



Nantucket Planning Board

APPROVED MINUTES

Nantucket Planning Board Agenda

MONDAY, JULY 11, 2016

5:30PM

4 Fairgrounds Road

Public Safety Facility Community Room

First Floor

www.nantucket-ma.gov

Video of meeting available on Town website

(AGENDA SUBJECT TO CHANGE)

The complete text, plans, application, or other material relative to each agenda items are available for inspection at the Planning Office at 2 Fairgrounds Road between the hours of 8:30 AM and 4:30 PM

Board Members: Barry Rector (Chairman) arrived at 7:45PM, Linda Williams (Vice-Chairman), & Nat Lowell, Joe Marcklinger and John Trudel, III

Alternates: Carl Borchart & David Callahan

Staff: Andrew Vorce, Leslie Snell, Holly Backus & Catherine Ancero

I. Call to order:

Acting Chairman Ms. Williams called the meeting to order at 5:40pm and announced new member.

II. Approval of the agenda:

Mr. Lowell made a motion to approve the agenda, duly seconded and voted 4-0 in favor.

III. Minutes:

▪ **June 13, 2016**

Minutes of June 13, 2016 was continued to the next Planning Board meeting in August.

IV. ANRs:

- **#7987 Town of Nantucket, Henry St. & Hulbert Av. (Map 29) ***** RE-AFFIRM VOTE**
Mr. Lowell re-affirmed the voted to approve and endorse in accordance with the staff recommendation, duly seconded and voted 4-0 in favor.
- **#7989 Eric Rosenberg & Michele Kolb, 7 Gardner Street (Map 42.3.3 Parcel 58)**
Mr. Marcklinger made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 3-0 in favor. Ms. Williams recused.
- **#7990 29 Nonantum LLC, 29 Nonantum LLC (Map 87 Parcel 51 (Portion))**
Mr. Trudel made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7991 Matthew S. Sanford, 10 Academy Lane (Map 42.4.3 Parcel 86)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7992 Town of Nantucket, Saccacha Avenue (Map 82)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7993 Dean Lampe, 30 York Street (Map 55.4.1 Parcel 150)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 3-0 in favor. Mr. Marcklinger recused
- **#7994 Rockwood Nominee Trust, 5 Mothball Way (Map 83 Parcel 42.7)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7995 Sixty-Four Walsh Street LLC, 64 Walsh Street (Map 29 Parcel 94)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 3-0 in favor. Mr. Marcklinger recused.
- **#7996 6 Lily Street LLC, 6 Lily Street, (Map 73.3.1 Parcel 109)**
Mr. Marcklinger made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 3-0 in favor. Ms. Williams recused herself.
- **#7997 William S. & Katherine M. Oldakowski, 34A Walsh Street (Map 29 Parcel 106)**
Mr. Marcklinger made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7998 Irvin F. Holdgate, Jr., 4 Lincoln Street, Siasconset (Map 73.4.2 Parcel 134)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.
- **#7999 EILOGO VI, LLC, 3 Sunset Ridge Lane, Siasconset (Map 73.4.2 Parcel 84)**
Mr. Lowell made a motion to approve and endorse in accordance with staff recommendation, duly seconded and voted 4-0 in favor.

V. Second Dwellings:

- **Matthew Reinemo, 9 Cachalot Lane (Map 67 Parcel 858)**
Mr. Lowell made a motion to endorse 9 Cachalot Lane in accordance with the staff recommendation, duly seconded and voted 4-0 in favor.
- **Marc Yacone, 42 Friendship Lane (Map 56 Parcel 330)**
Mr. Lowell made a motion to endorse 9 Cachalot Lane in accordance with the staff recommendation, duly seconded and voted 4-0 in favor.

VI. Tertiary Dwellings:

- Sharon L. Hubbard, 28 Dukes Road (Map 56 Parcel 190), **CONTINUED TO 8-8-16**
- Johnathan Featherstone-Witty, 69 Fairgrounds Road (Map 69 Parcel 766)
Mr. Trudell made a motion to endorse 69 Fairgrounds Road in accordance with the staff recommendation, duly seconded and voted 4-0 in favor.

