1. 6:30 P.M. Staff Report For 10/13/2016 Planning Board

Documents:

OCTOBER 2016 STAFF REPORT.PDF

Nantucket Planning Board

S T A F F R E P O R T

Date: October 3, 2016

To: Planning Board

From: Holly E. Backus
Land Use Specialist

Re: Staff Report for October 13, 2016 Planning Board Meeting

I. Call to Order:

II. Consent Items:

a. Minutes:

- **August 8, 2016**
- **August 25, 2016 (Special Meeting)**
- **September 12, 2016**
- **September 28, 2016 (Special Meeting)**

b. ANRs:

- **#8027 Alexander L. Ray & Diane L. Downing, 1 Toombs Court (Map 68 Parcel 9)**
  The purpose of this plan is to divide a single lot into Lot 1, Lot 2 and Lot 3. This plan creates three (3) buildable lots with Lot 1 approximately 7,662 square feet, Lot 2 approximately 13,469 square feet, and Lot 3 7,537 square feet. All of the proposed lots meet the intensity regulations for CN zoning district with frontage on either Old South Road or Toombs Court. Staff recommends endorsement.
- **#8028 Back East, LLC, 77 Orange Street (Map 55.4.1 Parcel 137)**
  The purpose of this plan is a perimeter plan of an existing lot. Staff recommends endorsement.
- **#8029 Hawthorne Park, LLC, Alfred Terry Sanford, Manager & David L. Rattner and Andrew B. Law, 49 & 55 Hummock Pond Road (Map 56 Parcels 4 & 5)**
  The purpose of this plan is to create subside lots (Lots 61, 62, and 63) to be merged with abutting properties. Staff recommends endorsement.
- **#8030 Greg W. Glowacki, 21 Greglen Avenue (Map 68 Parcel 142)**
  The purpose of this plan is to re-divide of Lots 873, 874 and 875 to create Lot 873, Lot 6 and Lot H. This plan creates three (3) buildable lots with Lot 873 with approximately 5,997 square feet, Lot G with approximately 6,907 square feet, and Lot H with approximately 10,008 square feet. All of the proposed lots meet the intensity regulations of the R-10 zoning district with frontage on Davkim Lane and Greglen Ave. Staff recommends endorsement.
- **#8031 Town of Nantucket, Portions of Holly Street & Pochick Avenue (Map 80)**
  The purpose of this plan is to create six (6) unbuildable lots from sections of unconstructed Holly Street and Pochick Avenue, shown as Parcels 1 through 6. The portions will be approximately 4,800 square feet or approximately 9,200 square feet in size and will be available for acquisition by abutters, pursuant to Article 98

& 99 of the 2011 Annual Town Meeting. Staff recommends endorsement.

- **#8032 Town of Nantucket, Hawthorne Street (Map 79)**
  The purpose of this plan is to create two (2) unbuildable lots, approximately 2,000 square feet in size from sections of Hawthorne Street, shown as Parcel 1 and Parcel 2. The parcels will be available for acquisition by abutters, pursuant to Articles 98 & 99 of the 2011 Annual Town Meeting. Staff recommends endorsement.
- **#8033 Town of Nantucket, Dix Street (Map 29 Parcels 85 & 94)**
  The purpose of this plan is to create two unbuildable lots (Parcel D1 & D2, approximately 596 square feet and 781 square feet) of an unconstructed Dix Street to be available for acquisition by abutters, pursuant to Articles 96 & 97 of the 2014 Annual Town Meeting. Staff recommends endorsement.
- **#8034 Town of Nantucket, Mount Vernon Street (Map 88 Parcels 57 & 58)**
  The purpose of this plan is to create unbuildable lots of an unconstructed Mount Vernon Street to be available for acquisition by abutters, pursuant to Articles 1 & 2 of the 2003 Special Town Meeting. Staff recommends endorsement.
- **#8035 Barbara & Charles R. Jr. Johnson, 71 Cliff Road (Map 30 Parcel 160)**
  The purpose of this plan is a perimeter plan of an existing lot. Staff recommends endorsement.

