COMMONWEALTH OF MASSACHUSETTS

TOWN OF NANTUCKET

WARRANT FOR

2012 ANNUAL TOWN MEETING
Nantucket High School
Saturday, March 31, 2012 – 8:30 AM

AND

ANNUAL TOWN ELECTION
Nantucket High School
April 10, 2012
7:00 AM – 8:00 PM

Town of Nantucket
16 Broad Street
Nantucket, MA 02554
(508) 228-7255
www.nantucket-ma.gov

To the Constables of the Town of Nantucket:

GREETING:
In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Nantucket qualified to vote in Town affairs, to meet and assemble themselves at the Nantucket High School Auditorium at 10 Surfside Road in said Nantucket, on

SATURDAY, MARCH 31, 2012 AT 8:30 AM,
THEN AND THERE TO ACT ON THE ARTICLES
CONTAINED WITH THE ENCLOSED WARRANT:

ARTICLE 1
(Receipt of Reports)

To receive the reports of various departments and committees as printed in the Fiscal Year 2011 Annual Town Report or as may come before this meeting; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 2
(Appropriation: Unpaid Bills)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds for the payment, pursuant to Chapter 44 section 64 of the Massachusetts General Laws, of unpaid bills from previous fiscal years, including any bills now on overdraft; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 3
(Appropriation: Prior Year Articles)

To see what sums the Town will vote to appropriate and transfer from available funds previously appropriated pursuant to Articles voted in prior years; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 4
(Revolving Accounts: Annual Authorization)

To see what revolving accounts the Town may vote to authorize or reauthorize pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2013; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 5
(Appropriation: Reserve Fund)

To see what sum the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purposes of establishing a Reserve Fund pursuant to Chapter 40 section 6 of the Massachusetts General Laws, to provide for the extraordinary and unforeseen expenditures which may arise during Fiscal Year 2013; said sum not to exceed five (5) percent of the Fiscal Year 2012 tax levy; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 6
(Fiscal Year 2012 General Fund Budget Transfers)

To see what sums the Town will vote to transfer into various line items of the Fiscal Year 2012 General Fund operating budget from other line items of said budget and from other available funds; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 7
(Personnel Compensation Plans for Fiscal Year 2013)

To see if the Town will vote to adopt the following Compensation Plans for Fiscal Year 2013:

Schedule A -- Miscellaneous Compensation Schedule

Abatement Advisory Committee (yearly per member)	$600.00
Americans with Disabilities Act Facilitator (hourly)	15.00
Building Inspector, Assistant (hourly)	30.00
Certified Nurse's Aide/Our Island Home (Per Diem – hourly)	19.00
Dietician/Our Island Home (hourly)	38.00
Election Warden (hourly)	20.00
Election Worker (hourly)	15.00
EMT, Call (per hour)	15.00
Fire Captain, Call (yearly)	150.00
Fire Fighter, Call (per hour)	15.00
Fire Lieutenant, Call (yearly)	125.00
Fire Chief, Second Deputy (yearly)	5,000.00
Fire Chief, Third Deputy (yearly)	5,000.00
Plumbing Inspector, Assistant (hourly)	30.00
Registrar of Voters (yearly)	600.00
Registrar, Temporary Assistant (hourly)	10.00
Senior Adult Day Care Aide (Per Diem – hourly)	18.76
Temporary Employee	various rates of pay
Wiring Inspector, Assistant (hourly)	30.00
Veterans' Agent (hourly)	15.00

Schedule B -- Seasonal Employee Compensation Schedule
(Spring, Summer, Fall, Winter/Effective April 15, 2012- April 14, 2013)

Compensation Level	Start	Second Season	Third Season	Fourth Season
A-Hourly*	$14.00	$15.00	$16.00	$17.00
B-Hourly*	$14.50	$15.50	$16.50	$17.50
C-Hourly*	$15.50	$16.50	$17.50	$18.50
D-Hourly*	$16.00	$17.00	$18.00	$19.00
E-Hourly*	$18.00	$18.50	$19.00	$19.50

*An employee assigned supervisory responsibilities shall be placed in the next higher category.

A: Dock Attendant, Information Aide, Matron
B: Swimming Instructor, Arts & Crafts Instructor, Seasonal Health Assistant, Shellfish Warden, Endangered Species Monitor, Parking Control Officer, Seasonal Laborer (Public Works)
C: Endangered Species Monitor Supervisor, Summer Recreation Coordinator, Dock Worker
D: Seasonal Firefighter/EMT, Community Service Officer, Lifeguard, Tennis Attendant (Park & Recreation), Laborer (Public Works)
E. Lifeguard Supervisor, Seasonal Assistant Harbormaster, Seasonal Maintenance Supervisor (Public Works); Tennis Instructor (Park & Recreation/DPW); Seasonal Recreational Program Coordinator (Park & Recreation/DPW)

*Schedule C -- Compensation Schedule for Elected Officials**

Moderator	$175 per year
Selectman, Chair	$5,000/per year
Selectmen	$3,500/per year
Town Clerk	$89,530

**Other than establishing the salary pursuant to MGL c. 41, s. 108, these positions are excluded from the Personnel Bylaw of the Town.*

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 8
(Appropriation: Fiscal Year 2013 General Fund Operating Budget)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purposes of supporting the offices, departments, boards and commissions of the Town of Nantucket for Fiscal Year 2013; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 9
(Appropriation: Health and Human Services)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the Council for Human Services to be used by the Council to contract with various health and human services, not-for-profit corporations to provide for the health, safety and welfare of the inhabitants of the Town of Nantucket; further, that all such sums be expended on the condition that contracts be executed by and between the Board of Selectmen and the respective private, not-for-profit agency for Fiscal Year 2013, which contracts shall stipulate mutually agreed upon terms and conditions; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 10
(Appropriation: General Fund Capital Expenditures)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, for the purposes of capital expenditures for Fiscal Year 2013 for the offices, departments, boards and commissions of the Town of Nantucket; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 11
(Appropriation: Renovation of 20 South Water Street)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, for professional services for design, permitting, architecture, construction supervision and other related professional services, and for the construction, installation and equipping of renovations to the buildings at 20 South Water Street and 1 East Chestnut Street; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 12
(Appropriation: Hummock Pond Road Bicycle Path)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, for professional services for design, permitting, construction supervision and other related professional services, and for the construction of a bicycle path along Hummock Pond Road; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 13
(Appropriation: Wind Turbine at Madaket Landfill)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, for professional services for design, permitting, construction, construction supervision, engineering services and other related professional services and for construction of a wind turbine at the Madaket Landfill; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 14
(Appropriation: Enterprise Funds Operations)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the operation of the Enterprise Funds of the Town of Nantucket for Fiscal Year 2013, out of anticipated revenues of the designated funds, for the purposes set forth above; or to take any other action related thereto.

(Board of Selectmen for the Various Departments Indicated)

ARTICLE 15
(Appropriation: Enterprise Funds Capital Expenditures)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purposes of capital expenditures in Fiscal Year 2013 for the Enterprise Funds established under the jurisdiction of the Town of Nantucket; or to take any other action related thereto.

(Board of Selectmen for the Various Departments Indicated)

ARTICLE 16
(Enterprise Funds: Fiscal Year 2012 Budget Transfers)

To see what sums the Town will vote to transfer into various line items of Fiscal Year 2012 Enterprise Fund operating budgets from other line items of said budgets and/or from Enterprise Surplus Reserve Funds; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 17
(Appropriation: Waterways Improvement Fund)

To see what sum the Town will vote to appropriate from the revenue received under Chapter 60B subsection (i) of section 2 and under Chapter 91section 10A of the Massachusetts General Laws and sums received from the Commonwealth or Federal Government for purposes established by Chapter 40 section 5G of the Massachusetts General Laws including but not limited to (1) maintenance , dredging, cleaning and improvement of harbors, inland waters and great ponds, (2) the public access thereto,

(3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention in the Town and County of Nantucket, and any other purpose allowed by applicable law.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 18
(Authorization: Airport Aviation Fuel Revolving Fund for Fiscal Year 2012)

To see if the Town will vote to authorize a revolving fund for the Airport, to be known as the Airport Aviation Fuel Revolving Fund, to which shall be credited fees and other receipts received in connection with the sale of aviation fuel, which fund may be expended for the purchase of aviation fuel, to be expended by the Airport Commission, and further to establish a spending limit from the fund for Fiscal Year 2012, pursuant to the provisions of Chapter 28 of the Acts of 2004 and Massachusetts General Law Chapter 44, section 53E½, or to take any other action related thereto.

(Board of Selectmen for Airport Commission)

ARTICLE 19
(Authorization: Airport Aviation Fuel Revolving Fund for Fiscal Year 2013)

To see if the Town will vote to reauthorize a revolving fund for the Airport, to be known as the Airport Aviation Fuel Revolving Fund, to which shall be credited fees and other receipts received in connection with the sale of aviation fuel, which fund may be expended for the purchase of aviation fuel, to be expended by the Airport Commission, and further to establish a spending limit from the fund for Fiscal Year 2013, pursuant to the provisions of Chapter 28 of the Acts of 2004 and Massachusetts General Law Chapter 44, section 53E½, or to take any other action related thereto.

(Board of Selectmen for Airport Commission)

ARTICLE 20
(Home Rule Petition: Airport Revolving Fund)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation set forth below; provided, however, that the General Court may with the approval of the Board of Selectmen, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage; or to take any other action related thereto.

An Act Relative to the Nantucket Memorial Airport Fuel Revolving Account

SECTION 1. Chapter 28 of the acts of 2004 is hereby amended by inserting at the end of section 1 the following:- This fund shall not be included in the calculation of the aggregate limit of all revolving funds authorized under section 53E½ of said chapter 44.

SECTION 2. This act shall take effect upon its passage.

(Board of Selectmen for Airport Commission)

ARTICLE 21
(Appropriation: Ambulance Reserve Fund)

To see what sum the Town will vote to appropriate from the Ambulance Reserve Fund for the purchase of ambulance-related equipment, including but not limited to extrication collars, backboards and other emergency equipment, oxygen tanks and refills, blankets and other linens, bandages and other medical supplies, fuel, repairs and maintenance for three (3) ambulances, and other such related costs to operate the Town's ambulance services, including up to four (4) full-time firefighter/EMT positions. All expenditures to be made by the Fire Department, subject to the approval of the Town Manager; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 22
(Appropriation: County Assessment)

To see if the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, to pay the County of Nantucket such assessment as is required for Fiscal Year 2013, and to authorize the expenditure of these funds for County purposes, all in accordance with the Massachusetts General Laws and in accordance with the County Charter (Chapter 290 of the Acts of 1996), the sum of One Hundred Sixty-six Thousand Dollars ($166,000) ; or to take any other action related thereto.

Or to take any other action related thereto.

(Board of Selectmen/County Commissioners)

ARTICLE 23
(Appropriation: Finalizing Fiscal Year 2013 County Budget)

To see if the Town will vote to overturn any denial of approval by the Nantucket County Review Committee, of any item of the County budget for Fiscal Year 2013 by appropriating a sum of money for such County budget and authorizing the expenditure of estimated County revenues, County reserve funds, County deed excise fees or other available County funds including the Town assessment for County purposes; further, to see if the Town will vote to overturn any denial by the Nantucket County Review Committee of the establishment of a County Reserve Fund, from which transfers may be made to meet extraordinary or unforeseen expenditures with the approval of the County Commissioners acting as the County Advisory Board Executive Committee within the meaning of Chapter 35 section 32 of the Massachusetts General Laws; or to take any other action related thereto.

(Board of Selectmen/County Commissioners)

ARTICLE 24
(Rescind Unused Borrowing Authority)

To see what action the Town will take to amend, appropriate or reappropriate, transfer, modify, repeal or rescind unused borrowing authority authorized by previous town meetings.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 25
(Appropriation: Ferry Embarkation Fee)

To see what sum the Town will vote to appropriate from the proceeds of the ferry embarkation fee established by Chapter 46, section 129 of the Acts of 2003 as amended, for the purposes of mitigating the impacts of ferry service on the Town and County of Nantucket, including but not limited to provision of harbor services, public safety protection, emergency services, infrastructure improvements within and around Nantucket Harbor, and professional services pertaining to the potential use or reuse of land, buildings and infrastructure in the vicinity of Nantucket Harbor, and any other purpose allowed by applicable law.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 26
(Appropriation: Collective Bargaining Agreement/Fire)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund the cost items for Fiscal Year 2011in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and Fire Department union employees (represented by the Nantucket Professional Firefighters Local 2509) in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town's classification and compensation plan accordingly to reflect such contract.

Or to take any other action related thereto.

(*Board of Selectmen)*

ARTICLE 27
(Appropriation: Collective Bargaining Agreement/Fire)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund the cost items for Fiscal Year 2013 in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and the Fire Department union employees (represented by the Nantucket Professional Firefighters Local 2509) in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town's

classification and compensation plan accordingly to reflect such contract.

Or to take any other action related thereto.

(*Board of Selectmen)*

ARTICLE 28
(Appropriation: Collective Bargaining Agreement/Laborer's Union)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund the cost items for Fiscal Year 2013 in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and Laborer's union employees (represented by the Massachusetts Laborer's District Council Nantucket Public Employees' Local Union, the Laborer's International Union of North America, Local 1060) in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town's classification and compensation plan accordingly to reflect such contract.

Or to take any other action related thereto.

(*Board of Selectmen)*

ARTICLE 29
(Appropriation: Collective Bargaining Agreement/DPW)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund the cost items for Fiscal Year 2012 in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and Department of Public Works union employees (represented by the American Federation of State, County and Municipal Employees, Local 2346) in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town's classification and compensation plan accordingly to reflect such contract.

Or to take any other action related thereto.

(*Board of Selectmen)*

ARTICLE 30
(Community Preservation Committee: Fiscal Year 2012 Budget Transfers)

To see what sums the Town will vote to transfer into the Community Preservation Committee Reserved and Unreserved fund balances to turn back the unspent remainder of projects approved in prior fiscal years so that it will be available for future appropriations

(Kenneth Beaugrand, et al)

ARTICLE 31
(Appropriation: FY 2013 Community Preservation Fund)

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2013 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
Historic Preservation	
Nantucket Firemen's Association Restoration of a 1937 American LaFrance pumper Fire Truck	$80,000
Sir Isaac Coffin School, Prospect Hill Cemetery Association and Nantucket Maria Mitchell Association Restoration of the three historic wrought iron fences	$143,000
Sub-total	$223,000
All funds to be used in this category are from the Community Preservation surcharge and the State matching funds.	
Community Housing	
Housing Nantucket Scattered site Community Preservation funded house maintenance program	$150,000
Interfaith Council Housing and rental assistance program	$115,000
Habitat for Humanity Nantucket Inc. Construct new Habitat for Humanity house on Sachem's Path Project	$200,000
Housing Assistance Corporation Site work and road and utility infrastructure on Sachem's Path Project	$990,000
Town of Nantucket, Affordable Housing Trust Fund Construct two dwellings at 7 Surfside Road	$160,000
Sub-total	$1,615,000
$246,818.91 of the funds utilized for this category are from the designated reserve balance for affordable housing with the balance of the funds in this category from the Community Preservation surcharge and the State matching	

funds.	
Open Space Conservation/Recreation	
Nantucket Park and Recreation Commission Construction of project field house for multi-use field complex on Nobadeer Farm Road, phase 4	$385,000
Nantucket Hunting Association Creation of a conservation restriction on 18 acres of town owned land and funding of a $350,000 completion bond for the Shooting Park project, including the management of the conservation restriction.	$412,650
Sub-total	**$797,650**
$348,242.09 of the funds utilized for this category are from the designated reserve balance for open space with the balance of the funds to be used in this category from the Community Preservation surcharge and the State matching funds.	
Administrative	
Community Preservation Committee Administrative and operating expenses	$93,211
Sub-total	**$93,211**
All funds to be used in this category are from the Community Preservation Surcharge and the State matching funds	
TOTAL	**$2,728,861**
And amounts to be appropriated from the following sources:	
SOURCES	**AMOUNT**
Raised and appropriated from FY 2013 Community Preservation Surcharge	$1,709,000
From State matching funds for FY 2012, to be received in 2013	$424,800
From designated reserve fund balance for Affordable housing	$246,818.91
From designated reserve fund balance for Open Space	$348,242.09
Total Revenues	**$2,728,861**

For fiscal year 2013 Community Preservation Purposes with each item considered a separate appropriation to be spent by the Community Preservation Committee.