VII. Previous Plans:

- #09-12 Cape Cod 5, *performance security release*, **CONTINUED TO 8-8-16**
- #7874 Millie's Subdivision, *endorse plans*
Representing is Surveyor Don Bracken. Mr. Lowell made a motion to endorse the plans with changes discussed and submit the revised plans, duly seconded and voted 4-0 in favor.
- #13-11 Atlantic Development, 51 Sparks Avenue, *extension request to August 8, 2017*
Representing is Attorney Sarah F. Alger. Mr. Lowell made a motion to grant the extension request to August 8, 2017, duly seconded and voted 4-0 in favor.
- #56-15 Newtown Court, 7 Newtown Court, *endorse plans*
Mr. Marcklinger made a motion to endorse the plans, duly seconded and voted 4-0 in favor.
- #6810 Mary Jane McLean & Anne Jennings, 341 Madaket Road & 3 Pop's Lane, *minor modification to strike legend notation*
Representing is Attorney Joseph Guay. Attorney Guay is requesting to have Board endorse new plan with the legend notation removed. Mr. Lowell made a motion to endorse the new ANR plan without the legend notation on new plan, duly seconded and voted 4-0 in favor.
- #6842 Nantucket Westmoor Farms, LLC, 6 & 8 Westmoor Farms Road, *Covenant & Restriction Agreement discussion*
Mr. Lowell made a motion to continue to the September meeting, duly seconded and voted 4-0 in favor.
- #6959 Pine Estates, *modify restrictions*
Mr. Lowell made a motion to continue to the August meeting, duly seconded and voted 4-0 in favor.
- Robert & Deborah Giese, 5 Meadow Lane, (Map 41 Parcel 444), *discussion of condition*
Mr. Marcklinger made a motion to remove the condition from the approved secondary dwelling approval condition number 1, duly seconded and voted 4-0 in favor.
- #791 Nantucket Beach Properties, Jonathan Way, *Form J (Lot 590)*
 - ***** This item was not anticipated by the Chairman 48 hours in advance.Mr. Lowell made a motion to endorse the Form J (Lot 590), duly seconded and voted 4-0 in favor.

VIII. Public Hearings:

- #7716 Valero Road Subdivision, 60, 62, 64, 66 & 68 Old South Road, *action deadline 08-31-16*, **CONTINUED TO 08-08-16**
- #7946 Stephen M. Waterhouse, 20 Sparks Avenue, *action deadline 07-27-16*, **CONTINUED TO 08-08-16**
- #16-15 Brotherhood of Thieves, 23 Broad Street, *action deadline 08-31-16* **REQUEST TO WITHDRAW**
Mr. Lowell made a motion to approve the request for withdrawal without prejudice, duly seconded and voted 4-0 in favor.
- #18-16 Hillsboro & 15th, LLC & 5050 Properties, LLC, 1,3, 5 & 7 Flint Road and 28, 30, 32 & 34 Tomahawk Road, *action deadline 08-07-16*
Representing are Surveyor Don Bracken and Attorney Steven Cohen. Applicant provided revised plans to incorporate Board's comments. Attorney Cohen agreed to contribute \$16,000.00 to the Town of Nantucket for maintenance of Arrowhead Drive. NRTA passes will be provided to employees. Acting-Chairman Ms. Williams opened the floor to the public. No comments were made. Mr. Borchert activated. Mr. Lowell made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Mr. Lowell

made a motion to approve per discussion tonight and sign in the office, duly seconded and voted 5-0 in favor.

▪ **#23-16 Walter J. Glowacki, 6 Perry Lane, action deadline 08-07-16**

Mr. Lowell made a motion to accept the withdrawal without prejudice, duly seconded and voted 4-0 in favor.

