



TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Minutes
Thursday, September 10, 2009
1:00 PM
2 Fairgrounds Road

Board Members in attendance: Michael J. O'Mara, Ed Toole, Kerim Koseatac, Lisa Botticelli, Mark Poor, and Susan McCarthy.

Staff: John Brescher and Venessa Moore

- I. Call to Order:
Chairman O'Mara called the meeting to order at 1:05 PM.
- II. Approval of the Agenda:
A motion was made (Toole) and duly seconded to approve the agenda as written. The vote was 5-0 in favor.
- III. Approval of the Minutes:
A motion was made (Koseatac) and duly seconded to approve the minutes of the August 13, 2009 ZBA meetings. The vote was 5-0 in favor.
- IV. Other Business:
There was no other business.
- V. Old Business
 - **085-06 Reis 80 Miacomet Avenue Reade C**
Action Deadline September 26, 2009. Continued to September 10, 2009
 - **030-07 Burnham 12½ Sherburne Turnpike Reade C**
Action Deadline September 26, 2009. Continued to September 10, 2009
 - **018-09 Visco 17 Young's Way Ranney**
Action Deadline February 12, 2010.

Attorney Jamie Ranney represented the Applicants.

Attorney Ranney explained to the Board that the Applicant would like a continuance to the October meeting in order to have the matter of the Zoning Enforcement Officer's fine adjudicated in district court.

Attorney Steven Cohen, representing an abutter, spoke against the requested continuance.

A motion was made (Poor) and duly seconded to continue the matter to the October ZBA hearing at which time the Board will have conducted a site visit and will review the approved HDC plans. The vote was 4-0 in favor.

VI. New Business

- **039-09** Nantucket Land Bank 86 Union Street Perry
Action Deadline, December 9, 2009.

Bruce Perry of the Land Bank represented the Applicant.

Mr. Perry explained that the Land Bank would like to alter the existing dwelling and convert the use to storage. Mr. Perry explained that the Land Bank would store rakes and shovels and would probably make around 3-4 trips to the site per year.

A motion was made (Toole) and duly seconded to approve the requested relief. The vote was 4-1 in favor (Poor opposed).

- **040-09** Dalgaard 65 Surfside Road Reade
Action Deadline December 9, 2009.

Attorney Arthur Reade represented the Applicant.

Attorney Reade stated that the Applicant is requesting to clarify the existing decision regarding the storage of bicycles in his basement.

A former member of the Planning Board was present and clarified the use of the garage for the Board

The Board requested more information be presented and subsequently a motion was made (Toole) and duly seconded to continue the application to the October hearing. The vote was 5-0 in favor.

- **043-09** Grant 49 Nonantum Ave Reade
Action Deadline November 27, 2009.

Attorney Arthur Reade represented the Applicant.

Attorney Reade informed the Board that this was a reissuance of an expired variance that had not been exercised.

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

- **041-09 Martin 1 Rosaly Lane Jensen**
Action Deadline December 9, 2009.

Attorney Paul Jensen represented the Applicant.

Attorney Jensen explained to the Board that the Applicant is requesting to validate the existence of a deck that is sited in the setback. There was a question regarding which public way the Applicant was using for his front yard setback. Attorney Jensen informed the Board that the Applicant has used Baxter Road for his front yard setback and would continue to do so.

A motion was made (Toole) and duly seconded to approve the requested relief. The vote was 4-1 in favor (McCarthy opposed).

- **042-09 Bouque as Applicant, Batte as owner 18 Bartlett Rd. Alger**
Action Deadline December 9 2009.

Attorney Sarah Alger represented the Applicant.

Attorney Alger explained that the Applicant is requesting a special permit in order to construct a contractor's shop for light manufacturing. Accordingly, the Board of Appeals is the special permit granting authority.

Frank Spriggs, an abutter, spoke in favor of the application stating that it was a good application and a welcome business for the neighborhood.

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

- **044-09 Keane/Montgomery 4 E. Chestnut St Dale**
Action Deadline December 9, 2009.

Attorney Kevin Dale represented the Applicants.

Attorney Dale informed the Board that the Applicants are requesting a modification of the previously issued special permit in order to reallocate and add four (4) more seats for a total of 60 seats, inclusive of the restaurant and outside patio.

A motion was made (Botticelli) and duly seconded to approve the requested relief. The vote was 4-1 in favor (Poor opposed).

VII. Adjournment

A motion was made (Toole) and duly seconded to adjourn the public meeting at 2:30 PM and to enter executive session.