

Citizen Petitions submitted for 2008 Annual Town Meeting (does not include non-binding ballot questions):

NOTE: petitions are shown as submitted and may include typographical and/or other errors)

ARTICLE

(Bylaw Amendment: Animals)

Petition for Action by the Voters of the Town of Nantucket:

Original: 55-4.D

Leash law. No person within the confines of the Town shall at any time permit a dog owned or kept by such keeper run at large beyond the confines of the property of the owner or keeper unless the dog is held firmly on a leash.

Revision: 55-4.D

Leash law. No person within the confines of the Town shall at any time permit a dog owned or kept by such keeper run at large unless the dog is under the control of the owner or keeper and such owner or keeper is indicating responsibility for the dog's behavior.

(John West, MD et al)

ARTICLE

(Real Estate Disposition: Long-term Lease Authorization/VFW)

To see if the Town will vote to:

Extend the current Ground Lease dated July 16, 2003, between the Town of Nantucket and Veterans of Foreign Wars, Post 8608, for 22 Bunker Road a.k.a New South Road for an additional term of 25 years, so that VFW Post 8608 can pursue mortgage financing to finish constructing their new building. All other terms and conditions shall remain the same.

(Leroy E. Anderson, et al)

ARTICLE

(Bylaw Amendment: Management of Coastal Properties owned by the Town of Nantucket)

To see if the Town shall vote to amend the Code of the Town of Nantucket to include a new section of the general bylaws Chapter 67, entitled: "MANAGEMENT OF COASTAL PROPERTIES OWNED BY THE TOWN OF NANTUCKET," providing as follows:

Section AA-BBB. Management of coastal properties owned by the Town.

(a) Moratorium

There shall be a temporary moratorium on the use of Town properties for new coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, on public lands owned by the Town of Nantucket such that no new coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, including extensions of new or enlarged coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, and the addition or creation of new appurtenant structures for existing coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like shall be hereafter constructed on land owned by the Town of Nantucket, except those coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads and the like, already approved by the Nantucket Conservation Commission for Town-owned properties prior to July 1, 2007.

(b) Maintenance of existing projects.

Nothing herein shall prohibit nor regulate the repair, maintenance or replacement of any coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, on Town lands as may be lawfully existing or permitted by the Nantucket Conservation Commission prior to July 1, 2007, provided however any land access needed in order to undertake the work to do such repair, maintenance, or replacement shall be with the written permission of all legal landowners, including the Town of Nantucket whose land is necessary for such access.

(c) Duration of moratorium.

This moratorium shall remain in effect until December 31, 2010, or until such date as a comprehensive Coastal Management Plan for the Town of Nantucket has been established. This moratorium shall not prohibit emergency armoring measures necessary to protect public roads, public buildings, or other public assets from imminent destruction.

Or to take any other action thereto.

(Catherine Flanagan Stover, et al)

ARTICLE

To see if the Town will vote to amend Chapter 41 (Board of Sewer Commissioners), section 41-B (Siasconset Sewer District) of the Code of the Town of Nantucket Sewer District Map by adding the following parcel(s) to said map:

SIASCONSET SEWER DISTRICT:

Map/Parcel	Address
74-37.5	25 Low Beach Road
74-37.4	27 Low Beach Road
74-37.3	29 Low Beach Road
74-37	3 Hawks Circle
74-37.6	5 Hawks Circle
74-37.7	7 Hawks Circle
74-37.2	8 Hawks Circle
74-37.1	9 Hawks Circle
73-49.2	12 Hawks Circle
73-49.1	13 Hawks Circle
73-49	14 Hawks Circle

(Richard Glidden, et al)

ARTICLE

To see if the Town shall vote to amend the Charter of the Town of Nantucket to include a new section providing as follows:

Chapter/Section XXX, Management of coastal properties owned by the Town.

(a) Moratorium

There shall be a temporary moratorium on the use of Town properties for new coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, on public lands owned by the Town of Nantucket such that no new coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, including extensions of new or enlarged coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, and the addition or creation of new appurtenant structures for existing coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like shall be hereafter constructed on land owned by the Town of Nantucket, except those coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, already approved by the Nantucket Conservation Commission for Town-owned properties prior to July 1, 2007.