Provided however, that the above expenditures may be 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 32
(Appropriation: Nobadeer Farm Road Playing Fields)

To see if the Town will vote under the Community Preservation Act, to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds the sum of $1,100,000 (One million, one hundred thousand dollars) to be spent by the Community Preservation Committee for the purpose of funding the creation and completion of land for recreational use, in particular, the construction of one artificial surface playing filed, including all costs incidental and related thereto, at the Nobadeer Farm Road complex to complement the existing two grass playing fields previously funded and constructed with funds from the Community Preservation Committee; and as funding therefor to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum pursuant to the provisions of G.L. c44B, section 11 and G.L. c. 44, section 7 or any other enabling authority, and to issue bonds and notes therefor.

(Kenneth Beaugrand, et al)

ARTICLE 33
(Authorization to Establish Revolving Fund for Records Preservation)

To see if the Town will vote to: AUTHORIZE THE TOWN CLERK TO ESTABLISH A REVOLVING FUND. To see if the Town will vote pursuant to M.G.L. Ch. 44, section 53E 1/2, to establish a revolving fund to be known as the "Town Clerk's Record Preservation Fund", into which shall be credited the $5.00 surcharge collected in connection with certification of copies of public and vital records, and which fund shall be expended for the reasonable costs and expenses for supplies and services necessary for the preservation, restoration, binding, archiving and documentation of the permanent records of the Town and County of Nantucket, including but not limited to shelving, storage, laserfiching and the administrative costs related thereto; the Town Clerk shall be authorized to expend up to $50,000 from said fund during Fiscal Year 2013.

Or take any other action relative thereto.

(Catherine Flanagan Stover, et al)

ARTICLE 34
(Appropriation: Comprehensive Tick-borne Disease Program)

To see if the Town will vote to transfer from available funds not-to-exceed $150,000 fto be spent by the Board of Health for the purpose of developing and implementing an island-wide comprehensive program for the reduction of tick-borne diseases for Fiscal Year 2014 and to take any action related thereto.

For Fiscal Years 2015-2025 the above available funds are to be reduced to a not-to-exceed annual amount not to exceed $75,000 for those 10 years.

(Carol G. Dunton, et al)

ARTICLE 35
(Appropriation: Tom Nevers Bus Route)

To see if the Town will vote to transfer from available funds the sum of $45,000 to be spent by Town Administration for the purpose of establishing a Tom Nevers Road NRTA bus route to run seasonally 8 times daily from mid-June through Labor Day annually.

(Carol G. Dunton, et al)

ARTICLE 36
(Appropriation: Tom Nevers Road Bike Lane)

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the funds pursuant to any applicable statutes, a sum of money to fund the cost for professional engineering and to build a Bike Lane (on the east side) of Tom Nevers Road from the Milestone Road Bike Path to Tom Nevers field and to take any other action related pursuant to this end. The estimated cost of the design and engineering and construction will be $500,000. (A Bike Lane is a widened strip of roadway defined by a yellow line. It is a nationally recognized standard and is maintained by standard road maintenance.

(Pamela C. Bartlett, et al)

ARTICLE 37
(Zoning Map Change: Washington Street, Straight Wharf, Old North Wharf, Easy Street, Whaler Lane, and South Beach Street)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Limited Commercial (LC) district in the Commercial Downtown (CDT) district:

Map	Lot	Number	Street
42.4.2	56	6	South Beach Street
42.4.2	59	4	South Beach Street
42.4.2	89	3	Whalers Lane

42.4.2	88	5	North Water Street

2. By placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Downtown (CDT) district:

Map	Lot	Number	Street
42.4.2	57.1	15	South Beach Street
42.4.2	7	11	South Beach Street
42.4.2	58	9	South Beach Street
42.4.2	57	5	South Beach Street

3. By placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Downtown (CDT) district:

Map	Lot	Number	Street
42.4.2	16	31	Easy Street
42.4.2	17	29	Easy Street
42.4.2	18	27	Easy Street
42.4.2	20	21	Easy Street
42.3.1	17	7	Easy Street
42.3.1	18	4	Old North Wharf
42.3.1	80	1	Old North Wharf
42.3.1	81	3	Old North Wharf
42.3.1	135	2	Straight Wharf
42.3.1	136.1	6	Straight Wharf
42.3.1	136.2	6A	Straight Wharf
42.3.1	136.3	8	Straight Wharf
42.3.1	137	10	Straight Wharf
42.3.1	138	12	Straight Wharf
42.3.1	139	16	Straight Wharf
42.3.1	86	20	Straight Wharf
42.2.4	1		Straight Wharf
42.2.4	15		Straight Wharf

4. By placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Downtown (CDT) district:

Map	Lot	Number	Street
42.3.2	21.1	25A 6	Washington Street Coffin Street
42.3.2	21.2	25B	Washington Street
42.3.2	21.3	25C	Washington Street
42.3.2	81	27	Washington Street
42.3.2	82.1	33	Washington Street
42.3.2	82.2	29	Washington Street

42.3.2	82.3	31	Washington Street

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 37 Zoning Map Change: Washington Street, Straight Wharf, Old North Wharf, Easy Street, Whaler Lane, and South Beach Street" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 38
(Zoning Map Change: Commercial Downtown District)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following property currently located in the Commercial Downtown (CDT) district in the Residential Old Historic (ROH) district:

Map	Lot	Number	Street
42.3.1	155 (a portion of)	69	Main Street
42.3.1	62	2	Quince Street
42.3.1	159	12	India Street
42.3.1	161	13	India Street

2. By placing the following property currently located in the Academy Hill (AHD) district in the Residential Old Historic (ROH) district:

Map	Lot	Number	Street
42.3.4	11	4	Westminster Street

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 38 Zoning Map Change: Commercial Downtown District" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 39
(Zoning Map Change: Main Street, Howard Street, Howard Court, Gardner Street, Liberty Street, Quarter Mile Hill, Lowell Place)

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 Residential 1 (R-1) district in the Residential Old Historic (ROH) district:

Map	Lot	Number	Street
41	169	149	Main Street
41	170	147	Main Street
41	171	145	Main Street
41	172	141	Main Street
41	455	139	Main Street
41	511	1	Lowell Place
42.3.3	4	2	Quarter Mile Hill
42.3.3	5	123	Main Street
42.3.3	6	121	Main Street
42.3.3	7	119	Main Street
42.3.3	8	117	Main Street
42.3.3	10	6	Howard Street
42.3.3	11	8	Howard Street
42.3.3	12	12	Gardner Street
42.3.3	13	10	Gardner Street
42.3.4	35	1	Howard Court
42.3.4	36	2	Howard Court
42.3.3	46	131	Main Street
42.3.3	47	129	Main Street
42.3.3	48	127	Main Street
42.3.3	49	125	Main Street
42.3.3	50	115	Main Street
42.3.3	51	2	Howard Street
42.3.3	52	4	Howard Street
42.3.4	77	14	Gardner Street
42.3.4	79	8	Howard Court
42.3.4	81	18	Gardner Street
42.3.4	81.1	20	Gardner Street
42.3.4	81.2	22	Gardner Street
42.3.4	82	34	Liberty Street
42.3.4	116	16	Gardner Street

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 39 Zoning Map Change: Main Street, Howard Street, Howard Court, Gardner Street, Liberty Street, Quarter Mile Hill, Lowell Place" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 40
(Zoning Map Change: Old South 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 Residential Commercial 2 (RC-2) district in the Commercial Neighborhood (CN) district:

Map	Lot	Number	Street
67	41.1	15	Old South Road
67	41.2	17	Old South Road
67	41.4	17A	Old South Road
67	41.5	17B	Old South Road
67	41.6	17C	Old South Road
67	41.3	17	Old South Road
67	667	19	Old South Road
67	668	19A	Old South Road
67	669	19C	Old South Road
67	41	19B	Old South Road
68	1	25	Old South Road
68	2	27	Old South Road
68	3	31	Old South Road
68	4 (a portion of)	33	Old South Road
68	6.6	35A	Old South Road
68	6.1	35B	Old South Road
68	6.2	35C	Old South Road
68	6.3	35D	Old South Road
68	6.4	35E	Old South Road
68	6.5	35F	Old South Road
68	252.1	37A	Old South Road
68	252.2	37B	Old South Road
68	252.3	37C	Old South Road
68	252.4	37D	Old South Road
68	252.5	37E	Old South Road
68	252.6	37F	Old South Road
68	252.7	37G	Old South Road
68	252.8	37H	Old South Road
68	252.9	37I	Old South Road
68	254.1	37J	Old South Road
68	254.2	37K	Old South Road
68	250.1	41A	Old South Road
68	250.2	41B	Old South Road
68	250.3	41C	Old South Road
68	250.4	41D	Old South Road
68	250.5	41E	Old South Road
68	250.6	41F	Old South Road
68	250.7	41G	Old South Road
68	250.8	41H	Old South Road

68	250.9	41I	Old South Road
68	253.1	41J	Old South Road
68	253.2	41K	Old South Road
68	7	39	Old South Road
68	8	41	Old South Road
68	9	1	Toombs Court
68	81	43	Old South Road
68	982	45	Old South Road
68	775	2	Toombs Court

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 40 Zoning Map Change: Old South Road" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 41
(Zoning Map Change: Green Meadows, Miacomet Avenue, Point Judith Lane, Celtic Drive, Valley View Drive, Otokomi Road, Boucher Way, Penny Lane, Essex Road, Cynthia Lane, and Thurstons Way)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	371	20	Green Meadows
67	372	17	Green Meadows
67	373	15	Green Meadows
67	374	13	Green Meadows
67	375	11	Green Meadows
67	376	9	Green Meadows
67	377.1	7A	Green Meadows
67	377.2	7B	Green Meadows
67	378.1	5A	Green Meadows
67	378.2	5B	Green Meadows
67	379	3	Green Meadows
67	380	6	Green Meadows
67	381	8	Green Meadows
67	382	10	Green Meadows
67	383	12	Green Meadows

67	384	14	Green Meadows
67	385	16	Green Meadows
67	386	18	Green Meadows

2. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	227	22	Miacomet Avenue
67	228.4	2	Valley View Drive
67	228.1	4	Valley View Drive
67	228.2	3	Valley View Drive
67	228.3	1	Valley View Drive
67	228	24	Miacomet Avenue
67	873		Valley View Drive

3. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	195.5	3	Otokomi Road
67	195.6	5	Otokomi Road
67	195.7	7	Otokomi Road
67	195.8	9	Otokomi Road

4. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	223.2	4	Celtic Drive
67	555	71	Surfside Road
67	556	73	Surfside Road
67	655	8	Celtic Drive
67	656	10	Celtic Drive
67	657	12	Celtic Drive
67	658	14	Celtic Drive
67	659	5	Celtic Drive
67	660	3	Celtic Drive
67	661	1	Celtic Drive
67	663	6	Celtic Drive

5. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	206	2	Boucher Way
67	207	37	Miacomet Avenue
67	208	1	Boucher Way
67	209	29	Miacomet Avenue

6. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	195.1	26	Miacomet Avenue
67	195.2	28	Miacomet Avenue
67	195.3	30	Miacomet Avenue
67	195.4	1	Otokomi Road
67	204.1 (a portion of)	41	Miacomet Avenue
67	205	39	Miacomet Avenue
67	212	17.5	Miacomet Avenue
67	213	15	Miacomet Avenue
67	214	13	Miacomet Avenue
67	215	11	Miacomet Avenue
67	216	9	Miacomet Avenue
67	224	14	Miacomet Avenue
67	225.1	18A	Miacomet Avenue
67	225.2	18B	Miacomet Avenue
67	225.3	18C	Miacomet Avenue
67	226	20	Miacomet Avenue
67	488	20.5	Miacomet Avenue
67	662	12	Miacomet Avenue
67	861	17	Miacomet Avenue
67	881	9B	Miacomet Avenue

7. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	607	15	Essex Road
67	608.1	17A	Essex Road
67	608.2	17B	Essex Road
67	609.1	19A	Essex Road
67	610	21	Essex Road
67	611	23	Essex Road

67	612.1	25A	Essex Road
67	613.1	27A	Essex Road
67	614	29	Essex Road
67	615	31	Essex Road
67	616	33	Essex Road
67	617	35	Essex Road
67	618	37	Essex Road
67	619.1	39A	Essex Road
67	619.2	39B	Essex Road
67	621	46	Essex Road
67	622	44	Essex Road
67	623	42	Essex Road
67	624	40	Essex Road
67	625	38	Essex Road
67	626	36	Essex Road
67	627	34	Essex Road
67	628	32	Essex Road
67	629	30	Essex Road
67	630	28	Essex Road
67	631	26	Essex Road
67	632	24	Essex Road
67	633	22	Essex Road
67	634	20	Essex Road
67	635	18	Essex Road
67	636	16	Essex Road
67	641	43	Essex Road
67	609.2	19B	Essex Road
67	612.2	25B	Essex Road
67	613.2	27B	Essex Road

8. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	642	55	Essex Road
67	643.1	53A	Essex Road
67	643.2	53B	Essex Road
67	644	51	Essex Road
67	645	49	Essex Road
67	646	47	Essex Road

67	647	45	Essex Road
67	648	48	Essex Road
67	649	50	Essex Road
67	650	52	Essex Road
67	651	54	Essex Road
67	652.1	56A	Essex Road
67	652.2	56B	Essex Road
67	653	58	Essex Road

9. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
67	211	1	Point Judith Lane
67	672	3	Point Judith Lane
67	673	5	Point Judith Lane
67	674	7	Point Judith Lane
67	677	13	Point Judith Lane
67	676.1	11A	Point Judith Lane
67	676.2	11B	Point Judith Lane
67	675.1	9A	Point Judith Lane
67	675.2	9B	Point Judith Lane

10. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
66	30	26	Appleton Road
66	503	28	Appleton Road
66	504.1	2A	Thurstons Way
66	504.2	2B	Thurstons Way
66	27	8.5	Thurstons Way
66	28	6	Thurstons Way
66	29	4	Thurstons Way
66	500	8	Thurstons Way
67	97.1	10	Thurstons Way
67	97.2	12	Thurstons Way

11. By placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
66	411	2	Cynthia Lane
66	412	4	Cynthia Lane
66	413	1	Cynthia Lane
66	414	3	Cynthia Lane
66	415	5	Cynthia Lane
67	454.1	6A	Cynthia Lane
67	454.2	6B	Cynthia Lane
67	455	8	Cynthia Lane
67	456	10	Cynthia Lane
67	457	12	Cynthia Lane
67	458.1	14A	Cynthia Lane
67	458.2	14B	Cynthia Lane
67	459	16	Cynthia Lane
67	460	18	Cynthia Lane
67	461	19	Cynthia Lane
67	462	17	Cynthia Lane
67	463	15	Cynthia Lane
67	464	13	Cynthia Lane
67	465	11	Cynthia Lane
67	466	9	Cynthia Lane
67	467	7	Cynthia Lane

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 41 Zoning Map Change: Green Meadows, Miacomet Avenue, Point Judith Lane, Celtic Drive, Valley View Drive, Otokomi Road, Boucher Way, Penny Lane, Essex Road, Cynthia Lane, and Thurstons Way" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 42
(Zoning Change: Fawn Lane and Toms Way)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket as follows:

1. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
68	970	5	Fawn Lane

68	971	3	Fawn Lane
68	972	2	Fawn Lane
68	973	4	Fawn Lane
68	974	6	Fawn Lane
68	975	15	Fawn Lane
68	976	13	Fawn Lane
68	977	11	Fawn Lane
68	978	9	Fawn Lane
68	979	7	Fawn Lane

2. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

Map	Lot	Number	Street
68	76	15	Toms Way
67	687	13	Toms Way
67	48	11	Toms Way

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 42 Old Fawn Lane and Toms Way" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 43
(Zoning Map Change/Thurstons Way)

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 R-20 zone to R-5 zone. 1,3,5,7, Thurstons way map 66 lots 31/32/33/35 or take any action relative thereto

(Michael Gillies, et al)

ARTICLE 44
(Zoning Map Change: Appleton 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 Residential Commercial 2 (RC-2) district in the Residential 10 (R-10) district:

Map	Lot	Number	Street
66	388	1	Appleton Road
66	389	3	Appleton Road
66	390	5	Appleton Road
66	391	7	Appleton Road

66	392	9	Appleton Road
66	393	11	Appleton Road
66	394	13	Appleton Road
66	395	15	Appleton Road
66	396	17	Appleton Road
66	397	19	Appleton Road
66	398	21	Appleton Road
66	399	23	Appleton Road
66	400	25	Appleton Road
66	401	27	Appleton Road
66	402	29	Appleton Road
66	403	31	Appleton Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 44 Zoning Map Change: Appleton Road" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 45
(Zoning Map Change: Marble Way, Somerset Road, and Bartlett 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 Residential Commercial 2 (RC-2) district in the Commercial Trade, Entrepreneurship and Craft (CTEC) district:

