AGENDA FOR THE MEETING OF THE
SELECT BOARD
JANUARY 22, 2020 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS
***AMENDED JANUARY 16, 2020***

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS
1. The Select Board Meeting is Being Audio/Video Recorded.

IV. PUBLIC COMMENT*

V. NEW BUSINESS*

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
1. Approval of Minutes of August 21, 2019 at 6:00 PM.


3. Approval of Pending Contracts for January 22, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit Is Incorporated Herein by Reference.

VII. SELECT BOARD'S REPORTS/COMMENT I
1. Joint Meeting with NRTA Advisory Board Regarding Potential for Seasonal Commuter Shuttle.

VIII. PUBLIC HEARINGS
2. Public Hearing to Consider Application for New Entertainment License for Maddequet Admiralty Association d/b/a Maddequet Admiralty, H. Woodruff Lindley, Manager, for Premises Located at 15 Tennessee Avenue.

3. Public Hearing to Consider Application for New Class III License to Buy and Sell Used Motor Vehicles for Parts and Salvage for Nantucket Auto Body, Inc. for Premises Located at 36 Sparks Avenue.

4. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29142081 to Relocate Pole #14 on Old South Road 15' Southeast and Install 2-3'' Conduit Encased in Concrete into Property at 31 Old South Road to Accommodate New Driveway and 4-Lot Development.

5. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29254204 to Install Handhole at Base of Pole #1 on West Chester Street to Reroute Service to 8 Gull Island Lane.

6. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29188254 to Install New Handhole (hh1-4) and 70' of 2-3'' Conduit Encased in Concrete on Parker Lane to Supply Electric Service to 3 Parker Lane.

7. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #28463834 to Install New Handhole (hh1) and 30' of 2-4'' Conduit Encased in Concrete off Existing Transformer on Somerset Road to Supply Electric Service to Miacomet Golf Course.

8. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29211781 to Install New Handhole (hh2-1) and 60' of 2-4'' Conduit Encased in Concrete on Lily Street to Supply Electric Service to 36 Lily Street.

 IX. TOWN MANAGER’S REPORT
 1. FY 2020 Second Quarter Budget Reports: General Fund; Our Island Home Enterprise Fund; Solid Waste Enterprise Fund.

X. SELECT BOARD’S REPORTS/COMMENT II
 1. Adoption of 2020 Annual Town Meeting and/or Election Warrant.

 2. Committee Reports.

XI. ADJOURNMENT

*Identified on Agenda Protocol Sheet
Select Board Agenda Protocol:

- **Roberts Rules:** The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.

- **Public Comment:** For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board’s discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.

  Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- **New Business:** For topics not reasonably anticipated 48 hours in advance of the meeting.

- **Public Participation:** The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.

- **Select Board Report and Comment:** Individual Board Members may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.
### EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
January 22, 2020

<table>
<thead>
<tr>
<th>Type of Agreement/Description</th>
<th>Department</th>
<th>With</th>
<th>Amount</th>
<th>Other Information</th>
<th>Source of Funding</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment to Lease Agreement</td>
<td>Select Board</td>
<td>MassDOT Registry of Motor Vehicles Division</td>
<td>($9,223.56/yr)</td>
<td>Extend lease agreement for RMV office at 16 Broad St. from July 1, 2019 to June 30, 2024</td>
<td>n/a</td>
<td>October 1, 2008 - June 30, 2024</td>
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<tr>
<td>Lease Agreement</td>
<td>Select Board</td>
<td>The Surf</td>
<td>($210,000 + 4% Avg. Annual % of Gross Sales over $100k)</td>
<td>Lease agreement for Surfside Beach Concession</td>
<td>n/a</td>
<td>January 1, 2020 - December 31, 2024</td>
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<tr>
<td>Professional Service Agreement</td>
<td>DPW</td>
<td>Weston &amp; Sampson Engineers, Inc.</td>
<td>$137,000</td>
<td>Contract for design services of Nobadeer Playing Fields Fieldhouse project</td>
<td>Article 10/2016 ATM</td>
<td>January 22, 2020 - June 30, 2023</td>
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<tr>
<td>Professional Service Agreement</td>
<td>DPW</td>
<td>MECO Environmental Services, Inc.</td>
<td>$465,888</td>
<td>Contract for underground storage tank removal &amp; installation of above ground storage tanks</td>
<td>Various Town Meeting Articles</td>
<td>January 22, 2020 - July 1, 2020</td>
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<tr>
<td>Amendment to Professional Service Agreement</td>
<td>DPW</td>
<td>Clean Harbors Environmental Services</td>
<td>Add $40,000 to original contract amount of $160,000 for new contract total of $200,000</td>
<td>Amend contract for hazardous waste collection events to allow for additional collection days through the end of FY20</td>
<td>Solid Waste Budget</td>
<td>January 22, 2020 - June 30, 2020</td>
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<tr>
<td>Amendment to Professional Service Agreement</td>
<td>DPW</td>
<td>Weston &amp; Sampson Engineers, Inc.</td>
<td>Add $40,000 to original contract amount of $17,000 for new contract total of $57,000</td>
<td>Amend contract for landfill engineering management assistance</td>
<td>Solid Waste Budget</td>
<td>January 22, 2020 - August 21, 2021</td>
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<td>Professional Service Agreement</td>
<td>IS/GIS</td>
<td>SHI International Corp.</td>
<td>$41,046.43</td>
<td>Contract for continuation of TeamDynamix Project Management Software</td>
<td>IS/GIS Budget</td>
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<tr>
<td>Professional Service Agreement</td>
<td>IS/GIS</td>
<td>Marcotte Ford</td>
<td>$26,002.25</td>
<td>Contract to purchase department vehicle for IS/GIS</td>
<td>IS/GIS Budget &amp; Town Admin. Budget</td>
<td>January 22, 2020 - June 30, 2020</td>
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</table>
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLES DIVISION
ALSO KNOWN AS THE REGISTRY OF MOTOR VEHICLES DIVISION

FIFTH AMENDMENT TO LEASE AND LEASE EXTENSION

This Fifth Amendment to Lease and Lease Extension (this Fifth Amendment) is made on __________, 20__, by and between the Town of Nantucket (Landlord) and the Massachusetts Department of Transportation, Motor Vehicles Division, also known as the Registry of Motor Vehicles Division (Tenant).

Landlord and the Commonwealth of Massachusetts acting by and through its Division of Capital Asset Management and Maintenance as “Tenant” on behalf of the Registry of Motor Vehicles as “the User Agency” entered into the Lease dated February 11, 2009, for the Premises consisting of 473 usable square feet in the Building, located at 16 Broad Street, Nantucket, Massachusetts.

The Term commenced October 1, 2008, at 12:01 a.m.

Pursuant to chapter 25 of the Acts of 2009, as amended by §§ 51 through 60 of chapter 26 of the Acts of 2009, Tenant became the Massachusetts Department of Transportation, Motor Vehicles Division, also known as the Registry of Motor Vehicles Division, effective November 1, 2009.

By a first amendment dated December 9, 2010, the Term was extended (the First Amendment).

By a second amendment dated July 25, 2013, the Term was extended and Landlord made the Landlord’s Improvements (the Second Amendment).

By a third amendment dated August 25, 2015, the Term was extended (the Third Amendment).

By a fourth amendment dated April 14, 2016, the Term was extended (the Fourth Amendment).

Landlord and Tenant desire to extend the Term.

In consideration of the mutual promises contained in the Lease, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and in this Fifth Amendment (collectively the Lease, as amended), Landlord and Tenant agree as follows:

1. The Term is extended from July 1, 2019, at 12:01 a.m., until June 30, 2024, at 11:59 p.m.

2. From July 1, 2019, at 12:01 a.m., until June 30, 2024, at 11:59 p.m., the annual Rent is $9,223.56, payable in equal monthly installments of $768.63, for a rent rate of $19.50 per square foot.