(b) Maintenance of existing projects.

Nothing herein shall prohibit nor regulate the repair, maintenance or replacement of any coastal engineering structures, bluff armoring projects, hard or soft erosion control devices, bulkheads, and the like, on Town lands as may be lawfully existing or permitted by the Nantucket Conservation Commission prior to July 1, 2007, provided however any land access needed in order to undertake the work to do such repair, maintenance, or replacement shall be with the written

permission of all legal landowners, including the Town of Nantucket whose land is necessary for such access.

(c) Duration of moratorium.

The moratorium shall remain in effect until December 31, 2010, or until such date as a comprehensive Coastal Management Plan for the Town of Nantucket has been established. This moratorium shall not prohibit emergency armoring measures necessary to protect public roads, public buildings, or other public assets from imminent destruction.

Or, to take any other action thereto.

(Catherine Flanagan Stover, et al)

ARTICLE

(Requirement for Use of Cobblestones)

To see if the Town will vote to require the use of cobblestones in the Old Historic District whenever repaving any road is necessary.

(Catherine Flanagan Stover, et al)

ARTICLE

(Bylaw Amendment: Street Numbers, Regulating)

Petition for Action by the Voters of the Town of Nantucket
Amend Chapter 126 of the Town Bylaws:

Chapter 126

STREET NUMBERS, REGULATING

126-1. Street numbers required.

Current: “ Every *improved lot* on a public or private way within the Town and County of Nantucket shall be provided by the owner and/or *occupant* with clear and legible street numbers no smaller than 2 ½ inches and in contrasting color placed in such a manner as to be clearly visible from such ways”.

Amendment: Change as follows; “ Every *building serving as a dwelling or place of business* on a public way within the Town and County of Nantucket, shall be provided by the owner with clear and legible street numbers no smaller than 2 ½ inches in height, and in contrasting color placed in such a manner as to be clearly visible from such ways. *Buildings setting more than 15 feet from a public way shall display numbers no smaller than 4 inches in height. Numbers shall be of contrasting color from their background, and placed in such a manner as to be visible from such ways”.*

126-3. Display.

Current: "All street numbers shall be affixed to or be displayed in a prominent position on the street side of the property. *Improved lots* erected or located in the Town and county must have street numbers affixed within six months of the date of adoption of this chapter and/or issuance of a building permit".

Amendment: "All street numbers shall be affixed to or be displayed in a prominent position on the street side of the property. *Buildings* erected or located in the Town and County must have *a* street number affixed within six months of the date of the adoption of this chapter and/or issuance of a building permit. *Buildings set back more than 50 feet from a public way shall display numbers no smaller than 4 inches in height at the intersection of the driveways and said public way. These numbers shall be displayed so as to be seen in both directions of vehicular traffic and shall be maintained unobstructed by plantings. Numbers as described in this chapter shall be displayed in addition to those described in chapter 126-1*".

126-4. Violations and penalties.

Current: "Any person who willfully fails to comply with the provision of this chapter or who unlawfully removes, defaces or changes a number affixed to an improved lot under this chapter shall be punished by a fine of not more than **\$20** for each offense. *Each day is a separate offense*. This chapter shall be enforced by the Building Inspector or by such enforcement agent that the Board of Selectmen may designate".

Amendment: "Any person who willfully fails to comply with the provision of this chapter or who unlawfully removes, defaces or changes a number affixed to an improved lot under this chapter shall be punished by a fine of not more than **\$50** for each offense. This chapter shall be enforced by the Building Inspector or by such enforcement agent that the Board of Selectmen may designate.

(Francis Spriggs, et al)

ARTICLE

(Bylaw Amendment: Motorized Passenger Devices)

To see if the Town will vote to amend by-law §98-1 to read: No person shall operate a motorized scooter, motorized skateboard, Segway, or other similar device (hereinafter referred to as "personal motorized passenger devices") on any Town-owned or controlled public way, sidewalk, park, playground or beach without the express written permission to do so from the Town official(s) or officer having jurisdiction over the use of said Town property or their respective designee (hereinafter referred to as the "authorizing official"). The following vehicles shall be exempt from the provisions of this chapter.

- A. (Shall remain the same)
- B. (Shall remain the same)

- C. (Shall remain the same)
- D. (Shall remain the same)
- E. (Shall remain the same)
- F. (Shall remain the same)
- G. Segways; to the extent authorized by the Town of Nantucket.

(illegible signature (Peroni??), et al)

ARTICLE

(Zoning Bylaw Amendment: Multi-Family Overlay District)

To see if the Town will vote to amend the “Zoning Map of the Town of Nantucket, Massachusetts” prepared by the GIS Department dated February 11, 2004 as amended, by placing the following parcel of land in the Multi-Family Overlay District:

Assessor’s Map 69, Parcel 270 at 3A Sun Island Road

(Paul S. Jensen, et al)

ARTICLE

(Bylaw Amendment: Signs, Satellite Dishes, Rooflines)

To see if the Town will vote to:

Amend the Historic District Commission (HDC) Abutter Notification Policy by changing the section entitled “Applications Requiring Abutter Notification” as follows: (Note: new language is shown as highlighted text; language to be deleted is shown by strike-out; these methods to denote changes are not meant to become part of the final text):

“Abutters shall be notified of all HDC applications which would result in a change of ~~one thousand square feet (1,000)~~ one hundred square feet (100) or more of floor area (including new construction, demolition, moving, etc.)”

(Charity Benz, et al)

ARTICLE

(Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2009 Community Preservation Budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds for the administrative and operating expenses of the Community Preservation Committee, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year.

Purpose	Amount
<u>Historic Preservation</u>	
Maria Mitchell House	
Preservation of Historic components	\$21,775
Nantucket Town Clerk	
Cemetery Restoration Phase 2	\$123,000
South Church Preservation Fund	
Restoration and mitigation of water damage	\$250,000
Sconset Trust	
Preservation of Sankaty Head Lighthouse	\$250,000
First Congregational Church	
Restoration and repair of interior of church	\$200,000
<u>Subtotal</u>	\$844,775

Community Housing

Nantucket Human Service Center	
Creation of units of community housing	\$300,000
Interfaith Council	
Housing and Rental Assistance Program	\$55,000
Nantucket Housing Authority	
To develop RFP for 50 housing units	\$10,000
Nantucket Planning & Economic Development Commission	
Funding for Housing Planner/Specialist	\$83,578
Nantucket Housing Office	
2 Clarendon Street secondary dwelling	\$245,000
Nantucket Housing Office	
3 Norquarta Drive secondary dwelling	\$235,000
Nantucket Housing Office	
Nantucket Housing Office-Year Seven	\$104,000
Nantucket Housing Office	
Housing Resource Center & 2 affordable units	\$350,000
Habitat for Humanity Nantucket, Inc.	
Habitat for Humanity house	\$100,000
Subtotal	\$1,482,578

Open Space Conservation/Recreation

Nantucket Park and Recreation Commission	
Youth fields, West	\$500,000
Nantucket Conservation Foundation	
University of Massachusetts Field Station purchase	\$250,000
Open Space Reserves	

Reserve for future years	\$75,000
Subtotal	\$825,000
<u>Administrative</u>	
Community Preservation Committee	
Administrative and operating expenses	\$93,211
Subtotal	<u>\$93,211</u>
<u>TOTAL</u>	\$3,245,564

And amounts to be appropriated from the following sources:

<u>SOURCES</u>	<u>AMOUNT</u>
Raised and appropriated from FY2009 Community Preservation Surcharge	\$1,633,000
From State matching funds for FY2008, to be received in 2009	\$1,254,000
From undesignated reserve balance fund	\$358,564
Total Revenues	\$3,245,564

For Fiscal Year 2009 Community Preservation Purposes with each item considered a separate appropriation to be spent by the Community Preservation Committee.

Provided however, that the above expenditures are conditional on the recording of appropriate historic preservation restrictions for historic resources; open space restrictions for open space resources, recreational restrictions for recreational resources and for affordable housing restrictions for community housing; running in favor of an entity authorized by the Commonwealth to hold such restrictions for such expenditures; meeting the requirements of Chapter 184 of the General Laws pursuant to Section 12 of the Community Preservation Act.

(Kenneth Beaugrand, et al)

ARTICLE

(Bylaw Amendment: Board of Sewer Commissioners)

To see if the Town will amend Chapter (Board of Sewer Commissioners) Section 41-3A of the code of the Town of Nantucket Sewer District Map by adding the following parcels of land to the map.