Map	Lot	Number	Street
66	101	2	Marble Way
66	102	4	Marble Way
66	103	6	Marble Way
66	104	10	Marble Way
66	105	12	Marble Way
66	106	14	Marble Way
66	106.1	16	Marble Way
66	406	91	Bartlett Road
66	407	87	Bartlett Road
66	408	85	Bartlett Road
66	409	83	Bartlett Road
66	410	89	Bartlett Road
66	425	71	Bartlett Road
66	426	73	Bartlett Road
66	427.1	75A	Bartlett Road

66	427.2	75B	Bartlett Road
66	428	77	Bartlett Road
66	429	79	Bartlett Road
66	430	81	Bartlett Road
66	435	67	Bartlett Road
66	436	69	Bartlett Road
66	440	65	Bartlett Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 45 Zoning Map Change: Marble Way, Somerset Road, and Bartlett Road" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 46
(Zoning Map Change: Commercial Neighborhood – Surfside Road, Windy Way, and Ariel Avenue)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following property currently located in the Residential 10 (R-10) district in the Commercial Neighborhood (CN) district or Residential Commercial 2 (RC-2) district:

Map	Lot	Number	Street
67	399	3	Ariel Avenue

2. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Commercial Neighborhood (CN) district:

Map	Lot	Number	Street
67	118	9	Windy Way
67	118.1	7	Windy Way
67	118.5	2	Windy Way
67	118.6	4	Windy Way
67	118.8	8	Windy Way
67	119	44	Surfside Road
67	120.3	46	Surfside Road
67	447.1	5A	Windy Way
67	447.2	5B	Windy Way
67	447.3	5C	Windy Way
67	447.4	5D	Windy Way

67	451.1	3A	Windy Way
67	451.2	3B	Windy Way
67	451.3	3C	Windy Way
67	451.4	3D	Windy Way
67	553.1	1A	Windy Way
67	553.2	1B	Windy Way
67	773	46.5	Surfside Road
67	863	6A	Windy Way
67	864	6B	Windy Way
67	865	6C	Windy Way

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 46 Zoning Map Change: Commercial Neighborhood - Surfside Road, Windy Way, and Ariel Avenue" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 47
(Zoning Map Change and Zoning Bylaw Change: Village Neighborhood District – Polpis Road)

To see if the Town will vote to take the following actions:

1. To amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Limited Use General 1 (LUG-1) district in the Village Neighborhood (VN) district:

Map	Lot	Number	Street
54	175 (a portion of)		Brewster Road
54	176	26	Polpis Road
54	177	24	Polpis Road
54	178	22	Polpis Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 47 Zoning Change: Polpis Road" dated January 2012 and filed herewith at the Office of the Town Clerk.

2. To amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 7A, VN, as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text):*

    a. To amend the use chart so that the following prohibited uses are allowed through the issuance of a special permit in the VN district: motor vehicle

sales, motor vehicle rental, motor vehicle repair or painting, and motor vehicle parking lots or structures.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 48
(Zoning Map Change: R-40 - Town Overlay District)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
67	641	43	Essex Road
68	249	123	Old South Road

2. By placing the following properties currently located in the Residential Commercial (RC) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
30	48 (a portion of)		Hulbert Avenue Extension
29	1	40	Bathing Beach Road
29	2		Bathing Beach Road
29	3		Bathing Beach Road
29	50		Bathing Beach Road
55.1.4	38	111	Washington Street
55.1.4	71	111	Washington Street
55.1.4	15		Union Street
55	404	88	Union Street
55	404.1	84	Union Street
55	404.2	84R	Union Street
55	398	90	Union Street
55	402	112	Orange Street
55	403	114	Orange Street
55	405	110	Orange Street
55	407	4	Goose Pond Lane

3. By placing the following properties currently located in the Limited Commercial (LC) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
29	88	62	North Beach Street
29	89	62	North Beach Street

4. By placing the following properties currently located in the Residential Old Historic (ROH) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
55.4.4	25	50	Prospect Street
55.4.1	56	39	York Street
42.4.3	47	23	North Liberty Street
42.4.3	48	19	North Liberty Street

5. By placing the following properties currently located in the Residential 1 (R-1) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
41	99	3	Pilgrim Road
41	181		Friends Burying Ground
41	274	27	New Lane
41	275.1	29	New Lane
41	275.2	10	Grove Lane
41	529	5	Saratoga Lane
42.3.4	156		Woodbury Lane
55.4.4	57	39	Prospect Street
55.4.4	81	37	Prospect Street
56	276 (a portion of)		Prospect Hill Cemetery
56	19		Roman Catholic Cemetery
55	313	3	Cato Lane
55	1	29	Vesper Lane
55	319		North Mill Street
55	320	9	Vesper Lane
55	2		Mill Hill Cemetery
55	321	47	Prospect Street
29	28	39	Easton Street
42.1.4	7	2A	Easton Street
42.1.4	3		Easton Street
42.1.4	21	39	Easton Street
41	29	48	Cliff Road
41	449	16	Sunset Hill Lane
42.4.4	32	22	Sunset Hill Lane

42.4.4	33.4	10	Folger Lane
31	16		Lincoln Park
30	48 (a portion of)		Hulbert Avenue Extension

6. By placing the following properties currently located in the Residential 10 (R-10) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
55	241	46	Sparks Avenue
55	600	44	Sparks Avenue
55	628	17	Backus Lane
67	483	R	Backus Lane
67	16	9	Backus Lane
67	121	42	Surfside Road
67	481	5	Backus Lane
67	698	14	Pilot Whale Drive
67	397	12	Pilot Whale Drive
67	396	10	Pilot Whale Drive
67	395	8	Pilot Whale Drive
67	394	6	Pilot Whale Drive
67	387	64	Surfside Road
67	400	9	Pilot Whale Drive
67	401	7	Pilot Whale Drive
67	402	5	Pilot Whale Drive
67	403	3	Pilot Whale Drive

7. By placing the following properties currently located in the Residential 20 (R-20) district in the Residential 40 (R-40) district:

Map	Lot	Number	Street
41	392	26	New Lane
41	5	3	Gosnold Road
41	6	3	Gosnold Road
56	276 (a portion of)		Prospect Hill Cemetery
56	458	17	Aurora Way
56	373	14	High Brush Path
56	391		Meadow View Drive
56	52	2	Marsh Hawk Lane
56	53	2	Marsh Hawk Lane
56	395	8	Marsh Hawk Lane
56	396	6	Marsh Hawk Lane

66	11	4	Marsh Hawk Lane
66	12	45	Somerset Road
30	92	2	Hallowell Lane
30	79		Cliff Road
30	80		Cliff Road
30	81		Cliff Road
30	82		Cliff Road
30	237	15	Gosnold Road
30	266	13	Gosnold Road
41	582	56	Madaket Road
41	583	54	Madaket Road
41	584	52	Madaket Road
41	585	50	Madaket Road
41	586	48	Madaket Road
41	587	46	Madaket Road
41	376	21	Grove Lane
41	342	35	Grove Lane
41	420	53	Grove Lane
41	421	45	Grove Lane
41	422	92	West Chester Street
41	423	92	West Chester Street
41	424	92	West Chester Street
41	425	92	West Chester Street
41	426	41	Grove Lane
41	427	41	Grove Lane
41	428	41	Grove Lane
41	429	41	Grove Lane
41	341	92	West Chester Street
41	484	47	Grove Lane
41	434	32	Grove Lane

All as shown on a map entitled “2011 Annual Town Meeting Warrant Article 48 Zoning Map Change: R-40 - Town Overlay District, Maps 1, 2, and 3” dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 49
(Zoning Map Change: LUG-3 – Country Overlay District)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Residential 20 (R-20) district in the Limited Use General 3 (LUG-3) district:

Map	Lot	Number	Street
21	15 (a portion of)	25	Sesachacha Road
21	16 (a portion of)	23	Sesachacha Road
21	17 (a portion of)	21	Sesachacha Road
21	20 (a portion of)		Sesachacha Road
21	64 (a portion of)		Quidnet Road
21	65 (a portion of)	78	Quidnet Road
21	66 (a portion of)	80	Quidnet Road
21	67 (a portion of)	84	Quidnet Road
21	68 (a portion of)	84	Quidnet Road
21	69 (a portion of)	86	Quidnet Road
21	70 (a portion of)	88	Quidnet Road
21	71 (a portion of)	90	Quidnet Road
21	75 (a portion of)	R	Quidnet Road
21	81.1	18	Sesachacha Road
21	107 (a portion of)	94	Quidnet Road
87	131	166	Surfside Road
87	44 (a portion of)	41R	Nonantum Avenue
87	45	39	Nonantum Avenue
87	46	39	Nonantum Avenue
87	67 (a portion of)	8	Western Avenue
87	68 (a portion of)	8	Western Avenue
87	105 (a portion of)	160	Surfside Road
87	131	166	Surfside Road
87	Beach Parking Lot		Portions of Western Avenue
87	Beach Parking Lot		Portions of Atlantic Avenue
87	Beach Parking Lot		Portions of Poplar Street
87	Steps Lovers Lane	Parcel 13	Map 2009-25 on file at the Registry of Deeds
88	40		Beach
88	41		Beach
88	42		Beach
88	43		Beach
88	Nonantum Avenue west of Hawthorne Street		Beach

2. By placing the following properties currently located in the Limited Use General 1 (LUG-1) district in the Limited Use General 3 (LUG-3) district:

Map	Lot	Number	Street
43	68	22	Cathcart Road
43	155		Shimmo Pond Road
54	7	49	Monomoy Road
54	91	26A	Polpis Road
54	53		Creeks
55	640		Creeks
54	641		Creeks
55	643		Goose Pond Lane
55	415		Creeks
55	414	6	Goose Pond Lane
55	276		Shore Reservation
55	298		Monomoy Creek Road
55.1.4	9.1	100	Washington Street
55.1.4	9.2	98	Washington Street
55.1.4	9.3	102	Washington Street

3. By placing the following properties currently located in the Limited Use General 2 (LUG-2) district in the Limited Use General 3 (LUG-3) district:

Map	Lot	Number	Street
87	67 (a portion of)	8	Western Avenue
87	68 (a portion of)	8	Western Avenue
31	12		Capaum Pond
31	13.1	38	Washing Pond Road
34	2		Eel Point Road
34	3		Eel Point Road
38	8	190	Madaket Road
38			Portions of Long Pond
38	8.1		Madaket Road
40	18	211	Cliff Road
40	25.4	113	Madaket Road
40	56	212	Cliff Road
40	57	204	Cliff Road
40	58	202	Cliff Road
40	62	215	Cliff Road
41	1	157	Cliff Road
41	65	165	Cliff Road
63	20	19	Sheep Pond Road
63	21	17	Sheep Pond Road

63	22	15	Sheep Pond Road
63	23	13	Sheep Pond Road
63	24	9	Sheep Pond Road
63	38	35	Sheep Pond Road
63	53	27	Sheep Pond Road
63	54		Beach
65	28	159	Hummock Pond Road
67	49	15	Miacomet Road
79	13		Adams Street
79	Portion of former Adams Street	Lot 1 (a portion of)	Plan 2011-33 on file at the Registry of Deeds
80	47		Miacomet Park
80	1.1	15	South Shore Road
81	6 (a portion of)	120	Miacomet Road
81	29		Miacomet Park
81	29.1 - 29.8		Miacomet Park
81	30 - 48		Miacomet Park
81	49 - 51.1		Miacomet Park
81	68		Miacomet Park
81	69		Miacomet Park
81	75 - 89		Miacomet Park
81	90 - 99		Miacomet Park
81	100 - 116		Miacomet Park
81	117 - 128		Miacomet Park
81	129	156	Miacomet Road
81	130 - 142		Miacomet Park
81	143		Miacomet Park
81	144		Miacomet Park
81	145	100	Miacomet Road
81	146 (a portion of)	80	Miacomet Road
81	151		Miacomet Park
81	152		Miacomet Park
81	155		Miacomet Road
81			Eastern Shore of Miacomet Pond
82	9		Heller Way
82	60	5	Trinity Avenue
82	63	1	Trinity Avenue
82	84	231	Hummock Pond Road
86	15		Miacomet Road
86	16 - 33		Miacomet Park
86	34 - 36		Miacomet Park
86	37 - 47		Miacomet Park
86	48 - 71		Miacomet Park
86	72 - 95		Miacomet Park
86	96 - 116		Miacomet Park
86	117 - 131		Miacomet Park

86	132 - 144		Miacomet Park
86	145 - 160		Miacomet Park
86	161 - 175		Miacomet Park
86	176 - 181		Miacomet Park
86	182 - 193		Miacomet Flume
86	215 - 242		Miacomet Flume
86	243 - 262		Miacomet Park
86	263 - 264		Miacomet Flume
86	265 - 284		Miacomet Flume
86	286 - 292		Miacomet Flume
86	293	178	Miacomet Pk
86	294		Miacomet Pk
86	296		Miacomet Flume
86	296.1		Miacomet Flume
86	296.2		Miacomet Flume
86	296.3		Surfside
86	296.4		Surfside
86	297 - 300		Surfside
86	301 - 312		Miacomet Flume
87	36		Western Avenue
87	87	8	Hill Side Avenue
87	88	6	Hill Side Avenue
87	89	4	Hill Side Avenue
87	90	2	Hill Side Avenue
87	91		Weweeder Pd
87	128	75	South Shore Road
87	135 - 138	81	South Shore Road
87	144		Miacomet Flume
87	145		Miacomet Flume
87	146		Surfside
87	147	89	South Shore Road

4. By placing the following properties currently located in the 'Sconset Residential 1 (SR-1) district in the Limited Use General 3 (LUG-3) district:

Map	Lot	Number	Street
73.1.3	7.1	5	North Gully Road
73.2.4	42	4	Cod Fish Park Road

5. By placing the following property currently located in the Limited Use General 3 (LUG-3) district in the Residential 20 (R-20) district:

Map	Lot	Number	Street
87	Portion of Myles Standish Paper Street	Lot 80	Map 2011-39 on file at the Registry of Deeds

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 49 Zoning Map Change: LUG-3 – Country Overlay District" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 50
(Zoning Map Change: Surfside)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Limited Use General 2 (LUG-2) district in the Limited Use 1 (LUG-1) district:

Map	Lot	Number	Street
79	77	52	Pochick Avenue
79	27	62	Lovers Lane
79	128	54	Pochick Avenue
79	163	58	Pochick Avenue
79	162	60	Pochick Avenue
79	179	64	Pochick Avenue
79	178	64	Pochick Avenue
79	177	66	Pochick Avenue
79	176	21	Irving Street
79	175		Irving Street
79	156	68	Pochick Avenue
79	154	72	Pochick Avenue
79	118	27	Okorwaw Avenue
79	76	55	Pochick Avenue
79	127	53	Pochick Avenue
79	126	57	Pochick Avenue
79	125	59	Pochick Avenue
79	159	61	Pochick Avenue
79	158	18	Irving Street
79	160		Pochick Avenue
79	122	14	Irving Street
79	124	14	Irving Street
79	123	12	Irving Street

79	73	12	Irving Street
79	157	17	Irving Street
79	120	67	Pochick Avenue
79	121	15	Irving Street
79	72	13	Irving Street
79	119	69	Pochick Avenue
79	70	69R	Pochick Avenue
79	71	69	Pochick Avenue
79	15	50	Weweeder Avenue
79	69	71	Pochick Avenue
79	68	75	Pochick Avenue
79	14	54	Weweeder Avenue
79	67	11	Adams Street

2. By placing the following properties currently located in the Limited Use General 2 (LUG-2) district in the Limited Use 1 (LUG-1) district:

Map	Lot	Number	Street
80	144	7	Masaquet Avenue

3. By placing the following properties currently located in the Limited Use General 2 (LUG-2) district in the Limited Use 1 (LUG-1) district:

Map	Lot	Number	Street
79	152	35	Okorwaw Avenue
79	151	41	Okorwaw Avenue
79	150	5	Monohansett Road
79	149	47	Okorwaw Avenue
79	117	4	Monohansett Road
79	116	2	Monohansett Road
79	115	1	Monohansett Road
79	114	49	Okorwaw Avenue
79	65	1R	Monohansett Road
79	64	51	Okorwaw Avenue

All as shown on a map entitled “2012 Annual Town Meeting Warrant Article 50 Zoning Map Change: Surfside” dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 51
(Zoning Map Change: Wauwinet)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by taking the following actions:

1. By placing the following properties currently located in the Residential 1 (R-1) district in the Limited Use General 1 (LUG-1) district:

11	3	153	Wauwinet Road
11	4	151	Wauwinet Road
11	5		Wauwinet Road
11	6	147	Wauwinet Road
11	7	145	Wauwinet Road
11	8	143	Wauwinet Road
11	9	141	Wauwinet Road
11	10	139	Wauwinet Road
11	11.1	137	Wauwinet Road
11	21(50)	108	Wauwinet Road
11	22(31)	106	Wauwinet Road
11	23	104	Wauwinet Road
11	24.2	102	Wauwinet Road
11	24.3	100R	Wauwinet Road
12 (portion of)	28	101	Squam Road
11	29	110	Wauwinet Road
11	31	106	Wauwinet Road
12	25/26 (a portion of)	105	Squam Road
12	23/24	1	Crows Nest Way
12	22.1	3	Crows Nest Way
12	22.2	5	Crows Nest Way
12	21	7	Crows Nest Way
12	20.1/20.2	9A/9B	Crows Nest Way

2. By placing the following properties currently located in the Residential 1 (R-1) district in the Limited Use General 3 (LUG-3) district:

Map	Lot	Number	Street
11	1	155	Wauwinet Road
11	25 (a portion of)	98	Wauwinet Road
11	26 (a portion of)	94	Wauwinet Road
7	1.1 (a portion of)	165	Wauwinet Road

7	1.6 (a portion of)		Coskata
7	2 (a portion of)		Coskata

3. By placing the following property currently located in the Residential 1 (R-1) district and the Limited Use General 3 (LUG-3) district in the Limited Use General 1 (LUG-1) district:

Map	Lot	Number	Street
11	24.1	100	Wauwinet Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 51 Zoning Map Change: Wauwinet" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 52
(Zoning Map Change: Siasconset Center)

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 'Sconset Old Historic (SOH) district in the Village Neighborhood (VN) district:

Map	Lot	Number	Street
73.4.2	16	10	New Street (Siasconset)
73.2.4	34	6	Main Street (Siasconset)
73.2.4	35	4	Main Street (Siasconset)
73.2.4	33	8	Main Street (Siasconset)
73.2.4	32.1	10	Main Street (Siasconset)
73.2.4	32.2	1	Gully Road (Siasconset)

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 52 Zoning Map Change: Siasconset Center" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 53
(Zoning Map Change: Siasconset SR-20 to SR-10)

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 'Sconset Residential 20 (SR-20) district in the 'Sconset Residential 10 (SR-10) district:

Map	Lot	Number	Street
49	65.1	51R	Sankaty Road
49	64	45	Sankaty Road
49	67		Anns Lane
49	68	5	Anns Lane
49	74.1	2	Meetinghouse Lane
49	74.2	4	Meetinghouse Lane
49	76	9	Meetinghouse Lane
49	76.1	6	Meetinghouse Lane
49	76.2	52	Sankaty Road
49	77	2	Eldridge Lane
49	77.1	4	Eldridge Lane
49	77.2	5	Eldridge Lane
49	78	54	Sankaty Road
49	79	56	Sankaty Road
49.2.3	16	16	Baxter Road
49.2.3	17	25	Sankaty Road
49.2.3	18	22	Sankaty Road
49.2.3	19	24	Sankaty Road
49.2.3	19.1	24B	Sankaty Road
49.2.3	20	26	Sankaty Road
49.2.3	23.3	29	Sconset Ave
49.2.3	23.4	30B	Sankaty Road
49.2.3	23.5	30A	Sankaty Road
49.2.3	24	26	Sconset Ave
49.2.3	25	32	Sconset Ave
49.2.3	31	28	Baxter Road
49.2.3	33	24	Baxter Road
49.2.3	35	22	Baxter Road
49.2.3	37	20	Baxter Road
49.2.3	39	18	Baxter Road
49.2.3	40	27	Sankaty Road
49.2.3	41	29	Sankaty Road
49.2.3	42	31	Sankaty Road
49.2.3	44	6	Emily Street
49.2.3	45	33	Sankaty Road
49.2.3	46	35	Sankaty Road
49.2.3	47	37	Sankaty Road
49.2.3	52	5	Emily Street
49.2.3	53	3	Emily Street
49.2.3	54	4	Emily Street
49.2.3	55	44	Sankaty Road
49.2.3	56	1	Jennifer Lane
49.3.2	3.1	40	Sankaty Road
49.3.2	3.2	11	Meetinghouse Lane

49.3.2	3.3	15	Meetinghouse Lane
49.3.2	4.1	3	Jennifer Lane
49.3.2	4.2	4	Jennifer Lane
49.3.2	5	24	Sconset Ave
49.3.2	5.1	24B	Sconset Ave
73.1.4	1	5	Clifton Street
73.1.4	2	20	Sankaty Road
73.1.4	3	23	Sankaty Road
73.1.4	31	3	Rosaly Lane
73.1.4	32	1	Rosaly Lane
73.1.4	33	12	Baxter Road
73.1.4	34	6	Baxter Road
73.1.4	35	4	Butterfly Lane
73.1.4	36	11	Sankaty Road
73.1.4	37	4	Sankaty Road
73.1.4	45	19	Sankaty Road
73.1.4	46	17	Sankaty Road
73.1.4	47	15	Sankaty Road
73.4.1	8	1	Sconset Ave
73.4.1	9	18	Lindberg Ave
73.4.1	10	16	Lindberg Ave
73.4.1	30	10	Clifton Street
73.4.1	31	3	North Sias Road
73.4.1	32	2	North Sias Road
73.4.1	37	9	South Road
73.4.1	39	12	Clifton Street
73.4.1	40	5	North Sias Road
73.4.1	41	6	North Sias Road
73.4.1	42	4	North Sias Road
73.4.1	43	5	South Road
73.4.1	44	7	South Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 53 Zoning Map Change: Siasconset SR-20 to SR-10" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 54
(Zoning Map Change: Flex Development and Open Space Residential Design)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, section 8, as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text; and, further, that non-substantive*

changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):

1. To delete sections 8A and 8B in their entirety.

2. To renumber section 8C as 8B and section 8D as 8C.

3. To delete and replace the title of section 8 and insert a new section 8A as follows:

§ 139-8. Residential Development Options

A. Flex Development and Open Space Residential Development may be allowed as an alternative to a conventional subdivision. Flex Development may be allowed in the Town Overlay District (TOD) through the issuance of a special permit by the Planning Board. Open Space Residential Development is allowed by-right in the Country Overlay District (COD). The primary purposes of these development options are as follows:

(a) to allow for greater flexibility and creativity in the design of residential developments
(b) to encourage a more efficient form of development that consumes less open land
(c) to reduce infrastructure and site disturbance through the creation of compact development
(d) to encourage the permanent preservation of open space

(1) Requirements.
(a) The following requirements shall apply to Flex Development and Open Space Residential Development:
[1] All plans shall conform to the requirements of MGL c. 41 §§81K through 81GG and the *"Rules and Regulations Governing the Subdivision of Land,"* as may be amended by the Planning Board from time to time.
[2] Building lots shall not be subject to the regularity formula in §139-16D.
[3] Building lots shall be restricted from any further lot division that results in additional building lots.
[4] To ensure that all common open space and common facilities within the development will be properly maintained, a Homeowners Association shall be established in the form of a corporation, nonprofit organization, or trust. The Homeowners Association legal documents shall be subject to approval by the Planning Board and shall be filed at the Nantucket County Registry of Deeds or the Registry District of the Land Court.
[5] The maximum number of building lots, excluding any bonuses, shall not exceed the number which may otherwise have been created on a conventional subdivision plan meeting

all dimensional and upland requirements of the Zoning Bylaw and in full conformance with (and requiring no waivers from) the *"Rules and Regulations Governing the Subdivision of Land,"* as may be amended by the Planning Board from time to time, as demonstrated by the submission of a dimensioned lotting plan.

(b) Preservation of open space shall be required, with the amount based on the total tract size pursuant to sections (3) and (4) below.

[1] A restriction defining the protection of the open space shall be enforceable by the Town or County of Nantucket and recorded at the Nantucket County Registry of Deeds or the Registry District of the Land Court. In addition, open space shall be:

(a) Owned by the Town of County of Nantucket; or
(b) Owned by the Nantucket Islands Land Bank; or
(c) Conveyed to an established nonprofit organization, a principal purpose of which is the conservation of open land; or
(d) Subject to a permanent conservation restriction, as provided in MGL c. 184 §§ 31 through 33, and owned in common by a corporation or trust composed of the owners of lots within the development.

[2] Open space shall be restricted to one or more of the following uses, subject to approval of the Planning Board, in accordance with MGL c. 184 §§ 31 and 32:

(a) Preservation of important natural features on a lot
(b) Passive recreation, including but not limited to, nature study, boating, fishing, hunting, picnicking, and horseback riding
(c) Active recreation
(d) Bicycle paths and walking trails
(e) Agriculture
(f) Structures accessory to the use of the open space which may include, but is not limited to: boathouses, duck walks, landings, barns, gazebos
(g) Water features consistent with the purposes described above
(h) Individual underground septic systems or wells that provide service to the lots within the development

[3] Subject to sections (3) and (4), a maximum of 50% of the required open space may be located on noncontiguous parcels of land in common ownership with the tract to be developed. The Planning Board shall determine the development potential of the noncontiguous parcel(s) and consider the open space value subject to the following criteria:

(a) Preservation of scenic views or vistas.
(b) Common border to existing open space.
(c) Existence of a fragile ecological environment.

(d) Agricultural importance.
(e) Importance to the community for recreation, water supply, cultural or historic municipal use.
(f) Importance to the community as determined by the Planning Board.

(2) Bonus lots.

(a) Flex Developments and Open Space Residential Developments shall be entitled to bonus lots, subject to the requirements below. Bonus lots shall be based on the number of building lots which could have been created through a conventional subdivision plan, as set forth in Section 139-8A(1)(a)(5). For all density calculations that result in a fractional number, only fractions equal to or greater than 0.51 should be rounded to the next highest whole number.

[1] A 10% increase in the number of building lots that could have been created through the submission of a conventional subdivision plan.
[2] A 10% increase if the open space remains open to the public through a permanent access easement or conveyance to the Town or County of Nantucket or the Nantucket Islands Land Bank.
[3] A 1% increase for each 10% of the cluster lots restricted to a single dwelling unit, provided that the restricted lots would otherwise be permitted a second dwelling pursuant to Board of Health regulations.
[4] The total increase in building lots shall not exceed 30% of the number of building lots which could have been created through a conventional subdivision plan.

(3) Flex Development

(a) Flex Development may be allowed in the Town Overlay District (TOD) through the issuance of a special permit subject to the following:

[1] The Planning Board shall be the sole special permit granting authority for relief pursuant to any provision of this chapter.
[2] Planning Board approval of a special permit shall not substitute for approval of a definitive subdivision or Approval Not Required (ANR) plan.
[3] Flex Development shall be permitted in the R-40, R-20, R-10, R-5, and ROH districts only and shall conform to the following dimensional requirements:

	R-40	R-20	R-10	R-5	ROH
Minimum tract area (acres)	5	3	2	1	1
Open land required (total tract)	70%	50%	40%	30%	25%
Minimum lot size (square feet)	10,000	7,500	4,000	3,000	3,000

Maximum lot ground cover ratio	35%	30%	50%	60%	65%
Minimum frontage	20	20	20	0	0
Front setback	5	5	5	5	0
Side/Rear setback	5	5	5	5	0

[4] The Planning Board may reduce, by up to 100%, the setbacks, provided that the Planning Board finds that such a change will not have an adverse impact on the neighborhood and that it will promote the purposes and intent of this section.

[5] The Planning Board may reduce, by up to 100%, the required frontage provided that the lot has sufficient access through an easement.

[6] The Planning Board may waive the required minimum tract area provided that the Planning Board finds that the proposed Flex Development is more in keeping with the surrounding area, promotes a more efficient use of land, and that it will promote the purposes and intent of this section.

[7] Noncontiguous open space parcels, subject to section (1)(b)[3], may be located in the Town Overlay District (TOD) or the Country Overlay District (COD).

(b) The following development and design criteria will be considered by the Planning Board during their review of an application for Flex Development:

[1] Landscaping features utilizing natural or manmade materials are encouraged and may include effective screening, planting of street trees, and preservation of existing mature vegetation.

[2] Sidewalks and walking paths which encourage pedestrian activity are encouraged, including connections to adjacent neighborhoods and bordering open spaces.

[3] Vehicular access should be consolidated in a small number of widely spaced access points where practicable.

[4] Common driveways and shared parking areas are encouraged.

(c) The following performance criteria shall be reviewed by the Planning Board. Mitigation measures proposed by the developer shall be considered:

[1] Traffic flow and safety in the proposed development, the neighborhood, and adjacent public and private ways will not be significantly impacted in comparison with other development options;

[2] Quality of site design, building design (if applicable), and landscaping enhances the area in comparison with other development options;

[3] The provision of open land and any associated landscaping is appropriate for the scale and location of the development as determined by the Planning Board;
[4] That utilities and services, such as water and sewer, are adequate for the proposed development.

(4) Open Space Development
(a) Open Space Development shall be allowed by-right within the Country Overlay District (COD), subject to the following:
[1] For parcels of land within an Open Space Development, the Planning Board shall be the sole special permit granting authority for relief pursuant to any provision of this chapter.
[2] Open Space Development shall be permitted in the LUG-1, LUG-2, LUG-3, and VR districts only and shall conform to the following dimensional requirements:

	LUG-3	LUG-2	LUG-1	VR
Minimum tract area (acres)	10	10	5	3
Open land required (total tract)	80%	75%	65%	60%
Minimum lot size (square feet)	10,000	10,000	10,000	10,000
Maximum lot ground cover ratio	20%	20%	20%	20%
Minimum frontage	20	20	20	20
Front setback	15	15	15	15
Side/Rear setback	10	10	10	10

[3] The Planning Board may issue a special permit to reduce, by up to 100%, the setbacks, provided that the Planning Board finds that such a change will not have an adverse impact on the neighborhood and that it will promote the purposes and intent of this section.
[4] Noncontiguous open space parcels, subject to section (1)(b)[3], may be located in the Country Overlay District (COD) only.
[5] In any LUG zone, a minimum buffer of 50 feet of permanently restricted and undisturbed open space (excluding walking paths and fire access easements) shall be required between the proposed lot line of any Open Space Residential Development lot and the outside boundary of the subdivision tract. The Planning Board, through the issuance of a special permit, may reduce or waive this requirement if it finds that:
(a) Such reduction or waiver is necessitated by the shape or topography of the tract of land; or
(b) Natural resources will be better protected by an alternative location; or
(c) Equivalent protection against inconsistency with the existing pattern of development has been provided.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 55
(Zoning Bylaw Amendment: Public Wellhead Recharge District)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text):*

1. To amend section 12B as follows:

   …The Public Wellhead Recharge District is located and bounded as shown on the following maps incorporated by reference herein: for Siasconset, a map entitled "Public Wellhead Recharge District: Siasconset," prepared by Horseley, Witten & Heggemann, Inc. dated October, 1990; for the Town, a map entitled "Public Wellhead Recharge District: Town," prepared by Haley & Ward, ~~December 1994~~ September, 2011…

2. To amend section 12B, subsection 3(b) as follows:

   In order to comply with Subsection B(2)(s)[1], any person or firm proposing land uses which exceed the thresholds of this subsection shall apply the practices and technologies found in a publication entitled: ~~"Artificial Recharge: Evaluation and Guidance to Municipalities: A Guide to Stormwater Infiltration Practices in Public Water Supply Areas of Massachusetts," prepared by the Pioneer Valley Planning Commission for the Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency--Region I; November, 1996~~, "Massachusetts Stormwater Standards Handbook, Volume 1 - 3", (MassDEP 2008) as such publication may be amended from time to time, the respective Water Companies, in making their finding of water quality compliance, shall decide which techniques and practices are appropriate for each respective application.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 56
(Zoning Bylaw Amendment: Technical Corrections/Miscellaneous)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text):*

1. To amend section 2 by adding the following definition in alphabetical order:

TAKE OUT STATION: A designated area within a take-out food establishment where a cash register or other means of taking and processing orders is located.

2. To amend section 12C subsection 2(b)[1] as follows:

   [1] Within the ROH, R-1, R-5, R-10, R-20, and R-40 districts only, ~~T~~there shall be no more than two lots (including the subject lot) containing neighborhood employee housing, employer dormitory housing previously approved by the special permit granting authority under this chapter, or dormitory units that are legally nonconforming, all within 1,000 feet of the property line of a lot subject to this special permit;

3. To amend section 33A(3)(a) as follows:
   Except where the Zoning Administrator or the permit granting authority determines that ~~a special permit is issued finding that~~ the alteration, reconstruction, extension or structural change to a structure does not increase its nonconforming nature.

