



Nantucket Planning Board

**The Planning Board meeting will be audio and video recorded*

Board Members: (Chair) David Iverson, (Vice-Chair) Joseph Topham, John Trudel, III, Nat Lowell, and Barry Rector

Alternates: Stephen Welch, Abby De Molina (Absent) and John Kitchner

Staff: Leslie Snell (Director of Planning), Meg Trudel (Senior Planner) and Catherine Ancero (PLUS Administrative Specialist)

PLANNING BOARD APPROVED MINUTES

09-11-2023

(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 item are available for inspection digitally. Email requests may be sent to mtrudel@nantucket-ma.gov *

I. Call to order:

Chair Iverson called the meeting to order at 4:04pm.

Roll Call of those participating:

Vote taken by Roll Call:

Vice-Chair Topham *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Chair Iverson *Aye*

Alternates:

John Kitchner *Aye*

Stephen Welch *Aye*

Staff:

Megan Trudel *Aye*

Billy Saad *Aye*

Catherine Ancero *Aye*

Leslie Snell *Aye*

Chair Iverson 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.

There was a moment of silence for 9/11 and for the passing of John McLaughlin who had given many years of service to the Town. Mr. Welch expressed appreciation for the Fire Department's service on 9/11 today and that Mr. McLaughlin's daughter, Colleen is setting up an event on October 21st at the VFW.

II. Approval of the agenda:

Mr. Rector moved to approve the agenda. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

John Trudel *Aye*

Vice-Chair Topham *Aye*

Chair Iverson *Aye*

III. Minutes:

- July 10, 2023
- August 14, 2023
- August 21, 2023

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel, and Barry Rector

Alternates: None

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: None

Motion/Vote: Mr. Rector moved to approve the set of minutes listed above. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

John Trudel *Aye*

Vice-Chair Topham *Aye*

Chair Iverson *Aye*

IV. Secondary Dwellings:

- Rudy E. Valencia – 33 Daffodil Way
- MMD LLC c/o Scott T. Kopp - 39 Hooper Farm Road
- 7 White LLC – 7 White Street
- Joshua Adam Leffler – 22 Pleasant Street
- 7 Laurretta Lane, LLC – 7 Laurretta Lane
- ACK North Star Development, LLC – 2 Braeburn Way
- Eleven Lincoln Avenue Trust – 32 Jefferson Avenue
- Clay Street Development LLC – 44 Skyline Drive
- P & M Reis Trucking, Inc., 10 Green Meadows

V. Garage Apartments:

- Dorothy O. & David S. Bailey – 83 Sankaty Road

VI. Tertiary Dwellings:

- **Harold & Ann Lindley – 14 Helen’s Way**
- **MDD LLC c/o Scott T. Kopp – 39 Hooper Farm Road**

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel, and Barry Rector

Alternates: None

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: None

Motion/Vote: Mr. Rector moved to approve all the second dwellings, garage apartments and tertiary dwellings listed above per staff recommendations. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

John Trudel *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Chair Iverson *Aye*

VII. ANRs:

- **REDCLIFF, LLC – 38 & 40 Young’s Way**
- **Estate of Kathleen A. Duncombe – 4 Correia Lane**
- **Kelly W. Jackson – 109 Old South Road**
- **Nonantum 25, LLC – 25 Nonantum Avenue**
- **Estate of Marcia T. Eldridge – 7 Second Way**
- **Johnson Property & 02554 LLC Manager Kelly R Johnson - 15 N. Water St., & Cyril C. Ross, Jr. Judith L. Ross – 17 N. Water Street**
- **Thomas W. Arena – 1 Ticcoma Way – **SEE PUBLIC HEARING****

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel, and Barry Rector

Alternates: None

Recused: None

Documentation: File with associated plans, photos and required documentation

Discussion: 1 Ticcoma Way will be heard under public hearing, 4 Corriea Lane and 7 Second Way were pulled out for separate consideration.

Motion/Vote: Mr. Rector moved to approve all the ANR applications listed above apart from the three pulled out for separate discussion. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Chair Iverson *Aye*

ANRs:

- **Estate of Kathleen A. Duncombe – 4 Correia Lane**
- **Estate of Marcia T. Eldridge – 7 Second Way**

Voting: (Vice-Chair) Topham, Nat Lowell, and Barry Rector

Alternates: None

Recused: Chair Iverson and Mr. Trudel

Documentation: File with associated plans, photos and required documentation

Discussion: None

Motion/Vote: Mr. Rector moved to approve the two ANR applications as submitted listed above. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously 3-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

I. Previous Plans:

- **LMD Investments – 140-144 Pleasant Street, *request for minor modification***

Discussion: The request is for a minor modification to an existing Special Permit to convert a walkway between Bank of America and the Post Office into a brick patio for the exclusive use of an apartment above the post office. Mr. Asadoorian explains that this modification is intended to make the apartments more livable due to the noise and activity outside. This would involve removing a portion of the concrete walkway and adding a brick patio.

