRONTYARD SETBACK: NONE
 SIDE AND REAR SETBACK: 5 FT
 ALLOWABLE G.C.R.: 50%
 EXISTING G.C.R.: 71% ±**
 EXISTING G.C.: 621 SF ±
 (not including porch enclosed w/ lattice)

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. 14/116



Robert A. Emack

PLOT PLAN TO ACCOMPANY APPLICATION TO ZBA IN NANTUCKET, MASSACHUSETTS
 SCALE: 1"=10' DATE: OCT. 10, 2005
 DEED REFERENCE: LC CERT.# 14,452
 PLAN REFERENCE: LC PL 10169-B
 ASSESSOR'S REFERENCE: MAP: 42.31 PARCEL: 20
 PREPARED FOR: JOHN P. DUNFEY, TR.

EMACK SURVEYING
 2 WASHAMAN AVENUE
 NANTUCKET, MA. 02554
 508-325-0940

J-766

RECEIVED
BOARD OF ASSESSORS
SEP 8 2016
TOWN OF
NANTUCKET, MA

95

Town of Nantucket
Zoning Board of Appeals

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

PROPERTY OWNER..... Harvey C. Jones, Jr., Trustee of Eight Old North Wharf Nantucket Trust
MAILING ADDRESS..... c/o Reade, Gullicksen, Hanley & Gifford, LLP
PROPERTY LOCATION..... 8 Old North Wharf
ASSESSOR MAP/PARCEL..... 42.3.1-20
SUBMITTED BY..... Reade, Gullicksen, Hanley & Gifford, LLP

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)).