4. To amend section 33A subsection 8 as follows:

   Preexisting, nonconforming lots may be increased in size through the addition of adjoining property without the need for any relief under this Bylaw.~~changed; provided that no change in size, shape, boundaries or frontage of any preexisting, nonconforming lot shall be done in any manner except only pursuant to the issuance of a special permit granted by the special permit granting authority designated by this chapter based upon a finding that said change will not be substantially more detrimental than the existing nonconformity to the neighborhood; provided, further, that no such special permit shall be granted which creates any new nonconformity or increase any existing nonconformity.~~ Any other alteration in size, shape, boundary, ground coverage, or frontage to a preexisting, nonconforming lot that does not increase an existing or create a new nonconformity is allowed upon determination by the Zoning Administrator that such alternation will not be substantially more detrimental to the neighborhood. New lots created pursuant to MGL c. 41 § 81P, based upon the exception in the clause of MGL c. 41§ 81L for lots containing two or more structures that predate the adoption of subdivision control in the Town, shall have the same status as preexisting, nonconforming lots, and any structures thereon, which predate the adoption of subdivision control in the Town, shall have the status of preexisting nonconforming structures.

5. To amend section 33E(1) as follows:

E. Any increase in area, frontage, width, yard or depth requirements shall not prohibit an unimproved lot from being built upon for single- and two-family residential purposes, provided that:

(1) In addition to the provisions of MGL c. 40A, § 6, as may be amended from time to time, any increase in area, frontage, width, yard or depth requirements shall not prohibit an unimproved lot from being built upon for single- and two-family residential purposes, provided that: ~~either at the time of recording or endorsement of such lot, whichever occurred sooner, such lot was not held in common ownership with any adjoining land and conformed to then-existing Zoning Bylaw requirements, and now has less than the present requirements of area or frontage and has a frontage of not less than 20 feet or the benefit of an appurtenant easement providing a means of access for vehicles and utilities to and from a public street.~~

(a) either at the time of recording or endorsement of such lot, whichever occurred sooner, such lot was not held in common ownership with any adjoining land and conformed to then-existing Zoning Bylaw requirements; or

(b) at the time of such amendment, the lot had the benefit of a zoning protection period pursuant to MGL c. 40A, §6(5th par.) and was conveyed into separate ownership from adjoining land prior to the end of such zoning protection, and remained in separate ownership and control at all times since the expiration of such protection.

and now has less than the present requirements of area or frontage and has a frontage of not less than 20 feet or the benefit of an appurtenant easement providing a means of access for vehicles and utilities to and from a public street, which access, in the opinion of the Planning Board, has sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed construction and for the installation of municipal services to serve the land in question and the buildings erected and to be erected thereon.

Or to take any other action related thereto.

(Board of Selectmen for Planning Board)

ARTICLE 57
(Zoning Bylaw Amendment: Solar Energy Overlay District)

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- 12 as follows:

   A. By amending the title of §139-12 as follows:

   Overlay Districts Flood Hazard (FHD), Public Well Recharge (PWR), Multifamily (MF), Neighborhood Employee Housing (NEHOD), County Overlay District (COD) and Town Overlay District (TOD), Harbor Overlay District (HOD), Multi-Family Overlay District (MFOD), Village Height Overlay District (VHOD), and Solar Energy Overlay District (SEOD).

B. By adding a new subsection §139-12.L, as follows:

Solar Energy Overlay District (SEOD). Notwithstanding the provisions of 139-7, solar energy facilities located in the SEOD may proceed without the need for a special permit, variance, or other discretionary approval.

A. This section shall apply to new land based solar energy facilities and to physical modifications to existing land based facilities that materially alter the type, configuration, or size of such facilities or related equipment.
B. General requirements:
    a. Minor site plan review, as set forth in §139-23 shall be required for all solar energy facilities in the SEOD. The Planning Board shall be the minor site plan review authority for solar energy facilities in the SEOD. In addition to the minor site plan review requirements of§139-23, the following information shall be included on the site plans:
        i. Outline of all existing structures, including purpose (e.g. residence, garage, commercial etc.) for all structures located on the site and on lots within 500 feet of the site. A note indicating the distance from the solar energy facility to each structure shown shall also be included.
        ii. Any existing overhead utility lines.
        iii. Documentation of the solar energy facility's manufacturer and model and the length, width and height of the solar array.
        iv. The name, address and contact information of all applicants, property owners and agents representing the applicant and/or owner.
        v. Property lines and physical features, including roads, for the project site;
        vi. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
        vii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
        viii. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National

Electrical Code compliant disconnects and overcurrent devices;

ix. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;

x. Name, address, and contact information for proposed system installer;

xi. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;

xii. The name, contact information and signature of any agents representing the project proponent;

b. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);

c. Proof of liability insurance; and

d. Description of financial surety that satisfies Section 3.12.3.

The Site Plan Review Authority may waive documentary requirements as it deems appropriate.

C. Site Control

The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

D. Operation & Maintenance Plan

The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

E. Utility Notification

No large- scale ground -mounted solar photovoltaic installation shall be constructed until evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

F. Dimension and Density Requirements

a. For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:

The following setback requirements shall apply:

i. Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
ii. Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
iii. Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
iv. The Planning Board may, during minor site plan review, waive the above setback requirements based on site specific considerations.

G. Appurtenant Structures

All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, and open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

H. Appurtenant Structures

I. Design Standards

a. Lighting

i. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

b. Signage

i. Signs on large- scale ground-mounted solar photovoltaic installations shall comply with a municipality's sign bylaw. A sign consistent with a municipality's sign bylaw shall be required to identify the owner and provide a 24-hour emergency contact phone number.

ii. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

c. Utility Connections

i. Reasonable efforts, as determined by the Site Plan Review Authority, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

J. Safety and Environmental Standards

a. Emergency Services

i. The large-scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

b. Land Clearing, Soil Erosion and Habitat Impacts

i. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

K. Monitoring and Maintenance

a. Solar Photovoltaic Installation Conditions - The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

b. Modifications - All material modifications to a solar photovoltaic installation made after issuance of the required

building permit shall require approval by the Site Plan Review Authority.

L. Removal Requirements

a. Any large- scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 3.12.2 of this bylaw shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Site Plan Review Authority by certified mail of the proposed date of discontinued operations and plans for removal.
Decommissioning shall consist of:
(a.) Physical removal of all large- scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
(b.) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
(c.) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

M. Abandonment

a. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Site Plan Review Authority. If the owner or operator of the large- scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

N. ADDITONAL PROVISIONS (if any)

a. To amend §139-2 as follows, by inserting the following new definition in alphabetical order:

i. Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.
ii. On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.
iii. Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

iv. Solar energy facilities – All of the equipment, machinery, and structures used for either the primary or accessory purpose of converting, storing or transmitting electricity generated from solar energy

b. To amend §139-4 to add the following:

DISTRICT	ABBREVIATION
Solar Energy Overlay District	SEOD

i. The Solar Energy Overlay District (SEOD) includes the following parcels:
Map 39, Lot 14, Number 188, Madaket Road
Map 58, Lot 1, Massasoit Bridge Road
Map 58, Lot 38, Madaket Road

c. To amend §139-17.B to add the following subsection:
7. Solar energy facilities located within the SEOD.

Or to take any other action related thereto.

(Charles Stott, et al)

ARTICLE 58
(Bylaw Amendment: Shellfish, Taking of)

To see if the Town will vote to amend Chapter 122 (Shellfish, Taking of) of the Code of the Town of Nantucket 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; and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):*

§ 122-2. Permit conditions.
No person shall receive a permit from the Selectmen for the taking of shellfish unless under the following conditions, viz (for commercial use):

C. The applicant shall pay as a fee for said permit a sum to be set by the Selectmen from time to time, except that there shall be no fee charged to any resident applicant over 60 years of age who does not hold a state commercial permit and agrees not to sell his/her catch in the commercial market. The Selectmen may set fees for commercial and family licenses.

§ 122-11. Family permits; fee.

A. Family permits shall be issued for a period of one year from April 1 at a fee to be set by the Selectmen and shall be good for the taking of eels, sea worms and any and all kinds of shellfish and shall not allow the taking of shellfish of a size, or in an area defined closed by State of Massachusetts, the Board of Selectmen or the Marine Superintendent, or at a season prohibited by law and shall be subject to such other rules and regulations as the Selectmen shall set from time to time.

Or to take any other action related thereto.

(Board of Selectmen for Harbor & Shellfish Advisory Board)

ARTICLE 59
(Bylaw Amendment: Town Property, Conveyance of)

To see if the Town will vote to rescind Section 4 (Acquisition of Land for Town Offices) of Chapter 46 (Town Property, Conveyance of) of the Code of the Town of Nantucket. Section 4 currently reads:

All acquisitions by the Town of Nantucket, whether by purchase or by lease, of vacant or improved land outside the downtown core district, the acquisition of which is for the construction and/or renovation for use as Town offices, shall require a vote of the Town Meeting; no offices presently within the downtown core district shall be relocated to any site outside the downtown core district without a vote of the Town Meeting.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 60
(Bylaw Amendment: Personnel)

To see if the Town will vote to amend Chapter 33 (Personnel) of the Code of the Town of Nantucket 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; and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):*

33-4. All Town departments and positions, except those under the jurisdiction of the School Committee; ~~Airport Commission;~~ elected positions; ~~employees of the Wannacomet Water Company that are under the direction and control of the Nantucket Water Commission~~; the positions of Town Counsel, Town Prosecutor and Labor Counsel; and certain positions for which the compensation is on a fee basis or the incumbents of which render intermittent or casual services, shall be subject to the provisions of this chapter and any rules and regulations adopted pursuant to this chapter. Provisions of collective bargaining agreements shall govern those employees whenever collective bargaining agreements conflict with the provisions of this chapter and any rules and regulations adopted pursuant to this chapter.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 61

(Bylaw Amendment: Coastal Properties Owned by Town, Management of)

To see if the Town will vote to delete Chapter 67 of the Code of the Town of Nantucket, "Management of Coastal Properties Owned by Town".

(Arthur I. Reade, Jr., et al)

ARTICLE 62

(Bylaw Amendment: Coastal Properties Owned by Town, Management of)

To see if the Town will vote to amend Chapter 67 of the Code of the Town of Nantucket, "Management of Coastal Properties Owned by Town", by striking the text of the present Chapter 67 in its totality, and by inserting in its place the following new Chapter 67; or take other action relative thereto:

Use of Town Real Property for Coastal Protection. The Board of Selectmen is hereby empowered to authorize the use of Town-owned real property by public or private individuals or entities for the construction and placement of coastal engineering structures and erosion control measures to protect public and private property, public ways, utilities and infrastructure from coastal erosion, subject to the adoption by the Board of Selectmen of such coastal management principles as they shall approve, and under such terms and conditions as the Board of Selectmen shall deem appropriate for the protection of the interests of the Town and the public, including the requirement that all necessary licenses, permits and approvals shall be obtained in each instance from all boards, commissions, agencies and other authorities having jurisdiction.

(Arthur I. Reade, Jr. et al)

ARTICLE 63

(Bylaw Amendment: Coastal Properties Owned by Town, Management of)

To see if the Town will vote to amend Chapter 67 of the Code of the Town of Nantucket, "Management of Coastal Properties Owned by Town", by striking the text of the present Chapter 67 in its totality, and by inserting in its place the following new Chapter 67; or take other action relative thereto:

Use of Town Real Property for Coastal Protection. The Board of Selectmen is hereby empowered to authorize the use of Town-owned real property by public or private individuals or entities for the construction and placement of coastal engineering structures and erosion control measures to protect public and private property, public ways, utilities and infrastructure from coastal erosion, under such terms and conditions as the Board of Selectmen shall deem appropriate for the protection of the interests of the Town and the public, including the requirement that all necessary licenses, permits and approvals shall be obtained in each instance from all boards, commissions, agencies and other authorities having jurisdiction.

(Arthur I. Reade, Jr., et al)

ARTICLE 64

(Bylaw Amendment: Coastal Properties Owned by Town, Management of)

To see if the Town will vote to: Amend Chapter 67, **Coastal Properties Owned by Town, Management of** of the Charter and Code of the Town of Nantucket by amending **Section 67-1 D. Duration of moratorium** as follows: **after the word "established" at the end of the first sentence, insert the words, "and approved by any annual or special town meeting, to the extent that such approval is consistent with Federal and/or state law."**

Or to take any other action related thereto.

(Catherine Flanagan Stover, et al)

ARTICLE 65

(Bylaw Amendment: Coastal Properties Owned by Town, Management of)

To see if the Town will vote to: Amend Chapter 67, **Coastal Properties Owned by Town, Management of** of the Charter and Code of the Town of Nantucket by amending as follows:

Add new **"Section 67-1 E. Coastal Land, leasing or licensing Leasing or licensing any Town-owned coastal land for private erosion-control protection purposes shall be approved by vote at any Annual or Special Town Meeting."**

Or to take any other action related thereto.

(Catherine Flanagan Stover, et al)

ARTICLE 66

(Bylaw Amendment: Parking)

To see if the Town will vote to amend Chapter 103 (Parking) of the Code of the Town of Nantucket by adding the following:

Article V. Parking Structures

§103-16. Definitions.

As used in this article, the following term shall have the meaning indicated:

MULTI-STORY PARKING STRUCTURE

A building which is designed primarily for automobile parking and where there are multiple floors or levels on which parking takes place. It does not include a garage accessory to a single family residence.

§103-17. Requirement for Town Meeting Vote.

No private or public entity shall construct a multi-story parking structure within the Town unless the construction of the structure is approved by a majority vote of an Annual or

Special Town Meeting. This requirement shall be in addition to permitting requirements imposed by other provisions of the Town Code.

(Grant Sanders, et al)

ARTICLE 67
(Bylaw Amendment: Community Preservation Committee)

To see if the Town will vote to amend Chapter 11, Article VI of the Code of the Town of Nantucket as follows *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text; and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):*

Section 11-21. Establishment; membership; appointment; term.

The Community Preservation Committee is established in accordance with MGL c. 44B,§§ 3 through 7. The Committee shall consist of nine members. The members shall include an appointed designee from each of the following boards, commissions or authorities: one member of the Conservation Commission; one member of the Historic District Commission; ~~Land Bank;~~ one member of the Planning Board; one member of the Park and Recreation Commission; and one member of the Nantucket Housing Authority. Additionally, the Land Bank and the Board of Selectmen shall each appoint one member, who may, but need not, be a member of the appointing body. The respective board, commission or authority shall appoint each designee and, whenever necessary, fill unexpired terms. ~~These members shall serve their initial appointments respective of the sequence they are listed above, as follows: three members for three-year terms; two members for two-year terms; and two members for one-year terms; thereafter all appointments shall be for three-year terms.~~ There shall also be two members-at-large elected for three year terms from among the registered voters of the Town. ~~from the community. The Board of Selectmen shall appoint these members for one-year terms; thereafter these members shall be determined each third year through normal Town election and balloting procedures.~~ Whenever necessary, these members-at-large shall be appointed by the Board of Selectmen to fill an unexpired term.

And further, to see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation set forth below; provided, however, that the General Court may with the approval of the Board of Selectmen, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage; or to take any other action related thereto.

An Act relative to the Community Preservation Committee in the Town of Nantucket

Section 1. Notwithstanding the provisions of section 5(a) of chapter 44B of the general laws, or of any other general or special law to the contrary, where the historical commission of the town of Nantucket created under section 8D of chapter 40 did not

exist at the time the Community Preservation Act was adopted by said town, the community preservation committee in the town of Nantucket shall include one member of the historic district commission established under section 4 of chapter 40C of the general laws, as selected by the commission, in place of one member of the historical commission. Provided, however, that the preceding sentence shall not be interpreted to preclude the town of Nantucket from including a member of said historical commission on the community preservation committee either by appointment or election consistent with the then applicable community preservation committee bylaw.

