



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 ~~

Thursday, September 8, 2016

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

Called to order at 1:03 p.m.

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

Agenda adopted by unanimous consent

I. APPROVAL OF MINUTES

1. August 11, 2016 Approved by unanimous consent

II. OLD BUSINESS

1. 04-16 Donald J. Mackinnon, Trustee of Nantucket 106 Surfside Realty Trust – *a/k/a* SURFSIDE COMMONS 40B
106 Surfside Road Mackinnon / Schwartz

REQUEST FOR WITHDRAWAL WITH PREJUDICE

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

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

Applicant is requesting Special Permit relief pursuant Zoning Bylaw Section 139-16.C(2) to validate unintentional side and rear yard setback intrusions. The siting of a tennis court, installed in 2012, was reasonably based on a licensed survey. The court is sited as close as 15.4 feet from the side yard lot line and 18 feet from the rear yard lot line, where a twenty (20) foot setback is required. In the alternative, and to the extent necessary, Applicant requests relief by Variance pursuant to Section 139-32 to allow said setback intrusions. The Locus is situated at 91 Low Beach Road, is shown on Assessor's Map 75 as Parcel 31, and as Lot 912 upon Land Court Plan 5004-65. Evidence of owner's title is registered on Certificate of Title No. 24350 at the Nantucket County District of the Land Court. The site is zoned Limited Use General 3 (LUG-3).

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

IV. OTHER BUSINESS

None

V. ADJOURNMENT

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

Submitted by:

Eleanor Antonietti and Terry L. Norton