



**UPDATE TO POSTING: T090  
 POSTED 1/28/21 @ 10:58am  
 MEETING POSTING**

**RECEIVED**  
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 NANTUCKET TOWN CLERK  
 Posting Number:T 110

Pursuant to MGL Chapter 30A, § 18-25  
 All meeting notices and agenda must be filed, and time stamped with the Town Clerk’s Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s	PLANNING BOARD
Day, Date, and Time	THURSDAY, FEBRUARY 4, 2021 @ 4:00PM
Location / Address	<b>REMOTE PARTICIPATION VIA ZOOM WEBINAR</b> <i>*Pursuant to Governor Baker’s March 12, 2020 Order Regarding Open Meeting Law (Attached). Information on viewing the meeting can be found at <a href="http://www.nantucket-ma.gov/138/Boards-Commissions-Committees">http://www.nantucket-ma.gov/138/Boards-Commissions-Committees</a></i>
Signature of Chair or Authorized Person	<b>CATHERINE ANCERO</b> <b>ADMINISTRATIVE SPECIALIST</b>

**WARNING: IF THERE IS NOT A QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!**

*\*The Planning Board meeting will be video recorded*

**Board Members:** Judith Welch Wegner (Chair), John Trudel, III (Vice-Chair), 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), Meg Trudel (Land Use Planner) and Catherine Ancero (Administrative Specialist)

**PLANNING BOARD AGENDA 02-04-2021**

*(Subject to change)*

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

\*The complete text, plans, application, or other material relative to each agenda items are available for inspection digitally. Email requests may be sent to [mtrudel@nantucket-ma.gov](mailto:mtrudel@nantucket-ma.gov) \*

**\*Participation in Public Hearings and Public Comment will be available through Zoom Webinar. You must register in advance in order to participate. Use the below link to register for Zoom participation. Contact [mtrudel@nantucket-ma.gov](mailto:mtrudel@nantucket-ma.gov) with any questions. \***

**ZOOM WEBINAR REGISTRATION LINK:**

[https://zoom.us/webinar/register/WN\\_VSfqmtqWTl2kFOAbfUcT4w](https://zoom.us/webinar/register/WN_VSfqmtqWTl2kFOAbfUcT4w)

To view the meeting only, see link below: YouTube Link:

<https://youtu.be/cjamH4Aj7pc>

Some matters on this agenda may not be heard at this meeting due to time constraints. Anything on this agenda is subject to be continued to a future meeting date.

**I. Call to order:**

**II. Approval of the agenda:**

**III. Public Hearings:**

**WARRANT ARTICLES FOR 2021 ATM**

**❖ Zoning Articles Proposed by the Planning Board:**

- Zoning Map amendment to place properties off of Grey Lady Lane and Bartlett Road currently located in the Commercial Trade and Entrepreneurship (CTEC) district in the Residential 5 (R-5) district;
- Zoning Map amendment to place properties at 8 and 10 Appleton Road currently in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district;
- Zoning Map amendment to place properties on Bartlett Road and Perry Lane currently located in the Residential Commercial 2 (RC-2) district in the Commercial Trade Entrepreneurship and Craft (CTEC) district;
- Zoning Map amendment to place properties at 18 and 18R Bartlett Road and 1 Youngs Way currently located in the R-5 district in the CN district;
- Zoning Map amendment to place properties at 33 Old South Road and 24 Ticcoma Way currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) and/or Commercial Neighborhood (CN) districts;
- Zoning Map amendment to place properties located off of Toms Way currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district;
- Zoning Map amendment to place properties on Union Street, Francis Street, Washington Street, and Salt Marsh Way currently located in the Residential Commercial (RC) district in the Commercial Neighborhood (CN) district;
- ~~○ Zoning Map amendment to place all remaining properties in the Seonset Residential 1 (SR-1) district in the Seonset Old Historic (SOH) and/or the Residential 5 Limited (R-5L) district;~~
- Zoning Map amendment to place properties off of Tautemo and Osprey Ways and Hummock Pond Road currently located in the Residential 20 (R-20) district and Limited Use General 2 (LUG-2) district in the Village Residential (VR) district and/or Limited Use General 1 (LUG-1) district;
- Zoning Bylaw and Zoning Map technical amendments to correct language in sections 33B and 30 to be consistent with language in MGL Chapter 40A, to correct language in sections 8C and 12G to be consistent with other sections of the Zoning Bylaw that were recently updated, to clarify the requirement within the definition of apartment related to how much of the first floor area of a structure may be dedicated to apartment use, to clarify in the definition of ground cover that the shed exemption applies to a single shed only, and to place properties at the terminus of Red Mill Lane and Old Mill Court entirely in the Residential 1 (R-1) zoning district;
- Zoning Bylaw amendment to increase the minimum lot size and setback requirements for residential swimming pools in the R-1/SR-1 and R-5/R-5L zoning districts;

❖ Zoning Articles Proposed by Citizen Petition:

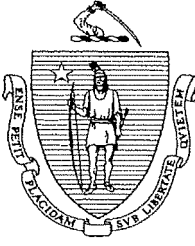
- Zoning Map amendment to place properties at 10 and 12 Youngs Way currently located in the Residential 5 (R-5) district in the Commercial Neighborhood (CN) district;
- Zoning Map amendment to place a property at 10 Clifton Street currently located in the Sconset Residential 1 (SR-1) district in the Sconset Old Historic (SOH) district;
- Zoning Map amendment to place a property at 3 Cobble Court currently located in the Residential 10 (R-10) district in the Commercial Neighborhood (CN) district;
- Zoning Map amendment to place 8 properties on the north side of Polpis Road currently located in the Village Residential (VR) district in the Village Neighborhood (VN) district;
- Zoning Map amendment to place properties located off Chatham Road, Monomoy Road, Polpis Road, and Milestone Road currently located in the Village Residential (VR) district in the Residential 20 (R-20) district and a Zoning Bylaw amendment to remove the same properties from the Country Overlay District and to place them in the Town Overlay District;
- Zoning Map amendment to place properties at 8 and 10 Chatham Road currently located in the Limited Use General 1 (LUG-1) district in the Village Residential (VR) district;
- Zoning Map amendment to place properties of Old South Road and Airport Road currently located in the Residential 20 (R-20) district in the Commercial Trade Entrepreneurship and Craft (CTEC) and/or the Commercial Neighborhood (CN) district;
- Zoning Map amendment to place property at 18 Evergreen Way currently located in the Limited Use General 1 (LUG-1) district in the Residential 40 (R-40) district;
- Zoning Map amendment to place a property at 25 Rugged Road currently located in the Limited Use General 2 (LUG-2) district in the Residential 20 (R-20) district;
- Zoning Map amendment to place 3 properties on Driscoll Way currently located in the Limited Use General 3 (LUG-3) district in the Limited Use General 1 (LUG-1) district;
- Zoning Bylaw amendment to make technical non-substantive changes to section 22 “Island perimeter restrictions” and to add a new requirement for the special permit granting authority to find that the proposed extension, reconfiguration, or addition “is not more detrimental to the marine environment than the existing structure”; and
- Zoning Bylaw amendment to reduce the maximum allowed height in the Commercial Mid-Island (CMI) district from 40 feet to 30 feet; ***REQUEST FOR WITHDRAWAL/TAKE NO ACTION***
- Zoning Bylaw amendment and Home Rule Petition to insert a new section adding the requirement for a liability waiver granted by the property owner in favor of the Town of Nantucket prior to the issuance of a building permit for construction on lots on “shorefront land” or within 300 feet of “shorefront land”.

IV. Public Comment:

V. Other Business:

- Next regular Planning Board meeting (with possible ATM public hearings) Monday, February 8, 2021 at 4pm via Zoom/YouTube
- ATM public hearing scheduled for Wednesday, February 17th, 2021 at 1pm via Zoom

XI. Adjournment:



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

**WHEREAS**, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblies as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;



**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

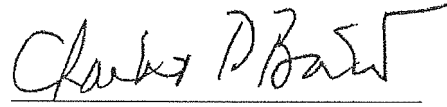
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at { *'-f* } Mthis 12th day of  
March, two thousand and twenty.

A handwritten signature in black ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a horizontal line underneath it.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts