



# Nantucket Planning Board

## Nantucket Planning Board APPROVED Minutes Remote Participation via Zoom Webinar February 14, 2022

**Board Members:** John Trudel, III (Chair), David Iverson (Vice-Chair), Nat Lowell, Barry Rector, and Frederick “Fritz” McClure

**Alternates:** Stephen Welch and Campbell Sutton

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

To view the meeting only, see link below:

<https://www.youtube.com/watch?v=w-5yuffQ5R4>

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### **I. Call to order:**

Chair Trudel called the meeting to order at 4:04PM.

Chair Trudel read a prepared statement in accordance with Governor Baker’s March 21, 2020 order regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

### **Roll call of those participating:**

#### **Board members:**

Vice-Chair Iverson *Aye*

Nat Lowell *Aye*

Fritz McClure *Aye*

Barry Rector *Aye*

Chair John Trudel *Aye*

#### **Alternates:**

Campbell Sutton *Aye*

Stephen Welch *Aye*

#### **Staff:**

Meg Trudel *Aye*

Catherine Ancero *Aye*

Leslie Snell *Aye*

## **II. Approval of the agenda:**

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Motion/Vote:** Mr. Rector moved to approve the agenda with the amendments. The motion was duly seconded by Mr. Lowell and the Board voted 5-0 in favor.

### **Vote taken by Roll Call:**

Barry Rector

Nat Lowell *Aye*

Fritz McClure *Aye*

Vice-Chair Iverson *Aye*

Chair Trudel *Aye*

## **III. Minutes:**

- **November 29, 2021**
- **December 13, 2021**
- **January 5, 2022**

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell and Frederick “Fritz” McClure

**Motion/Vote:** Mr. moved to approve minutes. The motion was duly seconded by Mr. McClure and the motion carried 4-0 unanimously with Mr. Rector abstaining.

### **Vote taken by Roll Call:**

Nat Lowell *Aye*

Fritz McClure *Aye*

Vice-Chair Iverson *Aye*

Barry Rector *abstain*

Chair Trudel *Aye*

## **IV. Secondary Dwellings:**

- **Randolph & Jane Hilst, 1 Golf View Drive (Map 66 Parcel 143)**
- **Michael & Kathy Kobos, 29 Nonantum Avenue (Map 87 Parcel 51)**
- **Colliope Nominee Trust, 20 Gladlands Avenue (Map 80 Parcel 222)**
- **John O’Connor, Trustee of the 22 Pocomo Road Realty Trust, 22 Pocomo Road (Map 14 Parcel 73.1)**
- **3 Skyline Drive, LLC c/o Tim Rogovich, 3 Skyline Drive (Map 79 Parcel 137.21)**
- **Peter B. Goodwin, Manager of 45 Shawkemo Road LLC, 45 Shawkemo Road (Map 27 Parcel 18)**
- **James A. Genthner Trust & Susan Genthner Trust, 128 Surfside Road (Map 80 Parcel 299.1)**
- **Helene Patterson Trust, 19 Brewster Road (Map 54 Parcels 54 & 175.1)**
- **William Schultz, 23 Friendship Lane (Map 56 Parcel 347)**
- **Jonathan A. Jacoby & Suzanne L. Jacoby, 3 Tautemo Way (Map 83 Parcel 22)**

## **V. Garage Apartments:**

- **James B. & Kimberly A. Pignato, 40 Appleton Road (Map 66 Parcel 43)**
- **Annette M. Hurd et al c/o Eileen Cahill, 10 Brant Point Road (Map 29 Parcel 148)**
- **Thornewill Design LLC, 12 Waquoit Road (Map 89 Parcel 10)**
- **Jean-Francois Formela, 8 Old Westmoor Farm Road (Map 41 Parcel 822)**

**Voting:** John Trudel (Chair), David Iverson (Vice-Chair), Nat Lowell, and Frederick “Fritz” McClure

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** None

**Motion/Vote:** Mr. Rector moved to approve all secondary dwellings and garage apartments listed in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. McClure and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Fritz McClure *Aye*