Section 2. This act shall take effect upon passage.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 68
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

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	Lot	Number	Street
41	820 (a portion of)	6	Old Westmoor Farm Road
41	821 (a portion of)	8	Old Westmoor Farm Road
41	822 (a portion of)	10	Old Westmoor Farm Road
41	828 (a portion of)	11	Old Westmoor Farm Road
41	829 (a portion of)	9	Old Westmoor Farm Road
41	830 (a portion of)	7	Old Westmoor Farm Road
41	93.1	95	West Chester Street
41	831	5	Old Westmoor Farm Road
41	343.1	82	West Chester Street
41	343	84	West Chester Street
41	533.1	86	West Chester Street
41	533	90	West Chester Street
41	340	94	West Chester Street
41	483	96	West Chester Street
41	339	98	West Chester Street
41	337 (formerly 338)	102	West Chester Street
41	336.1	106	West Chester Street
41	336	20	Crooked Lane
41	335	24	Crooked Lane
41	335.1	24R	Crooked Lane

41	333 (formerly 334)	28	Crooked Lane
41	332	30	Crooked Lane
41	331	32	Crooked Lane
41	330	36	Crooked Lane
41	419 (includes 418)	57 and 35	Grove Lane
41	416	58	Grove Lane
41	417	60	Grove Lane
41	329	42	Crooked Lane
41	202	41	Crooked Lane
41	201	61	Madaket Road
41	201.2	57	Madaket Road
41	201.3	43	Crooked Lane
41	201.1	63	Madaket Road
41	200	62	Madaket Road
41	200.4	64	Madaket Road
41	200.2	68	Madaket Road
41	200.3	66	Madaket Road
41	462.3	70	Madaket Road
41	462.8	72	Madaket Road
41	433	34B	Grove Lane
41	433.1	34A	Grove Lane
41	406	18	Meadow Lane
41	406.1	17	Meadow Lane
41	600	16	Meadow Lane

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 68" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 69

(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

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	Lot	Number	Street
54	158	10	Berkeley Avenue

54	150	6	Berkeley Avenue
54	215	4	Berkeley Avenue
54	261	3	Brewster Road
54	221	16	Brewster Road
54	220.1	5	Boston Avenue
54	220.2	20	Brewster Road
54	222	17	Brewster Road
54	175.1	19	Brewster Road
54	296	21	Brewster Road
54	175.2	23	Brewster Road
54	174	25	Brewster Road
54	173	27	Brewster Road
54	293	29	Brewster Road
54	294	29	Brewster Road
54	173.1	29B	Brewster Road
54	172	31	Brewster Road
54	85	33	Brewster Road
54	86	35	Brewster Road
54	87	37	Brewster Road
54	88	39	Brewster Road
54	89	43	Brewster Road
54	90	45	Brewster Road
54	171	28	Brewster Road
54	84	32	Brewster Road
54	83	5	Cathcart Road

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 69" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 70
(Bylaw Amendment: Board of Sewer Commissioners)

To see if the Town will vote to amend Chapter 41 of the Code of the Town of Nantucket, section 3, by adding the following paragraph after the existing text of subsection B*:*

The Board of Sewer Commissioners is authorized to enlarge the above described Town and Siasconset Sewer Districts, as authorized section 10 of Chapter 396 of the Acts of 2008 and an affirmative vote on Article _____ of the 2012 Annual Town Meeting, by including properties within "Needs Areas" as defined by Nantucket's Comprehensive

Wastewater Management Plan prepared by Earth Tech dated March 2004 and approved by the Secretary of Environmental Affairs on May 14, 2004, as may be amended from time to time, provided that the following conditions exist:

1. The Nantucket Board of Health recommends the addition of property(s) due to environmental or health related issues.
2. Property(s) is connected to the sewer and was omitted from the original district;
3. The Nantucket Board of Sewer Commissioners finds that a connection should be made due to unforeseen emergency conditions that require immediate action;

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 71
(Home Rule Petition: Lease/License of Town-owned Land for Private Erosion Control Measures)

To see if the Town will vote to: request its representatives in the General Court to introduce legislation seeking a special act as set forth below and to authorize the General Court, with the approval of the Board of Selectmen, to make constructive changes in perfecting the language of this proposed legislation in order to secure passage, and to authorize the Board of Selectmen to approve such changes as are consistent with the purposes of this petition:

AN ACT REQUIRING A BALLOT VOTE FOR LEASING OR LICENSING TOWN-OWNED LAND FOR THE PURPOSES OF PRIVATE EROSION-CONTROL MEASURES

SECTION 1. Notwithstanding the provisions of MGL Chapter 40, Section 4, or of any general or special law to the contrary, no land owned by the Town of Nantucket shall be leased or licensed for private erosion-control purposes without such lease or license first being approved by the voters of the town at an annual or special town election.

SECTION 2. This act shall become effective upon passage.

(Catherine Flanagan Stover, et al)

ARTICLE 72
(Home Rule Petition: Amendment of Historic District Commission Act)

To see if the town of Nantucket will vote to request its representatives in the General Court to introduce legislation amending the Historic District Commission Act as set forth below and to authorize the General Court, with the approval of the Board of Selectmen of the Town to make constructive changes in perfecting the language of this legislation in order to secure passage, it being the intent to authorize the Board of Selectmen and General Court to vary the specific text of the requested legislation within the scope of the general public objectives of this home rule petition, such legislation to read substantially as follows:

AN ACT AMENDING THE NANTUCKET HISTORIC DISTRICT COMMISSION ACT

Section 1. An Act Establishing An Historic District Commission For The Town Of Nantucket And Establishing Nantucket Island As The Historic District (being chapter 395 of the Acts of 1970, as amended by chapter 708 of the Acts of 1972, chapter 300 of the Acts of 1984, as amended by chapter 291 of the Acts of 1985, as amended by chapter 735 of the Acts of 1987, as amended by chapter 333 of the Acts of 1989, as amended by chapter 314 of the Acts of 1990, as amended by chapter 193 of the Acts of 1998, as amended by chapter 57 of the Acts of 2000, as amended by chapter 90 of the Acts of 2002, as amended by chapter 90 of the Acts of 2010, referred to collectively as the "HDC Act") is hereby amended as follows:

a. by striking out the definition of " structure" in Section 2A and inserting in its place thereof the following definition:-

"Structure" a combination of materials, other than a building, that includes, a vending machine, sign, fence, terrace, walk, driveway and object that needs a gravel or cement footing, or a fastener to keep it in place.

b. By adding a new Section 8(a) entitled "Applicant's Rights" as follows:

HDC members shall act with proper conduct and ethics based on the rules and regulations adopted by the Historic District Commission pursuant to Section 8 of the HDC Act.

If an applicant believes that a member or members of the HDC have violated such rules and regulations, the applicant may use the procedure set forth in Section 5.4 of the Town's Charter entitled "Recall of Elected Officials".

Or to take any other action related thereto.

(Board of Selectmen)
NOTE : The above home rule petition was approved as Article 80 at the 2011 Annual Town Meeting. Home rule petitions currently pending before the Legislature, which were not acted upon by December 31, 2011 will expire unless renewed by a confirmatory town meeting vote.

ARTICLE 73
(Home Rule Petition: Land Bank Real Estate Conveyance)

To see if the Town will vote to present the Home Rule petition set forth below to the General Court, that the Town's representatives in the General Court be requested to introduce legislation set forth below, and that the General Court be authorized, with the approval of the Nantucket Board of Selectmen, to vary the specific text of the requested legislation within the scope of the public policy objectives of the Home Rule Petition set forth below:

AN ACT APPROVING THE NANTUCKET ISLANDS LAND BANK TO SELL, CONVEY OR OTHERWISE DISPOSE OF CERTAIN LAND SITUATED IN THE TOWN OF NANTUCKET FOR ANY LAWFUL PURPOSE

Be in enacted by the Senate and the House of Representatives in General Court assembled, and by authority of the same, as follows:

Section 1. Pursuant to Article XCVII of the Amendments to the Constitution of the Commonwealth of Massachusetts notwithstanding the provisions of any general or special law to the contrary, the Nantucket Islands Land Bank may sell, convey or otherwise dispose of any or all portion of certain land situated in the Town of Nantucket totaling approximately 38.5 acres shown on Town of Nantucket Assessor's Map 89, Parcel 6, 6.1 and 6.2.

Section 2. This act shall take effect upon its passage.

Or to take any other action related thereto.

(Board of Selectmen for Nantucket Islands Land Bank Commission)
NOTE : The above home rule petition was approved as Article 82 at the 2011 Annual Town Meeting. Home rule petitions currently pending before the Legislature, which were not acted upon by December 31, 2011 will expire unless renewed by a confirmatory town meeting vote.

ARTICLE 74
(Home Rule Petition: Real Estate Conveyance to Land Bank)

To see if the Town will vote to present the Home Rule petition set forth below to the General Court, that the Town's representatives in the General Court be requested to introduce legislation set forth below, and that the General Court be authorized, with the approval of the Nantucket Board of Selectmen, to vary the specific text of the requested legislation within the scope of the public policy objectives of the Home Rule Petition set forth below:

AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO SELL, CONVEY OR OTHERWISE DISPOSE OF CERTAIN LAND SITUATED IN THE TOWN OF NANTUCKET FOR ANY LAWFUL PURPOSE

Be in enacted by the Senate and the House of Representatives in General Court assembled, and by authority of the same, as follows:

Section 1. Pursuant to Article XCVII of the Amendments to the Constitution of the Commonwealth of Massachusetts and notwithstanding the provisions of any general or special law to the contrary, the Town of Nantucket may transfer, sell, convey or otherwise dispose of certain land situated in the Town of Nantucket and described as follows:

- Assessors Map 38, Parcel 30, 55 Warrens Landing Road, shown as Lot C on Land Court Plan 12127-B, drawn by Josiah S. Barrett, Engineer, dated July 1950, and filed with Certificate of Title No. 3255 at the Registry District of Nantucket County (a.k.a. The Wood Property).

Section 2. This act shall take effect upon its passage.

Or to take any other action related thereto.

(Board of Selectmen)
NOTE: This parcel will be transferred for conveyance to the Land Bank.

ARTICLE 75
(Home Rule Petition: Harbor and Shellfish Advisory Board)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation set forth below; provided, however, that the General Court may with the approval of the Board of Selectmen, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage; or to take any other action related thereto.

AN ACT EXEMPTING THE HARBOR AND SHELLFISH ADVISORY BOARD MEMBERSHIP FROM CONFLICT OF INTEREST REGARDING DISCUSSION OF SHELLFISH LICENSING

Section 1. The second paragraph of Chapter 465 of the Acts of 1976 ("An Act Establishing a Harbor and Shellfish Advisory Board in the Town of Nantucket") as amended by Chapter 270 of the Acts of 1979 ("An Act Providing for the Filling of Vacancies on the Harbor and Shellfish Advisory Board of the Town of Nantucket"), is hereby amended by adding the following new sentence at the end of the existing text:

> "It is the intent of the establishment of the Nantucket Harbor and Shellfish Advisory Board to provide an advisory role for commercial fishermen and those who make a living from the sea, to the Nantucket Board of Selectmen, therefore to encourage such persons to participate in this publicly elected advisory board, the members of the Board shall be exempt from Chapter 268A subsections (a) and (c) of section 17 of the Massachusetts General Laws and from Chapter 268A section 19(a) of the Massachusetts General Laws when participating in the particular matter of providing advice and recommendations to the Board of Selectmen regarding shellfish fishing, harvesting, licensing and fishery standards."

Section 2. This act shall take effect upon its passage.

Or to take any other action related thereto.

(Board of Selectmen)

NOTE: The above home rule petition was approved as Article 66 of the 2009 Annual Town Meeting; Article 62 of the 2010 Annual Town Meeting and Article 83 of the 2011 Annual Town Meeting. Home rule petitions currently pending before the legislature, which were not acted upon by December 31, 2011, will expire unless renewed by a confirmatory town meeting vote.

ARTICLE 76
(Home Rule Petition: Nantucket Mosquito Control Project)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act creating the Nantucket Mosquito Control Project, in the form set forth herein; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and, provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT ESTABLISHING THE NANTUCKET MOSQUITO CONTROL PROJECT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. Section 2 of chapter 169 of the acts of 1965 is hereby amended by striking out the words “mosquito control commission” from the first sentence.

Section 2. The area included in the county and town of Nantucket is hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws, to the same extent as if so constituted by the state reclamation board acting under said section five A, and the improvements herein authorized shall be undertaken under the identifying name of the Nantucket Mosquito Control Project.

Section 3. There shall be a commission as provided under said section five A of chapter two hundred and fifty-two which shall consist of five members. The members shall be appointed by the board of selectmen, subject to approval of the state reclamation board. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and each shall serve until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years. The commission shall elect its own chairman and clerk and shall keep accurate records of its meetings.

Section 4. Beginning with the fiscal year commencing July first, two thousand and thirteen, to meet the expenses incurred under this act, there shall be annually expended from the state treasury, subject to appropriation, sums equal in the aggregate to two cents on each one thousand dollars of equalized valuation of the county and town of Nantucket, as most recently reported by the tax commission to the general court under

the provisions of section ten C of chapter fifty-eight of the General Laws; and the state treasurer shall issue his warrant requiring the assessors of the county and town of Nantucket to assess a tax to the amount of the sums so expended and such amounts shall be collected and paid to the state treasurer as provided in section twenty of chapter fifty-nine of the General Laws; provided, that the county and Town of Nantucket may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. There may also be expended for the purposes of this act voluntary contributions for such purposes and deposited in the state treasury. There may also be expended for the purposes of this act any appropriations made by the town meeting of the town of Nantucket for mosquito control purposes.

Section 5. The funds appropriated and deposited as aforesaid shall be expended by the project for the investigation, construction and maintenance of mosquito control works in the project in cooperation with the state reclamation board in accordance with such known methods, including entry onto private land pursuant to section five B of chapter two hundred and fifty-two of the General Laws, as in its opinion will effect the greatest measure of relief.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 77
(Home Rule Petition: Regulation of Fertilizer Use)

To see if the Town will vote to re-authorize the Board of Selectmen to petition the General Court to enact Special Legislation so as to carry out the vote taken under Article 68 of the April 6, 2010 Annual Town Meeting, as follows; provided the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto:

An Act Regulating the Content and Application of Fertilizer Used in the Town of Nantucket

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. Findings
1.1. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Nantucket water bodies. This undesirable algae and aquatic plant growth has a adverse affect on public health

through the degradation of waters used for drinking water, shellfishing, and recreational swimming and boating.

Section 2. Purpose
2.1. It is necessary to control by regulation in the Town of Nantucket the use of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town.

2.2. The soils of Nantucket are unique insofar as Nantucket has significant amounts of coarse, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Nantucket retain localized control over the amounts of nitrogen and phosphorus added to soils through the application of fertilizers.

2.3. The Nantucket Board of Health has established a fertilizer regulation based on Best Management Practices developed by a broad group of stakeholders representing diverse interests that has been reviewed by soil and turf scientists and educators and has been determined appropriate for the unique soils and climate of Nantucket.

2.4. This Act provides for a reduction of nitrogen and phosphorus going into Nantucket's waters and wetlands by means of an organized system of education, licensure, and regulation of practice and should help Nantucket to achieve compliance with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

Section 3. Local Regulation by the Town of Nantucket
3.1. This Act shall apply to the content and application of fertilizer used in the Town of Nantucket, notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth.

3.2. The Town of Nantucket is hereby specially authorized to regulate the content and application of fertilizer used in the Town of Nantucket either through a general bylaw enacted by a majority vote of its Town Meeting and/or through a regulation adopted by its Board of Health in accordance with the procedure set forth in Section 3.3 of this Act.

3.3. Notwithstanding the requirements of G.L. c. 111, §31, no such Board of Health regulations shall be adopted or amended until such time as the Board of Health shall hold a public hearing thereon, notice of the time, place and subject matter of which, sufficient for identification, shall be given by publishing in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days prior to the date set for such hearing. No such amendment shall be effective unless the proposed amendment has been reviewed and commented upon by soil and turf scientists and educators and it is passed by a four-fifths vote of the Board of Health.

Section 4. Effective Date

This act shall take effect upon passage.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 78
(Acceptance of Massachusetts General Law: Senior Citizen Tax Bill Work-off Program)

To see if the Town will vote to accept the provisions of G.L. c. 59, §5K to establish a program for persons over 60 to volunteer to provide services to the Town in exchange for a reduction in the real estate property tax bills of such persons.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 79
(Real Estate Conveyance: 149 Surfside Road)

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of any interest the Town may have in, or to, part of that certain property located at 149 Surfside Road, more particularly described as Lots 5-16, Block 173 on plan in Plan Book 2, Page 26, on file at the Nantucket County Registry of Deeds, subject to Massachusetts General Law Chapter 30B and to take any other action as may be related or appropriate thereto.

(Jessie M. Glidden, et al)

ARTICLE 80
(Real Estate Disposition: 47 Boulevarde)

To see if the Town will vote to transfer from the Town Treasurer for Tax Title purposes or from such other board or officer as might have custody of the land described below for the purposes for which the land is currently held, to the Board of Selectmen for use, lease, or conveyance for affordable housing purposes, and to authorize the Board to lease said land for a period of up to 50 years or convey said land, the property at issue being located at 47 Boulevarde, Assessor's Map 79, Parcel 75, upon such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate; and provided further that the Board of Selectmen be authorized to convey to a non-profit corporation, foundation, trust or organization an affordable housing restriction in said property, or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 81
(Real Estate Conveyance: Pochick Avenue)

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of any interest the Town may have in, or to, a portion of property located at 53 Pochick Avenue, shown on Assessors Map 79, Parcel 127, more

particularly described as, Lots 1-4 described in an Instrument of Tax Taking recorded in Book 96, Page 416 with the Nantucket County Registry of Deeds, subject to Chapter 30B of the Massachusetts General Laws, or to take any other action as related thereto.