9/8/16
DATE

Pat F. Ryan
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
4224		1		NIR RETAIL LLC	C/O NEW ENGLAND DEVELOP-ACCTING DEP	75 PARK PLAZA #3	BOSTON	MA 02116	STRAIGHT WF
4231	11	1		NANTUCKET DREAMLAND FOUNDATION		P O BOX 989	NANTUCKET	MA 02554	17 S WATER ST
4231	13			14 EASY STREET LLC		PO BOX 1173	NANTUCKET	MA 02554	14 EASY ST
4231	16			TEN EASY STREET NOMINEE TRUST		PO BOX 877	NANTUCKET	MA 02554	6 EASY ST
4231	17			BRANT POINT PARTNERS LLC		251 MAIN STREET	HUNTINGTON	NY 11743	7 EASY ST
4231	18			ANDREWS VIRGINIA F		P O BOX 1182	NANTUCKET	MA 02554	4 OLD NORTH WF
4231	19			SMITH ANN E	C/O AEDCONW LLC	6500 ROCK SPRING DR	ST BETHSEDA	MD 20817	6 OLD NORTH WF
4231	23			SEASCENE LLC		6500 ROCK SPRING DR	SUIT BETHESDA	MD 20817	10 OLD NORTH WF
4231	24			PUNNETT NICHOLAS TRST	ENTERPRISE TRUST	C/O 49 MILK STREET	NANTUCKET	MA 02554	11 OLD NORTH WF
4231	26			MALONEY ROSALIE T FKA GRENNAN		2430 TRACY PLACE NW	WASHINGTON	DC 20008	15 OLD NORTH WF
4231	27			TACK3 LLC	C/O BATTERY GLOBAL ADVISORS	ONE MARINA PARK DR STE 11	BOSTON	MA 02210	17 OLD NORTH WF
4231	28			FARBER ANTJE K TRST	OLD NORTH WHARF REALTY TR	269 EVERGLADES AVE	PALM BEACH	FL 33480	21 OLD NORTH WF
4231	76			NIR RETAIL LLC	NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	BOSTON	MA 02116	11 S WATER ST
4231	78			LOTHIAN DEBORAH K & WILLIAM TRS	TEN EASY STREET NOMINEE TRUST	PO BOX 877	NANTUCKET	MA 02554	10 EASY ST
4231	79			GIFFORD JOHN F TR	FAWN GROVE REALTY TRUST	86 COLBOURNE CT	BROOKLINE	MA 02445	4 EASY ST
4231	79	1		NANTUCKET COUNTY OF		16 BROAD ST	NANTUCKET	MA 02554	EASY ST
4231	80			KILLEN PATIENCE E		PO BOX 606	NANTUCKET	MA 02554	1 OLD NORTH WF
4231	81	1		GLOR A MICHAEL H TR ETAL		93 WORCESTER ROAD	WELLESLEY	MA 02481	5 OLD NORTH WF
4231	81	2		GIFFORD JOHN F TR		86 COLBOURNE CRESANT	BROOKLINE	MA 02445	3 OLD NORTH WF
4231	82			SIMBLARIS LAMPE LEAH TRST	OLDNAN REALTY TRUST	17 SMITHS POINT RD	MANCHESTER	MA 01944	7 OLD NORTH WF
4231	83			MARSHALL TRACEY C		4407 ISLAND COVE	AUSTIN	TX 78731	10 STILL DOCK
4231	84	1		GLIDDEN RICHARD J TRST		37 CENTER STREET	NANTUCKET	MA 02554	14B STILL DOCK
4231	84	2		MCGLYNN THOMAS B		PO BOX 1194	NANTUCKET	MA 02554	14C STILL DOCK
4231	84	3		SAMPER HECTOR MILKO &	NANCY LEATHER	412 N PINE TOP PLACE	BETHLEHEM	PA 18017-1811	14D STILL DOCK
4231	84	4		WANTZ RICHARD B & EMILY S	C/O GARY BELLAR	125 EAST 72ND STREET	NEW YORK	NY 10021	14E STILL DOCK
4231	84	5		VAN DEN BORN SIMON & LISA		312 OLD CHURCH ROAD	GREENWICH	CT 06830	14 STILL DOCK
4231	85	1		FREDERICK ROBERT W & JANET		435 SPRING MILLS RD	WILLANOVA	PA 19085	18 STILL DOCK
4231	86			20 STRAIGHT WHARF LLC		745 BOYLSTON ST STE 404	BOSTON	MA 02116	20 STRAIGHT WF
4231	87			MCCREADY RICHARD J ETAL TRS	C/O WINTHROP MANAGEMENT LP	PO BOX 9507	BOSTON	MA 02114-9507	2 NEW WHALE ST
4231	131			F C MAC CORPORATION ETAL		P O BOX 662	BELLVUE	ID 83313	7 S WATER ST
4231	131	1		F C MAC CORPORATION ETAL		P O BOX 662	BELLVUE	ID 83313	7 A S WATER ST #R1
4231	131	2		E M MAC CORPORATION ETAL		761 MAIN STREET	WEST BARNSTABLE	MA 02668	14 A CAMBRIDGE ST #R2
4231	131	3		F C MAC CORPORATION ETAL		P O BOX 662	BELLEVUE	ID 83313	9 S WATER ST #C1
4231	131	4		F C MAC CORPORATION ETAL		P O BOX 662	BELLEVUE	ID 83313	7 S WATER ST #C2
4231	131	5		CAMBRIDGE TWO INC ETAL		80 SUMMER ST	COHASSET	MA 02025	12 CAMBRIDGE ST #C3
4231	131	6		J G MAC CORPORATION ETAL		1711 HEROIC RD	HAILEY	ID 83333	14 CAMBRIDGE ST #C4
4231	133			PACIFIC CLUB INC		PO BOX 1227	NANTUCKET	MA 02554	15 MAIN ST
4231	134			NIR RETAIL LLC	NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	BOSTON	MA 02116	1 MAIN ST
4231	135			NIR RETAIL LLC	NEW ENGLAND DEVELOPMENT	75 PARK PLAZA #3	BOSTON	MA 02116	2 STRAIGHT WF
4231	136	1		GTKT LLC		555 W 6TH STREET # 1201	LOS ANGELES	CA 90036	6 STRAIGHT WF
4231	136	2		GTKTLLC		555 WEST 6TH STREET # 1	LOS ANGELES	CA 90036	6A STRAIGHT WF
4231	136	3		RUBIN MARCIA P & HAROLD E		P O BOX 959	NANTUCKET	MA 02554	8 STRAIGHT WF
4231	137			TEN STRAIGHT WHARF LLC		10 STRAIGHT WF	NANTUCKET	MA 02554	10 STRAIGHT WF
4231	138			NANTUCKET HISTORICAL ASSN		PO BOX 1016	NANTUCKET	MA 02554	12 STRAIGHT WF
4231	139			NIR RETAIL LLC	NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	BOSTON	MA 02116	16 STRAIGHT WF
4231	140			NIR RETAIL LLC	NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	BOSTON	MA 02116	15 CANDLE ST

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ABBUTTERS LISTING
NANTUCKET, MA

Map	Block	Lot	Unit	Owner-s Name	Co Owner-s Name	Address	City	ST Zip	Parcel Location
4231		181		NIR RETAIL LLC	NEW ENGLAND DEVELOP-ACCTING DEPT	75 PARK PLAZA #3	BOSTON	MA 02116	ZERO MAIN ST
4231		225		OLD NORTH WHARF COOPERATIVE INC	C/O SANFORD ALFRED F III ETAL TRS	P O BOX 187	NANTUCKET	MA 02554	23 OLD NORTH WF
4231		225	1	OLD NORTH WHARF COOPERATIVE INC	C/O MIDDLE SLIP LLC	THE BOLLARD GROUP	BOSTON	MA 02108	29B OLD NORTH WF
4231		225	2	OLD NORTH WHARF COOPERATIVE INC	C/O STONES THROW LLC	PO BOX 359	NANTUCKET	MA 02554	29C OLD NORTH WF
4231		225	3	OLD NORTH WHARF COOPERATIVE INC	C/O SOUTH SLIP LLC	THE BOLLARD GROUP	BOSTON	MA 02108	29A OLD NORTH WF
4231		228		SHERBURNE ASSOCIATES	C/O WINTHROP MANAGEMENT	PO BOX 9507	BOSTON	MA 02114-9507	STRAIGHT WF
4231		251		OLD NORTH WHARF COOPERATIVE INC		13 PLEASANT ST	NANTUCKET	MA 02554	12 OLD NORTH WF
4231		252		OLD NORTH WHARF COOPERATIVE INC	C/O SANFORD COTTAGE TRUST	1 N BEACH ST	NANTUCKET	MA 02554	14 OLD NORTH WF
4231		253		OLD NORTH WHARF COOPERATIVE INC	C/O HARVEY C JONES JR TRST	2000 WASHINGTON ST #5	SAN FRANCISCO	CA 94109	16 OLD NORTH WF
4231		254		OLD NORTH WHARF COOPERATIVE INC	C/O MACKENZIE IAN	580 PARK AV	NEW YORK	NY 10021	18 OLD NORTH WF
4231		255		OLD NORTH WHARF COOPERATIVE INC	WHARF RAT CLUB	P O BOX 664	NANTUCKET	MA 02554	20 OLD NORTH WF
4231		256		OLD NORTH WHARF COOPERATIVE INC	C/O QUICK CHRISTOPHER C	333 EARLE OVINGTON BLVD #	UNIONDALE	NY 11553	22 OLD NORTH WF
4231		257		OLD NORTH WHARF COOPERATIVE INC	C/O NEMO LLC - ONE IF BY LAND	450 ROUNDHILL RD	GREENWICH	CT 06831	24 OLD NORTH WF
4231		270		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TR	60 WELLS AV SUITE 100	NEWTON	MA 02459	5A S WATER ST
4231		271		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TRUST	60 WELLS AV SUITE 100	NEWTON	MA 02459	5B S WATER ST
4231		272		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TRUST	60 WELLS AV SUITE 100	NEWTON	MA 02459	5C S WATER ST
4231		273		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TRUST	60 WELLS AV SUITE 100	NEWTON	MA 02459	5D S WATER ST
4231		274		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TRUST	60 WELLS AV SUITE 100	NEWTON	MA 02459	5E S WATER ST
4231		275		ISLACK CORP TRUSTEE	SO WATER ASSOC REALTY TRUST	60 WELLS AV SUITE 100	NEWTON	MA 02459	5F S WATER ST
4231		81	54						4 4 STILL DOCK
4231		84	55						14 14B STILL DOCK
4231		85	56						18 18 STILL DOCK
4231		136	59						6 6A STRAIGHT WF
4231		276	64						5 5A S WATER ST
4242		14		WOODS HOLE MARTHAS VINEYARD &	NANTUCKET STEAMSHIP AUTH	1 STEAMBOAT WHARF	NANTUCKET	MA 02554	1 STEAMBOAT WF
4242		15		WOODS HOLE MARTHAS VINEYARD &	NANTUCKET STEAMSHIP AUTH	PO BOX 284	WOODS HOLE	MA 02543	3 STEAMBOAT WF
4242		17		JUDSON J RICHARD & CAROLYN	FRENCH TRUSTEES	80 LYME RD APT 336	HANOVER	NH 03755	29 EASY ST
4242		18		NANTUCKET ISLANDS LANDBANK		22 BROAD STREET	NANTUCKET	MA 02554	27 EASY ST
4242		20		ACKEASY LLC	C/O CULBERTSON DEBORAH	P O BOX 1222	NANTUCKET	MA 02554	21 EASY ST
4242		23		DALE KEVIN F TRUSTEE	C/O YOUNG ROBERT	P O BOX 779	NANTUCKET	MA 02554	26 EASY ST
4242		27		BREWSTER EQUITIES LLC	C/O ROBERT L CHAMPION JR	202 BEACON STREET	BOSTON	MA 02116	12 OAK ST
4242		64		ELCYNAD LLC		PO BOX 1229	NANTUCKET	MA 02554	6 BROAD ST
4242		67		YOUNG ROBERT A TRST		P O BOX 779	NANTUCKET	MA 02554	28 EASY ST

**END OF
PACKET**