Address	Map/Parcel
69 Hummock Pond Road	56/320
71 Hummock Pond Road	56/320.1
76 Hummock Pond Road	56/123
77 Hummock Pond Road	56/311
78 Hummock Pond Road	56/125
79 Hummock Pond Road	56/122
80 Hummock Pond Road	56/124
81 Hummock Pond Road	56/121
82 Hummock Pond Road	56/116.1
83 Hummock Pond Road	56/310.2
84 Hummock Pond Road	56/116
86 Hummock Pond Road	56/117
87 Hummock Pond Road	56/310.1
89 Hummock Pond Road	56/120
91 Hummock Pond Road	56/118
93 Hummock Pond Road	56/119
95 Hummock Pond Road	56/309
97 Hummock Pond Road	56/308

(Martin McGowan, et al)

ARTICLE

(Bylaw Amendment: Board of Sewer Commissioners)

To see if the Town will vote to amend the Town of Nantucket Sewer District Map by including the following parcels within the Sewer District: (a) 22 Brewster Road (aka Boston Ave) - Tax Map 54, Parcel 169.1; (b) 24 Brewster Road - Tax Map 54, Parcel 169.3; (c) 26 Brewster Road - Tax Map 54, Parcel 169.2;

(Comment: These parcels abut a swampy area that flows to the harbor. Including them within the Sewer District will have a positive effect on Nantucket Harbor water quality.)

(Deborah E. Nicholson, et al)

ARTICLE

(Bylaw Amendment: Parking)

To see if the Town will vote to: amend Section 103-6 (Parking Permits) of the Code of the Town of Nantucket as follows:

Add a new paragraph at the end of Section A, reading as follows:

“Resident Parking Permits shall also be issued to Nantucket Registered voters who own a residence on Nantucket upon the following conditions:

- a. The application for the Permit shall be submitted between January 15 and April 15 of each year.
- b. The fee for said Permit shall be \$100.00 per year.
- c. Applicant must submit proof that he/she is a registered voter and lives in a Nantucket home as his/her residence.
- d. Permits shall be limited to one (1) vehicle per residence and limited to vehicles owned or leased by the Nantucket resident.

(James Lydon, et al)

ARTICLE

(Requirement for Renewable Energy Components)

To see if the Town will vote to require all new Town buildings and Town-sponsored buildings, including any buildings built on Town-owned property, started and built after the approval of this article, both residential and non-residential, to be outfitted with renewable energy components for heat, hot water and electricity, and that the buildings themselves be built with conservation and environmentally friendly materials and practices following LEED certification guidelines. That the Board of Selectmen appoint a committee to specifically deal with only this issue, to act as information and source gatherers and guides, to help the Town in it's choice and selection from the different available types of renewable energy for each individual building.

(Deborah Timmermann, et al)

ARTICLE

(Requirement for Registration with Nantucket Historical Commission)

To see if the Town will vote to require Contractors to register with the Town via the Nantucket Historical Commission (NHC) before starting work on any structure predating 1900 anywhere on the Island of Nantucket, and be required to re-register monthly until completion of said project, to be required to file with the NHC copies of all permits and approvals from the Historic District Commission (HDC) and the Building Department before starting said project, including copies of their Worker's Compensation and Liability Insurance. The project should be subject to review at the discretion of the Nantucket Historical Commission. The fee to work on any structure predating 1900 should be charged at a rate of \$250 for every month of work on that project, payable monthly, not to exceed a period of two years. In review of the issued permits and approvals at any point in the building process, should the NHC find the contractor has wavered from those

permits and approvals, the NHC would issue notice to the Building Department to issue a cease and desist order to the Contractor. Should the Contractor not comply, a fine of \$1,000 per business day should be charged to the Contractor, with interest charged at 12% per year, compounded monthly. On-island-based Contractors should be subject to a waiver of the monthly fee only as long as they comply with all of the other aspects of this article.

(Deborah Timmermann, et al)

ARTICLE

(Zoning Bylaw Amendment: Island Perimeter Restrictions)

To see if the Town will vote to amend Section 139-22 of the Code of Nantucket, Island perimeter restrictions, section C.