c. **<u>Second Dwellings:</u>**

- **Greg McKechnie, 50 Dukes Road (Map 56 Parcel 245)**
- **Deborah B. Rogers, 16 Greenleaf Road (Map 39 Parcel 48)**
- **EJ Harvey, 56A Hooper Farm Road (Portion of Map 67 Parcel 317)**
- **EJ Harvey, 56B Hooper Farm Road (Portion of Map 67 Parcel 317)**
- **Duncan & Delphine Winter, 26 Monohansett Road (Map 79 Parcel 145)**
- **Isaiah J. Stover, 63 Cato Lane (Map 56 Parcel 50)**

Reports issued by Holly E. Backus are included in your packet.

d. **<u>Previous Plans:</u>**

- **#1242 Topland Properties, Off Low Beach Road,** *Form J release (Lots 5-57)*
  (Continued from September meeting)
  Staff recommends continuing until the next meeting.

- **#6842 Nantucket Westmoor Farms, LLC, 6 & 8 Westmoor Farms Road,** *Covenant & Restriction Agreement discussion (Continued from August meeting)*
  Staff has not received any additional information at this time.

- **#6992, 7662, 7684 Pippen's Way,** *Form J (Lot 13 & 17)*
  Staff recommends endorsement.

- **#7640 Fisher Lane Subdivision,** *Form J release (Lot 2) & Legal Documents*
  ****** Re-affirm vote ******

- **#7904 Newtown Court Subdivision,** *Form J & Covenant*
  ****** Re-affirm vote ******

- **18 Sleepy Hollow Road,** *modification to the secondary dwelling approved site plan*
  (Continued from September meeting)
  The Secondary Dwelling was approved by the Board on August 8, 2016. At that time, the Board approved a site plan with a total of five (5) parking spaces; one (1) in front of the proposed secondary dwelling and four (4) behind the dwelling , however now the Applicant wishes to have all five (5) of the required parking spaces together on the lot. A copy of the attached site plan is included in the Board's packet. Staff recommends approval of the revised site plan.

- **#7084 Arrowhead Drive Subdivision,** *release of escrow*
  Staff recommends release of escrow.

- **#7661, 7873 & 7972, Woodland Hill Subdivision,** *legal documents*
  Staff recommends endorsement of documents.

- **#7770 S/P Norwell LLC (Mariner Way Subdivision),** *Form J (Lot 3) & legal documents*
  The Applicant has provided subdivision documents for the Board's consideration. These include covenants and restrictions, declaration of rust for the HOA, statement of conditions, road maintenance and endowment agreement, grant of right to enforce restrictions, covenant form I, and a lot release request for Lot 3. Staff recommends endorsement of documents.

- **#18-14 & #41-15 Cumberland Farms, Inc., 115 Orange Street (Map 55 Parcel 364)** *endorsement of plans*
  Staff recommends endorsement.

e. **ZBA Cases:**
- **#24-16 6 Lily Street LLC & Sconset Partners LLC, 6 and 8 Lily Street (Map 73.3.1 as Parcels 109 and 110)**
- **#32-16 Alan A. Shuch, Trustee of the Ann F. Shuch Qualified Personal Residence Trust, 45 Quidnet Road (Map 21 as Parcel 21)**
- **#35-16 Harvey C. Jones, Jr. Tr. Eight Old North Wharf Nominee Trust, 8 Old North Wharf (Map 42.3.1 as Parcel 20)**

Staff has no concerns.

III. Previous Plans:

- **#10-14 The Nantucket Theatre Institute, Inc., 5 North Water Street,** *minor modification & vote for it does not require a public hearing*
  There will be a discussion at the meeting.

IV. Public Hearings:

- **#7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road** ***CONTINUE TO 11-14-16***
  (This Application was not heard at the December through September meetings.)