Nat Lowell *Aye*

Vice-Chair Iverson *Aye*

Chair Trudel *Aye*

**VI. ANR**

- Jonathan A. Jacoby & Suzanne L. Jacoby, 3 Tautemo Way (Map 83 Parcel 22)
- Ocean's Dojo, LLC and Taco, LLC, 20 & 22 Bartlett Farm Road (Map 76 Parcel 76.1)
- Diane M. Ryder, Trustee, 8 Chatham Road (Map 54 Parcel 230)
- The Thomas E. Sleeper 2003 Trust, The Jennifer m. sleeper 2003 Trust, 8 Osprey Way (Map 82 Parcel 40)
- Harvey S. Young, Trustee of Whalebone Realty Trust, 12 Larrabee Lane (Map 55 Parcel 103)
- Shawkemo Ducklands, LLC, 11 Gardner Road (Map 43 Parcel 6)
- Bracebridge H. Young Jr., Trustee, 7 Shawkemo Road (Map 43 Parcel 5)
- 73 North Liberty Street Realty Trust, 73 North Liberty Street (Map 41 Parcel 141)
- 1 Airport Road LLC, 1 Airport Road (Map 68 Parcel 48)
- 7 Airport Road LLC, 7 Airport Road (Map 68 Parcel 49)
- CMR 11 Osprey, LLC, 11 Osprey Way (Map 82 Parcel 3)
- Priscilla Johnson, 91 Orange Street (Map 55.4.1 Parcel 29)

**Voting:** John Trudel (Chair), David Iverson (Vice-Chair), Nat Lowell, and Frederick "Fritz" McClure

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** None

**Motion/Vote:** Mr. Iverson moved to approve all the ANRs listed in accordance with the recommendations and conditions outlined in the staff report. The motion was duly seconded by Mr. Rector and the motion carried unanimously.

**Vote taken by Roll Call:**

Vice-Chair Iverson *Aye*

Barry Rector *Aye*

Nat Lowell *Aye*

Fritz McClure *Aye*

Chair Trudel *Aye*

**VII. Previous Plans:**

- **Re-endorsement of Maple Lane Subdivision Plans, *Re-affirm vote from 02-07-2022 meeting***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick "Fritz" McClure, and Barry Rector

**Documentation:** File with associated plans, photos and required documentation

**Representing:** None

**Motion/Vote:** Mr. Rector moved to re-affirm the vote from 02-07-2022 meeting. The motion was duly seconded by Mr. McClure and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*  
Fritz McClure *Aye*  
Nat Lowell *Aye*  
Vice-Chair Iverson *Aye*  
Chair Trudel *Aye*

**VIII. Public Hearings (Applications):**

- **27 Fair Street, LLC, 27 & 29 Fair Street, *action deadline 04-30-2022,***  
***CONTINUE TO MARCH PLANNING BOARD MEETING***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Motion/Vote:** Mr. McClure moved to continue to the March meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Fritz McClure *Aye*  
Nat Lowell *Aye*  
Barry Rector *Aye*  
Vice-Chair Iverson *Aye*  
Chair Trudel *Aye*

- **23 Broad Street Owner, LLC, Brotherhood of Thieves, 23 Broad Street, *action deadline 03-31-2022***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** Attorney Sarah Alger, William McDonough, and Jay Harman.

**Discussion:** Attorney Alger provided the Board with an overview of the application.

**Chair Trudel** – Questioned what type of use the apartments will be. **Attorney Alger** – It will be weekly rentals, not committed to who will be there. **Vice-Chair Iverson** – Commend the Applicants for scaling back project however apartments a concern. **Mr. Rector** – Expressed concern with apartments due to traffic it will generate. **Attorney Alger** – NRTA passes will be provided. Applicant agreeable to no cars. **Mr. Rector** – If off site, Applicant should provide dormitory plan. **Attorney Alger** – Yes will have dormitory plan but will need to find an area. **Mr. Rector** – Happy scaling back. **Ms. Sutton** – Suggested utilizing one of the apartment for contact manager, therefore a quick timely response to complaints. Conditions 16 and 17 on site deliveries. Asked for any feedback or complaints regarding the awning. **Mr. McClure**- Issue is noise and speaker outside from Select Board meeting. **Attorney Alger** – Yes, complying from original decision, condition number 7 and 8. Did meet with some neighbors. **Mr. Lowell** – waiting area. **Mrs. Snell** – Asked where employee housing going. Will need to include a condition to that affect. **Chair... Iverson** – second comments from you and Sutton. Chair opened the floor to the public. **RC Saint-Amour** – James Frates – reside on F street. Echo from what the Board. Is there assurance that the table seating. Exhaust requirement be cleaned. **Attorney Reade representing Ash lane** – appreciative changes listened to the neighbors. More applicants follow that course. **Jonathan Pressment** – appreciate modification to the plans. Didn’t receive memorandum from Alger. Hold off on dorm. Initial operation plans, pest control not creating an adverse impact. **Jay Harman** – restrict hours of operation.

