



Nantucket Planning Board

Nantucket Planning Board APPROVED Minutes

MONDAY, JANUARY 13, 2020

5:00PM

4 Fairgrounds Road

Public Safety Facility Community Room

First Floor

Board Members: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, “Fritz” McClure, and David Iverson

Alternates: Stephen Welch, Campbell Sutton and David Callahan

Staff: Andrew Vorce (Planning Director), Leslie Snell (Deputy Director of Planning), Holly Backus (Preservation Planner) and Catherine Ancero (Administrative Specialist) and Meg Trudel (Land Use Planner)

I. Call to order:

Chair Wegner called the meeting to order at 5:00PM.

II. Approval of the agenda:

Mr. Trudel made a motion to approve the agenda, duly seconded by Mr. Lowell and voted 5-0 in favor.

III. Consent Items:

a. **Minutes:**

- January 9, 2020 ***CONTINUED TO 02-10-2020***
- December 9, 2019, ***CONTINUED TO 02-10-2020***
- November 14, 2019, ***CONTINUED TO 02-10-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: Chair Wegner |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the minutes from January 9 th and continue the minutes from December 9 th and November 14 th . The motion was duly seconded by Mr. Iverson and the Board voted 4-0 in favor. |

b. ANR:

▪ **PLSUB-2020-01-00021 Frederick Bisailon, 65 ½ Surfside Road (Map 67 Parcel 223.5)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Trudel motioned to approve ANR PLSUB-2019-01-00021 in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

c. Second Dwellings:

▪ **PLDW-2019-11-0011 Galen Gardner, 1 Rainbows End (Map 80 Parcel 86)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

▪ **PLDW-2019-11-0012 Val Oliver Design Inc., 12 Eat Fire Springs Road (Map 20 Parcel 62)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor |

▪ **PLDW-2019-12-0013 Pattie A. Dew, 18 Wood Hollow Road (Map 72 Parcel 9)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly |

seconded by Mr. Iverson and the Board voted 5-0 in favor

▪ **PLDW-2019-12-0014 Derek & Christine Schoettle, 13 Irving Street (Map 79 Parcel 72)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Trudel motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor |

▪ **PLDW-2020-01-0015 Chris Loftus, 3 Parker Lane (Map 67 Parcel 319.1)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Trudel motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor |

▪ **PLDW-2020-01-0016 6 Stone Post Way Realty Trust c/o Jonathan Lieber, 6 Stone Post Way (Map 74 Parcel 38.1)**

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: None |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the application for a secondary dwelling in accordance with staff recommendations. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor |

IV. Previous Plans:

▪ **#61-19 & 8139 Hawthorne Park, Hawthorne Lane & Hummock Pond Road, *Proposed conservation restrictions***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |

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| Representing: Attorney Sarah Alger |
| Discussion: Attorney Alger stated that her client has been unable to find an entity to hold the Conservation Restriction after exhausting all possible options and is now requesting that the Board hold the CR. |
| Motion/Vote: Mr. McClure motioned to refer the matter to Town Counsel for determination of whether the Planning Board has the authority to hold and enforce the conservation restriction. The motion was duly seconded by Mr. Trudel and the Board voted the Board voted 5-0 in favor. |

▪ **#14-04 Westmoor Club, *Minor modification to the snack shack***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Paul Santos, Nantucket Surveyor |
| Discussion: None |
| Motion/Vote: Mr. Lowell motioned to approve the minor modification to the previously granted MCD special permit to allow for the enclosure of the porch area of the existing snack shack. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

V. **Public Hearings:**

- **#62-19 Mid-Island Service Limited Partnership MCD, 41 & 43 Sparks Avenue, *action deadline 3-31-2020,***
CONTINUED TO 02-10-2020
- **#71-19 Merlos Landscaping, Inc. (Modification #3), 8B Greglen Avenue, *action deadline 02-12-2020,***
CONTINUE TO 02-10-2020
- **PLSUB-2019-12-00018 Skinners Way Subdivision, 320R Milestone Road, *action deadline 04-29-2020,***
CONTINUE TO 02-10-2020
- **#65-19 Kim Glowacki, 3B Miller Lane, *action deadline 04-01-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: Mr. Trudel |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Linda Williams |
| Discussion: The application was for a secondary residential lot (covenant lot). The application had been continued from a prior meeting pending the receipt of a revised sight plan that matched the written application, which requested a waiver for an additional driveway access. Mrs. Trudel stated that the Applicant provided an updated plan with access off Little Isle Lane. Chair opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Lowell motioned to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted the Board voted 4-0 in favor. Mr. Lowell motioned to approve the application for a Special Permit for a secondary residential lot with the findings and conditions as notated in the staff report, granting the waiver for the additional driveway access, with staff confirming whether or not aprons would be required. The motion was duly seconded by Mr. Iverson the Board voted 4-0 in favor. |

▪ **PLSP-2019-12-0020 Mount Holly Properties LLC, 9 Teasdale Circle, *action deadline 04-12-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Carl Riedell and Jeff Blackwell, Surveyor |
| Discussion: The application was to validate additional curb cuts in a commercially zoned district. The site was the subject of a zoning violation for not having a Special Permit for the additional driveway accesses. Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted by the Board 5-0 in favor. Mr. Trudel motioned to approve the application as proposed with the addition of the driveway apron meeting the depth requirements of the Section 139-20.1 with the findings and conditions set forth in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

▪ **#73-19 Caroline Way, LLC, 1 Caroline Way, *action deadline 02-12-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Rick Beaudette and Don Bracken, Surveyor |
| Discussion: Attorney Beaudette presented that his client altered the layout of the proposed second driveway access, and that the second access was more of a convenience and not designed specifically as a service entrance for the pool. Mr. McClure said that at the last meeting the Board denied a similar application and therefore he is opposed to this request as well. Chair Wegner opened the floor to the public. No comments were made. Ms. Sutton said that that she had previously expressed concerns, and while she appreciates the changed layout she believed that the site can be utilized by one driveway access. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. McClure motioned to deny the proposed application, making the finding that the second driveway access would have a negative impact on the scenic and historic integrity of the neighborhood. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor. |

▪ **PLSP-2019-11-0013 Great Harbor Yacht Club, Inc., 4 Cedar Circle, *action deadline 03-08-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Steven Cohen |
| Discussion: The application is to validate a second driveway access and |

approve the dwelling as neighborhood employee housing. Attorney Cohen distributed a copy of the Housing Management Plan to the Board. There was discussion amongst the Board regarding the timeliness for the receipt of documents and supplemental information from the Applicant for the Board to consider. Chair Wegner opened the public hearing. There were no further comments from the public.

Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the findings and conditions outlined in the staff report and that the Applicant further works with staff to bring the site into compliance with the Bylaw. The motion was duly seconded by Mr. Lowell and the Board voted 4-1 in favor. (Mr. McClure opposed)

▪ **PLSP-2019-11-0014 Mark G. Burlingham, as Trustee of Legal-Sea Nominee Trust, 15 Beach Street, *action deadline 03-08-2020***

Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson

Alternates: Campbell Sutton and Dave Callahan

Recused: None

Documentation: File with associated plans, photos and required documentation

Representing: Paul Santos from Nantucket Surveyors and Mark Burlingham

Discussion: The application requests a second driveway access. Mrs. Trudel stated that she spoke with the Fire Department regarding the existing fire hydrant and propane tanks in close proximity to the proposed parking spot. The fire department was ok with the location of the space, as long as the proper protections would be put into place. There was a discussion amongst the Board members and the Applicant to flare the driveway at the rear north side to create a pull in parking design versus a parallel parking design. Mr. McClure stated that he was concerned an approval would go against the original staff recommendation and that the proposed parallel parking spot would be illegally utilized as head in parking. Mr. Lowell stated that, in his observation, there are many similar existing parallel parking spaces in this neighborhood that were likely created without a permit and that the Applicant is attempting to create an additional parking space on his lot in the correct manner. Mr. Santos reminded the Board that even if the Board approves the application, the DPW still has to approve the curb cut permit. Chair Wegner opened the floor to the public. No comments were made.

Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the conditions that the immediately adjacent hedges be manicured to a height not to exceed three feet, protection around the fire hydrant and gas tanks be installed subject to the Fire Department's recommendations, that a waiver also be granted for the apron requirement in the event that the Applicant prefers to utilize shell subject to the approval of the HDC, further making the findings that a second access would not be contrary to sound traffic and safety considerations and would not have an adverse effect on the scenic and historic integrity of the neighborhood. The motion was duly seconded by Mr. Lowell and the Board voted 4-1 in favor. (Mr. McClure opposed)

Recess

▪ **PLSP-2019-11-0016 Barry Byrne Development (Modification #1), 152 Old South Road and 19 & 21 Tomahawk Road, *action deadline 03-08-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Linda Williams and Paul Santos, Surveyor |
| Discussion: The application was to modify an existing MCD, adding two additional parcels and validating the uses. Ms. Williams said that she does not agree with the screening suggestions outlined in the staff report, stating that there is no way to screen due to below grade of runway and grade of Old South Road, and that by doing so, would create an anomaly. Mr. Santos said that concerns mentioned in Mr. Pesce’s report surrounding the apron have been addresses. Mrs. Snell said that the staff report does not limit the screening options, that there are different ways to address screening. Ms. Williams stated that putting screening on the Tomahawk Road portion of the site would be impossible, however is not opposed to being required to screen the portion of the site on Old South Road. Mr. Vorce said that all portions of the site abutting a roadway should have some type of screening and rejects the idea that it is impossible. Mr. Iverson said that he went to the site to view and agrees that additional screening on Tomahawk Road is. Mr. Trudel said that if the issues surrounding screening were not addressed at this point in the permitting process, it could potentially cause problems in the future. Chair Wegner opened the floor to the public. No comments were made. Chair Wegner said that she is in agreement that screening is necessary. Mr. McClure asked if there were any limitations as to how much material could be stored on the site. It was also suggested that if the property were to be sold or managed by a different person or entity that the MCD would need to come back before the Board for further relief. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Iverson motioned to approve the Modification to the MCD with the conditions that screening be installed at the Northeast corner of the site, that is control of the site were to change the MCD would need to be brought back to the Planning Board, and that the Applicant repair the grading and apron per Mr. Pesce’s recommendations. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. |

▪ **Redtail Lane**

- **PLSUB-2019-11-00006 Redtail Lane Subdivision (Modification #2), 154 Cliff Road, *action deadline 4-22-2020***
- **PLSP-2019-11-0017 Red Tail Lane Rear-Lot Subdivision (Modification #1), 154 Cliff Road, *action deadline 03-08-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |

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| <p>Representing: Dan Mulloy</p> <p>Discussion: The two applications are taken together. The first application modifies the AR Subdivision and the other modified the Special Permit for a Rear Lot Subdivision. The owner of Lot 5 is requesting to utilize Hickory Meadow Lane for access, which has been granted through an easement but is restricted in the original decision. Mr. Vorce said that he met with the Applicant's surveyor, Dan Mulloy to address concerns raised at the previous meeting and that there was no impediment with technical matters. Chair Wegner opened the floor to the public. No comments were made.</p> |
| <p>Motion/Vote: Mr. Lowell motioned to close the public hearings for both applications. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor.</p> <p>AR Subdivision: Mr. Lowell motioned to approve the request for a modification to condition number two, that the lot be limited to one dwelling and to allow for access to the lot from Hickory Meadow, a tertiary dwelling will not be allowed, and all other conditions of the original decision are to be upheld. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.</p> <p>Rear Lot Subdivision: Mr. Lowell motioned to approve the request for the rear lot to be accessed from Hickory Meadow. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor.</p> |

▪ **Second Dwelling: PLDW-2019-11-0009 BeKind Development Co LLC, 154R Cliff Road (future 3 Hickory Meadow Lane) (Map 41 Parcel 71.3)**

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| <p>Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson</p> |
| <p>Alternates: Campbell Sutton and Dave Callahan</p> |
| <p>Recused: None</p> |
| <p>Documentation: File with associated plans, photos and required documentation</p> |
| <p>Representing: Dan Mulloy</p> |
| <p>Discussion: None</p> |
| <p>Motion/Vote: Mr. Iverson motioned to approve the application for a secondary dwelling in accordance with the recommendations outlined in the staff report. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor.</p> |

▪ **PLSP-2019-12-0019 Nantucket Electric Company d/b/a National Grid, 1 & 5 Candle St., 2, 4 & 6 Commercial St. AND 10 New St., *action deadline 04-12-2020***

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| <p>Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson</p> |
| <p>Alternates: Campbell Sutton and Dave Callahan</p> |
| <p>Recused: None</p> |
| <p>Documentation: File with associated plans, photos and required documentation</p> |
| <p>Representing: Attorney Joshua Lee Smith and Steve Holdgate</p> |
| <p>Discussion: The application is to extend an existing non-conforming use and create a raised platform for a new switch gear. Mr. McClure stated that he also sits on the Coastal Resiliency Advisory Committee and expressed concerns</p> |

about the site and asked what would happen should the sea level continue to rise. Mr. McClure asked for the height of the proposed platform. Attorney Smith stated that they are proposing to install a raised metal flood-protection platform and affixed to the new platform will be three relocated switchgears and each switchgear will be contained within a secure metal enclosure. The existing 6-foot chain link fence and privet hedge will be extended. Chair Wegner opened the floor to the public. There was a brief discussion between the Board, Mr. Vorce, and the Applicant regarding the replacement of the wooden board fence on Candle Street that has fallen into disrepair as a part of the approval process for this application.

Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the application with the findings and conditions outlined in the staff report with the addition that the wood board fence located on Candle Street be repaired/replaced in accordance with the HDC requirements. The motion was duly seconded by Mr. Iverson and the Board voted 5-0 in favor.

▪ **PLSP-2019-12-0021 Jessica E. Millard, Trustee, 5 Cudweed Road, *action deadline 04-12-2020***

Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson

Alternates: Campbell Sutton and Dave Callahan

Recused: None

Documentation: File with associated plans, photos and required documentation

Representing: Nancy Drahzal

Discussion: The Applicant is requesting for a shed to be allowed on their property, which is in the MMD zoning district. Chair Wegner opened the floor to the public. No comments were made. Mr. McClure said that this is a non-conforming property and he is not in favor of the application. Ms. Sutton stated that she echoes Mr. McClure's comments. Chair Wegner stated that the ground cover being requested is over the limit and the landscape plan and the survey provided in the application do not align in terms of the placement of the shed. The Board discussed whether it would be used just for a storage shed or if it would eventually be renovated into a pool cabana type of structure.

Motion/Vote: Mr. Iverson motioned to close the public hearing. The motion was duly seconded by Mr. McClure and the Board voted 5-0 in favor. Mr. McClure motioned to deny the application for a shed. The motion was duly seconded by Mr. Iverson and the Board voted 4-1 in favor. (Mr. Trudel opposed)

▪ **PLSUB-2019-12-0027 Lund Nantucket Realty LLC, 1 & 3 Hydrangea Lane, *action deadline 04-29-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Rick Beaudette |
| Discussion: The applications are to amend the subdivision requirement of one dwelling per lot and then is to validate a second driveway access because the Applicant will be combining the two lots into one lot. Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Trudel motioned to close the public hearings. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve both applications. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

▪ **PLSP-2019-12-0023 6 West Creek Road, LLC, 6 West Creek Road, *action deadline 04-12-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Arthur Reade |
| Discussion: The application is to modify an existing special permit and change the use of the site. Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the requested modification as proposed. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

▪ **PLSP-2019-12-0024 Nantucket Commons (Amendment #27), 9C Bayberry Court, Unit 9.3, *action deadline 04-12-2020***

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Arthur Reade |
| Discussion: The application is requesting to modify an existing MCD to allow the conversion of office space to two employee housing apartments. Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. Mr. Trudel motioned to approve the amendment to a previously granted MCD special permit to change the use from office space to two additional inclusionary employee dwelling units. The motion was duly seconded by Mr. Lowell and the |

Board voted 5-0 in favor.

- **PLSP-2019-12-0025 Waterworks of Nantucket, Inc. (Amendment #1), 5, 7 & 9 Tomahawk Road,** *action deadline 04-12-2020*

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Attorney Jay Maroney |
| Discussion: The application was to amend an existing MCD to validate the use of storage containers. Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Trudel motioned to close the public hearing. The motion was duly seconded, and the Board voted 5-0 in favor. Mr. Trudel motioned to approve application to validate the use of the storage containers on the site with the condition that screening be put into place along Tomahawk Road. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor. |

- **PLSP-2019-12-0026 Greg Glowacki, 15 Miller Lane,** *action deadline 04-12-2020*

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| Voting: Judith Welch Wegner (Chairman), John Trudel, III (Vice-Chairman), Nat Lowell, Frederick McClure, and David Iverson |
| Alternates: Campbell Sutton and Dave Callahan |
| Recused: None |
| Documentation: File with associated plans, photos and required documentation |
| Representing: Teddy King, Surveyor |
| Discussion: The application is for a secondary residential lot (covenant lot). Chair Wegner opened the floor to the public. No comments were made. |
| Motion/Vote: Mr. Lowell motioned to close the public hearing. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. Mr. Lowell motioned to approve the application with the recommendations outlined in the staff report and to also approve the waiver for a separate driveway access. The motion was duly seconded by Mr. Trudel and the Board voted 5-0 in favor. |

There was a brief recess.

VI. **Public Comments:**

VII. **Other Business:**

Chair Wegner stated that Board's articles have not had a full discussion and wanted to make sure have ample time to resolve them.

- **National Grid L8, Update**

Mr. Vorce stated there was an upcoming Select Board meeting regarding the L8 project and the Board is encouraged to attend. A meeting will be posted just in case there are a quorum of Board members. The project involves pole replacements and wire upgrades. The estimates for underground wires were not something that the Select Board felt was attainable with the sense of urgency to move forward with the project. Mr. Vorce stated that he continues to worry about the general approach regarding the underground wiring in the historic downtown district. Mr. McClure stated that the CRAC discussions surrounding the project have been broad based and focused on acquiring data. Two of the focal points of the CRAC conversations have been potential effect on the power station and the second is the sewage

pump station ultimately what would happen if those areas are significantly inundated by storm water, storm surge, or the general effects of rising sea level in that area. Mrs. Backus stated that and RFP for a consultant to assist in establishing guidelines is currently being worked on.

▪ **Open Space Workgroup report**

Chair Wegner provided an update regarding the Open Space Working Group with the report included in the packet.

- Mr. Vorce provided an update on the court ruling for 6 Fairgrounds Road stating that the appeals court ruled in favor of the Town, that there would be no further impediments for that project and that the court felt that the Town and Planning Board followed the correct procedure and that there was no validity for the claims made against the Town.

▪ **Warrant Articles Discussion:**

The Board and staff discussed the procedure and process regarding public hearing warrant articles. Mrs. Snell will be working on the warrant articles and will send out to Board once done.

○ **Finalize second dwellings**

There have been no proposed language changes since the last Planning Board discussion. Mr. McClure briefly discussed the background of his proposal regarding adding language to the current bylaw that would require one of the dwelling units to be owner occupied. This requirement would apply to newly constructed secondary dwellings units for which a building permit is issued after September 30, 2020. Mr. Lowell stated that anything Planning Board related that is controversial and discussed at Town meeting should be shown full Board support. Mr. Trudel stated that he foresees potential loop holes in this proposal and is uncertain how the proposed article will be received at Town Meeting. Mr. Trudel suggested to try simplifying the language changes. Mr. McClure said he doesn't know how else to simplify the proposal. Mr. Iverson stated that he is concerned about what people are going to build. Mr. Callahan stated that he is not in favor of the proposal article because homeowners should not be restricted or then face penalty for placing their property in an LLC ownership for either personal reasons or financial protection.

Ms. Snell questioned if Board wants article re-written or leave it as it is. Chair Wegner stated leave as is. Chair Wegner motioned to strike everything other than the operative language seconded by Mr. Lowell and the Board voted 5-0 in favor.

○ **Pool**

This article has been noticed as proposed. The criteria must be met at 7500 square feet is required and rear yard setbacks of 10 feet shall apply to the residential swimming pool and associated mechanical equipment. This article will apply to residential swimming pools for which a building permit is issued after September 30, 2020. The Board suggested that it would be useful to see what the data shows as it pertains to lot sizes in R-1 and R-5.

Technical amendments

Brief discussion regarding the proposed language changes to the definition of landscape contractor.

- **Joint meeting with the Select Board, Wednesday, January 15, 2020 @ 6PM, PSF Community room (first floor), Discuss Harbor Place**
- **Planning Board, Thursday, January 16, 2020 @ 6:00PM, PSF Community Room (first floor)**
- **Planning Board, Monday, January 27, 2020 @ 5PM, PSF Training Room (second floor)**
- **Planning Board non-public hearing agenda items is Thursday, February 6, 2020 at 12PM at 2 Fairgrounds Road (conference room)**
- **Planning Board regular meeting will be Monday, February 10, 2020 @ 5:00PM 4 Fairgrounds Road in the PSF Community Room (first floor)**
- **Planning Board, Thursday, February 13, 2020 @ 5:30PM, PSF Community Room (first floor),**
Warrant Articles discussion if needed only

VII. Adjournment:

Meeting adjourned at 11:00PM.