- **#7946 Stephen M. Waterhouse, 20 Sparks Avenue**
  (This application was not discussed at the June & July meetings.)
  FROM 05-02-16 STAFF REPORT:
  The Applicant is proposing an approval of a Definitive Subdivision Plan at 20 Sparks Avenue. The Applicant is proposing a four (4) lot subdivision, three (3) of which are buildable lots. The site contains approximately 21,038 square feet and currently contains two (2) residential structures on the lot. The Applicant proposes three (3) buildable lots and a roadway lot containing a 14' wide gravel roadway with a 20' wide layout named Waterhouse Way and terminating in a *cul de sac*. The Applicant is requesting a variety of waivers, including a reduction in the roadway width and the allowance of a gravel surface. Each lot meets the minimum lot area requirements for the CMI district; however, the current plan shows a roadway layout that creates a frontage issue for Lot 3. Also, the list of waivers submitted with the application was taken from a Planning Board decision for an entirely different area, so the applicant should confirm that all of those apply and that they are seeking similar conditions. For example, the conditions that were submitted included a duplex prohibition. Staff notes that the plan in your packet does not meet the frontage requirements for the CMI district. Specifically, Lot 3 does not have 50 feet of frontage. Staff anticipates that a new plan will be provided prior to the meeting. We also note that the zoning information on the plan references the RC district, and this property was rezoned at the 2016 ATM. Although a prior sketch plan was submitted, that does not provide the zoning freeze protection that a preliminary plan provides.

  FROM 08-01-16 STAFF REPORT:
  The Applicant has provided revised plans with detailed drainage, grading and erosion control details. The plans provide a proposed 14' wide private way with a paved apron at the intersection with Sparks Avenue. Each lot has proposed underground roof drain systems for existing or future dwelling, details of which are included in the plans. Each lot is

also proposed with a street tree proposed with thin the access and utility easement. It is important to note that at the time of this report, the Board's consultant engineer, Mr. Ed Pesce, PE has not received these revised plans. Staff questions; why the existing dwelling in the area of proposed lot 3 is not shown on the site plan. Staff recommends further discussion at the meeting.

FROM 08-30-16 STAFF REPORT:
The Applicant provided the revised plans; however Mr. Ed Pesce, PE has not provided a report at this time. The Board needs to have a discussion with the Applicant about the specific uses proposed for the site. Is he plan to be mixed commercial and residential, or more of one than the other? The lot received a zoning freeze for the RC district, so roadway width and parking need to be discussed relative to the uses proposed. Also, the RC district allows a broad array of uses that aren't necessarily complimentary to the newly implemented CMI district in this area. If the applicant is willing to restrict certain uses, those should be included in any approval that may be issued.

UPDATE:
Staff and the Applicant received the anticipated engineering review from Pesce Engineering on September 12, 2016. Mr. Pesce provided a couple recommendations that include the Applicant submitting drainage calculations, justification for proposed waivers, and providing a Stormwater Operation & Maintenance Plan for the subdivision. Staff met with the Applicants and discussed widening the traveled way to at least 16' and possibly 18' depending use restrictions and the opinion of the Board. During the meeting with staff, the Applicant agreed to restrict many of the commercial industrial type uses that would be allowed in RC but not in CMI. There will be a discussion at the meeting.

- **#35-16 Seacliff, LLC and 142 Cliff Road, LLC 144 Cliff Road & 142 Cliff Road**

(This Application was last heard at the July meeting.)
FROM 07-01-16 STAFF REPORT:
The Applicant is requesting a Special Permit to construct a second driveway access. The Applicant proposes to extend the existing driveway in order to created a horse-shoe shaped driveway with two access fronting Cliff Road. The Applicant states that the request comes from seeking approval from the HDC with two (2) driveways. Section 139-20.1B(2)(g) requires "on-site" turnarounds for roads off Cliff Road. Both driveway accesses will be constructed with a Belgian block apron, in compliance with the Zoning Bylaw. The proposed driveways would be too close to one another, in regards to this application and the preceding application, and both properties have sufficient room to accommodate the required turnaround on the property to alleviate the need to backup onto Cliff Road, therefore staff recommends denial.