▪ **#25-16 Nantucket Cottage Hospital (“NCH”) as the Owner, 57 & 59 South Prospect Street & 10 Vesper Lane, action deadline 08-07-16**

Representing are Attorney John Twohig, Tim Sullivan and Steve Glowacki. Attorney Twohig stated that they completed the HDC application, addressed the ambulance parking area and the emergency entrance drop-off area. Onto South Prospect Street the painted right and left lane arrows have been removed. Additional fire hydrants on the north side of site are now shown on the current plan Acting-Chairman Ms. Williams opened the floor to the public. No comments were made. Mr. Borchert was activated. Mr. Lowell made a motion to approve the site plan with modifications as discussed, duly seconded and voted 5-0 in favor.

▪ **#34-16 Frederick Galiardo, 6 Tom Nevers Road, action deadline 9-11-16**

No representation. Acting-Chairman opened the floor to the public. No comments were made. Mr. Lowell made a motion to close the public hearing, duly seconded and voted 4-0 in favor. Mr. Lowell made a motion to approve and sign in the office, duly seconded and voted 4-0 in favor.

▪ **#35-16 Seacliff, LLC and 142 Cliff Road, LLC, 144 Cliff Road & 142 Cliff Road, action deadline 9-11-16**

#36-16 Seacliff, LLC and 146 Cliff Road, LLC, 144 & 146 Cliff Road, action deadline 9-11-16

Representing for file #35-16 is Attorney Rick Beaudette and representing for file #36-16 is Attorney Jessie Glidden Brescher both applications were discussed at same time. Mr. Marcklinger recused and Mr. Borchert activated. Attorney Beaudette stated that there is grandfathered cross easement, a sliver of 142. Attorney Beaudette stated that the purpose is to prevent from backing out and that the issue is that the sliver crosses the neighbors property. Mr. Lowell stated he had no issue with the horseshoe however curb off of Cliff Road. Mr. Lowell questioned if there was another alternative. Mr. Trudel stated that he had issue with horseshoe and that it is too close to 142. Mr. Borchert stated that he had issues with five curb cuts and that if they could have three instead. Mr. Callahan commented that he had the same issue as Mr. Trudell. Ms. Williams stated that five curb cuts are excessive and too many curb cuts. Mrs. Snell stated that reason for denial is that the site distance is not clear and driveways too close together. Ms. Williams suggested that they continue to the August 8th meeting and to go in and talk with staff. Acting-Chairman opened the floor to the public. No comments were made. Mr. Lowell made a motion to continue to the August 8th meeting, duly seconded and voted 4-0 in favor.

▪ **#37-16 Inn Partners Regatta, LLC, 78 Center Street, action deadline 9-11-16**

Representing is Attorney Rick Beaudette. Staff stated that there was an error in the legal ad and will need to re-advertise and send a re-notice to the abutters to address the special permit for the use. Acting-Chairman Ms. Williams opened the floor to the public. Thomas Lowy at 40 Lily Street expressed his concern regarding the increase of the structure and how the structure encroaches on his property. There was a brief discussion regarding the HVAC equipment to run along building and not on the southern side of property. Mr. Borchert was activated. Mr. Trudel made a motion to continue to the August meeting, duly seconded and voted 4-0 in favor.

▪ **#38-16 16 Tomahawk Road, 16 Tomahawk Road, action deadline 9-11-16**

Representing are Surveyor Arthur Gasbarro and Attorney Sarah F. Alger. There was a brief presentation of the proposal. Acting-Chairman Ms. Williams opened the floor to the public. No comments were made. Mr. Callahan was activated. Mr. Lowell made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Mr. Lowell made a motion to approve the application and drainage discussion at the staff level, duly seconded and voted 5-0 in favor.

- **#41-16 White Elephant Village, 19 South Beach Street, and 72 South Beach Street, *action deadline 9-11-16***

Representing are Attorney Rick Beaudette, Attorney John E. Twohig, Tim Sullivan and Steve Glowacki. The applicant is proposing to amend the 2015 subdivision fourteen (14) lot remove subdivided lots from the Special Permit to allow intern uses. Request for waiving 98 guest suits with 75 parking spaces. There was a brief discussion regarding hours of operation for the uses and lawn area to have tents. Lots 4-16 will continue to be used as ancillary hotel functions and uses as previously approved. Acting-Chairman Ms. Williams opened the floor to the public. No comments were made. Mr. Borchert was activated for both applications file numbers #41-16 and #42-16. This application discussion continued on with File #42-16 per Acting-Chairman's request.

- **#42-16 White Elephant Village, 19 South Beach Street, *action deadline 9-11-16***

Representing is Attorney Rick Beaudette. The applicant is proposing to a Special Permit to authorize the use of offices, retail, personal services, convenience store and art gallery uses. There was brief discussion that it is better to modify the existing MCD. Mrs. Snell stated that it may be premature because they are still contiguous. Mrs. Snell stated that the first request is to release the lots from the MCD that presents a logistic because you can't release them from the MCD and allow them to operate as a commercial use. Mr. Marcklinger questioned purpose of eliminating parking spaces. Attorney Beaudette stated that they will be replaced with residential buildings. Mr. Borchert made a motion to close the public hearing, duly seconded and voted 5-0 in favor.

For file #41-16 Mr. Lowell made a motion to approve to release all the lots from the MCD once a new building permit has been issued to the subdivision and confirm all the uses in the addendum, duly seconded and voted 5-0 in favor.

For file #42-16 Mr. Lowell made a motion to modify the MCD to allow uses they have requested and waive the parking and loading, duly seconded and voted 5-0 in favor.

Recess at 7:30PM and reconvened back at 7:36PM.

Mrs. Snell stated that the intent is to discuss all of the Richmond properties application together due to some of the previous applications may be affected by the new proposal that just came in relative to the through street (Clay Street).

Ms. Williams expressed concern that Mr. Rector not present to hear the upcoming public hearings and suggested that it would be good to wait for the chairman and will have future special meetings for the Richmond applications to be discussed at that time with a full Board.

Mrs. Snell stated that it would be best to wait for the chairman due to a lot to discuss and the applicant value and input from the chairman.

Chairman Rector arrived at 7:43PM.

Mr. Pesce stated that this is personal that the White Elephant property when it was called the Harbor House Village was the first project he did for Leslie ten years ago last week and wanted to thank the Board. Chairman Rector thanked Mr. Pesce in behalf of the Board for care compassion and confidence, that it's been great working relationship and acknowledges the great job he has done.

- **#7918 Richmond Great Point Development, LLC – 42, 48, & 54 Skyline Drive & 20 Davkim Lane, *action deadline 07-31-16***
- **#7988 Richmond Great Point Development, LLC, Nancy Ann Lane, Greglen Avenue, Davkim Lane, and Old South Road, *10-28-16***
- **#39-16 Old South Road Crossing Retail “Liner” Buildings, 63, 67m 73, and 75(A) Old South Road, *action deadline 9-11-16***

- **#40-16 “Meadows II” Rental Apartment Development Project, 20 and 20R Davkim Lane, *action deadline 9-11-16***
- **#43-16 “Sandpiper Place” Single Family Home Development Project, Off Daffodil Lane, Mayflower Circle, Evergreen Way, and Old South Road, *action deadline 9-11-16***

Representing for the applicant is David Armanetti, Patty Roggeveen and Attorney Arthur Reade. Mr. Armanetti discussed the general overview. There are no detailed engineering plans. The applicant wants to hear inputs from the Board and the public. The applicant submitted the memorandum and contract that was given to the Board of the Selectmen. There was discussion to build 225 apartments and create 100 house lots which some will be affordable housing. There was discussion regarding the internal roadway access off the new entrance (Clay Street). Applicant is proposing a no cut through from the subdivision, Cedar Crest III neighborhood to the east. Mrs. Snell stated that the applicant should hear if the Board have any issues, issues with the design concept or go back to the drawing board. Ms. Williams stated that she is concern with lots on Evergreen and will they have secondary dwellings/tertiary dwellings. Mr. Armanetti stated that they will be single family lots and they have discussed secondary or tertiary. Ms. Williams would rather see larger lots on Evergreen Way, make sure enough parking, no primary, secondary or tertiary on the 4000 square foot lot. Ms. Williams stated that circulation, traffic mitigation are major issues. Mr. Marcklinger issue is regarding Lovers Lane, people will use it as another means of access. Mr. Borchert looks forward to more traffic study and is less concern with Evergreen Way at this point. Chairman Rector opened the floor to the public. Attorney Dan Hill representing the Cedar Crest III subdivision expressed concerns regarding the density and traffic impact it will have in the neighborhood. Attorney Hill stated that he want to ensure that his clients neighborhood is protected from the increase in traffic and density. Attorney Hill stated that there is restriction for further subdivision for Cedar Crest III which would limit the house lots that could be created and plans submitted need to be précised with the representation. Ken Gentner at 45 Goldfinch Drive stated that he is happy to hear comments and echo to press on with concerns for the whole area and expressed and reviewed Mike Burns’s traffic plan. Mr. Gentner expressed traffic back up on Old South Road. Damien at 10 Skyline Drive stated that if Board approve road it should not have Clay Street included. Scott Allen at 25B Daffodil Lane, Bill Davidson at 61 Skyline Drive questioned the procedural for the Board to take a vote for #7918. Mrs. Snell stated that the Applicant will need to agree to an action deadline extension request. Chairman Rector stated that it is best interest of the developer to continue these hearings. Damien Turbini at 10 Skyline Drive stated that he is reiterating what neighbors have said and if approve project Clay Street should not be included. Ms. Williams made a motion to continue to August 8th meeting and that the action deadline extension for Clay Street extend to September 30th, duly seconded and voted 5-0 in favor.

IX. ZBA Cases:

- **#15-16 Madaket Wheelhouse, LLC, 13 Massachusetts Avenue (Map 60 Parcel 75)**
- **#22-16 John N. Jordin & Julie M. Jordin, 28 Lovers Lane (Map 68 Parcel 145)**
- **#23-16 Mark Bono & Elizabeth Gilbert Bono, as Owner, and EK Associates, LLC, as Applicant, 15 Black Fish Lane (Map 73 Parcel 108)**
- **#24-16 6 Lily Street LLC & Sconset Partners LLC, 6 & 8 Lily Street (Map 73.3.1 Parcels 109 & 110)**
- **#25-16 George Gray, LLC, 55 Union Street (Map 55.1.4 Parcel 89)**
- **#26-16 Paul Benk & Lauri LeJeune Benk, 8 North Gully Road (Map 73.1.3 Parcel 48)**
- **#27-16 Kite Hill Lane, LLC, 5 Kite Hill Lane (Map 42.4.4 Parcel 65)**
- **#28-16 Eric J. Rosenberg & Michele Kolb, 7 Gardner Street (Map 42.3.3 Parcel 58 (portion)**
- **#29-16 Hans Dalgaard, 65 Surfside Road (Map 67 Parcel 222)**

Mr. Lowell made a motion to give a positive recommendation for ZBA file number #29-16 that it is not of Planning Board concern, duly seconded and voted 4-0 in favor. (Ms. Williams recused)

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Ms. Williams made a motion to give a positive recommendation for ZBA file numbers #15-16 through #28-16 that they are not of Planning Board concern, duly seconded and voted 5-0 in favor.

X. **Public Comments:**

No public comments.

XI. **Other Business:**

▪ **40B 106 Surfside Road, *Comments***

Ms. Williams made a motion to continue to the next Planning Board meeting.

XII. **Adjourn:**

Chairman Rector adjourned the meeting at 9:12PM

APPROVED