As is:

Temporary moratorium on new docks piers and wharves in the RC District. Notwithstanding the provision of Subsection B above, no new docks, piers and wharves, including extensions of new or enlarged docks, piers and wharves, the extension of existing docks, piers or wharves and the addition or creation of new appurtenant structures (defined as floats or ramps) for existing docks, piers or wharves shall be constructed in the RC District, except those docks, wharves and piers approved by the Nantucket Conservation Commission as of April 11, 2005, and / or future docks, wharves and piers of governmental or public entities. Nothing herein shall prohibit nor regulate the repair, maintenance or replacement of any dock, pier or wharf lawfully existing or permitted by the Nantucket Conservation Commission as of April 11, 2005, so long as such dock, pier or wharf is not extended nor any new appurtenant structures are added thereto. This moratorium shall remain in effect until December 31, 2006 while the town of Nantucket updates Harbor Plans for both Nantucket and Madame Harbors.

Replace with the following:

Temporary moratorium on new docks, piers and wharves in the RC District. Notwithstanding the provision of Subsection n B above, no new docks, piers and wharves, including extension of new or enlarge docks, piers and wharves, the extension of existing docks, piers or wharves, and the addition or creation of new appurtenant structures (defined as floats and ramps) for existing docks piers or wharves shall be constructed in the RC District except those docks, wharves and piers permitted by Massachusetts General Laws, Chapter 91 or approved by the Nantucket Conservation Commission of July 31, 2005 and where a private pier previously existed on the premise. Nothing herein shall prohibit nor regulate the repair, maintenance or replacement of any dock, pier or wharf lawfully existing so long as such dock, pier or wharf is not extended nor any new appurtenant structures are added thereto. This Moratorium shall remain in effect until April 2009, while the town of Nantucket updates its Harbor Plans for both Nantucket and Madaket Harbors.

(Leo Asadoorian, et al)

ARTICLE

(Naming of Cemeteries)

To see if the Town will vote to fix an official name for two historic Town Cemeteries:

For the land set aside on Mill Hill:

- A) The Colored Cemetery
- B) The Black People's Cemetery
- C) The Mill Hill Cemetery

For the land set aside on The Cliff:

- A) The Founders Cemetery
- B) The Settlers Burial Ground
- C) Proprietors Burial Ground

(Cindy Clarkson, et al)

ARTICLE

(Establishment of Agricultural Commission)

To see if the Town will vote to establish an Agricultural Commission to represent the Nantucket farming community.

Said Commission once appointed shall develop a work plan to guide its activities. Such activities include, but are not limited, to the following: shall serve as facilitators for encouraging the pursuit of agriculture in Nantucket; shall promote agricultural-based economic opportunities in Town; shall act as mediators, advocates, educators, and/or negotiators on farming issues, shall work for preservation of prime agricultural lands; and shall pursue all initiatives appropriate to creating a sustainable agricultural community.

The Commission shall consist of seven members appointed by the Board of Selectmen. The Commission will consist of a minimum of four members whose prime source of income is derived from farming or agricultural-based enterprises in Nantucket and another three who are interested in farming. Three members for a term of three years; two members for a term of two years and three thereafter; and two members for a one year term, and three years thereafter.

The appointing authority shall fill a vacancy based on the unexpired term of the vacancy in order to maintain the cycle of appointments, based on recommendations of the Commission.

- | | |
|---|---------------------|
| 1. Appointing Authority: | Board of Selectmen |
| 2. Establish number of members of Commission: | 7 plus 5 alternates |

- | | |
|--|--|
| 3. Establish terms of service: | staggered, see article |
| 4. Establish whether members must be Town Residents: | No |
| 5. Method for filling vacancies: | Board of Selectmen |
| 6. Purpose of the Commission: | To represent the Nantucket farming Community |
7. Guiding Principles for Commission Appointment:
 Members should: represent Town geographically, represent the diversity and scale of agricultural businesses, represent the diversity of the Town's population, encourage next generation of small growers and farmers. The overall intent is to be inclusive not exclusive.

Mission: Promote agricultural-based economic opportunities; preserve, revitalize and sustain the Nantucket agricultural industry, and encourage the pursuit of agriculture as a career opportunity and lifestyle.