FROM 08-01-16 STAFF REPORT:
The Applicant's representative provided a revised plan for the Board's consideration. Although the Applicant moved the eastern driveway access to the west by 13' and improved the distances between all the driveways by at least 30' apart, they are still close together, traffic is heavy and vehicular speeds are high. Staff believes there are other options that should be perused.

UPDATE:
Staff does not have any additional information at this time.

- **#51-16 William L. Trott, As Owner (Amendment), 23 & 25 Tomahawk Road**

The Applicant is seeking an amendment to a previously granted Special Permit (Planning Board File #42-15) for an automotive repair business. The Applicant is requesting to reduce the required aisle width of the driveway to nine (9) feet to allow for a 16' x 20' handicap van accessible parking space and to approve a modified site plan. The locus is subject to a zoning freeze for the RC-2 district and is located within the former Coffin Pit, Arrowhead Drive Subdivision. Staff reviewed the plan and there appears to be room on the property for a driveway wider than 9' in width and the area leads back to all the required parking spaces, therefore we have concerns on the proposal.

- **#52-16 City Electric Supply Company (CES) Contract Purchaser, 5 Teasdale Circle**

The Applicant is seeking an amendment to a previously granted Zoning Board of Appeals File #52-90. The ZBA in 1990-1991 approved a business at the site termed "Casual Retail." The ZBA decision prohibited the owner from advertising the business and restricted customer access to the site. The Applicant is seeking to alter a pre-existing non-conforming commercial use of the property by allowing an electrical supply business. The Applicant is further seeking relief from Open Space, Inclusionary housing, Off-street parking & aisle width requirement, screening and driveways,

driveway access, and site plan approval. The Applicant further requests clarification from the Board regarding any restriction on signs or advertizing of sales. Although, the Board should be keep in mind that Signs are regulated through the HDC. Staff notes that similar businesses are located in the Teasdale Circle Neighborhood and we are supportive of this application.

- **#8026 Head of Plains / Sheep Pond Road Subdivision, 15 & 17 Head of Plains Road**
  The Applicant is seeking a modification to the Head of Plains Definitive Subdivision Plan (File #7327). Specifically, the Applicant is requesting waivers of the requirements that a Homeowners Association be established for the maintenance of Sheep Pond Road Extension, as well as the requirement to endow such HOA with $1,000.00. This is a two (2) lot subdivision and the Board has approved similar waivers in the past. Staff recommends endorsement.

RICHMOND GREAT POINT DEVELOPMENT, LLC APPLICATIONS:

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

FROM 02-26-16 STAFF REPORT:
The Applicant is seeking approval of a Definitive Subdivision Plan for properties along Skyline Drive and Davkim Lane. The Applicant proposes to create a new roadway known as Clay Street to access one (1) new buildable lot containing portions of 42, 46, 48 and 54 Skyline Drive and to connect Skyline Drive to Davkim Lane. A reconfiguration of the 20 Davkim Lane lot to accommodate the proposed roadway will result in the creation of an additional lot with frontage on proposed Clay Street. A copy of Ed Pesce's report is included in your packet. A letter of opposition to this proposal is also included in your packet. Staff does not have a recommendation at this time. This proposal will significantly impact future development in that area, particularly relevant to the workforce housing project that the applicant has publicly committed to building. The Board should thoroughly discuss this proposal and the future potential that will be created.

FROM 07-01-16 STAFF REPORT:
The Applicant submitted a modified plan and materials for the Board to consider. The Applicant also submitted a revised list of waivers from the Subdivision Regulations and a revised Storm Water Management Plan. One of the proposed changes to the proposed subdivision plans is that the proposed Clay Street does not continue into or through any portion of the 20 Davkim Lane property. Staff does not have a recommendation at this time.

FROM 08-01-16 STAFF REPORT:
No further update.

FROM 08-18-16 STAFF REPORT:
At the last regular meeting, the Applicant did not provide any additional info. There was discussion from the Board about not allowing Clay Street to go through the rest of the development from Skyline. There was discussion on why there can't be a decision made on this application. However, there was also a point made that this plan is important to the overall proposed development. The Board was reminded that staff has not received the required traffic report yet for the Richmond Development and to wait to make a decision at the scheduled special meetings for all of Richmond's projects. The Board was also reminded of the pending litigation with Land Court regarding the ownership of Clay Street as a reason to hold this particular application. Staff does not have any further recommendations at this time.

- **#7988 Richmond Great Point Development, LLC, Nancy Ann Lane, Greglen Avenue, Davkim Lane, and Old South Road**

FROM 07-01-16 STAFF REPORT:
The Applicant is seeking approval of a Definitive Subdivision Plan to reconfigure certain roadway segments and reconfigure existing lots in the area comprising thirteen (13) contiguous lots and 1,270 linear feet +/- of roadway segments. The Applicant is seeking approval to improve the engineering design of Nancy Ann Lane and Greglen Avenue roadways to accommodate the future mixed-use development. No buildings are proposed to be developed as part of the proposed subdivision; however most of the vacant properties will not be reconfigured until the roadway reconfiguration improvements are completed. Staff does not have any recommendations at this time.

FROM 08-01-16 STAFF REPORT:

No further update.

FROM 08-18-16 STAFF REPORT:
No further update.

- **#40-16 "Meadows II" Rental Apartment Development Project, 20 and 20R Davkim Lane**

FROM 07-01-16 STAFF REPORT:
The Applicant is requesting a Special Permit to allow the development of the "Medows II," a workforce rental community project, located on a combination of two (2) contiguous properties, comprising of two hundred and twenty-five (225) rental apartment units. The proposed project will offer a mix/range of studio, one-bedroom, two-bedroom, and three-bedroom units, with a total of three hundred and sixty-three (363) individual bedrooms. The Applicant is further requesting waivers from Major Site Plan Review; Intensity Regulations; and Site Plan Review. The Applicants will be providing a Traffic Study for a future meeting. The proposed project will need to be served by new infrastructure, which will be provided by the applicant. This includes water and sewer services, drainage, street lighting, landscaping, etc. Recently, town staff had a coordinated review with the Applicants to discuss the proposed project. Staff understands that the Applicant would like to hear feedback from the Board on the proposed projects as the projects represent a preliminary design concept. Staff does not have any recommendations at this time.

FROM 08-01-16 STAFF REPORT:
No further update.

FROM 08-18-16 STAFF REPORT:
At the last meeting, the Board heard comments from the public asking for the Board to keep the existing neighbors in mind when making decision on the proposed development. Cormac Collier reminded the Board abut he meeting held in October 2015 regarding the lot size and creating a "transitionary zone" between the existing development and the proposed. Staff does not have any recommendations at this time.

UPDATE:
No further update.

- **#53-16 "Sandpiper Place I" (South)Single Family Home Development Project - Off Daffodil Lane, Mayflower Circle, Evergreen Way, and Old South Road**

The Applicant is requesting a Special Permit for the development of the "workforce homeownership housing" project. This application comprised of the southern portion of the property (24, 26, 30 Evergreen Way and portions of 6 and 8 Mayflower Circle. The overall project includes a total of forty-seven (47) lots, including one 91) open space lot, and forty-six (46) housing lots. This application replaces the previously submitted applications #43-16 and #8014 "Sandpiper Place" that was withdrawn by the Applicant at the September Planning Board meeting.