**Motion/Vote:** Mr. Rector moved to close the public hearing meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*  
Nat Lowell *Aye*  
Vice-Chair Iverson *Aye*  
Fritz McClure *Aye*  
Chair Trudel *Aye*

**Motion/Vote:** Mr. Rector moved to instruct staff to draft decision per conversation tonight. The motion was duly seconded by Mr. Iverson and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*  
Vice-Chair Iverson *Aye*  
Nat Lowell *Aye*  
Fritz McClure *Aye*  
Chair Trudel *Aye*

Mr. McClure – requested to have the draft decision circulated to Board for review prior to final signing.

• **Randolph P. Norris, Trustee of Norris Family Trust, 9 Bayberry Lane, action deadline 04-10-2022**

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** Attorney Arthur Reade.

**Discussion:** There was a brief overview of the application. Chair Trudel opened the floor to the public. No comments were made.

**Motion/Vote:** Mr. McClure moved to close the public hearing meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Fritz McClure *Aye*  
Nat Lowell *Aye*  
Vice-Chair Iverson *Aye*  
Barry Rector *Aye*  
Chair Trudel *Aye*

**Motion/Vote:** Mr. McClure moved to approve the application with the following findings and conditions outlined in the staff report. The motion was duly seconded by Mr. Rector and the motion carried unanimously.

**Vote taken by Roll Call:**

Fritz McClure *Aye*  
Barry Rector *Aye*  
Nat Lowell *Aye*  
Vice-Chair Iverson *Aye*  
Chair Trudel *Aye*

- **Marr Ventures LLC et al c/o Stephen P. Marr and White Plains Funding LLC c/o Ahold Financial Services, 47 & 51 Sparks Avenue and 109 Pleasant Street, *action deadline 3-28-2022***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** John Hession

**Discussion:** Mr. Hession gave the Board a brief overview of the application. The intent of the subdivision is to implement a zoning freeze. A preliminary plan was approved on July 12, 2021. The zoning has been designed in conformance with the rules and regulations so that if it could have built although that is not the Property owner or the Applicants intention at this time it is solely for the zoning freeze protection. Prior to any development or construction of any of the individual lots would need to come before the Planning Board. Ms. Sutton stated that there are too many curb cuts with this design. Issue with the traffic flow. When and if eventually Sparks and Pleasant become one way it really inhibits the ability of these properties to come and go because they ‘ll have to do circles to get into their property or out of their property. Sanford Road should be considered more in terms of being the entry and exit point for this development a given that the property owners have property on each side of Sanford Road would love to encourage something that focused on entry and exit. Also Ms. Sutton suggested that the Owner contribute towards the bike path or sidewalk, mutli-path development in that area. Mr. McClure wanted clarification of the number of lots. Mr. Hession stated that he missed spoke with thirteen lots and twelve buildable. Mrs. Snell questioned why Lots 13 and 14 don’t have connection to the main parcel of land and they’re separated by a road and why included in the definitive plan. Mr. Hession stated that those lots would be afforded the same zoning freeze protection. Mrs. Snell stated asked if Mr. Hession agree to restricting the lots to the interior of the subdivision and minimizing the lots off Pleasant Street with driveway easements. Mr. Hession stated that they did maximize the number of lots accessing from the proposed subdivision roadway, lots 4 and 11 could be accessed off Sanford Road, lots 13 and 14 the intention would be they remain to access off Sanford Road. Lots 1, 2, 8 and 9 are either on Pleasant Street or Sparks Avenue. Agree to limit either or minimize the curb cuts onto Sparks Avenue and Pleasant Street. Mrs. Snell stated that they can put something in the decision about limiting access to the interior roadway or Sanford road and perhaps consolidating the driveway for lots one and two and eight and nine. Mr. Rector asked if there was a coordinated review due to the intensity of what’s starting to develop is getting high. Depending what begins to happen with Sparks Avenue and Pleasant Street might potentially do restrictions on allowing access out of those lots onto those two streets.

