



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

UPDATED Agenda

(Subject to Change)

Thursday, January 12, 2017

1:00 PM

4 Fairgrounds Road

Public Safety Facility – 1st Floor Community Room

THE FOLLOWING AGENDA ITEMS WILL BE DISCUSSED JANUARY 12, 2017.

HOWEVER, IF NO QUORUM CAN BE ESTABLISHED AT THAT TIME,

EFFECTED APPLICATIONS WILL BE CONTINUED TO 12:00 PM ON TUESDAY, JANUARY 17, 2017:

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▪ **CALL TO ORDER:**

▪ **APPROVAL OF THE AGENDA:**

▪ **APPROVAL OF THE MINUTES:**

- December 8, 2016

▪ **OLD BUSINESS:**

- 41-16 Linda Mason, Applicant, & Anne G. Davis And Paul A. Gares, Owners
Action deadline March 8, 2017 23 Monomoy Road Beaudette
Applicant is seeking Special Permit relief pursuant to Zoning By-law Section 139-33.A to allow an increase in the pre-existing nonconforming ground cover ratio upon the pre-existing nonconforming locus. The proposed work consists of removing the pre-existing nonconforming dwelling and replacing it with a larger dwelling which will be sited so as to cure the nonconforming side and front yard setbacks. The Locus is situated at 23 Monomoy Road, is shown on Assessor's Map 54 as Parcel 205, and as Lot 17 upon Land Court Plan 10937-C. Evidence of owner's title is registered on Certificate of Title No. 22059 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 1 (LUG-1).

▪ **NEW BUSINESS:**

- 24-16 6 Lily Street LLC & Sconset Partners LLC 6 and 8 Lily Street Dale
REQUEST TO WITHDRAW WITHOUT PREJUDICE

- 36-16 Loren H. Kroll and Norma J. Goldman 24 Coffin St. Beaudette
CONTINUED TO FEBRUARY 9, 2017

Applicant is requesting Special Permit relief pursuant Zoning By-law Sections 139-30.A and 139-16.C(2) to validate an unintentional side yard setback intrusion caused by the siting of a porch 9.5 feet from the side yard lot line abutting West Sankaty Street, where a ten (10) foot setback is required pursuant to Section 139-16.C(3). In the alternative, and to the extent necessary, Applicant requests relief by Variance pursuant to Section 139-32 to allow said setback intrusion. The Locus is situated at 24 Coffin Street, is shown on Assessor's Map 73.4.1 as Parcel 52, as Lot 2 upon Plan No. 2012-37. Evidence of owner's title is in Book 1456, Page 168 on file at the Nantucket County Registry of Deeds. The site is zoned Sconset Residential 1 (SR-1).

- 40-16 Sankaty Head Golf Club 100 Sankaty Road Dale
Action deadline April 12, 2017 CONFLICTS: ET

Applicant is requesting modification of prior Special Permit relief to alter and expand a pre-existing nonconforming use in order to construct four new cottages to be used for on-site employee housing pursuant to Zoning Bylaw Section 139-33.A(1). The proposed work will meet all dimensional and parking requirements of the Bylaw. In the alternative, Applicant requests modification of prior Variance relief to allow the proposed project. The Locus is situated at 100 Sankaty Road, is shown on Nantucket Tax Assessor's Map 49 as Parcel 2, and as Lot 2A on Land Court Plan 9548-C. Evidence of owner's title is registered as Certificate of Title No. 1308 in the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

- 01-17 Ronald W. Winters and Ellen H. Winters 12 Gardner Street Winters
Action deadline April 12, 2017

Applicant is seeking Special Permit relief pursuant to Bylaw Sections 139-7(a), 139-30, and 139-33.A to allow the change of use of a pre-existing nonconforming garage structure to a residential use with an expansion of the footprint. Applicant proposes to convert the garage, which is pre-existing nonconforming as to side and rear yard setbacks, into a second dwelling and build a conforming 187 square foot addition. The garage, as so altered, will not be any closer to the side or rear yard lot lines. The Locus is situated at 12 Gardner Street, is shown on Assessor's Map 42.3.3 as Parcel 12, and upon Land Court Plan 21923-A. Evidence of owner's title is registered on Certificate of Title No. 24714 at the Nantucket County District of the Land Court. The site is zoned (Residential Old Historic (ROH)).

- 02-17 R. Eric Kennedy and Jacqueline W. Kennedy, as Co-Trustees, Into The Mystic
Nominee Trust 189 Polpis Road Alger
Action deadline March 27, 2017

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the ground cover ratio provisions in Section 139-16. Specifically, applicant seeks to validate the various structures upon the premises already granted Certificates of Occupancy but shown on most recent As-Built survey to have a total ground cover ratio of 3.03% where 3% is maximum allowed.

In the alternative, applicant requests a finding that no relief is necessary either by virtue of the definition of ground cover or the de minimis nature of the overage. The Locus is situated at 189 Polpis Road, is shown on Assessor's Map 45 as Parcel 5.2, and as Lot 2 upon Plan File 9-A. Evidence of owner's title is in Book 1103, Page 85 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General Three (LUG-3).

- 03-17 Marie E. Lemberg 53 Pochick Avenue Wilson
Action deadline March 27, 2017

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the intensity regulations in Section 139-16 in order to render the subject lot separately marketable and buildable from abutting property at 55 Pochick Avenue. The Locus is nonconforming as to lot size and groundcover, but is otherwise dimensionally conforming. The Locus is situated at 53 Pochick Avenue, is shown on Assessor's Map 79 as Parcel 127, and as Lots 1-4 on Block 164 in Plan Book 2, Page 61 and as Parcel One on Plan No. 2010-52. Evidence of owner's title is in Book 1285, Page 214 and Book 1418, Page 154 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General One (LUG-1).

- 04-17 Venividivici Property Development, Inc. 55 Pochick Avenue Wilson
Action deadline March 27, 2017

Applicant is seeking relief by Variance pursuant to Zoning By-law Section 139-32 for a waiver of the intensity regulations in Section 139-16 in order to render the subject lot separately marketable and buildable from abutting property at 53 Pochick Avenue. The Locus is nonconforming as to lot size and setback but is otherwise dimensionally conforming. The Locus is situated at 55 Pochick Avenue, is shown on Assessor's Map 79 as Parcel 76, and as Lots 5-11 on Block 164 in Plan Book 2, Page 61. Evidence of owner's title is in Book 1458, Page 291 on file at the Nantucket County Registry of Deeds. The site is zoned Limited Use General One (LUG-1).

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▪ **OTHER BUSINESS:**

- 076-11 Sachem's Path Nantucket, LLC Sachems Path 40B Singer
Extended Action deadline January 26, 2017 – for decision on Conditions F.2, F.19(m), & proposed new Condition F.35 regarding Fee Waivers
Extended Action deadline February 9, 2017 – for Condition F.7 regarding timing of infrastructure
Applicant seeks determination that proposed construction protocol changes to the Comprehensive Permit may be considered insubstantial pursuant to 760 CMR 56.05 (11)(a)(b), and as such, may be authorized by the Zoning Board of Appeals and incorporated into the Comprehensive Permit, as previously amended and restated. The proposed changes pertain to Phase 2 of the 40B development located on Surfside Road.
- Discussion about policy regarding re-notification to abutters when an application has been continued for a protracted period.

▪ **ADJOURNMENT.**