Motion/Vote: Mr. Rector made a motion to approve the plan as a minor modification with the finding that it does not materially affect previous decisions and does not require a public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

John Trudel *Aye*

Vice-Chair Topham *Aye*

Chair Iverson *Aye*

II. Public Hearings (STM Zoning Articles):

- **Zoning Bylaw Amendment: Regulating Short-Term Rental Use** – to amend Section 139-2 “Definitions and Word Usage” by inserting a new term and definition for “Short-Term Rental” and to amend Section 139-7A (Use Chart) to include “Short Term Rental” as a use and designate as “Y” in all district columns except Commercial Industrial (CI), which will be designated as “N”.
- Discussion:** Mr. Trudel announced his recusal from this discussion due to his real estate position. Mr. Lowell questioned if following the staff report or the agenda order and it was decided to follow the agenda order. Mrs. Trudel suggested discussing Article one related to zoning out of order as it relates to the Zoning portion of the discussion. Article two proposes adding the definition of short-term rental to Section two of the Zoning Bylaw, including the new term “short-term rental” in Section A which is the use chart and allowing it by right in all zoning districts except for commercial industrial zones where it would be prohibited. Mrs. Snell emphasized that even if allowed by right the short-term rentals are still subject to all the regulations outlined in Article one, which was previously adopted by the Town Meeting. They are two separate regulations and general bylaws, however, must be applied together for the operation of short-term rental. Chair Iverson opened the floor to the public. No comments from the public. Mr. Lowell thanked Mrs. Snell for providing a clear explanation and emphasizing its importance due to its complexity. Linda Williams stated that what is being discussed aligns with what she had proposed during the previous Town Meeting and that her previous proposal achieved the same objectives without additional issues. Chair Iverson stated that the new bylaw would remove ambiguity and make short-term rentals an accepted or legal

use if they comply with the General Bylaws. There was a brief discussion whether this new bylaw was standalone or tied to another bylaw. The Zoning Bylaw could not pass without the general bylaw passing first. The question was raised whether the proposed changes would remove ambiguity and ensure legal use with reference to specific Town Bylaw and ordinances. Ms. Williams stated that she hopes that the Board will give a positive recommendation. Joanna Roche sought clarification on whether the Board was making a motion to approve the proposal as written or if they were looking to support the separation of the proposal into two parts. Chair Iverson clarified that the Board only had purview over the zoning aspect, however they will not be giving a recommendation but can make comments.

Motion/Vote: Vice-Chair Topham made a motion to close the public hearing. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Vote taken by Roll Call:

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Chair Iverson *Aye*

Motion/Vote: Mr. Rector made a motion to give a positive recommendation. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously.

Vote taken by Roll Call:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Chair Iverson *Aye*

- **Zoning Map Amendment: LUG-3 to CI – Nantucket Airport Land in Vicinity of Sun Island Road** – to place property shown as Tax Assessor’s Map 69, Lot3.1 (portion of) currently in the LUG-3 district into the CI district.

Discussion: The purpose of this article is to bring this property into conformity with the CI district as it was airport property and intended for use in connection with other ongoing activities. The area is intended for commercial leasing and not intended for employee housing. Mr. Trudel asked Mrs. Snell regarding access to property which would involve passing through another parcel in front. Mrs. Snell said that yes, that this is the plan. Chair Iverson opened the floor to the public. No members of the public made comments.

Motion/Vote: Mr. Trudel made a motion to close the public hearing. The motion was duly seconded by Mr. Rector and the motion was carried unanimously.

Vote taken by Roll Call:

John Trudel *Aye*

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Chair Iverson *Aye*

Motion/Vote: Mr. Trudel made a motion to give a positive recommendation. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously.

Vote taken by Roll Call:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Chair Iverson *Aye*

• **Article 1 (General Bylaw Amendment – Regulating the Operation of Short-Term Rentals),**

Discussion

Discussion: Mrs. Snell stated that Article 1 of the general bylaw will be thoroughly discussed by the Finance Committee. The Finance Committee will be responsible for making recommendations for the Town Meeting. Mrs. Snell emphasized that it is important for the Planning Board to have a broader level discussion on the topic allowing them to make their own recommendation to the Finance Committee regarding whether they support the regulations or not. discuss at a broader level make a recommendation to support the regulations or not. There was mention of the possibility of sending a memo or letter from the Chairman to the Finance Committee chairwoman. Mr. Trudel mentions that he will be recusing himself from the discussion related to the short-term rental regulations. Vice-Chair Topham expressed positive feedback on the work done by the Workgroup on the general bylaw. Chair Iverson expressed concern how the Select Board made changes specifically related to the grandfathering provisions in section H. The main issue is that if a homeowner has never rented their property in the last three years, they would lose the right to nine weeks of rental. Chair Iverson argues that this change takes away the legal rights of people who may have never rented their property even if they have the legal right to do so. Chair Iverson asked Mr. Trudel for clarification regarding this matter. Chair Iverson feels that this change takes away people's rights and may lead to litigation. Chair Iverson proposed a change that would allow anyone who owned a dwelling unit before a specific date to retain their right to nine contracts in July and August. Mr. Kitchner clarified that the affected property owners would still be able to rent for four changes of occupancy.

Motion/Vote: Mr. Rector made a motion to authorize the Chair to draft a letter to the Finance Committee regarding concerns discussed tonight. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 4-0.

Vote taken by Roll Call:

Barry Rector *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

III. Public Hearings (Applications):

- **The Westmoor Club - 105 W. Chester Street, 109 W. Chester Street & 10 Westmoor Lane, *action deadline 09-30-2023***
REQUEST TO WITHDRAW WITHOUT PREJUDICE – SEE NEW PUBLIC HEARING

Motion/Vote: Mr. Rector made a motion to approve the request to withdraw without prejudice. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
Vice-Chair Topham *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Iverson *Aye*

- **John J. Calnan, Trustee, John J. Calnan 2015 Trust - 21 Brewster Road, *action deadline 11-30-2023***
REQUEST TO CONTINUE-SEE NEW PUBLIC HEARING

It was clarified that the Applicant wanted to postpone their application until another one had been finalized.

Motion/Vote: Mr. Rector made a motion to approve the requested continuance. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
Nat Lowell *Aye*
John Trudel *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

- **Thomas Arena – 1 Ticcoma Way, *action deadline 11-12-2023***

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Linda Williams

Discussion: This application had been previously continued due to issues with square footage ratios, which have been corrected. The owner is requesting a separate driveway for the Covenant lot and the main lot. Mr. Rector was concerned about the composition of the driveways for the Covenant lot and the main lot. The concern was having one driveway with sand and another with gravel, it could result in these materials tracking onto Ticcoma Road which is a busy area near the entrance to Fairgrounds Road. The requirement for the driveways would include installing aprons with a minimum depth of 10 feet and made of impervious surface material to prevent tracking of sand and gravel onto Ticcoma Way. Chair Iverson opened the floor to the public. No comments were made.

Motion/Vote: Mr. Trudel moved to close the public hearing. The motion was duly seconded by Mr. Rector, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

John Trudel *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

Motion/Vote: Mr. Trudel moved to approve the application with the findings and conditions outlined in the staff report. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Nat Lowell *Aye*
Barry Rector *Aye*
Chair Iverson *Aye*

ANR: Thomas W. Arena – 1 Ticcoma Way

Motion/Vote: Mr. Trudel moved to approve and endorse the ANR in accordance with the recommendations in the staff report. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

John Trudel *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Chair Iverson *Aye*

• **Chris Yates-Kane LLC – 8 Rupert’s Way, *action deadline 12-10-2023***

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Dan Mulloy, Site Design Agent and Carrie Thornewill

Discussion: The proposal is to construct a duplex dwelling and request a Special Permit for a tertiary dwelling located in the basement of the duplex. This application is identical to a previously approved application at 4 and 6 Rupert’s Way with the same configuration and purpose. The applicant will provide an updated plan with a different parking configuration to meet zoning parking requirements. Mr. Trudel questioned whether the proposed tertiary dwelling in the basement of the duplex would meet the necessary code requirements for fire protection and separation since it’s inside the building. Mr. Mulloy confirmed that it would need to adhere to code compliant construction, requiring a sprinkler system for all three units in the building. Chair Iverson opened the floor to the public. No public comments.

Motion/Vote: Mr. Lowell moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Nat Lowell *Aye*

Vice-Chair Topham *Aye*

John Trudel *Aye*

Barry Rector *Aye*

Chair Iverson *Aye*

Motion/Vote: Mr. Trudel moved to approve the application with the findings and conditions outlined in the staff report also included approval of staff’s delineation of parking spaces and vegetative screening along the parking area. The motion was duly seconded by Lowell, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

John Trudel *Aye*

Nat Lowell *Aye*

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Chair Iverson *Aye*

• **41 WMR Trust - 41 West Miacomet Road, *action deadline 11-30-2023***

Voting: (Chair) Iverson, Nat Lowell, John Trudel, Barry Rector and Stephen Welch

Alternates: Abby De Molina and John Kitchener

Recused: Vice-Chair Topham

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Attorney Steven Cohen

Discussion: Mrs. Trudel stated that Ms. De Molina was activated to vote on this application. Mr. Welch confirmed his attendance at the prior hearings, making him the fifth Board member for voting purposes. The applicant eliminated the cabana and reduced the shed. The pool was also reduced in size and moved closer to the house. The applicant proposed a bend in the driveway to create privacy and screening. A new septic system, designed to be environmentally friendly. The Board was satisfied with the house and shed, the removal of the cabana and the pool size reduction. There was still debate about whether adding a bend to the driveway was a good idea. Attorney Cohen summarized his arguments regarding the approval of a pool in the MMD District. Attorney Cohen argued that the Board's decision should be based on whether the pool is legally allowed rather than personal preferences. He urged the Board to establish a clear legal basis for approval or denial suggesting that there has been broad generalization about the purpose and intent of the bylaw and the Board's powers. Attorney Cohen pointed out specific provisions in the bylaw that guide the Board's decisions. Attorney Cohen argued that the Board should not deny the pool proposal but instead should impose conditions that align with the guidelines in the Bylaw. He stated that his client had proposed both conditions and citing that would address all the relevant concerns. Attorney Cohen stated that the Board had previously approved several pools in the past and these approvals did not have extensive conditions. Mr. Trudel expresses his viewpoint regarding the pool proposal. He mentioned the multiple hearings held on this matter, his reasons for opposition to the pool despite the changes made to the plan, citing concerns related to the protection of the environment and scenic views. Chair Iverson opened the floor to the public. Emily Molden from Nantucket Land Council submitted a letter dated July 31st outlining their concerns. Ms. Molden stated that the letter primarily focused on environmental impact and realignment of the driveway. Ms. Molden stated that there is a provision under the Moorlands Management District bylaw that limits the total area of decks, porches, accessory buildings, and other impervious surfaces to 400 square feet in aggregate. Ms. Molden expressed concern that adding a pool and its surroundings could exceed this limit, which is a key issue with this property proposal. Ms. Molden reminds the Board that they have the authority to approve, conditionally approve or disapprove applications for Special Permits and that the Board's responsibility is to ensure that the project aligns with the general purpose and intent of the Bylaw. Thomas Barada expressed concern about the location of the parking facility. Mr. Barada believes this placement will negatively impact on scenic views and the car park should be in the back as seen in other houses along the pond. Mr. Barada stated that he has concerns about lighting especially multi-color LEDs on the back of the house which could be disruptive to the neighborhood. Mr. Barada suggested that the shed and the parking lot be moved to the side. Mr. Barada stated that there is a deed restriction limiting the height of vegetation due to side easements for the neighbors. Linda Williams expressed concerns about the potential legal risks concerning the Moorlands Management District. Ms. Williams explained that the way the MMD was formed might not have been done precisely correctly to withstand legal scrutiny. Ms. Williams advised caution about imposing excessive restrictions and conditions on the proposal as it could lead to legal challenges and potentially harm the MMD. Thomas Barada expressed concerns about an ongoing court case related to MMD zoning and wonders if there have been discussions with the Town Lawyer about potential issues. Mr. Barada mentions construction restrictions between June 15th and September 15th due to noise concerns. Mr. Barada also expressed concerns about the downward lighting and the Town Bylaw provision related to it as well as the existing restrictions on lighting for all houses in the area. Mr. Trudel argues that granting the right to review each application's request on its own merit would be a better approach and would not necessarily protect or maximize the limitations of the Moorlands Management District. Mr. Trudel also expresses concern about the area being rezoned and a surge of applications for pools. Mr. Welch emphasized Mr. Trudel's earlier point and highlights that the zoning bylaw in question was previously approved by the Attorney General. Mr. Welch stated that they have already consulted with the Town Council and have a reasonable firm grasp of the legal aspects. Mr. Welch feels that there has been sufficient discussion on this topic and suggests moving on. Mr. Barada stated that there has been no change to the driveway since the application was submitted. Also, Mr. Barada stated that there was a request for the client and their neighbor to communicate and potentially make modifications to the driveway however the changes were never implemented therefore the

driveway plan remains the same as the original one submitted with no alterations. Attorney Cohen stated that there had indeed been changes to the driveway. These alterations included adjustments to the angle and layout to address concerns related to light shining in different areas. Whitney Gifford wanted to remind the Board the difference in development and screening between the MMD side close to Cudweed and Whalbang. Also, he expressed concerns about pool lights reflecting on a nearby house, suggesting that it is within the Board's jurisdiction to deny this application under the landscaping section. Chair Iverson expressed concern about the potential disturbance caused by changing the driveway. Attorney Cohen stated that there would be 950 square feet of area being disturbed, which would be re-vegetated one to one ratio. Chair Iverson expressed that the re-vegetation might not adequately protect the existing environment, potentially causing damage to the undisturbed areas. Mr. Welch referred to the staff comments from July 10, 2023, which indicated the Board's general lack of support for creating new disturbances to the site. Mr. Welch emphasized the need for minimal changes. Mrs. Trudel emphasized the importance of evaluating each request individually and comparing them to the performance standards. Mrs. Trudel stated that the Board needs to make a clear finding of whether each request complies or doesn't comply with the standards. Mrs. Trudel recommended that the Board go through the application line by line and have a thorough discussion and decision-making process. Ms. Molden stated that she supports the concerns raised by the Board members regarding the driveway realignment. Attorney Cohen proposed that if the Board is inclined to approve certain aspects of the application but not the driveway change, the Board should frame their decision as an affirmation rather than a denial. Attorney Cohen stated that in other words the Board should approve the other changes on the condition that the existing driveway remains unchanged, therefore an updated site plan will be submitted to the staff. Chair Iverson proposed that a condition be added to the decision stating that the driveway should not change. Mrs. Trudel confirmed that she could implement that condition in the decision. Mr. Rector suggested to the Chair to follow the staff's recommendation to review the applicant's request line item by line item and have the Board members vote "yay" or "nay" on each item. Chair Iverson implemented the suggestion to follow the staff's recommendation which involved a thorough review of the applicant's request. There was an attempt to involve Thomas Holland, a member of the public, however technical difficulties prevented him from joining in the conversation. Mr. Trudell summarized the Board's decisions: Alterations to the house – unanimously approved; Shed - unanimously approved; Cabana - unanimously approved; Pool and pool equipment - unanimously approved; alteration and re-vegetation of the driveway – unanimously approved.

Motion/Vote: Mr. Lowell moved to close the public hearing. The motion was duly seconded by Mr. Rector, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Nat Lowell *Aye*

Barry Rector *Aye*

John Trudel *Aye*

Stephen Welch *Aye*

Chair Iverson *Aye*

Motion/Vote: Mr. Welch moved to approve the house alterations as submitted, approval of the shed alterations as submitted, and that the applicant retract the cabana pergola portion of the application. Denial of the pool, pool equipment, pool accessories, and driveway alterations for the following reasons: i) Maximizing protection of Moorlands and heathland vegetation and landforms by limiting physical disruptions to indigenous natural systems; ii) maximizing protection of endangered plant and animal species by placing structures and uses at a maximum distance from known or suspected habitats of such species even when those habitats are off-site and iii) due to the adverse relationship of the proposed pool equipment, pool accessories, and driveway alterations, to i) and ii). Additionally, the restorative work shall be limited to disturbances resulting from approved modifications while minimizing those disturbances to only those reasonably necessary.

Discussion: Attorney Cohen made a technical request to split the motion into two parts, one for approval and one for denial. Attorney Cohen stated that the reason behind the request was to allow the Applicant to obtain a building permit for the house while the pool and driveway elements were being considered separately. Mr. Welch felt that splitting the motion into separate motions for approval and denial was not necessary and that the applicant could choose to appeal the pool and driveway decision later without delaying the house construction. Mr. Welch stated that he was satisfied with the current motion structure and his rationale for this choice. Mr. Rector expressed his agreement with Mr. Welch on not splitting the motions. Mr. Rector stated that the Board traditionally follows an all-in-one principle where pieces of the application are either accepted or denied as a whole. Mr. Rector believed that the information and discussion provided by the Board was sufficient and that it should be evaluated based on all those decisions collectively.

Continued Motion/Vote: Mr. Trudel pointed out that number six for septic approval improvements may have been unintentionally left out of the motion. Mr. Welch acknowledged the omission as an oversight and a friendly amendment was made to include number six (septic approval improvements) in the motion. The motion was duly seconded by Mr. Trudel and the motion was voted 4-1 with Mr. Rector opposed.

Vote taken by Roll Call:

Stephen Welch *Aye*

John Trudel *Aye*

Nat Lowell *Aye*

Barry Rector *Nay*

Chair Iverson *Aye*

• **Nantucket Old South LLC Subdivision - 33 Old South Road, *action deadline 11-30-2023***

Voting: (Chair) Iverson, Vice-Chair Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Attorney Rick Beaudette, Cliff Schorer, property owner and Art Gasbarro, Surveyor

Discussion: Attorney Beaudette did a summary of the proposal for a definitive subdivision plan. The subdivision is twelve (12) buildable lots and one roadway lot. The roadway was initially planned as a one-way layout. Since the last hearing one significant change was reversing the direction of the roadway which was due to staff concerns, Board members' opinions, and neighborhood comments. Other modifications to the plan included the addition of shared driveways, the extension of a multi-use path and the widening of Young's Way at the intersection of Old South Road to twenty-two (22) feet. Attorney Beaudette stated that they did see in the staff report a recommendation for a turning lane on Young's Way. Attorney Beaudette respectfully disagrees with the recommendation. The reason for the disagreement was that implementing the turning lane would require widening the end of Young's Way which had not been discussed in detail previously. Attorney Beaudette preferred to keep the road width as previously agreed upon at twenty-two (22) feet. Chair Iverson opened the floor to the public. Attorney Arthur Reade appreciates the decision to change the direction of travel within the proposed development. The change would have traffic flow from Old South Road toward the rear rather than adding more traffic from Young's Way onto Old South Road. With this change Attorney Reade no longer had any objections to the application and hoped that it would be approved. Michael J. O'Mara expressed his support for the change made by the applicant. Mrs. Trudel stated that the Planning Board has the authority to address roadway improvements at this stage. Mr. Rector questioned the width and layout of Ticcoma Way and why the road extends so far into Ticcoma instead of aligning with the property line. Mr. Gasbarro stated that they are tying into an existing asphalt road. Mr. Rector suggested adding a notation to the plan for future reference. The Board debated the need to address certain road improvements with the approval of a subdivision. There was focus on Young's Way improvements. Mr. Burns briefly discussed the traffic volumes and congestion

along Old South Road and various intersections and ancillary roadways. Attorney Beaudette expressed his frustration with the turning lane requirement for the project which came as a surprise. Attorney Beaudette questioned why this requirement wasn't raised earlier. Attorney Beaudette stated that Amelia Drive is largely commercial.

Motion/Vote: Vice-Chair Topham moved to close the public hearing. The motion was duly seconded by Mr. Lowell, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Nat Lowell *Aye*
Barry Rector *Aye*
John Trudel *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

Motion/Vote: Mr. Trudel moved to approve the project with the findings and conditions outlined in the staff report. The motion was duly seconded by Vice-Chair Topham, and the motion was 4-1.

Vote taken by Roll Call:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Nat Lowell *Aye*
Barry Rector *Nay*
Chair Iverson *Aye*

Discussion: Attorney Beaudette followed up after the vote to address a point of clarification regarding the conditions. Attorney Beaudette brings up the issue whether the intersection improvements mentioned in the conditions refer to the widening of the entrance or the inclusion of a turning lane. There was confusion about whether Condition number three (3), which pertains to intersection improvements, was removed or not. Mr. Rector expressed concern about modifications to the decision after the Board's vote. It was clarified that Condition number three (3) remains in the decision and that the intersection improvements pertain to widening the entrance which was agreed during the discussion. Mrs. Trudel acknowledges that the intersection improvements clearly state that they include widening to 22 feet, and that she plans to adjust the verbiage in the condition to reflect this. The Board confirms that the turning lane is not included in the conditions. The motion and vote on the decision stand.

• **ACK Mid Island, LLC & ACK Offices, LLC – 18, 18A, 20, 22, 24 & 26 Sparks Avenue,**

action deadline 10-31-2023

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Dan Mulloy, Surveyor, Attorney Steven Cohen and Chris Fiumara

Discussion: Mr. Trudel stated that he had reviewed the video recording of the previous meeting since he missed the August meeting and that he signed the necessary documents. Mr. Mulloy submitted the landscaping and lighting plan and he believed that was the only remaining condition that the Board was looking for. Mr. Mulloy indicated that he hopes to be wrapping up and moving towards approval. Mr. Mulloy stated that the easement is in place, which included the common driveway. Mr. Mulloy stated that there is nothing new to present. Chair Iverson expressed concern about the use of recent rainfall data in a drainage plan and the applicant addressed the nitrogen specifically the installation of swales. Chair Iverson stated that these were requests made earlier in the process and is unsure that the applicant has fulfilled that requirement. Mr. Mulloy responded

that they were expecting Ed Pesce to review the changes to the drainage plan and that the review of the rainfall data aligns with the standard practices on the island. Mr. Trudel mentioned the new parking area with a roundabout on the corner and due to not having easements with Cumberland Farms the parking spaces had been reduced from 90 to 80. Mr. Mulloy stated that with the reduction of parking spaces they still met the zoning requirements for parking, including accounting for on-street parking and shared parking. Mr. Trudel expressed concern about designated parking spaces for the tenants. Mr. Mulloy stated that they haven't finalized the specific designated parking spaces, however, have discussed it and will eventually produce a plan showing the designated parking spaces. Mr. Trudel expressed the importance of parking especially in a location where affordable housing and public transportation are key factors. Mr. Trudel stated that this is a major concern without the designated parking spots due to residents possibly sharing spaces with businesses. This could lead to difficulties finding parking for residents which would be an inconvenience. Mr. Mulloy suggested creating designated parking spaces for the residents across the back where there are 33 available parking spaces. Mr. Mulloy acknowledges that the interior layout and door placements are still in the reviewing process by the Historic District Commission (HDC). The first-floor commercial entrances will be primarily on the sides and front of the building while most of the residential access will be from the back. Chris Fiumara stated that many of the tenants may not require parking due to public transportation. Mr. Fiumara stated that the tenants will have designated parking spaces. Mr. Welch raised several concerns such as site access and circulation – the lack of cross connections with Cumberland Farms; parking management – the concern that the parking provided might not be sufficient especially for parking for two restaurants and a bowling alley. Also, the parking challenges during peak seasons; designated parking spaces – questions were raised at how parking spaces would be managed and how enforcement such as towing and police involvement would be handled; impervious surface and buffering – expressed concern about the limited impervious surface and the lack of room for vegetative buffering between the commercial and residential areas primarily to the south. Mr. Lowell stated that the exit from Cumberland Farm is 22.5 feet wide, wider than Sconset Road. Mr. Lowell mentioned the delivery trucks entering through the gas station exit, navigating through the property and exit on the left side of the exit. Mr. Lowell stated that the current wide exit allows for multiple vehicles to pass and if the exit were narrower, it would be problematic. Mr. Lowell mentioned similar traffic and exit issues such as Dan's Pharmacy, Cape Cod Five and Bank of America. Mr. Lowell shared examples of how neighboring properties and businesses have worked together to address traffic concerns. Mr. Lowell mentioned that the area makes it challenging to plan effectively with the changing nature of businesses and properties. Mike Burns, Transportation Planner stated that a peer review was completed by a beta group who made some recommendations to the site plan. The peer review raised the need for electric vehicles charging station spaces and the location of bicycle parking. Mr. Burns suggested considering sheltering the bicycle parking spaces to protect them from the elements. Mr. Burns pointed out the lighting fixtures along Sparks Avenue seemed to be set in the middle of the sidewalk. Mr. Burns suggested relocating within the designated landscaping areas to avoid inconveniencing cyclists using the widened sidewalk along Surfside Road. Tucker Holland, Affordable Housing Trust stated that there are ongoing discussions about affordable housing within the project. The goal is to have some units be deed restricted to the 80% area median income (AMI) level and ensuring that all units including income restricted and market rate units serve year-round residents. Mr. Holland emphasized the importance of these units in meeting the state's requirements for subsidized housing inventory. Chair Iverson opened the floor to the public. Val Oliver expressed her concerns related to the project's size, parking, and its potential impact on the island's character. Ms. Oliver concluded by requesting the applicant to significantly downsize the project to mitigate its negative impact on the community. Meredith Lepore expressed her concern about the impact on traffic, safety, affordable housing, and the nature of the commercial spaces within the project and the importance of considering what's best for the island and its residents. Diane Coombs' concerns revolved around the challenges of shared parking in an area with high parking demands and the importance of maintaining the architectural harmony with the surrounding buildings as per the Historic District Commission (HDC). Emily Molden, Nantucket Land and Water Council addresses concerns to stormwater management. Ms. Molden suggests that the applicant revisit the stormwater calculations making sure that the design can handle the types of storms seen today. Ms. Molden also expressed

concern about the increase in the impervious surface on the site and its impact on the harbor watershed. Ms. Molden mentioned the landscaping plans include non-native plants. Chris Young raises concerns about the traffic flow and urges the Planning Board to address this issue by discussing the possibility of an additional exit point. Galen Gardner expressed concerns about the negative impact on the existing businesses, the need for more banks and restaurants, the increase in impervious surfaces, parking issues and suggest that the Board should consider the island's carrying capacity particularly concerning water and sewage systems. Charles's Sayle's expressed his concerns about the size of the project, the landscaping plan only shows limited area of Evergreens, the location of the dumpster area, which is close to the existing residential dwellings, the noise generated when trash is taken out late at night and the early morning arrival of trash truck for pick-up, suggest that the dumpster should be away from the residences. Mr. Sayles emphasized that the project is oversized. Jullie Young concurs with Ms. Gardner's concerns. Ms. Young points out that there are no bench areas, bike racks or a bus stop and should be implemented during the discussion. John Vecchio stated that he is the guy who initiated the online petition and that he understands the role of the Planning Board. Mr. Vecchio raised a question if the Board did not grant the waivers requested would the project still be viable. Mrs. Trudel clarifies that the applicant is not seeking any waivers for parking. Chair Iverson stated that the project is being developed by right and within the legal framework. Mr. Fiumara clarifies some misconceptions about the project. Mr. Fiumara stated that there will be 32 units, not 34, there will be no bank on the property, the project includes two restaurants and a bowling alley which will not be open at the same time. Mr. Fiumara emphasized that this is to benefit year-round residents, providing affordable housing and offering new activities like bowling. Joanna Roche urged the Planning Board to carefully consider the proposed project that sets the tone for the island's future development. Ms. Roche stressed the seriousness of the decisions being made regarding the island's character, cost, and housing opportunities. Linda Williams mentioned that Cumberland Farms has not cooperated with the idea of shared parking. Ms. Williams stated that the bowling alley is something the community misses and this is a benefit to the community and not just for making money. Rick Atherton expressed his support for the comments made by Ms. Oliver and shares the same concerns. Meredith Lepore raised concerns about the number of liquor licenses on the island. Ms. Lepore mentions the parking issues for people working night shifts and nurses who might occupy parking spaces during the day. Ms. Lepore suggested that the Planning Board should carefully consider the parking needs for the Mid Island area. Vice-Chair Topham expressed to keep the public hearing open. Vice-Chair Topham hopes that the applicant will come to the table and work together with the Planning Board and other stakeholders to find a better solution. Vice-Chair Topham emphasized the need for cooperation. Mr. Trudel has no issue with keeping the public hearing open for another month to address various concerns and all aspects of the project are thoroughly reviewed. Mr. Lowell expressed gratitude for the public's comments and acknowledged that the goal is to work together for the benefit of Nantucket. Ms. Gardner expressed concern about having 59 bedrooms with only 22 parking spaces, which is inadequate. Ms. Lepore stated that she takes offense about the assumption that a bowling alley would be a significant contributor to kids' activities on the island as there are already many sports and recreational options available. Ms. Lepore expressed the need to revisit the impact of the project on nitrogen levels and the wellhead recharge district. Mr. Mulloy indicated that they have already addressed many of the concerns and conditions that could be put in place to mitigate potential issues and that they are ready to move forward in the process. Mr. Trudel stated that there was a common thread in the public comment regarding the possibility of downsizing the project to reduce the number of bedrooms and address parking and traffic concerns. Mr. Trudel hopes that the message is conveyed to HDC that they take this feedback into account during the review process of downsizing this project. Mr. Welch focused on the increase in the size of the structure and the proposal for a workgroup to address cross connections in a more direct manner.

Motion/Vote: Mr. Rector moved to continue to the next meeting. The motion was duly seconded by Mr. Trudel, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

• **Costas Avalon LLC – 50 Burnell Street, *action deadline 11-12-2023***

Voting: (Chair) Iverson, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: (Vice-Chair) Topham

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Dan Mulloy, Surveyor and Attorney Arthur Reade

Discussion: Mr. Mulloy provided an update on the plan. The main concerns from the previous meeting were related to the road and its impact on the property. The applicant addressed this by combining the two 20-foot strips into a 40-foot strip coming off Burnell Street and adding a 10-foot easement onto the neighboring property creating a 30 foot right of way. The road now consists of a 14-foot gravel road with one-foot shoulders on either side providing a 16-foot clear accessible width. This allows for a 7-foot distance between the road and the property line on Plainfield Avenue. Mr. Trudel raised a question about the number of dwellings allowed on each of the lots, specifically secondary dwellings. Attorney Reade stated that the arrangement with the abutters and the changes made to the project assumed that there would be no limitation on secondary dwellings. Mr. Trudel stated that the second dwelling would likely be used for seasonal housing. Chair Iverson opened the floor to the public. Benji Ghriskey raised concern about the setback of the road, the lack of landscape planning, and drainage issues. Mr. Mulloy stated that they are planning to address drainage issues with a stormwater system, they have worked with abutting property owners to minimize any encroachment on their properties. Toby Strassenberg expressed his satisfaction with the effort made to address concerns and improve the plan after the last meeting. Mr. Strassenberg mentioned that he and Dan worked hard for over a week to develop a plan that would satisfy all parties involved. Mr. Strassenberg also stated that they facilitated the extension of utilities, primarily sewer. Mr. Lowell acknowledged the concerns of the abutters and the need for a buffer between their properties and the road. Chair Iverson suggests that the responsibility for buffering should be shared between the developer and the abutters and has no issues with the second dwellings. Chair Iverson questioned if the MISA application has been completed. Mr. Mulloy stated that they need to amend it, however they see no issues because of prior approvals and the surrounding area. There was a brief discussion about the need to reach a reasonable solution that will not place a financial burden on the property owner for vegetation and board fencing. Attorney Reade suggested continuing to the next meeting allowing time for a good faith effort to address the concerns related to road layout, vegetation, and fencing along the property line.

Motion/Vote: Mr. Rector moved to continue to the next meeting. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Chair Iverson *Aye*

• **The Procaccianti Group, LLC - 3, 5 & 7 Sea Street, *action deadline 12-10-2023***

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Attorney Arthur Reade, Don Bracken (Surveyor), Everette Correia, Nick Jacoby and Cara Babcock

Discussion: The properties include a nine-unit property at 7 C Street and two additional units at 5 C Street. The proposal is to develop 3 C Street into a new building with 12 units and want a special permit for lodging house use for the entire property. The Applicant is also seeking a waiver from on-site parking requirements. Attorney Reade addresses some of the items mentioned in the staff report. Don Bracken will continue working with Ed Pesce on the site plan and they will prepare a management plan. There will be a few parking spaces on the site for shuttle service for guests arriving from the boat or airport. Mr. Rector suggested reconfiguring the four parking spaces out in front to create a more pedestrian friendly semi-circle for the proposed van pick up and drop off. Mr. Rector suggested contributions for area improvements above \$12,000 due to the 12 units being proposed. Sandy Knox-Johnston expressed concerns about parking problems, increased traffic, and the potential negative effects on the quality of life in the residential old historic district due to the expansion of commercial developments and the intensity of use. Ms. Knox-Johnston questioned the management of vehicles rented by guests, and where these vehicles will park. Ms. Knox-Johnston also mentions that for several years she's had issues with unauthorized parking on her patio. Linda Williams stated that she had recent contact with Sandy and other neighbors regarding concerns related to the Veranda House and other issues. Ms. Williams points out issues related to unpermitted room expansion and concerns about intensity of use. Ms. Williams raises questions about the management plan, staff on-site, and the removal of staff rooms. Ms. Williams stated that the number of rooms might be excessive for the size of the street and how it might become unmanageable due to multiple lodging establishments. Emily Molden from Nantucket Land and Water Council expressed concerns about stormwater management. Don Brack explains that the site is in a coastal flood zone, with groundwater levels approximately four and half to five feet down. Mr. Bracken stated that the plans comply with the Massachusetts stormwater management act and were submitted to the Conservation Commission. Kevin Davidson expressed his concerns and objections to property management and their impact on the community and review process. Malcolm MacNab at 15 North Water Street stated that while increasing the number of rooms is beneficial there's a significant impact on the neighborhood. Mr. MacNab also mentioned the lack of communication and cooperation from the owners of properties, emphasizing the importance of community engagement.

Motion/Vote: Mr. Rector moved to continue to the next meeting. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Nat Lowell *Aye*

Joseph Topham *Aye*

John Trudel *Aye*

Chair Iverson *Aye*

• **John J. Calnan, Trustee of the John J. Calnan 2015 Tr & Don Allen Auto Service, Inc. – 21 Brewster Road & 26 Polpis Road, *action deadline 12-12-2023***

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Attorney Arthur Reade

Discussion: Attorney Reade stated that they initially came up with a preliminary plan which led them to filing of a definitive plan that was continued earlier in the meeting. Attorney Reade stated that the

situation involved using the corridor running through the Don Allen parking lot as an access road which was not ideal for any of the parties involved. The parties involved have been working out an arrangement to take a 40-foot section of land from Don Allen's property and place the proposed subdivision roadway within it. Attorney Reade stated that by doing so this would result in creating two new building lots while accommodating Don Allen's operations. Attorney Reade addressed the turning radius and sightlines for vehicles coming from the new roadway into Polpis Road. Attorney Rhoda Weinman representing Don Allen expressed satisfaction with the changes in the plan. Attorney Weinman stated that the changes are beneficial to both parties and make more sense. Attorney Weinman hopes that the Board will appreciate the changes and approve the application. Chair Iverson opened the floor to the public. Attorney Steven Cohen representing the Mullins at 17 Brewster Road stated that the only request is that a requirement be in place to ensure that Lots 2 and 3 gain their access from the new road not from Brewster Road. Chair Iverson stated that the Board were open to considering this request. Mr. Rector questioned the total number of potential dwellings allowed in the new subdivision. Mrs. Trudel stated that there would be nine dwellings in total for the entire subdivision, not ten. Attorney Reade stated that this includes the Don Allen lot that will remain separate from them but usable as a single parcel for Don Allen's purposes. Mr. Rector suggested a contribution of \$7000 before the release of proposed lot number two. The Board members expressed their agreement with this amount.

Motion/Vote: Mr. Rector moved to close the public hearing. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

John Trudel *Aye*

Chair Iverson *Aye*

Motion/Vote: Mr. Rector moved to approve the application with the conditions outlined in the staff report including ensuring that Lots 2 and 3 cannot be accessed from Brewster Road and they can only be accessed from Victory Road. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*

Vice-Chair Topham *Aye*

Nat Lowell *Aye*

John Trudel *Aye*

Chair Iverson *Aye*

• **The Westmoor Club - 105 W. Chester Street, 109 W. Chester Street & 10**

Westmoor Lane, *action deadline 12-10-2023*

Voting: (Chair) Iverson, (Vice-Chair) Topham, Nat Lowell, John Trudel and Barry Rector

Alternates: Stephen Welch, Abby De Molina and John Kitchener

Recused: None

Documentation: File with associated plans, photos and required documentation

Activated: None

Representing: Attorney Steven Cohen

Discussion: Attorney Cohen gave a brief overview of the application which is replicating a prior withdrawn application for a small cottage and maintenance buildings. Attorney Cohen is also requesting an increase in the cap on the number of employees allowed on the site. Attorney Cohen stated that they have been working with various departments including the Fire Department to address concerns and have been in discussions with neighbors to resolve conditions. Chair Iverson opened the floor to the

public. Attorney Daniel Bailey emphasized that while the Applicant haven't reached a final resolution, yet they are making progress and working towards a set of conditions that will address concerns and bring the parties to an agreement. Chair Iverson stated that he acknowledges the efforts made and expressed appreciation for the positive direction the discussions are taking. Virginia Chase at 117 West Chester Street expressed her concerns especially the increase in the number of people living there. Ms. Chase also mentions that residents on West Chester Street must deal with noise, traffic, and other disturbances caused by the club's activities. Ms. Chase believes that the special permit should remain as it is and not allow additional construction and increased occupancy. Chair Iverson suggested that more staff housing might reduce traffic on surrounding streets. The Board discussed the need to adopt the administrative record from the prior application into the current record and there was agreement among the Board members to proceed with this.

Motion/Vote: Mr. Rector moved to adopt the administrative record from the prior application into the current record. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
Nat Lowell *Aye*
John Trudel *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

Motion/Vote: Mr. Trudel moved to continue to the next meeting. The motion was duly seconded by Vice-Chair Topham, and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

John Trudel *Aye*
Vice-Chair Topham *Aye*
Barry Rector *Aye*
Nat Lowell *Aye*
Chair Iverson *Aye*

IV. Other Business:

• **ATM 2024 concept list for zoning articles**

Mrs. Trudel stated that it's a list of ideas for the Board to consider. It was decided to table this discussion until October.

• **Planning Board regular meeting – Monday, October 16, 2023, at 4PM via Zoom**

V. Public Comment *for items not listed on the agenda*

XIII. Adjournment:

Mr. Rector moved to adjourn the meeting at 10:030M. The motion was duly seconded by Mr. Trudel and the motion was carried unanimously 5-0.

Vote taken by Roll Call:

Barry Rector *Aye*
John Trudel *Aye*
Nat Lowell *Aye*
Vice-Chair Topham *Aye*
Chair Iverson *Aye*

Submitted by: Catherine Ancero