**Motion/Vote:** Mr. Rector moved to close the public hearing meeting. The motion was duly seconded by Mr. McClure and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Fritz McClure *Aye*

Nat Lowell *Aye*

Vice-Chair Iverson *Aye*

Chair Trudel *Aye*

**Motion/Vote:** Mr. Rector moved that at this point to approve as per staff’s recommendations with the appropriate findings that are also denoted in our packet and with the addition that this is to implement a zoning freeze that has to be paramount to everything. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Fritz McClure *Aye*

Vice-Chair Iverson *Aye*

Chair Trudel *Aye*

- **6 North Beach Street, LLC, 8 North Beach Street, LLC & 4 Dolphin Court, LLC – “The Brant”, 6 & 8 North Beach Street & 4 Dolphin Court, *action deadline 03-13-2022***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick “Fritz” McClure, and Barry Rector

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** Linda Williams, Don Bracken and Michael Vaughan.

**Discussion:** Chair Trudel stated that from the previous meeting which was discussed at length they were waiting to hear from engineer Ed Pesce’s regarding the drainage plans. Mr. Pesce reviewed the drainage plans and that some of the concerns he had can be worked out. Ms. Williams stated that she submitted about clearing out the corner for visibility, there’s not much there so they will be clearing out what shrubs are there, and the sidewalk was already redone by the Town. Only thing the Applicant needs to do is fill in where the driveway is and provide pedestrian access from the North Beach Street on the sidewalk into the property. The Applicant provided the management plan and the construction plan. Currently working slowly through HDC with various other aspects of this re-shingling and new windows. On Dolphin Court the Applicant is providing one handicap space in one or two regular spaces. Chairman Trudel opened the floor to the public. Peter Kaizer stated that they were approached by them a long time ago asking for a three-foot easement which they agreed that if they could use that road for frontage a curb cut and access and that was the agreement. Carole Beller stated that she would like to suggest the owner discourage people from bringing a car. Ms. Williams thought that the suggestion was a great idea and hadn’t thought about that. She will bring the idea to the owners. Attorney Arthur Reade who represents the Dolphin Court Homeowners Association stated that his clients are opposed to the application due to it involves the access the entirely through Dolphin Court. Request to not close the public hearing. Ms. Sutton

**Motion/Vote:** Mr. Lowell moved to close the public hearing meeting. The motion was duly seconded by Mr. Vice-Chair Iverson and the motion carried unanimously.

**Vote taken by Roll Call:**

Nat Lowell *Aye*

Vice-Chair Iverson *Aye*

Barry Rector *Aye*

Fritz McClure *Aye*

Chair Trudel *Aye*

**Motion/Vote:** Mr. Lowell moved to approve the application with the following findings and conditions outlined in the staff report and to include other conditions that was discussed at tonight’s meeting. The motion was duly seconded by Mr. McClure and the motion carried unanimously.

**Vote taken by Roll Call:**

Fritz McClure *Aye*

Barry Rector *Aye*

Nat Lowell *Aye*

Vice-Chair Iverson *Aye*

Chair Trudel *Aye*

Chair Trudel thanked everyone for being respectful with one another and that the Applicant will ensure to keep with the harmony of the neighborhood and it seems very sincere to do that.

• **10 Larrabee Lane LLC, 10 Larrabee Lane, action deadline 05-10-2022**

**Voting:** (Chair) John Trudel, Nat Lowell, Frederick “Fritz” McClure, Barry Rector and Campbell Sutton

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** Vice-Chair Iverson

**Activated:** Campbell Sutton

**Documentation:** File with associated plans, photos and required documentation

**Representing:** Dan Mulloy

**Discussion:** Vice-Chair Iverson stated that he will need to recuse due to his landlord owning 12 Larrabee Lane which is in relation to and best that he recuses. Mr. Mulloy provided the Board with an overview of the application. Mr. Mulloy received staff's comments and have spoken to the abutter (Harvey Young). Mr. Mulloy and the abutter (Harvey Young) has no issues with all the conditions that staff proposed. Chair opened the floor to the public. Linda Williams stated that this lot was a very oversized property and have two covenant lots. It was thought that the lot setback was done in the R-10 and the R-20 zoning districts in the Bylaw. Mr. Young request that in the decision that his request for trees be removed from his side of the lot and to have a six-foot Cedar fence in place be a condition. The Applicant is amenable to any other condition that Harvey Young may have. Harvey Young property owner of 12 Larrabee Lane has been working with Mr. Mulloy to come up with a compromise. Mr. Young request to have a six-foot fence on their property line, have the Cyprus trees removed from his side of the property line and recommended that in the place of the Cyprus trees they put 10 of the Carpinus betulus fastigiata on their side of the fence. The Applicant need to address the runoff siltation. How will conditions be enforced to completion. Chair Trudel stated that two of the concerns that Mr. Young had were addressed in the recommendation and the conditions. Mr. Mulloy stated that they have every intention of fixing the landscaping, putting the fence and adjusting the grades as Mr. Young suggested. Mrs. Snell stated that regardless if the Applicant must go to HDC Mr. Young is requesting Cedar fence, the structure is encroaching on the setback and can use language in the decision whether the HDC uses Natural to Weather. Mr. Rector stated that Mrs. Snell addressed the language and is in good hands with staff they know how to work this appropriately. Ms. Sutton questioned about maintenance over time for the proposed fence request. Cedar fencing is superior over time. Chair Trudel stated that add the language in number three of the condition to be shall install and maintain a six-foot Cedar fence. Mr. Young how follow through works. Mrs. Snell stated that these will be conditions within the Special Permit and if the applicant doesn't meet these conditions they would be in violation of their permit. If they are not in compliance someone can file a complaint with the Zoning Enforcement Officer who will then investigate, and they can request that they comply or fine them \$300 a day for Zoning violation. The language is in the Zoning Bylaw. Ms. Williams stated that they would not be able to get a Certificate of Occupancy because the decision would have to be written and filed at the Town Clerk, you go through the twenty (20) day appeal period and if no appeal it needs to be recorded at the Registry of Deeds which must be done to get a Certificate of Occupancy. Ms. Williams request that for condition number one be extended to sixty (60) days due to replanting without killing the plants and fencing takes a while to get. Mr. Young heading in the right direction, not big on timing just want to make sure things get done in a timely fashion. Mr. Mulloy suggest that conditions 1 through 3 have a six-month time frame. Mr. Young agree to change condition one extend to ninety (90) days.

**Motion/Vote:** Ms. Sutton moved to close the public hearing meeting. The motion was duly seconded by Mr. McClure and the motion carried unanimously.

**Vote taken by Roll Call:**

Campbell Sutton *Aye*

Fritz McClure *Aye*

Barry Rector *Aye*

Nat Lowell *Aye*

Chair Trudel *Aye*

Mrs. Snell suggested one change in the decision, conditions one, two and three to say “the Applicant or property owner” in case it changes hands with new owner.



**Motion/Vote:** Ms. Sutton moved to approve the application with the following findings and conditions outlined in the staff report and to include other conditions as discussed at tonight's meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Campbell Sutton *Aye*

Nat Lowell *Aye*

Fritz McClure *Aye*

Barry Rector *Aye*

Chair Trudel *Aye*

- **ACK Mid Island, LLC & ACK Offices, LLC, 18, 18A, 20, 22, 24 & 26 Sparks Avenue, *action deadline 05-10-2022***

**Voting:** (Chair) John Trudel, Vice-Chair David Iverson, Nat Lowell, Frederick "Fritz" McClure, and Barry Rector

**Alternates:** Campbell Sutton and Stephen Welch

**Recused:** None

**Documentation:** File with associated plans, photos and required documentation

**Representing:** Dan Mulloy, Christopher Famara, Spencer McCollum and John Hession

**Discussion:** Mr. Mulloy provided the Board with an overview of the application. Had a traffic study done which was over the summer. Request medical office space. A bowling alley in basement level of building would like to be able to do. Waiver request to allow greater five (5) foot front setback to allow for expansion of sidewalk on Sparks Avenue. The parking garage relief for 9 x 18 spaces. There will be ten (10) affordable apartments. Expected to do roadwork improvements on Sparks Avenue and proposed storm water. There will be a master plan meeting. Will have conversation with Cumberland Farms regarding shared access points. Chair Trudel stated that the underground garage entrance and exit flow need to be more functional and safer. Vice-Chair Iverson expressed concern with parking situation and is maxed out in the summer time. Stephen Welch questioned the intended square footage of the Downey Flake restaurant, expressed concern with loading zone area, parking size of 9X15 and the layout of the plan. Ms. Sutton issue with the amount of parking being waived and request that there be no electronic gaming. Mr. Rector suggested that a coordinated review should be in place due to the egress for this property being near the rotary and the amount of traffic generated that will occur. Mr. Rector not happy with reduction size of parking spaces with the parking waiver as well. Happy to hear collaborating with Cumberland Farms regarding sharing access. Mr. McClure stated that Chris Young's letter addressed a lot of issues and concerns he had, not only for his property but generally so and he was right on. Mr. Lowell spoke about the development of the mid-island of Cape Cod Five bank, Dan's Pharmacy, and Stop and Shop. Chair Trudel stated that this might be a good time to discuss the long-time goal and how it will affect with the future and with different property owners. Chair Trudel stated that this project opens discussion for one ways for the mid-island area. Chair Trudel opened the floor to the public. Chris Young stated he appreciates all the comments and taking the time to consider this application with the abutters. Mr. Young met with the Applicant and discussed the preliminary plan. Mr. Young said that he respects the project and doesn't want to be that abutter to shoot it down from the get go. He respects what they are trying to do, and his only concern is the scale of it is the overflow of parking. Available any time to discuss and or questions. Emily Molden, Nantucket Land Council stated that she agreed to many of the comments and concerns that have been raised and looks forward to the ongoing dialogue and new materials that come in particularly that relates to the stormwater management on the site and area. Charles Sayle owner of 9 Hooper Farm Road who is directly to the south of this project expressed some concerns which are like Mr. Young's. Mr. Sayle expressed the overall scale of the project, extremely large for the neighborhood, the parking, and ground water issues. Mr. Mulloy will develop a plan that deals with access and see how it interacts with parking layout. Will come back to the Board with other options on restrictions on the property as to who can do what and something along the line with apartments can have so many vehicles. Having the coordinate review will help with the development of the infrastructure and the roadway improvements. Hearing all the Department heads weigh in will help with the overall project. Chair Trudel suggested reducing the number of units so there will be more parking and the quality of life. Christopher Famara Project Developer for the Applicant stated that this is intended and will be a year-round project for the residents. He wants the lights on for these apartments year-round, not for months out of the year, no seasonal rentals at all. Mr. Famara pointed out that Stop and Shop is across the street which will

eliminate a big need for parking spaces for all these tenants. Also, to keep in mind that this will be the only apartment building on island to his knowledge that will have an elevator which will help the year-round residents that would need more assistance with stairs for the elderly and or disability people, this would be a facility that will help. Ms. Sutton stated that she appreciates the overall design flow and the comment with working with Cumberland Farm and the ten-foot sidewalk that will go in front of the building. Making it more a service area if you need to go to places. People will need a vehicle at least one. Attorney Arthur Reade representing the proponent in connection with this project, stated that he is anticipating that the provision of those apartments is going to serve a need in the Town, these are not residential units rented out seasonally these are units intended to be occupied by year-round residents of Nantucket for whom the housing as we all know is badly needed. The more units available the more affordable the units be through a formal program. Looking forward to the coordinated review to get input from all the affected Town officials and agencies and come back with the best project they can. Mr. Rector stated that must be mindful of the little quirks and suggested to continue this application. Mr. Mulloy would like to go to the March meeting.

**Motion/Vote:** Mr. Rector moved to continue this application to the March 14<sup>th</sup> at 4:00PM Planning Board meeting. The motion was duly seconded by Mr. Lowell and the motion carried unanimously.

