



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Minutes
Monday, May 19, 2008
7:00 PM
2 Fairgrounds Road

Board Members in attendance: Michael J. O'Mara, Burr Tupper, Lisa Botticelli, Kerim Koseatac, and Edward Toole.

Staff: John Brescher, Leslie Snell, Venessa Moore

I. Call to Order:

Chairman O'Mara called the meeting to order at 7:05 PM.

II. Old Business

- **019-08 Nantucket Homes for People, Inc. 18 & 28 S. Shore Rd. Schorer**
Action Deadline September 22, 2008.

Ms. Edy Netter, consultant for the Board, briefly outlined the mechanics of a 40B application. Specifically, Ms. Netter mentioned that one of the initial requirements for a complete application is the project eligibility letter. Ms. Netter noted that the applicant had not yet submitted this letter and that they are presently seeking a LIP from the Board of Selectmen.

Ms. Netter further clarified the role of the Zoning Board of Appeals during the 40B process. Essentially, the role of the Board is that of a final arbiter.

The applicant, Mr. Cliff Schorer, then spoke. Mr. Schorer discussed that he had not in fact obtained a project eligibility letter. Although he has been asked to be put on the agenda for the Board of Selectmen, the Board of Selectmen continue to postpone his hearing. Rather than submitting a project eligibility letter prior to filing a complete application, Mr. Schorer asked the Board to consider a simultaneous application, in order to expedite the process. In consideration, Mr. Schorer offered to offer more perpetually affordable units. Mr. Schorer also offered to waive the 180 day action deadline for the Board so the Board would not feel the pressure to render a decision without adequate time to deliberate.

Ms. Netter explained to the Board that it is within their discretion to determine whether or not the applicant should withdraw.

Attorney Peter Freeman, the attorney for the applicant, added that the Board was within its rights to continue the application as well.

Kerim Koseatac expressed that he thought it made more sense for the applicant to withdraw for the time being. Burr Tupper agreed and stated that he would like a complete application before proceeding. Edward Toole said that he felt ambivalent regarding the issue.

Ms. Netter wanted to clarify that when the state looks issues a project eligibility letter, they take into careful consideration many factors in determining if the site is appropriate for a 40B development.

Bruce Perry, as an abutter, spoke. Mr. Perry expressed his concern that the applicant has not submitted the minimum requirements for a complete application. Additionally, Mr. Perry also wanted the opportunity to see the proposed plans prior to the start of the meeting.

Vicki Goss, as an abutter, also spoke. Ms. Goss asked the applicant what exactly consisted of a project eligibility letter and although she expressed her concern with the hastiness of the project, Ms. Goss also commented that the 40B development was for a good purpose.

Aaron Marcavitch expressed his appreciation with the idea of adding more affordable housing units on Nantucket.

Chairman O'Mara then quickly polled the audience for their input as to what the applicant should do. Mr. Perry recommended withdrawing the application. Ms. Goss wondered if there was a precedent for having multiple 40B developments in the same neighborhood.

Barry Paulson, as an abutter, spoke against the application. Although Mr. Paulson was in favor of the general idea of the application, he was against the location.

Cormac Collier of the Nantucket Land Council asked the applicant whether or not the applicant had been in touch with Mass. Heritage. The applicant responded that he had not yet contacted this organization.

A motion was made (Toole) and duly seconded to formally accept to withdraw the application without prejudice. The vote was 5-0 in favor.

III. Adjournment

A motion was made (O'Mara) and duly seconded to adjourn the meeting at 8:30 P.M.