(Heather Coffin, et al)

ARTICLE

(Bylaw Amendment: Streets and Sidewalks)

To see if the Town will vote to amend Chapter 127 (STREETS AND SIDEWALKS) of the Code of the Town of Nantucket as follows (NOTE: language to be deleted is shown by strike-out; these methods to denote changes are not meant to become part of the final text):

§ 127-19. Limitations on road improvements and construction. [Amended 4-12-2004 ATM by Art. 61, approved 9-3-2004]

- A. The Town will preserve the historic character of its road system by prohibiting the following improvements or construction for any publicly owned way or street on Nantucket unless an exception of any of the following standards is expressly authorized by a vote of Town Meeting:
- (1) The installation of automated traffic signals;
 - (2) Road widenings for the purpose of increasing motor vehicle travel capacity;
 - (3) The construction of travel lanes dedicated as turning lanes for motor vehicles;
 - (4) The construction of new public streets; and
 - (5) Paving of any unimproved publicly owned streets, ways or roads.

- B. This section shall not apply to state roads, ways pursuant to the Subdivision Control Law, and common driveways.

§ 127-20. Exceptions.

Exceptions to the above prohibitions are:

- A. ~~Areas located within the Town Overlay District (not including traffic signals or road widenings for vehicle capacity) as depicted on the map entitled "Town and County Overlay District," dated January 2, 2002, Nantucket Planning and Economic Development Commission (Article 37, 2002 ATM as duly amended and on file at the Town Clerk's office. [Amended 4-12-2004 ATM by Art. 61, approved 9-2-2004]~~
- B. Reconstruction of road beds and resurfacing of paved roads in existence prior to the effective date of this article.
- C. ~~Road improvements (not including traffic signal systems) as required by the Planning Board in conjunction with the approval of subdivision plans.~~
- D. Reconstruction of existing road drainage systems or construction of new drainage systems, provided that such systems are equipped with petroleum separation and capture per Massachusetts Department of Environmental Protection standards.
- E. Bike paths and bike lanes. [Amended 4-12-2004 ATM by Art. 61, approved 9-3-2004]
- F. (Reserved) Editor's Note: Former Subsection F, excepting works pursuant to Town or county road construction under state grant, as amended, was repealed 4-12-2004 ATM by Art. 61, approved 9-3-2004.
- G. ~~Road improvements on First Way required by the Planning Board or the Board of Selectmen to support affordable housing, such housing defined herein as that housing intended primarily for year-round residents earning up to 150% of median family income, as determined by the U.S. Department of Housing and Urban Development, and sponsored by a municipal entity, the Housing Authority or its designated nonprofit; housing required in connection with §139-11J (MCD); or housing on lots subject to a Nantucket Housing Needs Covenant. [Added 4-15-2003 ATM by Art. 71]~~

(Grant Sanders, et al)

ARTICLE

(Charter Amendment: Town Administration)

To see if the Town will vote to amend the Charter of the Town of Nantucket, Chapter 289 of the Acts of 1996, to provide that the Planning Director

report directly to the Town Manager, as is the current practice with all other Town department heads.

(Curtis Barnes, et al)

ARTICLE

(Home Rule Petition: Historic District Commission)

To see if the town will vote, pursuant to Section 9 (g) of Chapter 395 of the Acts of 1970, as amended, to require the Historical District Commission to adopt a policy encouraging solar energy systems, consistent with public policy as reflected in Chapter 40 A: Section 3, Chapter 40 A: Section 9B and Chapter 184: Section 23 C of the Massachusetts General Laws, to the maximum extent feasible without having a significant adverse impact upon its purpose of the preservation and protection of historic buildings, places and districts of historic interest.

(Karen Alence, et al)

ARTICLE

(Separate Board of Health)

To see if the Town will vote to amend existing Town health regulations, as required, to establish a separate Board of Health for the Town of Nantucket, composed of 5 members, three of which must be in a health or health-related technical field (e.g., medical, nursing, lab technician, pharmacist, engineering, sanitation, surveying, etc.). Members of the Board of Health shall be appointed by the Board of Selectmen for staggered three-year terms, effective with passage of this Article.

(Curtis Barnes, et al)

ARTICLE

(Home Rule Petition: Planning Board)

To see if the Town will vote by whatever means, including a by-law amendment, a charter change, or a legislative law change pursuant to Article 77 of the 1928 Town Meeting and Article 92 of the 1955 Town Meeting, under the provisions of Section 81-A of Chapter 41 of the General Laws, to amend the terms of the members of the five member Planning Board from five years to three years as follows: At the 2008 annual town election, there shall be elected one member to serve three years; at the 2009 annual town election, there shall be elected one member to serve three years; at the 2010 annual town election, there shall be elected two members to serve three years; at the 2011 annual town election, there shall be elected two members to serve three years; at the 2012 annual town election, there shall be elected two members for three years; at the 2013 annual town election, there shall be elected one member to serve three

years; and thereafter, for two consecutive years, there shall be elected at the annual town election, two members of such board to serve the term of three years, and every third year shall be elected at the annual town election, one member of such board to serve for the term of three years.

(Joan S. Barnes, et al)

ARTICLE

(Residency Requirement for Town Pier Slips)

This article would provide regulation limiting applications to the Nantucket Harbor Master for Town of Nantucket Dock boat slips to citizens using Nantucket as their primary residence. This would limit annual town boat slip applications to year-round residents of Nantucket.

(Daniel Balling, et al)

ARTICLE

(Zoning Map Change: Kelley Road)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties, currently located in the Limited Use General 3 (LUG-3) district to the Limited Use General 1 (LUG-1) district:

Address	Map	Parcel
15 Kelley Road	54	95
28 Kelley Road	54	104

All as shown on a map entitled "Proposed Rezoning for 15 and 28 Kelley Road" filed herewith at the office of the Town Clerk.

(Patricia C. Myers, et al)

ARTICLE

(Appropriation: Construction of Sports Complex)

To see if the town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, including a borrowing contingent upon passage by ballot of a debt exclusion override referendum, Three Million Six Hundred Thousand Dollars (\$3,600,000), for use by the Park and Recreation Commission, with the approval of the Board of Selectman, for the purposes of constructing a 15 acre sports complex on Land Bank property, 81 Milestone Road (Map 61 Parcel 1).

(Stephen Theroux, et al)

ARTICLE

(Bylaw Amendment: Board of Sewer Commissioners)

To see if the Town will vote to amend Chapter 41, Board of Sewer Commissioners, Section 41-3A, Town Sewer District, of the Code of the Town of Nantucket by adding the following parcels to the Town Sewer District Map:

Map and Parcel	Address
41 480	21 Crooked Lane
41 336 and 336.1	20 Crooked Lane
41 337	106 West Chester Street
41 338	102 West Chester Street
41 339	98 West Chester Street
41 340	94 West Chester Street
41 533	90 West Chester Street
41 533.1	86 West Chester Street
41 343	84 West Chester Street
41 343.1	82 West Chester Street
41 210	121 West Chester Street
41 211	117 West Chester Street
41 806	109 West Chester Street
41 805	Street Address Unknown
41 93.1	95 West Chester Street
41 93.2	95R West Chester Street Lot 30, 31, 32

(Matthew J. Capozia, et al)

ARTICLE

(Zoning Bylaw Amendment: Open Air Markets)

NOTE: The following article addresses the “farmers’ market” concerns of the Town by adding a new use under “definitions” for “Open Air Markets” and then allows a new use in those districts listed in Section 139-8 and adds “Open Air Markets” as a new allowed by right use, subsection (3), under Section 139-8A permitted uses with Site Plan Review by the Planning Board per Section 139-23E.

Sections 139-2; 139-8A; and 139-23E(2) would be amended as shown below:

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket as follows:

1. To amend Section 139-2 by adding in the appropriate alphabetical listing the following definition:

“Open Air Markets: An occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produces, seasonal fruits, fresh flowers, arts and crafts items, and

food and beverages (but not to include second hand goods) dispensed from booths located on site.”

2. To amend Section 139-8A by adding the following new use and language:

“(3) Open Air Markets with minor Site Plan Review under Section 139-23 by the Planning Board.”

3. To amend Section 139-23E (2) by adding the following language to the last sentence:

“...and for minor site plan review for Open Air Markets.”

(Heather Coffin, et al)