**Vote taken by Roll Call:**

Barry Rector *Aye*  
Nat Lowell *Aye*  
Fritz McClure *Aye*  
Vice-Chair Iverson *Aye*  
Chair Trudel *Aye*

**IX. Public Comment:**

No comments were made.

**Other Business:**

• **Town of Nantucket 2022 ATM Warrant Articles – Planning Board Motions & Comments**

No comments were made.

• **Discussion- Town of Nantucket 2022 ATM Warrant Article 81: Home Rule Petition: Amend the Nantucket Planning and Economic Development Commission Special Act**

For Article 81 the Planning Board would make a recommendation to the Finance Committee that they refer it for future study. Mr. Rector stated that he voted negative because the meeting terminated shorter than what it should have been and there needed further discussion to take place. Shocked that there were so many inaccuracies portrayed about the NP&EDC and how it functioned. Mr. Lowell stated that he was asked by the Finance Committee what was the problem. Mr. Lowell stated that there really isn't a problem, but a lot of people seem to think there is. Mr. Lowell reminded the Board that a few years back there was an article to make Libby's position elected and knew that article was not going anywhere. The NP&EDC gets confused with the Planning Board because the public doesn't know that they are different Boards and have different functions. Government process is different from the Cape and the Vineyard. Changing the Planning Commission must be done the right way. There is room for improvement. Mrs. Snell stated that she wants the Board to focus on how this will affect the Planning Board and how this article talks about reducing all five members of the Planning Board to three and feels that presents different challenges one of which could lose the minority view of the Planning Board. Mr. Rector stated that he is all for change unfortunately when he sees decisions being made through that don't necessarily reflect the accuracy of things or no one's really done the homework behind it without talking to the people who deal with it that's where the problem is. Mr. Rector stated that he is willing to have discussions to make it better or make it work.

**Motion/Vote:** Vice-Chair Iverson made a motion to support the referral by the NP&EDC. The motion was duly seconded by Mr. Lowell and the Board voted 4-1 with Mr. Rector opposed.

**Vote taken by Roll Call:**

Vice-Chair Iverson *Aye*

Nat Lowell *Aye*

Barry Rector *Nay*

Fritz McClure *Ay.*

Chair Trudel *Aye*

**Article 42:**

Mrs. Snell stated that the Board doesn't usually make comments on every article however the Board typically comment on articles that have generated a lot of discussion or that are particularly controversial or just worthy of additional information beyond what's in the actual article. Mrs. Snell drafted a comment for Article 42 for the short-term rental Planning Board sponsored article. Any significant additional comments will be added. Chair Trudel stated that in previous discussion he has recused himself because of potential conflict of interest with his real estate license so he will be handing this over to Vice-Chair Iverson and will be logging out since this is the last item for discussion. Chair Trudel asked that Vice- Chair Iverson close and adjourn the meeting after he is logged off from the meeting. Mr. McClure Stated that he has a different view with the rest of the Boar and will try to be objective as he can. He expressed concern with the language "an additional bylaw changes can be made at a future Town meeting" without adding limitations we would be subject to.

**Article 43:**

Most of the Board has no concerns with the general content except for Mr. McClure. Mr. McClure stated that it has numerous flaws ambiguous interpretation. Ms. Sutton stated that there will be a lot of people who might be in support Article 43. To Mr. McClure's comment, if starting with a strong negative statement you may lose people in terms of garnering their understanding just based on their presentation style some if it were more critique, something positive. In support with Mr. McClure's thoughts. Mrs. Snell stated that it sounds like she will need to go back to the drawing Board.

**Motion/Vote:** Mr. Rector moved to accept the commentaries that are provided by staff for the articles that came before the Planning Board with minor revisions. The motion was duly seconded by Mr. Lowell and the Board voted 3-1 with Mr. McClure opposed.

**Vote taken by Roll Call:**

Barry Rector *Aye*

Nat Lowell *Aye*

Vice-Chair Iverson *Aye*

Fritz McClure *Nay*

- **Regular Planning Board meeting Monday, March 14, 2022 @ 4:00PM via Zoom**

**XIII. Adjournment:**

Mr. Rector moved to adjourned at 9:30pm. The motion was duly seconded by Mr. Lowell and the Board voted unanimously.