- **#54-16 "Sandpiper Place II" (North) Single Family Home Development Project, Off Daffodil Lane, Mayflower Circle, Evergreen Way, and Old South Road**

The Applicant is requesting a Special Permit for the development of the "workforce homeownership housing" project. This application comprised of the northerly portion of the property (30, 32, 34, and 35 Daffodil Lane and 3, 4, 5, 7, 9, and 10 Mayflower Circle, as well as the 40' wide private way located adjacent to 73 Old South Road. This application also includes portions of 6 and 8 Mayflower Circle properties; 73 and 75(A) Old South Road properties; and the western portions of the Mayflower Circle and Daffodil Lane private ways (comprised of the existing cul-de-sac bulbs and stubs), classified as Lots 615 and 663, respectively as shown on Nantucket Land Court Plan #16514-40). The overall project includes a total of fifty-nine (59) lots, including one (1) community/public use lot, two (2) open space lots, three (3) lots to be conveyed to Housing Nantucket, and fifty-three (53) housing lots. This application replaces the previously submitted applications #43-16 and #8014 "Sandpiper Place" that was withdrawn by the Applicant at the September Planning Board meeting.

- **#8013 "Meadows II" Rental Apartment Development Project, 20 and 20(R) Davkim Lane**

The Applicant is seeking approval of a definitive subdivision that correlates with a Special Permit (File #40-16) currently being reviewed by the Board. The plan will reconfigure the existing property which will allow the development of the Meadows II for a workforce rental community which will comprise of two hundred and twenty-five (225) rental apartment units. The proposed plans show the connection with the 50' wide Nancy Ann Lane and Davkim Lane intersection and then down to 40' wide roads proposed within the development. The plan also shows the proposed intersection with Old South Road.

UPDATE:
No further update.

- **#8024 "Sandpiper Place I" (South) Single Family (Homeownership) Project, Off Old South Road, Daffodil Lane, and Mayflower Circle, and Evergreen Way**

The Applicant is seeking approval of a definitive subdivision that correlates with Special Permit #53-16 (listed above). The Applicant has provided a revised sit plan that reflects a variety of suggestions that have evolved from the past Planning Board meetings. The Applicant has also included modifications that reflect discussions with abutters of the project. Specifically, the Applicant proposes to modify the plan with a reduction of eight (8) house lots, in order to provide the larger house lots that would create a transition in density between the proposed development and the Cedar Crest neighborhoods. The proposed modification would propose a total of ninety-four (94) residential house lots. The modification includes seven (7) house lots that are approximately 10,000 square foot in size, with the two (2) potential roadway connections to Evergreen Way eliminated and a bike/walking path proposed in its place. A potential roadway connection is proposed (with two (2) way access) at 24 Evergreen Way. However, there will be no potential roadway connections into Mayflower Circle or Daffodil Lane. The Applicant has also relocated the proposed community meeting house three-hundred and fifty (350) feet south towards the interior of the site.

- **#8025 "Sandpiper Place II" (North) Single Family Home Development Project, Off Old South Road, Daffodil Lane, Mayflower Circle, Evergreen Way**

The Applicant is seeking approval of a definitive subdivision that correlates with Special Permit #54-16 (listed above).

V. Preliminary Plans:

- **#8024 Roy K. & Carol A. Barrett, 154 Cliff Road (Map 41 Parcel 73)** *(Held from September)*

The Applicant presented a proposed plan to create two (2) buildable lots and one (1) roadway lot. The issue provided to the Board was whether or not the existing 12' easement can be improved to accommodate the preliminary subdivision presented. Staff has not received any additional information at this time.

VI. Sketch Plan:

- **Atlantic Development, 137 & 141 Orange Street (Map 55 Parcel 153)**

The Applicant will present at the meeting.

VII. Public Comments:

VIII. Other Business:

- **Reminder 2016 Special Town Meeting, Monday, October 17, 2016 @ 6:00PM, Nantucket High School Auditorium, 10 Surfside Road**

IX. Adjourn: