

1. Planning Board Staff Report

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[03-08-2021 STAFF REPORT FINAL.PDF](#)



Nantucket Planning Board

STAFF REPORT

Date: March 5, 2021
To: Planning Board

From: Megan Trudel,
Land Use Specialist

Re: Staff Report for March 8, 2021 Planning Board Meeting

Call to order:

Approval of the agenda:

Minutes:

- February 17, 2021

Second Dwellings:

*****RECOMMEND MOTION*****

Motion to approve ALL of the secondary dwelling applications on the agenda with any findings and conditions outlined in the Staff Report (pull any application(s) from this motion that the Board feels may require further discussion or if there are any applications where a Board member must recuse).

- **14 North Road LLC - 14 North Road (Map 43, Parcel 83)**

UPDATE:

It has been confirmed with the Applicant's representation that this application is a secondary dwelling and does not meet the criteria for a garage apartment. Additionally, the dwelling unit is not connected to the primary dwelling. Planning staff recommends all the originally recommended conditions remain the same.

FROM THE FEBRUARY 8, 2021 STAFF REPORT:

Representation: John Brescher

The applicant is proposing to construct a one (1) bedroom ~~garage apartment~~ second dwelling. The ~~garage apartment~~ second dwelling will have approximately 575 square feet of ground cover and will be located on the southern portion of the site, which has approximately 40,284 square feet of lot area and is zoned LUG-1. The proposed five (5) bedroom primary dwelling

will have an approximate ground cover of 2,230 square feet.

Both dwellings will be accessed by a proposed gravel driveway with an entrance on North Road, which is a private, unpaved roadway of sufficient width, suitable grade and adequate construction. The driveway will contain four (4) 9' x 20' exterior parking spaces and two 9' x 20' interior parking spaces (four (4) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is required prior to the issuance of a building permit, and that they have already been granted approval.

Planning staff recommends approval with the following conditions

- 1) That the driveway intersection with North Rd shall be maintained with a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of four (4) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **Nantucket 62 Walsh LLC - 60-62 Walsh Street (Map 29, Parcels 85 & 85.2)**

UPDATE:

In response to the Board's feedback and recommendations, the Applicant has supplied an updated plan to show the detail of the existing curb cuts on the site and the proposed second driveway entrance with grass and stone tracks. There are two existing curb cuts, and the Applicant is requesting to relocate one of those to align with the new structure. The proposed relocated curb cut will be constructed of grass and stone tracks (subject to HDC approval) as recommended by the Board. It is noted that although the dwelling has an attached garage, it does not meet the criteria for a garage apartment and it therefore a secondary dwelling.

Planning staff's recommendations remain the same.

FROM THE FEBRUARY 8, 2021 STAFF REPORT:

Representation: Lisa Botticelli

The applicant is proposing to construct a three (3) bedroom secondary dwelling. The second dwelling will have approximately 1,959 square feet of ground cover and will be located on the eastern portion of the site, which has approximately 29,476 square feet of lot area and is zoned R-1. The existing six (6) bedroom primary dwelling has an approximate ground cover of 3,875 square feet.

The primary dwelling will be accessed by an existing shell driveway and the second dwelling will be access by a proposed shell driveway, both with entrances on Walsh Street, which is a private, unpaved roadway (at the portion where the site is located) of sufficient width, suitable grade and adequate construction. The driveway will contain four (4) 9' x 20' exterior parking

spaces and two 9' x 20' interior parking spaces (three (3) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

In order to approve the second driveway access, the Board must make the following findings:

- 1) That the second driveway access is not contrary to sound traffic and safety considerations; and
- 2) That the second driveway access will not have a significant and adverse effect on the scenic or historic integrity of the neighborhood.

It is noted that this is an oversized lot with excess frontage as the site originally contained two separate lots. Additionally, a second driveway access is needed in order to access the attached garage.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That a minimum of three (3) parking spaces shall be provided;
- 2) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 3) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 4) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **Gerard & Ellen O'Shea - 10 Tom Nevers Road (Map 71, Parcel 13.2)**

Representation: Andrew O'Shea/Teddy King

The applicant is proposing to construct a four (4) bedroom secondary dwelling. The second dwelling will have approximately 660 square feet of ground cover and will be located on the south eastern portion of the site, which has approximately 128,012 square feet of lot area and is zoned LUG-3. The existing four (4) bedroom primary dwelling has an approximate ground cover of 1,372 square feet.

The primary dwelling will be accessed by an existing sand and gravel driveway on Tom Nevers Road, a public, paved roadway, and the second dwelling will be accessed by a proposed gravel driveway with an entrance on Longwood Drive which is a private, paved roadway of sufficient width, suitable grade and adequate construction. Each driveway will contain two (2) 9' x 20' exterior parking spaces (four (4) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

In order to approve the second driveway access, the Board must make the following findings:

- 1) That the second driveway access is not contrary to sound traffic and safety considerations; and
- 2) That the second driveway access will not have a significant and adverse effect on the scenic or historic integrity of the neighborhood.

It is noted that the Board approved a second driveway access in the same location for this site

as a part of the Secondary Residential Lot Special Permit. The Applicant is not going to pursue the division of land at this time, so the Board may confirm the second driveway approval through the approval of the secondary dwelling.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That an apron at the driveway intersection with Tom Nevers Rd shall be installed and maintained with a minimum depth of ten (10) feet, a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That an apron at the driveway intersection with Longwood Drive shall be installed and maintained with a minimum depth of ten (10) feet, a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 3) That a minimum of four (4) parking spaces shall be provided;
- 4) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 5) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 6) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **Jonathan Yarmy - 65 Cato Lane (Map 56, Parcel 51)**

Representation: Anne Coderre

The applicant is proposing to convert an existing structure to a three (3) bedroom secondary dwelling. The second dwelling will have approximately 816 square feet of ground cover and will be located on the western portion of the site, which has approximately 24,002 square feet of lot area and is zoned R-20. The proposed three (3) bedroom primary dwelling will have an approximate ground cover of 1,625 square feet.

Both dwellings will be accessed by an existing gravel driveway with an entrance on Cato Lane, a private, paved roadway of sufficient width, suitable grade and adequate construction. The driveway will contain five (5) 9' x 20' exterior parking spaces (five (5) parking spaces are required on the site). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That an apron at the driveway intersection with Cato Lane shall be installed and maintained with a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of five (5) parking spaces shall be provided;

- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **Kristina Battisti - 14 Atlantic Avenue (Map 55, Parcel 22)**

Representation: Kristina Battisti/Venessa Moore/Tori Ewing

The applicant is proposing to convert an existing garage/artist studio to a two (2) bedroom secondary dwelling. Secondary dwelling approval was initially granted in 2001, but has since expired. The second dwelling will have approximately 1,162 square feet of ground cover and will be located on the south eastern of the site, which has approximately 8,932 square feet of lot area and is zoned R-1. The existing three (3) bedroom primary dwelling has an approximate ground cover of 1,394 square feet.

Both dwellings will be accessed by an existing shell driveway with an entrance on Atlantic Avenue, a public, paved roadway of sufficient width, suitable grade and adequate construction. The driveway will contain three (3) 9' x 20' exterior parking spaces (three (3) parking spaces are required on the site). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That an apron at the driveway intersection with Atlantic Avenue shall be maintained with a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of three (3) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **William and Elizabeth Scannell - 119R Eel Point Road (Map 33, Parcel 17.1)**

Representation: Thea Raab/Joe Paul

The applicant is proposing to construct a two (2) bedroom secondary dwelling. The second dwelling will have approximately 616 square feet of ground cover and will be located on the southern portion of the site, which has approximately 89,671 square feet of lot area and is zoned LUG-2. The existing five (5) bedroom primary dwelling has an approximate ground cover of 2,712 square feet.

Both dwellings will be accessed by an existing shell driveway on Eel Point Road, a private, unpaved roadway (in this particular section of Eel Point Road) of sufficient width, suitable

grade and adequate construction. The driveway will contain three (3) 9' x 20' exterior parking spaces and one interior 7' x 17' parking space (four (4) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That the driveway intersection with Eel Point Rd shall be maintained with a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of four (4) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **Lea Sea Nominee Trust – 15 Beach Street (Map 73.1.3, Parcel 26)**

Representation: Joe Topham

The applicant is proposing to construct a one (1) bedroom secondary dwelling. The second dwelling will have approximately 818 square feet of ground cover and will be located on the southern portion of the site, which has approximately 4,566 square feet of lot area and is zoned SOH. The existing two (2) bedroom primary dwelling has an approximate ground cover of 1,023 square feet.

A parking space on Bank Street will be utilized by the primary dwelling and the secondary dwelling will be accessed by a driveway access on Beach Street. The second driveway access was previously approved by Special Permit #PLSP-2019-11-0014. There will be one 7 x 17' exterior parking space to the west of the primary dwelling and a driveway with one 9' x 20' exterior parking space for the secondary dwelling (two (2) parking spaces are required on the site). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That aprons at the driveway intersections with Bank Street and Beach Street shall be maintained with a minimum width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of two (2) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;

- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

Garage Apartments:

*****RECOMMEND MOTION*****

Motion to approve ALL of the garage apartment applications on the agenda with any findings and conditions outlined in the Staff Report (pull any application(s) from this motion that the Board feels may require further discussion or if there are any applications where a Board member must recuse).

▪ **218 Cliff Road Associates, LLC – 218 Cliff Road (Map40, Parcel 61.1)**

Representation: John Brescher

The applicant is proposing to construct a one (1) bedroom garage apartment. The garage apartment will have approximately 624 square feet of ground cover and will be located on the eastern portion of the site, which has approximately 80,150 square feet of lot area and is zoned LUG-2. The existing five (5) bedroom primary dwelling has an approximate ground cover of 2,480 square feet.

Both structures will be accessed by an existing gravel driveway on Cliff Road, a public, paved roadway of sufficient width, suitable grade and adequate construction. The driveway will contain four (4) 9' x 20' exterior parking spaces and two (2) 9' x 20' interior parking spaces (four (4) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That an apron at the driveway intersection with Cliff Road shall be maintained with a minimum depth and width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of four (4) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

▪ **14 Pippen's Way LLC - 14 Pippen's Way (Map 43, Parcel 94.7)**

Representation: Tori Ewing

The applicant is proposing to construct a one (1) bedroom garage apartment. An approval for a garage apartment was granted in 2017, but has since expired. The garage apartment will have approximately 550 square feet of ground cover and will be located on the northern portion of the site, which has approximately 41,797 square feet of lot area and is zoned LUG-1. The existing primary dwelling has an approximate ground cover of 2,350 square feet.

Both structures will be accessed by an existing shell driveway on Pippen's Way, a private,

paved roadway of sufficient width, suitable grade and adequate construction. The driveway will contain four (4) 9' x 20' exterior parking spaces and two (2) 9' x 20' interior parking spaces (four (4) parking spaces are required). The plan, as submitted, meets the requirements of Zoning Bylaw Sections 139-18 and 139-20.1.

The Applicant has indicated that Conservation Commission approval is not required prior to the issuance of a building permit.

Planning staff recommends approval with the following conditions

- 1) That an apron at the driveway intersection with Pippen's Way shall be maintained with a minimum depth and width of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
- 2) That a minimum of four (4) parking spaces shall be provided;
- 3) That the driveway be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
- 4) That any landscaping at the driveway entrance be limited to low growing plant material not to exceed three (3) feet in height;
- 5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

ANR Plans:

*****RECOMMEND MOTION*****

Motion to approve the ANR applications for 63 Cato Lane, 105 Main Street, and 4 North Water Street. **38 Young's Way and 2 & 2A Blueberry will be voted on following public hearings (pull any application(s) from this motion that the Board feels may require further discussion or if there are any applications where a Board member must recuse).**

- **Doug Hughes - 38 Young's Way (Map 68 Parcel 235)**
SEE PUBLIC HEARING
- **Doug Carlson - 2/2A Blueberry Lane**
SEE PUBLIC HEARING
- **Isaiah Stover - 63 Cato Lane (Map 56 Parcel 50)**
Representation: Isaiah Stover
The purpose of this plan is to implement a Special Permit (issued at a previous meeting) for a Secondary Residential Lot.

Planning staff recommends endorsement.

- **105 Main Street Nominee Trust - 105 Main Street (Map 42.3.3, Parcel 152)**
Representation: Linda Williams/Mike Connolly
The purpose of this plan is to divide an existing buildable lot into two (2) buildable lots. The subdivision is permissible by utilizing Chapter 41 / Section 81L. Included in your packet for your review is a detailed history of the structures located on the site.

Lot 1 will contain approximately 6,341 square feet with access on Main Street and Gardner Street and Lot 2 will contain approximately 1,628 square feet with access on Gardner Street.

Planning staff recommends endorsement.

- **OBED JOY, LLC - 4 North Water Street (Map 42.4.2, Parcel 90)**
Representation: Paul Santos
The purpose of this plan is a merger plan to incorporate Parcel B with Lot 2.

Planning staff recommends endorsement.

Previous Plans:

- **#18-05 Nanahumuke Preserve – *Lot Release***
Representation: Jeff Kaschuluk
The Applicant is requesting the final lot in the subdivision be released. Included with your packet for review is a report prepared by the Town’s consulting engineer, Ed Pesce.

Planning staff recommends that the Board endorse the Form J for staff to hold in the office until the Applicant submits a Form G and bond in the amount of \$171,600.00 to cover 120% of the cost of the remaining work and an additional check in the amount of \$3,500.00 to replenish the engineering escrow account.

- **#61-16 Hawthorne Park – *Lot Release***
Representation: Sarah Alger
The Applicant is requesting the final lot in the subdivision be released. Included with your packet for review is a report prepared by the Town’s consulting engineer, Ed Pesce.

Planning staff recommends that the Board endorse the Form J for staff to hold in the office until the Applicant submits a Form G and bond in the amount of \$217,800.00 to cover 120% of the cost of the remaining work and an additional check in the amount of \$4,195.64 to replenish the engineering escrow account.

- **#7321 White Whale Lane, *request for Minor Modification***
Representation: Linda Williams/Ed Lemberg/Erin Lemberg/Tori Ewing
The Applicant is requesting that the Board grant a waiver from Subdivision Rules and Regulation 4.20 for the installation of a street light. Additionally, the Applicant requests that the Board find that this request is a minor modification, not requiring a public hearing.

Planning staff recommends that the Board grant the Applicant’s request to waive the requirement of a street light as a minor modification. In order to do so, the Board must make the following finding:

- 1) That the modification to the previously granted subdivision approval does not materially affect the finding and conclusions upon which the Planning Board’s previous decision was based and therefore shall be allowed without holding a public hearing.

Planning staff also recommends that in order for the minor modification to be granted and filed with the Town Clerk, the Applicant shall provide written consent to staff from all property owners in the subdivision that they agree to waive the requirement of the street light.

- **#56-17 Plumber's Supply, 9&11 Spearhead Drive**, *request for escrow release*
The Applicant is requesting that the remaining funds in the engineering escrow be released and the account be closed. Staff has confirmed with Ed Pesce that this project has been completed and recommends that the Board vote to release the remaining funds of \$382.07.
- **#67-17 Ticcoma Green**, *discussion on future Special Permit Modification*
Representation: Tucker Holland/Daniel Holmes/Sarah Alger/Oren Richkin/Mark Hess/Jonathan Silverstein
The Applicant would like to discuss with the Board the potential for a future Special Permit Modification that will reallocate some of the designated market rate units to affordable units. A more detailed overview is included with your packet.

Public Hearings:

- **PLSP-2020-11-0092 2 Mayflower Circle LLC, 2 Mayflower Circle**, *action deadline 06-15-2021*
REQUEST TO CONTINUE to 06-14-2021
- **PLSP-2020-10-0089 & PLSP-2020-10-0090 10 Cliff Road LLC, 10A & 10B Cliff Road**, *action deadline 04-30-2021*
REQUEST TO CONTINUE to 04-12-2021
- **PLSP-2021-02-0106, Red Cliff LLC, Doug Hughes, 38 Young's Way**, *action deadline 06-06-2021*

Representation: Joe Marcklinger

The applicant is proposing a two (2) buildable lot rear lot subdivision. Currently the site is approximately 13,108 square feet. Proposed Lot 1 will contain approximately 6,828 square feet and Proposed 2 will contain approximately 6,281 square feet. Both lots will have frontage and access on Young's Way. A proof plan is included with you packet which shows that the site is sub dividable through ANR. The site is located in the R-5 zoning district.

Board members perform a site visit to this location. One purpose of a Rear Lot Subdivision is to provide a better outcome than what would be allowed by right through ANR. The building could potentially be relocated on the lot and the Applicant would still be able to subdivide through ANR.

To approve the application, the following findings must be made:

- 1) That the applicant's proposal complies with the requirements for a Special Permit under §§139-8E, "Rear Lot Subdivision", as amended at the 2019 Annual Town Meeting, of the By-Law; and
- 2) That the proposal is in harmony with the general purpose and intent of the Bylaw.

If approved, Planning staff recommends the following conditions:

- 1) That each lot shall comply with the ground cover ratio, front setback, and side and rear yard setback requirement of the underlying R-5 zoning district, or as otherwise specified in 139-8E;
- 2) That the filing of an ANR (Approval Not Required) plan is a necessary step to implement this Special Permit.

- **ANR - Red Cliff LLC, Doug Hughes, 38 Young's Way**
The purpose of this plan is to implement the Rear Lot Special Permit. If the Board has approved the above request, Planning staff recommends endorsement. If the above request has been denied, the ANR must be either denied or withdrawn.

▪ **PLSP-2021-02-0107, Douglas Carlson, 2 Blueberry Lane, *action deadline 06-06-2021***

Representation: Doug Carlson

The applicant is requesting a Special Permit to create a secondary residential lot for year-round residents. The covenant lot will be proposed Lot 1B, which has approximately 16,960 square feet of lot area. The proposed market rate lot, Lot 1A has approximately 25,440 square feet of lot area. The Applicant is requesting that a waiver of the shared driveway requirement be granted. Lot 1A will be access from Blueberry Lane (a private, paved road) and Lot 1B will be accessed from South Shore Road (a public, paved road). It is noted that the proposed driveway access on South Shore Road will also provide access to the secondary residential lot being created in the following application. The site is zoned LUG-1.

Planning staff recommends approval of the application as proposed.

If approved, the following findings must be made:

- 1) That the proposal advances the intent of the zoning bylaw by creating housing for year- round residents;
- 2) That the second driveway access is not contrary to sound traffic and safety considerations; and
- 3) That the second driveway access will not have a significant and adverse effect on the scenic or historic integrity of the neighborhood.

Planning staff recommends the following conditions:

- 1) That proposed Lot 1B shall be subject to a Nantucket Housing Needs Covenant Ownership form, which shall provide without limitation, that owners and any occupants of any dwelling thereon, shall earn at or below 150% of the Nantucket County median household income;
- 2) That Lot 1A may be allowed a Secondary Dwelling (Tertiary Dwelling standards) and that Lot 1B shall be restricted to a single dwelling;
- 3) That the total ground cover ratio for both lots shall not exceed the amount otherwise allowed for the original lot (7%), or as otherwise specified in 139-8C; and
- 4) That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.

▪ **PLSP-2021-02-0108, Douglas Carlson, 2A Blueberry Lane, *action deadline 06-06-2021***

Representation: Doug Carlson

The applicant is requesting a Special Permit to create a secondary residential lot for year-round residents. The covenant lot will be proposed Lot 2B, which has approximately 16,800 square feet of lot area. The proposed market rate lot, Lot 2A has approximately 25,200 square feet of lot area. The Applicant is requesting that a waiver of the shared driveway

requirement be granted. It is noted that the driveway will actually be a shared driveway, sharing access with the secondary residential lot created in the prior application, but because the driveway access is not being shared with the market rate lot, a waiver from the shared driveway access is still required. Lot 2A will be accessed from Blueberry Lane (a private, paved road) and Lot 2B will be accessed from South Shore Road (a public, paved road). The site is zoned LUG-1.

If approved, the following findings must be made:

- 1) That the proposal advances the intent of the zoning bylaw by creating housing for year-round residents;
- 2) That the second driveway access is not contrary to sound traffic and safety considerations; and
- 3) That the second driveway access will not have a significant and adverse effect on the scenic or historic integrity of the neighborhood.

Planning staff recommends the following conditions:

- 1) That proposed Lot 2B shall be subject to a Nantucket Housing Needs Covenant Ownership form, which shall provide without limitation, that owners and any occupants of any dwelling thereon, shall earn at or below 150% of the Nantucket County median household income;
 - 2) That Lot 2A may be allowed a Secondary Dwelling (Tertiary Dwelling standards) and that Lot 2B shall be restricted to a single dwelling;
 - 3) That a driveway easement providing access to Lot 2B shall be provided to the Board prior to conveyance out of common ownership;
 - 4) That the total ground cover ratio for both lots shall not exceed the amount otherwise allowed for the original lot (7%), or as otherwise specified in 139-8C; and
 - 5) That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.
- **ANR- Doug Carlson – 2 & 2A Blueberry Lane (formerly known as 28 S. Shore Road)**
The purpose of this plan is to implement the above two Secondary Residential Lot Special Permits. If the Board has approved the above requests, Planning staff recommends endorsement. If the above request has been denied, the ANR must be either denied or withdrawn.

- **PLSUB-2021-02-00133, Mueller Nantucket Associates, LLC, North Mill Street, *action deadline 06-06-2021***

Representation: Art Gasbarro

The applicant is proposing a five (5) lot, four (4) buildable lot AR Subdivision. The Board issued a preliminary plan approval at the December 14, 2020 meeting (letter included in your packet) where the Board discussed drainage issues, roadway materials, and traffic flow. At the meeting, the Applicant discussed the potential for density restrictions including a decrease in allowable ground cover and a limitation on the number of dwellings. The site is zoned ROH.

Lot 34 consists of 14,274 square feet, Lot 35 consists of 6,704 square feet, Lot 36 consists of 10,119 square feet, and Lot 37 consists of 12,717 square feet. The roadway lot, Lot 38 will contain approximately 7,661 square feet of lot area and will be accessed from North Mill Street.

Included with your packet is a list of waivers being proposed by the applicant and a report prepared by Ed Pesce Engineering.

At the time of this report, Ed Pesce has recommended that the applicant supply an updated plan with watermain information.

Planning staff recommends approval of the overall project, but recommends that the Board discuss the proposal with the Applicant, and wait until further watermain information is supplied by the applicant and reviewed by Ed Pesce prior to issuing a decision.

- **PLSUB-2021-02-00132, 281 Hummock Pond Nominee Trust, William Hunter, Trustee and 273 Hummock Pond Nominee Trust, Kevin Dale, Trustee, 1 and 3 Mothball Way, *action deadline 06-06-2021***

Representation: Dan Mulloy

The Applicant requests a modification to an existing subdivision to modify the interior lot lines as well as modify the right of way. The Applicant is pursuing a Subdivision Modification versus an ANR to adjust the lot lines because the lay out of the right-of-way is being slightly altered.

The lot lines are being shifted to accommodate changes to building and utility locations as a result of construction. Lot 1 will slightly increase in lot area, while Lot 2 will slightly decrease. No new building lots are being created.

Planning staff recommends approval of the request as proposed with the following condition:

- 1) That all other conditions in the original Subdivision Approval decision shall remain in full force and effect.

- **PLSP-2021-02-0109, Arrowhead Archeology Corporation, 13 Arrowhead Drive, *action deadline 06-06-2021***
- **PLSP-2021-02-0110, Arrowhead Archeology Corporation, 110, 112, and 117 Hinsdale Road, *action deadline 06-06-2021***
- **PLSP-2021-02-0111, Arrowhead Archeology Corporation, 19 Arrowhead Drive, *action deadline 06-06-2021***

Representation: Dan Mulloy

Planning staff recommends that these three items be discussed and presented together. Each application is for a different MCD modification and must be individually voted on, but the overall scope of the project and proposals are related. All three sites are zoned RC-2. The Applicant is requesting to Modify an existing MCD Special Permit at 13 Arrowhead Drive, formerly issued to Grey Lady Marine, so that operations of their abutting contractor yard, Toscana Corporation may be extended. The

Applicant request that the language be updated to reflect the new ownership of the lot(s) and that any conditions no longer applicable be amended or removed. Additionally, the Applicant would like to convert an existing structure located on 13 Arrowhead Drive to a duplex unit to be utilized for employee housing.

At 19 Arrowhead Drive, the Applicant would like to remove the allowance for a previously approved employee housing building, as the Applicant has decided not to move forward with the project. A 974 square foot building that was to be removed as a part of the scope of that project will remain and will be entirely converted to office space. Additionally, the Applicant is requesting to relocate an existing 2,100 square foot storage building from 19 Arrowhead Drive to 112/114 Hinsdale Road. The building will continue to be utilized as office and storage space in the new location. The relocation of the building to 112/114 Hinsdale Road increases the parking requirement by three (3) total spaces. There appears to be ample room for the additional spaces, but it has been requested that the Applicant provide an updated plan noting the delineation of the newly created parking spaces.

Included with your packet is an email outlining Ed Pesce's recommendations.

Planning staff recommends approval of the three MCD modifications as proposed. The Board must vote on each application individually.

In order to approve the application, the following finding must be made:

Planning staff recommends the following conditions:

- 1) That all other conditions in the decisions pertaining to 19 Arrowhead and 112/114 Hinsdale Road shall remain in full force and effect;
- 2) That an updated site plan, which includes the delineated parking spaces, shall be provided to staff prior to filing a decision with the Town Clerk.

ATM Warrant Articles

▪ **Zoning Articles Proposed by Citizen Petition:**

Zoning Map amendment to place a property at 10 Clifton Street currently located in the Sconset Residential 10 (SR-10) district in the Sconset Residential 1 (SR-1) district or the Sconset Old Historic (SOH) district.

If the Board is inclined to provide a positive motion for this request, SR-1 should be the zoning district that is pursued. The proposal of SOH contemplated a potential Planning Board sponsored article (which would relocate properties in SR-1 to SOH) that is not moving forward at this time.

▪ **Motions and Comments**

Included with your packet is a copy of all zoning articles with Planning Board motions. Shown in the highlighted fields are Planning Board Comments. Not every article has or requires a comment from the Planning Board.

Public Comment:

Other Business:

- Next regular Planning Board meeting, Monday, April 12, 2021 at 4PM via Zoom/YouTube

Adjournment: