



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Minutes
Thursday, February 12, 2009
1:00 PM
2 Fairgrounds Road

Board Members in attendance: Michael J. O'Mara, Dale Waine, Ed Toole, Lisa Botticelli, Kerim Koseatac, Burr Tupper, and Mark Poor.

Staff: John Brescher, Venessa Moore, and Tom Broadrick

I. Call to Order:

Chairman Michael J. O'Mara called the meeting to order at 1:10 P.M.

II. Approval of the Agenda

A motion was made (Toole) and duly seconded to approve the agenda. The vote was 5-0 in favor.

III. Approval of the Minutes

Lisa Botticelli requested that the minutes be corrected. Staff informed her that the minutes would be corrected for the next meeting.

IV. Old Business

- **085-06 Reis 80 Miacomet Avenue Reade C**
Action Deadline March 26, 2009. Continued to March 12, 2009
- **030-07 Burnham 12½ Sherburne Turnpike Reade C**
Action Deadline March 26, 2009. Continued to March 12, 2009
- **088-08 DeBenedictis 7 Brewster Road Self C**
Action Deadline April 15, 2009. Continued to March 12, 2009
- **033-08 Tetawkimmo Comm. Assoc. Tr. Barnard Valley Rd. Philbrick**
Action Deadline April 23, 2009. (ET, DW, MJO, KK, LB)
- **034-08 Longfin, LLC Barnard Valley Rd. Hunter**
Action Deadline April 23, 2009. (ET, DW, MJO, KK, LB)
- **035-08 Longfin, LLC Barnard Valley Rd. Hunter**
Action Deadline April 23, 2009. (ET, DW, MJO, KK, LB)

Attorney Bill Hunter represented the appellants and applicants, Longfin, LLC.

Attorney Hunter requested that the new Special Permit request, the subject of ZBA File No. 086-08, be heard simultaneously and the old record be incorporated into this file.

Attorney Reade stated that the applicants are requesting a modification to their previously granted Special Permit.

Attorney Sarah Alger, speaking on behalf of an abutter, stated that her clients are objecting to relief; but, in the event that relief is granted, that conditions be imposed.

A motion was made (Toole) and duly seconded to grant the requested relief with the condition that the lighting and screening comply with the Nantucket Bylaw. The vote was 4-1 in favor (Poor opposed).

- 001-09 Facticeau 24 Clarendon Street Beaudette
Action Deadline May 23, 2009.

Attorney Lori D'Elia represented the applicants.

Attorney D'Elia stated that the applicants are requesting to alter the shape of their lot through the benefit of a Special Permit.

A motion was made (Waine) and duly seconded to approve the requested relief. The vote was 5-0 in favor.

- 002-09 Little, Tr. 5 Cliff Road Avery
Action Deadline May 23, 2009.

This application was withdrawn without prejudice.

As the application had been advertised in the paper, a motion was made (Waine) and duly seconded to approve the requested withdrawal. The vote was 5-0 in favor.

- 003-09 Ruley 12 Toms Way Self
Action Deadline May 23, 2009.

Bob Ruley represented himself.

Mr. Ruley stated that he was looking to validate the siting of a shed located in his setback.

A motion was made (Waine) and duly seconded to approve the requested relief. The vote was 5-0 in favor.

- 004-09 Phillips, Tr. 11 Polliwog Pond Road Self
Action Deadline May 23, 2009.

Attorney Arthur Reade represented the applicants.

Attorney Reade stated that the applicants are requesting to validate the siting of the deck to 7.9 feet rather than the requested 5.

A motion was made (Waine) and duly seconded to approve the requested relief with the condition that setback remain at 7.9 feet to validate the siting of the existing deck. The vote was 5-0 in favor.

- 005-09 Sors Bona, LLC 48 Main St., Siasconset Self
Action Deadline May 23, 2009.

Jenn Iller represented the applicants.

Ms. Iller stated that the garage was sited in the setback due to a surveying error and requested the Board validate the siting of the garage.

A motion was made (Waine) and duly seconded to approve the requested relief. The vote was 5-0 in favor.

VII. Other Business

Staff presented the Board with a proposal to change the fees charged to applicants. The Board was receptive to the changes and the memo and suggested the fees be set up in a similar manner to that of the Planning Board.

VIII. Adjournment

A motion was made (Toole) and duly seconded to adjourn the meeting at 3:15 P.M.