From:	Edward Sheehy
To:	Esmeralda Martinez; mtrudell@nantucket-ma.gov; ray@botticelliandpohl.com; angusomack@gmail.com; Paul Murphy; Marcus Silverstein; Leslie Snell; Mark Willett; d.m.iverson@comcast.net; john@maurypeople.com; sem@sgriffinlaw.com
Cc:	Sandrine The Dream
Subject:	44 Skyline Drive- Notice of HDC Application and Broad Disregard for Nantucket Zoning By-Laws to the Detriment of Abutting Properties and the Zone II Wellhead Protection District
Date:	Thursday, June 29, 2023 8:38:13 AM

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My name is Edward Sheehy. My wife, Sandy, and I are the owners of the property at 42 Skyline Drive. The purpose of this email is as comment to Notice of HDC Application, Abutters and Interested Parties, relative to the proposed work at 44 Skyline Drive by Clay Street Development, LLC.

I am additionally cc-ing the Building Commission, the Zoning and Planning Boards, Ms Snell, Mr Macleod, and Mr Willet as simultaneously interested parties to the activities that have been ongoing at 44 Skyline Drive for at least the previous 18 months; to wit, the property (zoned LUG-2) has been operating- and violating many Zoning By-Laws- as a junkyard and as a commercial (landscaping) enterprise.

Our opposition comment to the HDC regarding the proposed relocation of the historical home, presently located at 70 Washington Street, to 44 Skyline drive is based on the SETTING to which the structure would be relocated. This proposed SETTING of 44 Skyline Drive is presently operating as an unauthorized and unzoned JUNKYARD, in a residential neighborhood, on a residential lot.

I would imagine that one of the main objectives targeted by the HDC and the Nantucket Historical Commission when relocating a historical structure is to ensure the preservation, rather than the destruction, or the neglect, of said structure. We do not believe that there is a septic plan for this structure at its proposed relocation site, so we are left to understand that the plan for the building is to have it sit and rot, like all of the other pieces of property currently and illegally sitting and rotting at 44 Skyline Drive (pictures attached). This is hardly "preservation". Instead it is merely a slower, and more secretive, form of demolition.

We respectfully request that HDC (and the Building Commissioner) and the Nantucket Historical Commission deny this proposal for the relocation of 70 Washington Street to 44 Skyline Drive unless otherwise accompanied by an approved septic plan, a site clean-up, and a plan to make the structure capable of becoming one of the approved residences for which 44 Skyline Drive is (LUG-2) zoned.

To Ms Snell, the Zoning Board, the Planning Board, and the Wannacomet Water Company, we respectfully request an immediate inspection of the property at 44 Skyline Drive by an enforcement authority, and then the enforcement of the appropriate Zoning By-Laws.

Since at least early Spring of 2022, Mr Williams has allowed a growing number of junk boats, vehicles, gas grills, and other non-registered, non-working, not cared-for property to be parked against the back perimeter of our property line. Recently I spent $3500 on fence screening material which I then hung up with my own labor. This screening somewhat lessens the eyesore from our property but does not eliminate it, as some of the junk boats are quite tall. I have written to request Mr Williams cooperation, as a neighbor, to clean up his property but to-date I have received no reply. This entire situation is unacceptable to us, and it is my goal in writing to you to make you aware of the situation and to ask your help in addressing Nantucket's Zoning By-Laws, specifically:

104-1 Prohibition:
Not more than one motor vehicle which is and for the immediately preceding thirty-day period has been disabled, dismantled or inoperative or has been unregistered shall be stored on any land in the Town unless

such vehicle is enclosed within a building. Any person violating this section shall be subject to the fine set forth in Chapter 1 of this Code for each day such violation shall continue. Our belief is the violation of this Code exceeds 600 days.

104-2 Enforcement:
Enforcement shall be through the process of noncriminal disposition under MGL c. 40, § 21D and Article II of Chapter 1 of the Code of the Town of Nantucket.

139.7-Use Chart-Prohibited Uses:
There is a number far greater than one vehicle, unregistered, inoperable, for a period much longer than 30 days rotting just beyond our back fence, none of which are in a building, degrading the value and enjoyment of our property, and surely impacting the quality of the water table. This property is located within the Zone II Welhead Protection District, for which there should be even greater concern for the storage of these types of vehicles which may be holding hazardous or toxic materials (defined below from Zoning Code).

HAZARDOUS OR TOXIC MATERIALS
Liquid hydrocarbon products, including but not limited to residual oil, gasoline, fuel oil, diesel oil and any other toxic, caustic or corrosive chemicals, radioactive materials and other substances defined as being hazardous or toxic by the Massachusetts Division of Hazardous Waste under the provisions of MGL c. 21C and c. 21E.

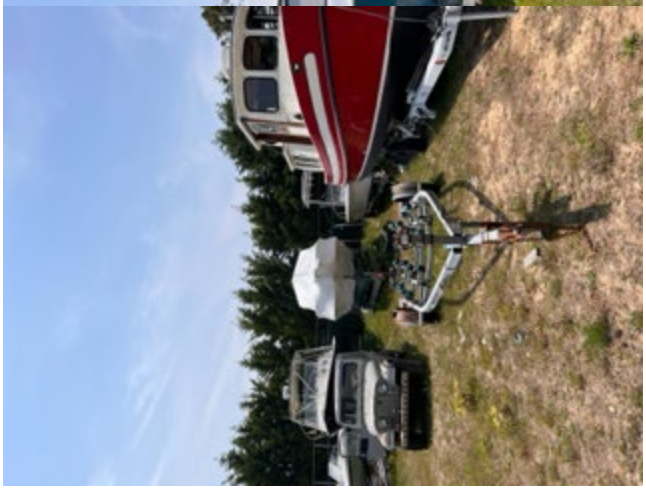
139-19 B.(1) & D- Screening of Parking:
While there are not 20 cars parked and rotting just beyond our back fence, the dozen or so boats, the multiple vehicles, and the junk certainly occupy the space necessary for the parking of 20 cars and are therefore subject to a ten-foot planting strip buffer, of which there is none. Whether the property owner has previous applied for parking or (more likely) not is moot, as the circumvention of a law does not invalidate the law.

I have attached photos of the proposed future front yard of the historical structure presently located at 70 Washington Street, with the specific request that all responsible parties addressed here act to protect and enforce the rules of Nantucket that you have been charged with upholding, deny Mr Williams and Clay Street Developers his proposal, demand that he clean up his property, and that he comply with all Codes, By-Laws, and rules going forward. I don't think this an unreasonable request, and hope that each of you would agree. We seek no advantage, only the quiet enjoyment of our property and the enforcement of the rules which the Town has put in place.

I thank you for your consideration of this matter.

Sincerely Yours,

Ed Sheehy



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