(Board of Selectmen)

ARTICLE 82
(Real Estate Acquisition: Albert F. Egan, Jr. and Dorothy H. Egan Foundation, Inc. and the Dorothy Harrison Egan Foundation Properties)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift, the fee interest in the following properties, together with any public and private rights of passage, for public ways, open space and/or general municipal purposes:

- Assessors Map 55 Parcels 314, 315, 316, 317, and 318 and Assessors Map 55.4.4 Parcel 100, shown as Lot B-10 on Land Court Plan 12559-B dated June 5, 1928 and filed with Certificate of Title No. 1493 at the Registry District of Nantucket County, all known as 11 Mill Hill Lane and owned by the Dorothy Harrison Egan Foundation;
- Assessors Map 55.4.4 Parcels 26 and 99, shown as Lot E on Land Court Plan 12559-A dated October 12, 1927 and filed with Certificate of Title No. 1477 at the Registry District of Nantucket County, known as 11 Chicken Hill and owned by the Albert F. Egan, Jr. and Dorothy H. Egan Foundation, Inc.;
- Assessors Map 55.4.4 Parcel 83, shown as Lot 4 on Land Court Plan 12559-E dated December 18, 1997 and filed with Certificate of Title No. 4295 and at the Registry District of Nantucket County, known as 15 Mill Hill Lane and owned by the Dorothy Harrison Egan Foundation at Certificate of Title No. 18741;
- Assessors Map 55.4.4 Parcel 60, shown as Lot 3 on Land Court Plan 12559-E dated December 18, 1997 and filed with Certificate of Title No. 4295 at the Registry District of Nantucket County, known as 17 Mill Hill Lane and owned by the Dorothy Harrison Egan Foundation at Certificate of Title No. 18726;
- Assessors Map 55.4.4 Parcel 58, shown as Lot 5 on Land Court Plan 12559-E dated December 18, 1997 and filed with Certificate of Title No. 4295 at the Registry District of Nantucket County, known as 19 Mill Hill Lane and owned by the Dorothy Harrison Egan Foundation at Certificate of Title No. 18725;
- Unnamed ways as follows:
    - Between the eastern sideline of Cato Lane to the western property line of Assessors Map 55 Parcel 319, owned by the Town of Nantucket, south of 11 Mill Hill Lane;
    - Between the eastern sideline of Hummock Pond Road to the southwestern sideline of Mill Hill Lane;
    - Between the southern sideline of an unnamed way to the eastern sideline of Cato Lane;

- Between the western sideline of Cato Lane to the northern sideline of an unnamed way;

Or to take any other action as related thereto.

(Board of Selectmen)

ARTICLE 83
(Real Estate Acquisition: "Paper" Streets in Surfside)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, the fee or lesser interests in all or any portion of twenty-two (22) unconstructed rights of way in the Surfside area of Nantucket, shown on a plan recorded with the Nantucket County Registry of Deeds on May 17, 1889 in Plan Book 2, Page 60, as identified below, together with any public and private rights of passage, for public ways, open space and/or general municipal purposes:

- Muskeget Avenue between the eastern sideline of Atlantic Avenue and the western sideline of School Street;
- Tuckernuck Avenue between the eastern sideline of Cotton Street and the western sideline of Poplar Street not including any portion of Gladlands Avenue and Surfside Road;
- Shawaukema Avenue between the eastern sideline of Atlantic Avenue and the western sideline of Plum Street not including any portion of Gladlands Avenue, Surfside Road and Eagles Wing Way (f.k.a. Cherry Street);
- Mequash Avenue (f.k.a. Shechacha Avenue) between the eastern sideline of Atlantic Avenue and a line extending the western sideline of Copeland Street through Mequash Avenue;
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern and between the eastern sideline of Masquetuck Street and the western sideline of Wannacomet Street (a.k.a Uncatena Street);
- Atlantic Avenue from the northern sideline of Masaquet Avenue (f.k.a. Wauwinet Avenue) to the eastern sideline of South Shore Road;
- Cotton Street between the eastern sideline of Atlantic Avenue and the southern sideline of Maclean Street, not including any portion of Surfside Road;
- Copeland Street between the eastern sideline of Atlantic Avenue and the southern sideline of Maclean Street, not including any portion of Gladlands Avenue and Surfside Road;
- School and Laurel Streets between the northern sideline of Mequash Avenue and the southern sideline Maclean Street, not including any portion of Gladlands Avenue and Surfside Road;
- Poplar Street between the northern sideline of Mequash Avenue and the southern sideline of Maclean Street not including any portion of Tuckernuck and Shawaukema Avenues;
- Cherry Street between the northern sideline of Mequash Avenue and the southern sideline of Eagle's Wing Way and between the northern sideline of the Boulevarde and the southern sideline Maclean Street;

- Plum, Woodbine and Holly Streets between the northern sideline of Mequash Avenue and the southern sideline Maclean Street, not including any portion of the Boulevarde and White Street;
- Orange Street (a.k.a. Pequot Street) between the terminus of Rainbow's End and the southern sideline Maclean Street;
- Masquetuck and Maddequet Streets between the northern sideline of the Boulevarde and the southern sideline of Maclean Street not including any portion of White Street;
- Wannacomet Street (a.k.a Uncatena Street) between the northern sideline of Pochick Avenue and the southern sideline of Maclean Street not including any portion of Masaquet Avenue, the Boulevarde and White Street;
- Shimmo Street (a.k.a. Myles Standish Street) between the northern sideline of Pochick Avenue and the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a northern and eastern sideline of a property at 36 Pochick Avenue (Assessors Map 80 Parcel 285) and between the northern sideline of the Boulevarde and the southern sideline of White Street/western sideline of Lovers Lane;
- Madequecham Street (a.k.a Dunham Street) between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue and between the northern sideline of the Boulevarde and the western sideline of Lovers Lane;
- White Street between the southern sideline of Maclean Street and the northwest sideline of the cul de sac of White Street;

To see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 83" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 84
(Real Estate Conveyance: "Paper" Streets in Surfside)

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of the fee or any lesser interests in all or any portion of twenty-two (22) unconstructed rights of way in the Surfside area of Nantucket, shown on a plan recorded with the Nantucket County Registry of Deeds on May 17, 1889 in Plan Book 2, Page 60, as identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, any such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Muskeget Avenue between the eastern sideline of Atlantic Avenue and the western sideline of School Street;

- Tuckernuck Avenue between the eastern sideline of Cotton Street and the western sideline of Poplar Street not including any portion of Gladlands Avenue and Surfside Road;
- Shawaukema Avenue between the eastern sideline of Atlantic Avenue and the western sideline of Plum Street not including any portion of Gladlands Avenue, Surfside Road and Eagles Wing Way (f.k.a. Cherry Street);
- Mequash Avenue (f.k.a. Shechacha Avenue) between the eastern sideline of Atlantic Avenue and a line extending the western sideline of Copeland Street through Mequash Avenue;
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern and between the eastern sideline of Masquetuck Street and the western sideline of Wannacomet Street (a.k.a Uncatena Street);
- Atlantic Avenue from the northern sideline of Masaquet Avenue (f.k.a. Wauwinet Avenue) to the eastern sideline of South Shore Road;
- Cotton Street between the eastern sideline of Atlantic Avenue and the southern sideline of Maclean Street, not including any portion of Surfside Road;
- Copeland Street between the eastern sideline of Atlantic Avenue and the southern sideline of Maclean Street, not including any portion of Gladlands Avenue and Surfside Road;
- School and Laurel Streets between the northern sideline of Mequash Avenue and the southern sideline Maclean Street, not including any portion of Gladlands Avenue and Surfside Road;
- Poplar Street between the northern sideline of Mequash Avenue and the southern sideline of Maclean Street not including any portion of Tuckernuck and Shawaukema Avenues ands the Boulevarde;
- Cherry Street between the northern sideline of Mequash Avenue and the southern sideline of Eagle's Wing Way and between the northern sideline of the Boulevarde and the southern sideline Maclean Street;
- Plum, Woodbine and Holly Streets between the northern sideline of Mequash Avenue and the southern sideline Maclean Street, not including any portion of the Boulevarde and White Street;
- Orange Street (a.k.a. Pequot Street) between the terminus of Rainbow's End and the southern sideline Maclean Street;
- Masquetuck and Maddequet Streets between the northern sideline of the Boulevarde and the southern sideline of Maclean Street not including any portion of White Street;
- Wannacomet Street (a.k.a Uncatena Street) between the northern sideline of Pochick Avenue and the southern sideline of Maclean Street not including any portion of Masaquet Avenue, the Boulevarde and White Street;
- Shimmo Street (a.k.a. Myles Standish Street) between the northern sideline of Pochick Avenue and the northern lot line of property at 38 Pochick Avenue (Assessors Map 80 Parcel 11) and a northern and eastern sideline of a property at 36 Pochick Avenue (Assessors Map 80 Parcel 285) and between the northern sideline of the Boulevarde and the southern sideline of White Street/western sideline of Lovers Lane;

- Madequecham Street (a.k.a Dunham Street) between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue and between the northern sideline of the Boulevarde and the western sideline of Lovers Lane;
- White Street between the southern sideline of Maclean Street and the northwest sideline of the cul-de-sac of White Street;

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 84" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 85
(Real Estate Acquisition: "Paper" Streets)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, the fee or lesser interests in all or any portion of thirty-two (32) unconstructed rights of way identified below, together with any public and private rights of passage, for public ways, open space and/or general municipal purposes:

- Squidnet Way between the northern sideline of Quidnet Road and the southern property line of Assessors Map 14, Parcel 19;
- Chase Lane (Quidnet/Squam) between the eastern sideline of a cul-de-sac at the intersection of Horn Beam Road and the extension of the western edge of the westernmost way located on a property identified as Assessors Map 21, Parcel 37 across Chase Lane;
- Proprietors Road between the southern sideline of Quidnet Road and the northern sideline of Polpis Road;
- Proprietors Road between the southern sideline of Quidnet Road and the southernmost terminus at Plainfield/Squam division line;
- Sandwich Road (Monomoy) between the northern sideline of Chatham Road and an extension of the northeastern property line of Assessors Map 54, Parcel 198 across Sandwich Road;
- Gardner and Mitchell Streets (Maddeqeucham) between the southern sideline of Weweeder Avenue and the Boulevarde;
- Stanford and Barker Streets (Maddeqeucham) between the southern sideline of Weweeder Avenue and the Atlantic Ocean not including the Boulevarde;
- Everett Street between the southern sideline of the Boulevarde and the Atlantic Ocean;
- Maywood, Union, Chittick, Broad, Bacon, Carlisle and Dorchester Streets (Maddeqeucham) between land of the Nantucket Memorial Airport and the northern sideline of Weweeder Avenue;
- New Hampshire Avenue (Madaket) between the northwestern sideline of Maine Avenue and the eastern sideline of New Jersey Avenue;

- Front Street (Siasconset) between the northeastern sideline of Beach Street and the northwestern sideline of Low Beach Road;
- Beach Street (Siasconset) between the northwestern sideline of Low Beach Road and the northwestern sideline of Front Street;
- Sachem Road between the eastern sideline of Gosnold Road and a line extending through Sachem Road extending the western sideline of West Hallowell Lane;
- Norwood Street, Marion Street, Cornwall Street from the southern sideline of Tom Nevers Road to the northern sideline of Lancashire Avenue, not including any portion of Wiltshire or Cumberland Avenue
- Huntington Street and Ipswich Street from the southern sideline of Wiltshire Avenue to the northern sideline of Lancashire, not including any portion of Cumberland Avenue;
- Devon Street between the southern sideline of Wilshire Avenue and the northern sideline of Cumberland Avenue;
- Fairfield Street from a line across Fairfield Street approximately 80 feet south of the intersection with Wiltshire Avenue to the northern sideline of Lancashire, not including any portion of Cumberland Avenue;
- Cumberland Avenue: from the eastern property line of property identified as Assessors Map 76, Parcel 1 to the western sideline of Norwood Street; from the western sideline of Huntington Street to the western sideline of Gloucester Street; from the eastern sideline of Exeter Street to the western sideline of Dartmouth Street; from the eastern sideline of Clarendon Street to the western sideline of Berkley Street; from the eastern sideline of Arlington Street and the western sideline of Driscoll Way;
- Lancashire Avenue from the eastern property line of property identified as Assessors Map 76, Parcel 1 to the western property line of property identified as Assessors Map 76 Parcel 4.3;
- Wiltshire Avenue from the eastern property line of property identified as Assessors Map 71 Parcel 2.2 to the western sideline of Norwood Street; from the eastern sideline of Kendrick Street to the western sideline of Devon Street; from the eastern sideline of Huntington Street to the western sideline of Fairfield Street, not including any portion of Gloucester Street;
- Dartmouth Street between the southern sideline of Tom Nevers Road to the northern sideline of Cumberland Avenue.

To see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes.

All as shown on a map entitled “2012 Annual Town Meeting Warrant Article 85” dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 86
(Real Estate Conveyance: "Paper" Streets)

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of the fee or any lesser interests in all or any portion thirty-two (32) unconstructed rights of way as identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, any such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include the reservation of easements and restrictions:

- Squidnet Way between the northern sideline of Quidnet Road and the southern property line of Assessors Map 14, Parcel 19;
- Chase Lane (Quidnet/Squam) between the eastern sideline of a cul-de-sac at the intersection of Horn Beam Road and the extension of the western edge of the westernmost way located on a property identified as Assessors Map 21, Parcel 37 across Chase Lane;
- Proprietors Road between the southern sideline of Quidnet Road and the northern sideline of Polpis Road;
- Proprietors Road between the southern sideline of Quidnet Road and the southernmost terminus at Plainfield/Squam division line;
- Sandwich Road (Monomoy) between the northern sideline of Chatham Road and an extension of the northeastern property line of Assessors Map 54, Parcel 198 across Sandwich Road;
- Gardner and Mitchell Streets (Maddeqeucham) between the southern sideline of Weweeder Avenue and the Boulevarde;
- Stanford and Barker Streets (Maddeqeucham) between the southern sideline of Weweeder Avenue and the Atlantic Ocean not including the Boulevarde;
- Everett Street between the southern sideline of the Boulevarde and the Atlantic Ocean;
- Maywood, Union, Chittick, Broad, Bacon, Carlisle and Dorchester Streets (Maddeqeucham) between land of the Nantucket Memorial Airport and the northern sideline of Weweeder Avenue;
- New Hampshire Avenue (Madaket) between the northwestern sideline of Maine Avenue and the eastern sideline of New Jersey Avenue;
- Front Street (Siasconset) between the northeastern sideline of Beach Street and the northwestern sideline of Low Beach Road;
- Beach Street (Siasconset) between the northwestern sideline of Low Beach Road and the northwestern sideline of Front Street;
- Sachem Road between the eastern sideline of Gosnold Road and a line extending through Sachem Road extending the western sideline of West Hallowell Lane;
- Norwood Street, Marion Street, Cornwall Street from the southern sideline of Tom Nevers Road to the northern sideline of Lancashire Avenue, not including any portion of Wiltshire or Cumberland Avenue

- Huntington Street and Ipswich Street from the southern sideline of Wiltshire Avenue to the northern sideline of Lancashire, not including any portion of Cumberland Avenue;
- Devon Street between the southern sideline of Wilshire Avenue and the northern sideline of Cumberland Avenue;
- Fairfield Street from a line across Fairfield Street approximately 80 feet south of the intersection with Wiltshire Avenue to the northern sideline of Lancashire, not including any portion of Cumberland Avenue;
- Cumberland Avenue: from the eastern property line of property identified as Assessors Map 76, Parcel 1 to the western sideline of Norwood Street; from the western sideline of Huntington Street to the western sideline of Gloucester Street; from the eastern sideline of Exeter Street to the western sideline of Dartmouth Street; from the eastern sideline of Clarendon Street to the western sideline of Berkley Street; from the eastern sideline of Arlington Street and the western sideline of Driscoll Way;
- Lancashire Avenue from the eastern property line of property identified as Assessors Map 76, Parcel 1 to the western property line of property identified as Assessors Map 76, Parcel 4.3;
- Wiltshire Avenue from the eastern property line of property identified as Assessors Map 71 Parcel 2.2 to the western sideline of Norwood Street; from the eastern sideline of Kendrick Street to the western sideline of Devon Street; from the eastern sideline of Huntington Street to the western sideline of Fairfield Street, not including any portion of Gloucester Street;
- Dartmouth Street between the southern sideline of Tom Nevers Road to the northern sideline of Cumberland Avenue.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 86" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 87
(Real Estate Acquisition: "Paper" Streets for Coastal Access and Open Space)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, the fee or lesser interests in all or any portion of seventeen (17) unconstructed rights of way identified below, together with any public and private rights of passage, for public ways, open space and/or general municipal purposes:

- Proprietors Road (Cisco) between the southern sideline of Hummock Pond Road and the Atlantic Ocean;
- Chicago Street (Madaket) between an extension of the southeastern sideline of Macy Road to the northern sideline of Minnesota Avenue, not including any portion of North Carolina Avenue;

- North Carolina Avenue (Madaket) between the southwestern property line of a parcel shown as Map 60, Parcel 40 and the Atlantic Ocean;
- Minnesota Avenue (Madaket) between the southwest property line of a parcel shown as Map 60, Parcel 35 and the Atlantic Ocean;
- Vermont and Maine Avenues (Madaket) between the western sideline of New Jersey Avenue and the Atlantic Ocean;
- California Avenue (Madaket) between the extension of the eastern sideline of New Jersey Avenue and the Atlantic Ocean;
- New Jersey Avenue (Madaket) between the southeastern sideline of Maine Avenue and the northwestern sideline of California Avenue;
- Magnolia, Linden and Hawthorne Avenues (Siasconset) between the southeastern sideline of Ocean Avenue to the Atlantic Ocean;
- Jefferson, Jackson and Beach Streets, North and South Gully Roads, and Fawcett Way (Siasconset) between the eastern sideline of Codfish Park Road and their eastern terminus or the Atlantic Ocean.

To see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 87" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 88
(Real Estate Conveyance: "Paper" Streets for Coastal Access and Open Space)

To see if the Town will vote to authorize the Board of Selectmen to (1) convey, sell or otherwise dispose of the fee or any lesser interests in all or any portion of the land identified below subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, or (2) convey, sell or otherwise dispose of the fee or any lesser interests of any portion of the land identified below to the Nantucket Islands Land Bank, any such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include the reservation of easements and restrictions; and (3) for such parcels as the Board of Selectmen determines by vote to be not needed for conveyance, to dedicate all or any portion of the land identified below for open space and recreational purposes:

- Proprietors Road (Cisco) between the southern sideline of Hummock Pond Road and the Atlantic Ocean;
- Chicago Street (Madaket) between an extension of the southeastern sideline of Macy Road to the northern sideline of Minnesota Avenue, not including any portion of North Carolina Avenue;

- North Carolina Avenue (Madaket) between the southwestern property line of a parcel shown as Map 60, Parcel 40 and the Atlantic Ocean;
- Minnesota Avenue (Madaket) between the southwest property line of a parcel shown as Map 60, Parcel 35 and the Atlantic Ocean;
- Vermont and Maine Avenues (Madaket) between the western sideline of New Jersey Avenue and the Atlantic Ocean;
- California Avenue (Madaket) between the extension of the eastern sideline of New Jersey Avenue and the Atlantic Ocean;
- New Jersey Avenue (Madaket) between the southeastern sideline of Maine Avenue and the northwestern sideline of California Avenue;
- Magnolia, Linden and Hawthorne Avenues (Siasconset) between the southeastern sideline of Ocean Avenue to the Atlantic Ocean;
- Jefferson, Jackson and Beach Streets, North and South Gully Roads, and Fawcett Way (Siasconset) between the eastern sideline of Codfish Park Road and their eastern terminus or the Atlantic Ocean.

To see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 88" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 89
(Real Estate Acquisition: "Paper" Streets Adjacent to Land Bank Properties – Bartlett Road)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to acquire by eminent domain the fee or lesser interests in all or any portion of Bartlett Road between a line through Bartlett Road extending the southwestern sideline of Raceway Drive to the eastern sideline of Somerset Road, not including any portion of West Miacomet Road, together with any public and private rights of passage, for purposes for which the Nantucket Islands Land Bank may acquire real property interests under Chapter 669 of the Acts of 1983 as it may be amended.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 89" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Nantucket Islands Land Bank)

ARTICLE 90
(Real Estate Acquisition: Miacomet Park "Paper" Streets)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to acquire by eminent domain the fee or lesser interests in all or any portion of thirteen (13) unconstructed rights of way identified below, together with any public and private rights of passage, for purposes for which the Nantucket Islands Land Bank may acquire real property interests under Chapter 669 of the Acts of 1983 as it may be amended, except for any portion of said ways included as part of land taken by the Town for sewer bed purposes as described in an Order of Taking recorded with the Nantucket County Registry of Deeds in Book 246, Page 263 and as shown on Plan No. 53-T dated October 5, 1998 filed at the Nantucket Registry of Deeds:

- Harvard, Spruce, Dartmouth, Summer and Central Streets between the easterly sideline of Miacomet Road and the Westerly sideline of Surfside Avenue and the easterly sideline of Surfside Avenue and the westerly property line of Assessors Map 86, Parcel 312;
- Lincoln and Highland Streets between the easterly sideline of Surfside Avenue and the westerly property line of Assessors Map 86, Parcel 312;
- Cottage, Walnut, Mineral, and Hemlock Streets between the easterly sideline of Miacomet Road and the Westerly sideline of Surfside Avenue;
- Ocean Avenue between the eastern sideline of Miacomet Road and a line extending south from the eastern property line of Assessors Map 86, Parcel 294 through Ocean Avenue;
- Spring Street between the easterly sideline of Miacomet Road and the northerly sideline of Ocean Avenue;
- Miacomet Avenue from a line extending the southern sideline of Lincoln Street to the southern sideline of Ocean Avenue;

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 90" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Nantucket Islands Land Bank)

ARTICLE 91
(Real Estate Acquisition: Weweeder Valley "Paper" Streets)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to acquire by eminent domain the fee or lesser interests in all or any portion of seven (7) unconstructed rights of way identified below, together with any public and private rights of passage, for purposes for which the Nantucket Islands Land Bank may acquire real property interests under Chapter 669 of the Acts of 1983 as it may be amended:

- Washington Street between a line extending the southern sideline of Blueberry Lane and the northern sideline of Western Avenue;
- Unnamed Way between the northern sideline of May Street and the eastern sideline of Washington Street;

- May Street between the eastern property line of Assessors Map 80 Parcel 158 and the western sideline of Pochick Avenue not including Washington Street;
- Way and Reedy Streets and Unnamed Way between the eastern sideline of Washington Street and the western property line of Assessors Map 80 Parcel 293;
- Lake Avenue between the eastern property line of Assessors Map 80 Parcels 40 and 108 and the western property line of Assessors Map 80 Parcel 293 not including Washington Street;

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 91" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen for Nantucket Islands Land Bank)

ARTICLE 92
(Real Estate Conveyance: Land Bank - Miscellaneous Land)

To see if the Town will vote to transfer the care, custody, management and control of the parcel listed below as Map 87, Parcel 91, Western Avenue to the Board of Selectmen for the purpose of conveyance and will authorize the Board of Selectmen to sell, convey or otherwise dispose of the fee or lesser interests of any portion of the subject land listed below to the Nantucket Islands Land Bank, any such disposition to be on such terms and conditions the Board of Selectmen deem appropriate, which may include the reservation of easements and restrictions in regard to the following land:

- Assessors Map 87, Parcel 91, Western Avenue;
- Portion of Miller Lane, Lot B 1.3, containing 16,192 square feet of land as shown on a plan entitled "Review Plan to Show Proposed Redivision of Lot B/Miller Ln." prepared by Blackwell & Associates, Inc. dated September 25, 2008, revised March 31, 2011;
- Assessors Map 38, Parcel 30, 55 Warrens Landing Road, shown as Lot C on Land Court Plan 12127-B, drawn by Josiah S. Barrett, Engineer, dated July 1950, and filed with Certificate of Title No. 3255 at the Registry District of Nantucket County (a.k.a. The Wood Property);
- A portion of Map 74 Parcel 71.2, also shown as a portion of Lot D on plan numbered 9595-A3, sheets 2 and 3, dated June 1923 and filed with Certificate of Title Number 1207 at the Registry District of Nantucket County, from a line at the mid-point of Pine Street to the southwestern property line of Assessors Map 74, Parcel 72 and 71.1.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 92" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 93
(Real Estate Conveyance: Miscellaneous)

To see if the Town will vote to transfer the care, custody, management and control of the parcel of land identified below as a portion of Assessors Map 74, Parcel 71.2 shown as Parcels A and B on the plan entitled "Discussion Plan for Conveyance of Land in Nantucket, Mass." from the Board of Selectmen for municipal sewage treatment purposes to the Board of Selectmen for the purpose of conveyance; and further to authorize the Board of Selectmen to sell, convey, release or otherwise dispose of any interests in all or any portion of six (6) parcels as listed below, subject to Chapter 30B of the Massachusetts General Laws, and any such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include guidelines established under the "Nantucket Yard Sales" program on file with the Board of Selectmen's office and the reservation of easements and restrictions:

- A single lot containing approximately 44,813 square feet consisting of three (3) merged parcels as follows: Parcel 113, a portion of Parcel 63 shown as Lot B on a plan entitled "Plan of Land in Nantucket, Mass." dated January 17, 2012 by Earle & Sullivan, Inc. and a portion of a paper street known as Washington Street, all shown on Assessors Map 79;
- A portion of Assessors Map 79 Parcel 63 containing 12,320 square feet, shown as Lot A on a plan entitled "Plan of Land in Nantucket, Mass." dated January 17, 2012 by Earle & Sullivan, Inc.;
- Assessors Map 79 Parcel 61, containing 3,754 square feet;
- A portion of Assessors Map 74 Parcel 71.2, also known as a portion of Lot 23 as shown on a plan numbered 9595-L, dated December 23, 1985 and filed with Certificate of Title Number 7430 at the Nantucket Registry District of the Land Court, and shown as Parcel A containing 4,553 square feet and Parcel B containing 4,549 square feet, as shown on a plan entitled "Discussion Plan for Conveyance of Land in Nantucket, Mass." Dated August 9, 2011 prepared by Blackwell & Associates, Inc.;
- Assessors Map 73.1.3 Parcel 120, 29 Shell Street, Siasconset, containing approximately 3,243 square feet;
- Assessors Map 71.3.2, Parcel 164, 6 Kendrick Street;

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 93" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 94
(Real Estate Acceptance: Beach Parcel Formerly Part of Nonantum Avenue)

To see if the Town will vote to accept a parcel containing 18,400 square feet of land bounded by the easterly sideline of Nonantum Avenue; northerly by the southerly lot line of Assessors Map 88 Parcel 49, the southerly sideline of a portion of former Clifford Street and the southerly lot line of Assessors Map 88 Parcels 50 and 51; the eastern sideline of former Harriet Street (f.k.a. Prospect Street) and southerly by the

northerly lot line of Assessors Map 88 Parcel 47, the northern sideline of a portion of Clifford Street between former Nonantum Avenue and the Atlantic Ocean and Assessors Map 88 Parcel 48, owned by the County of Nantucket as authorized by Chapter 89 of the Acts of 2011.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 95
(Real Estate Conveyance: Industrial Land)

To see if the Town will vote to authorize the Board of Selectmen to lease or otherwise dispose of lesser interests than fee, not exceeding a total of 5.0 acres and for a term which may exceed 5 years notwithstanding the maximum term specified in Chapter 46 § 46-2, in all or any portions of Lots F, G, and/or N as shown on a plan entitled "Subdivision Plan of Land" dated May 10, 2010 recorded with the Nantucket County Registry of Deeds as Plan No. 2010-62, subject to Chapter 30B of the Massachusetts General Laws and a finding by the Board of Selectmen that such lease or conveyance furthers community planning and environmental protection goals.

All as shown on a map entitled "2012 Annual Town Meeting Warrant Article 95" dated January 2012 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 96
(Real Estate Disposition: Hawthorne Street)

To see if the Town will vote to authorize the Board of Selectmen to sell, convey or otherwise dispose of the fee or any lesser interests in all or any portions of the following two (2) parcels of land comprising that part of Hawthorne Street, a paper street located southerly of Nobadeer Avenue to land of the Town of Nantucket and the Atlantic Ocean and shown as Parcels 20B and 37B on a plan entitled "Plan to Acquire Land for General Municipal Purposes in Surfside Area Prepared for the Town of Nantucket in Nantucket, MA," dated January 31, 2007, revised February 28, 2008, and on file with the Nantucket County Registry of Deeds in Plan File 2009-25, sheet 4, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, and any such disposition to be subject to the reservation of a pedestrian access easement, which shall be a minimum of five (5) feet in width at a location to be determined by the Board of Selectmen and otherwise on such terms and conditions, as the Board of Selectmen deem appropriate, which may include the reservation of any additional easements and reservations, or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 97
(Appropriation: Stabilization Fund)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purposes of the Stabilization Fund in accordance with Chapter 40 section 5B of the Massachusetts General Laws, from which appropriations may be made by a two-thirds vote of an Annual or Special Town Meeting for any purpose for which a municipality may borrow money or for any other lawful purpose; said sum not to exceed ten percent (10%) of the Fiscal Year 2012 tax levy.

Or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 98
(Appropriation: Free Cash)

To see what sum the Town will vote to transfer from Free Cash in the treasury to meet the appropriations for the ensuing Fiscal Year and to authorize the Assessors to use in the fixing the tax rate, pass any vote, or take any other action related thereto.

(Board of Selectmen)

****

To act upon and transact any business relative to the foregoing subjects which may, then and there, come before said meeting.

In addition, you are directed to notify and warn the inhabitants of the Town of Nantucket qualified to vote in Town affairs to go to the Nantucket High School at 10 Surfside Road in said Nantucket, on

TUESDAY, THE TENTH DAY OF APRIL, 2012
BETWEEN THE HOURS OF 7:00 AM and 8:00 PM

for the following purpose:
To cast their votes in the Annual Town Election for the election of candidates for the following offices:

Moderator	One for a term of one year
Selectman	One for a term of three years
Community Preservation Committee (At-Large)	Two for terms of three years
Historic District Commission	One for a term of three years
Historic District Commission Associate	One for a term of three years
School Committee	Two for terms of three years
Nantucket Islands Land Bank Commission	One for a term of five years
Planning Board	One for a term of five years

Nantucket Water Commission	One for a term of three years
Siasconset Water Commission	One for a term of three years
Harbor & Shellfish Advisory Board	Two for terms of three years

And, to cast their vote as "YES" or "NO" on the following ballot questions:

1. *Debt exclusion question pursuant to G. L. Chapter 59, s. 21C(k):*

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-Half, so-called, the amounts required to pay for the bond to be issued in order to pay for professional services for design, permitting, architecture, construction supervision and other related professional services, and for the construction, installation and equipping, of renovations to the Town-owned building at 20 South Water Street?

_____YES

_____NO

2. Debt exclusion question pursuant to G.L. Chapter 59, s. 21C(k):

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond to be issued in order to pay for professional services for design, permitting, construction supervision and other related professional services, and for the construction of a bicycle path along Hummock Pond Road?

_____YES

_____NO

3. Debt exclusion question pursuant to G.L. Chapter 59, s. 21C(k):

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond to be issued in order to pay for professional services for professional services for design, permitting, construction, construction supervision, engineering services and other related professional services and for construction of a wind turbine at the Madaket Landfill, and, to take any other action related thereto?

_____YES

_____NO

****

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting and election aforesaid.

Given under our hands this 18th day of January in the year Two Thousand Twelve.

_____
Rick Atherton, Chairman

_____
Whitey Willauer, Vice Chairman

_____
Patricia Roggeveen

_____
Michael Kopko

_____
Robert DeCosta

SELECTMEN OF NANTUCKET, MA

**At its January 18, 2012 meeting, only three members of the Board of Selectmen were present. The warrant was adopted with a 3-0 vote, with Mr. Willauer abstaining from voting on Article 9 and Article 80.*

Pursuant to Chapter 39, section 10 of the General Laws of the Commonwealth and the Warrant of January 18, 2012, I have notified and warned the inhabitants of the Town of Nantucket qualified to vote in Town affairs to appear at the times and place and for the purposes within mentioned by posting said notification on _____ at the Stop & Shop on Pleasant Street, the Grand Union on Salem Street, the Town and County Building at 16 Broad Street; and upon the Bulletin Boards at the corner of Main and Federal Streets, and Siasconset Square.

Sworn to under pains and penalties of perjury,

_____
Catherine Flanagan Stover, Constable