3. Landlord warrants and represents that Landlord’s name appears in this Fifth Amendment exactly as Landlord’s name appears on Landlord’s record title to the Premises if Landlord owns

February 2015
the Premises, or exactly as Landlord’s name appears in Landlord’s lease if the Lease, as amended, is a sublease.

4. Landlord warrants and represents that Landlord has full legal capacity to enter into this Fifth Amendment.

5. If Landlord is not a natural person or natural persons, but Landlord is, rather, a so-called “creature of the law” (e.g., a corporation, a general or limited partnership, a trust, a limited liability company, etc.), Landlord warrants and represents that Landlord is validly organized and existing, that Landlord is in good standing in the state, commonwealth, province, territory, or jurisdiction of Landlord’s organization, and that Landlord is authorized and qualified to do business in the state, commonwealth, province, territory, or jurisdiction in which the Premises are located.

6. Landlord warrants and represents that the execution of this Fifth Amendment is duly authorized and that each person executing this Fifth Amendment on behalf of Landlord has full authority to do so and to fully bind Landlord thereby.

7. All terms-of-art in this Fifth Amendment have the respective meanings that are given to them in the Lease, as previously amended, unless otherwise indicated in this Fifth Amendment.

8. Except as modified by this Fifth Amendment, all provisions, obligations, and covenants that are contained in the Lease, as previously amended, remain in effect and are performed and completed as agreed in the Lease, as previously amended.

9. Other than the "Landlord's Beneficial-Interest-Disclosure Statement" and the "Certificate of Tax-and-Employment-Security Compliance," each exhibit and other attached document is an integral part of this Fifth Amendment for all lawful intents and purposes. The "Landlord's Beneficial-Interest-Disclosure Statement" and the "Certificate of Tax-and-Employment-Security Compliance" are required by the General Laws of the Commonwealth of Massachusetts for rental agreements and for agreements that extend or renew rental agreements in which the Commonwealth of Massachusetts is the tenant. These required documents are attached to but not part of the documents to which they are attached, notwithstanding that Tenant is now the Massachusetts Department of Transportation, Motor Vehicles Division, also known as the Registry of Motor Vehicles Division.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.
Landlord and Tenant have executed multiple counterparts of this document under seal in accordance with the laws of the Commonwealth of Massachusetts, Tenant having done so by the Registrar of Motor Vehicles of the Massachusetts Department of Transportation, Motor Vehicles Division, also known as the Registry of Motor Vehicles Division, who incurs no personal liability as a result of such signature.

LANDLORD: TOWN OF NANTUCKET

By: __________________________
Printed Name: C. Elizabeth Gibson
Title: Town Manager

TENANT: MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, MOTOR VEHICLES DIVISION, ALSO KNOWN AS THE REGISTRY OF MOTOR VEHICLES DIVISION

Jamey Tesler, Acting Registrar

Approved as to Matters of Form:

Jean Berke, Deputy General Counsel
Registry of Motor Vehicles Division

February 2015
LANDLORD'S BENEFICIAL-INTEREST-DISCLOSURE STATEMENT

Pursuant to G. L. c. 7C, § 38,1 the undersigned C. ELIZABETH GIASON, TOWN MANAGER of
TOWN OF NANTUCKET (Name) (Title)
certifies the following:
(Full name(s) of Landlord, as Landlord's name(s) appear(s) in the Lease)

(1) DESCRIPTION & ADDRESS OF PREMISES:
473 Usable Square Feet of office space on the second floor of the building located at 16 Broad Street, Nantucket, Massachusetts

(2) TERM
From: July 1, 2019 to: June 30, 2024

(3) LANDLORD NAME and ADDRESS:
TOWN OF NANTUCKET
16 BROAD STREET
NANTUCKET, MA 02554

(4) TENANT: Massachusetts Department of Transportation (MassDOT), Motor Vehicles Division, also known as the Registry of Motor Vehicles Division

(5) Name and address of all persons who have or will have a direct or indirect beneficial interest in the above property of Landlord (including prospective purchasers). Please note: Do not write "none."

NAME
ADDRESS

LANDLORD IS A MUNICIPALITY AND A POLITICAL SUBDIVISION OF THE COMMONWEALTH OF MASSACHUSETTS

(6) None of the above mentioned persons is an employee of the Massachusetts Department of Transportation, Motor Vehicles Division, also known as the Registry of Motor Vehicles Division, or an official elected to public office in the Commonwealth of Massachusetts, except as listed below. Please note: If none, write "none"; do not leave blank.

NAME
MassDOT OR PUBLIC-OFFICE TITLE

NONE

(7) The undersigned further agrees that a new Disclosure Statement must be made in writing, under penalty of perjury, during the Term in case of any change of interest in such property, within 30 days of such change.

Signed under the penalties of perjury on January, 2020.

Signature of Person whose Name and Title appear at the top of this page

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1 "No agreement to rent . . . real property to a public agency, and no renewal or extension to such agreement, shall be valid and no payment shall be made to the lessor . . . of such property, unless a statement, signed, under penalties of perjury, has been filed by the lessor, . . . and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance." (G. L. c. 7C, § 38).
CERTIFICATE OF TAX-AND-EMPLOYMENT-SECURITY COMPLIANCE

Pursuant to G. L. c. 62C, § 49A, and G. L. c. 151A, § 19A(b),

C. ELIZABETH GIBSON

(Town Manager)

of

TOWN OF NANTUCKET

(Name of Town)

(Name of Landlord)

whose principal place of business is located at

16 BROAD STREET, NANTUCKET,

MASSACHUSETTS,

certifies that:

A. Landlord has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

B. Landlord has complied with all laws of the Commonwealth relating to employment-security contributions and payments in lieu of contributions.

Signed under the penalties of perjury on January 20

Federal Identification Number

Signature of Person whose Name and Title appear at the top of this page

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1 "No contract or other agreement for the purposes of providing ... real estate space to any ... agencies of the Commonwealth shall be entered into, renewed or extended with any person unless the person certifies in writing, under penalties of perjury, that he has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support ..."

2 "No contract or other agreement for the purpose of providing ... physical space to any agency or instrumentalities of the Commonwealth shall be entered into, renewed or extended with any employer unless such employer certifies in writing, under penalties of perjury, that said employer has complied with all laws of the Commonwealth relating to [employment-security] contributions and payments in lieu of contributions."
Nantucket has no traffic lights. Year-round transportation includes accessible, affordable, and reliable multi-modal options that respect the historical setting of our community and limit reliance on single-occupancy vehicles and private transportation. The Town has improved safety and mobility without accommodating a car-centric culture. Pedestrians and bicyclists feel safe as they traverse along paths and walkways that abut our local roads. Our community embraced the use of technology to improve parking turnover in our vibrant Old Historic District and made year-round access a pleasant experience.

**GOAL 1**
Launch a downtown parking management system based on demand management principles that achieves (or is measured by) 85% occupancy of public parking spaces.

**GOAL 2**
Complete at least one key sidewalk route connection from Mid-Island (Six Fairgrounds Housing Project) to the ferries with improved standards for accessibility.

**GOAL 3**
Shift the mode of choice of commuters from driving alone to using other modes by 6%.
TO: SELECT BOARD AND NRTA ADVISORY BOARD
FROM: PAULA LEARY, NRTA ADMINISTRATOR
RE: DOWNTOWN BUS SERVICE
DATE: JANUARY 14, 2020

I have been asked to come up with various scenarios and costs associated with the Select Boards interest in providing a free "shuttle" service from the parking lot at 2 Fairgrounds Road to "somewhere" downtown to accommodate downtown workers.

This service is similar to the ferry connector service model so I wanted to provide some history on the ferry connector service that the Town asked the NRTA to operate in 2014. At that time an issue arose with commercial vehicles parking overnight within the downtown core district, mostly daily off island contractors traveling daily to and from the island parking vans and box trucks at the Stop & Shop parking lot, throughout town and in the Washington Street lot. The lot at 2 Fairgrounds Road was identified to be used as the park and ride lot for the ferry connector service. In addition regulations were amended to prohibiting overnight parking in the Washington Street lot and the prohibiting commercial vehicle parking downtown and there was stricter enforcement. Improvements were made so that the lot could accommodate roughly 80 vehicles. Although the objective was to address overnight commercial vehicle parking it was also used by residents to access the ferries and to a small degree the airport and by people just going to town. The need to identify overflow parking was denied. Because the service was successful, the lot was usually filled it did achieve the goal of eliminating commercial vehicles in the downtown but unfortunately due to the lots lack of capacity it could not be marketed to a wider audience. This service was largely private funded with the town funding a portion of the costs. The ferry connector operated from 2014-2016 when the Town halted its funding. The private funders were also not wanting to continue their contributions. At this same time the lot was expanded to accommodate roughly 200 vehicles. If the ferry connector service had continued it could have been rebranded and marketed as a commuter parking area as well. At the time the NRTA had the vehicles in its fleet to provide the service, unfortunately it does not now. Attached is information on the specifics of the ferry connector service.
Respectfully, I offer the following comments and considerations:

1. I believe a broader look at a service that can be provided to potentially several target audiences to more effectively and efficiently meet the Select Boards transportation goal and address the issues of traffic and parking opportunities within the downtown area. The look should be at the larger transportation system as a whole.

2. Serious consideration should be given to the impact on the NRTA’s current service and its state contract assistance funding. There is much more emphasis on performance measures i.e. cost per passenger, cost per mile, ridership, farebox recovery etc.

3. Established Programs for Employees: In 1996 the NRTA established the Commuter Solution Program as a ridership incentive program. This program enables businesses to purchase passes for their employees at a discounted rate. This continues to be a successful program. In 2019 over 80 businesses purchased 800 summer passes for their employees. Of these, 35 business purchased 116 annual passes for their employees. In 1998 the Board of Selectmen at the time, set a policy that Town departments could purchase passes for its employees from the department’s budget. Several town departments do this. Six town departments purchased summer passes and 2 town departments purchased annual passes.

4. In addition to approximately 180 established bus stops along the NRTA’s fixed routes there are three park and ride lots. Convenient options do already exist.

5. Other:
   - Timing of Riders Guide production July/Aug for the following year
   - Mode Connections – scenario 3
Scenario 1:
Service
- Target: Service would be available to the general public
- Every 10 minutes
- 2 Fairgrounds Road to Town
- 7 am – 10 am and 3 pm – 7 pm
- May 26 (Tuesday after Memorial Day) through September 6 (Sunday before Labor Day)
- 104 days of operation
- 9 hours per day (based on additional ½ hour start and finish time)

Requirements:
- 2 vehicles (based on NRTA 19 passenger vehicles), plus availability of a spare vehicle
- Additional vehicles would be required
- Additional drivers and split shift drivers would be an issue
- Available for the public, could not limit to just downtown workers
- Compliance with state and federal regulations for public transit
- Passenger Fares: free to passenger, subsidized by whom?
- Bus stop location (downtown and 2 Fairgrounds Lot) – passenger waiting area, vehicle waiting area, safe boarding area
- ADA - Wheelchair Accessible parking and vehicles, automated stop announcement system

Considerations:
- Split shift driver availability (potential increase in cost)
- Service Demand
- Vehicle Capacity
- Scheduling – set schedule vs approximate schedule
- Marketing Plan and Cost

Cost
- Approximate operations cost per hour: $1,900
- Approximate total operations cost: $196,560
- Cost to operate 7 am to 7 pm $283,920
- Marketing Cost: $10,000
- Subsidized Fare: unknown
Scenario 2:

Service
- Target: Service would be available to the general public
- Every 15 minutes
- 2 Fairgrounds Road to Town
- 7 am – 10 am and 3 pm – 7 pm
- May 26 (Tuesday after Memorial Day) through September 6 (Sunday before Labor Day)
- 104 days of operation
- 9 hours per day (based on additional ½ hour start and finish time)

Requirements:
- See Scenario 1

Considerations:
- See Scenario 1

Cost:
- Approximate operations cost per hour: $1,300
- Approximate total operations cost: $135,200
- Marketing Cost: $10,000
- Subsidized Fare: unknown
Scenario 3:

Service (Ferry Connector Model)
- Target: Service would be available to the general public
- Every 20 minutes
- 2 Fairgrounds Road to Town
- Incorporate into Airport Route when route is operating
- 7 am to 10 pm
- May 15 (parking restrictions) through September 30 (parking restrictions)
- 139 days of operation
- 16 hours per day (based on additional ½ hour start and finish time)
- $2.00 - $3.00 Fare each way

Requirements:
- 2-3 vehicles
- See Scenario 1

Considerations:
- See Scenario 1

Cost
- Approximate total operations cost: $275,000-325,000
- Marketing Cost: $10,000
Ferry Connector:

<table>
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<tr>
<th>OPERATIONAL DATA</th>
<th>2016</th>
<th>2015</th>
<th>2014</th>
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<tr>
<td>Dates of Operation</td>
<td>6/1-9/5</td>
<td>5/21-10/12</td>
<td>5/22-10/13</td>
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<tr>
<td># of operating</td>
<td>97 days</td>
<td>145 days</td>
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<tr>
<td>Hours of Operations</td>
<td>7 am - 10 pm</td>
<td>7 am - 10 pm</td>
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<td>Operating Expense</td>
<td>$ 162,844</td>
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<td>Passenger Boardings</td>
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<td>TOTAL</td>
<td>$ 182,501</td>
<td>$ 166,459</td>
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- Marketing Funding: 2014
- Planning: $10,000
- Nantucket Hotel: $5,000

Note: Operational savings from 2014 were used toward 2015 operations.

The Ferry Connector operated 2 buses with 20 minute service from the 2 Fairgrounds Road Lot to the Hy-Line and Steamship Authority. This service was incorporated into the Airport Route when it was operational from 10 am to 6 pm with buses operating to maintain the 20 minute schedule.

The Ferry Connector is a convoluted schedule based on dates of operation, Airport Route dates of operation and ferry schedule changes through the season. If the Board wishes to pursue this avenue with more specifics I am happy to develop various scenarios. I have provided an estimated cost under Service Scenario 3.
This is the legal op referenced this morning

C. Elizabeth Gibson
Town Manager
Town of Nantucket
(508) 228-7255

From: Michele Randazzo <MRandazzo@k-plaw.com>
Sent: Friday, January 10, 2020 2:23 PM
To: Libby Gibson <LGibson@nantucket-ma.gov>; Paula Leary <nrta@nantucket-ma.gov>
Cc: John Giorgio <JGiorgio@k-plaw.com>
Subject: Expanded bus service

Hi Libby and Paula, both of you have asked us questions concerning a possible Town-sponsored commuter shuttle service or similar transportation program, that is under discussion. In order that we are all on the same page, I wanted to summarize our legal perspective on such a program.

The provisions of G.L. c. 161B, s. 6 empower Regional Transit Authorities (RTAs) “(i) to provide mass transportation service on an exclusive basis ... in the area constituting the authority and without being subject to the jurisdiction and control of the department of telecommunications and energy in any manner except as to safety of equipment and operations.” (emphasis added)

Thus, where an RTA has been established pursuant to G.L. c. 161B, it has exclusive authority to operate mass transit within the geographical area under the jurisdiction of the RTA, in my opinion, with some limited exceptions for private bus companies that provided mass transportation services at the time an RTA “commenced operations.” Furthermore, G.L. c. 161B, s. 25 precludes the RTA from directly operating such bus/mass transit service, resulting in contractual agreements between RTAs and operating companies such as VTS to provide the actual bus or other mass transportation services.

Accordingly, the Town could not provide a mass transportation service independent of the NRTA in our opinion. With that said, in Nantucket, you have the unique situation where the Select Board also serves as the Advisory Board for the NRTA. As such, the Select Board, acting in its capacity as the Advisory Board, could propose and implement additional bus service(s) to be provided by the RTA, subject to: 1) availability of funding; 2) determining whether such additional service(s) could be provided under the existing contract with VTS; 3) if not, determining whether a new or amended contract needs to be negotiated with VTS and/or another operator. Moreover, there may be procurement processes that the RTA would be required to follow to implement this program, such as to purchase any necessary additional vehicles or the procurement of a new or additional operator.
In short, while the Town may certainly fund such a program, it would have to be structured under the auspices and authority of the RTA, and subject to all rules, requirements, and contracts applicable to the RTA.

As always, if there are any additional questions, please do not hesitate to contact us. Have a good weekend.

Michele

Michele E. Randazzo, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
F: (617) 654 1735
mrandazzo@k-plaw.com
www.k-plaw.com

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Free Summer Commuter Shuttle

During the months of November and December 2019, the Town of Nantucket carried out an anonymous public survey requesting residents feedback about the possibility of a free summer commuter shuttle service between the parking lot at 2 Fairgrounds Road and the Town Lot behind 37 Washington Street.

Survey results (170 responses)

1. How do you routinely get to your place of employment downtown?
   - Drive a personal vehicle: 90%
   - Nantucket Regional Transit Authority The WAVE: 24%
   - Bike: 16%
   - Walk: 15%
   - Carpool: 5%
   - Ride Share: 4%
   - Other: 1%.

2. At what times in the morning would be most convenient for you to use a free shuttle service between 2 Fairgrounds Road and the Town Lot?
   - 7 to 9 am: 38%
   - 6 to 8 am: 31%
   - 8 to 10 am: 23%
   - 9 to 11 am: 7%
3. At what times in the afternoon would be most convenient for you to use a free shuttle service between 2 Fairgrounds Road and the Town Lot?

- 3 to 4 pm: 67%
- noon to 1 pm: 12%
- 1 pm to 2 pm: 9%
- 2 to 3 pm: 6%

4. At what times in the evening would be most convenient for you to use a free shuttle service between 2 Fairgrounds Road and the Town Lot?

- 5 to 6 pm: 39%
- 6 to 7 pm: 36%
- 4 to 5 pm: 23%

5. How often would you use a free shuttle service?

- 3 – 5 times/week: 23%
- 1 – 3 times/week: 20%
- 2 - 4 times/week: 17%
- Never: 16%
- Daily: 12%
- 4 – 6 times/week: 10%

6. What days would you use the shuttle service?

- Friday: 62%
- Thursday: 60%
- Tuesday: 57%
- Wednesday: 57%
- Monday: 56%
- Saturday: 36%
- Do not know: 28%
- Sunday: 23%
7. What is a convenient amount of time to wait for a free shuttle that brings you directly to the Town Lot at 37 Washington Street with no stops?

- 10 minutes: 70%
- 15 minutes: 25%
- 20 minutes: 3%

8. What type of shuttle would you prefer?

- 20-seat courtesy shuttle bus: 67%
- 12-seat passenger van: 32%

9. What would keep you from taking advantage of a free shuttle service?

- I have meetings or appointments in and out of town throughout the day and need my personal vehicle: 67%
- I like the convenience of having my personal vehicle within walking distance of my workplace: 40%
- I have mobility concerns and need to park near my place of work: 8%
- I have a designated parking spot in Town: 6%
- I don’t mind getting parking tickets in order to park downtown all day: 3%
Agenda Item Summary

Agenda Item #: VIII. 1.
Date: 1/22/20

Staff
Amy Baxter, Licensing Administrator

Subject
New Liquor License Application – Nantucket Meat and Fish Market, 21 Old South Road

Executive Summary
The Nantucket Meat and Fish Market, 21 Old South Road is applying for a New Annual Off-Premise (Package Store) Beer and Wine Liquor License. This is the third such application as the first two were denied by the Select Board. Nantucket has two Annual Beer and Wine Package Store Licenses available under the current Quota. No Seasonal or All-Alcohol Package Store Licenses are available.

The Applicant has held a Common Victualler License at 21 Old South Road since 2016.

Staff Recommendation

Comments and Consideration:

1) Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, decisions of the Local Licensing Authority must be based on reasonable grounds;
2) ABCC and courts prefer findings be based on the following:

The appropriateness of a liquor license at a particular location
- This location is a new building and business as of 2016 and has not previously been the location for a Liquor License.
- See attached map for the location of 4 Annual Package Store Licenses located within one half mile of the applicant.

The number of existing dispensaries in Town
Annual Package Stores – Wine & Malt: 3 (2 Licenses available)
Annual Package Stores – All Alcohol: 5 (Over quota by 2 Licenses)
Seasonal Package Stores – Wine & Malt: 3
Seasonal Package Stores – All Alcohol: 4
Annual On Premise Licenses: 43
Seasonal On-Premise Licenses: 40
The views of the inhabitants of the locality in which a license is sought
- Please see attached letters from community members, Businesses and Liquor Licensees. These are comments received as of January 14, 2020.

Traffic, noise, size (typically applies to a new location)
- The Market is located in a very high traffic area that includes Commercial and Residential properties. There is sufficient parking area provided by the Market for its customers.

The sort of operation that carries the license
- The Applicant operates a grocery store of establishment with additional food service and in-store seating. The location is licensed as a Common Victualler.

The reputation of the applicant
- The Applicant has operated the Market since 2016 with no complaints or violations.

Additional considerations:

Special Permit:

Per Special Permit #20-15, the allowed hours of operation of the market are 6am – 8:00 pm, seven days a week. The Liquor License would have to reflect a closing time of no later than 8pm and no liquor sales before 10am on Sunday. The Board may also restrict Sunday Sales to begin no earlier than noon.

The Board may also consider the amount of space allocated for alcohol sales. Square footage for alcohol sales must be included in the License conditions and maintained by the Licensee. Any expansion must be approved by the Board in a License Modification Application.

Background/Discussion
On November 16, 2016, the Applicant was denied a Seasonal Package Store (off-premise) Wine and Malt License by the Select Board (see attached ruling). It was decided that a licensed establishment at this location would not serve the public need or convenience. The ruling was appealed by the Applicant and a hearing was held by the ABCC on April 25, 2017. Two Select Board members and the Licensing Administrator testified at the hearing along with the Applicant. The ABCC issued its decision on June 14, 2017 to uphold the actions of the Select Board.

The Applicant reapplied to the Select Board on January 30, 2019 is for an Annual Package Store Wine and Malt License. They had previously requested a Seasonal License. The application was denied on the same grounds as the 2016 decision.

The Applicant is allowed to reapply after a one-year period or upon approval of the Select Board to hear a new application.
<table>
<thead>
<tr>
<th>Impact: Environmental</th>
<th>Fiscal</th>
<th>Community</th>
<th>Other</th>
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<tr>
<td>N/A</td>
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<th>Board/Commission Recommendation</th>
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<td>N/A</td>
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<tr>
<th>Public Outreach</th>
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<tr>
<td>Public hearing notice advertised for two weeks</td>
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<thead>
<tr>
<th>Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)</th>
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<td>N/A</td>
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<thead>
<tr>
<th>Attachments</th>
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<tbody>
<tr>
<td>Select Board Liquor License Public Hearing Process; letter from Nantucket Wine &amp; Spirits; Map of Package Stores; Floor plan; New Liquor License ABCC Application; Select Board Decision 11-3-16; ABCC Decision 6-21-17; Select Board Decision 5-6-19</td>
</tr>
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</table>
Nantucket Selectboard,

Thank you for hearing our application for a year-round beer and wine license. As another license has become vacant and available for use, we believe the need has increased for a year-round one stop shop to have a license in our area. We simply would like to offer our customers the option of a bottle of wine or beer while buying dinner. This would cut down on stops having to be made to complete a meal, decrease traffic, and allow us to stay competitive amongst our peers.

Giving a license to a store that has alcohol as a primary or large dependence on alcohol sales just increases the alcohol culture Nantucket is trying to get away from. We are trying to obtain a license to add a convenience to our community, not highlight alcohol as our business plan. Our year-round application at Nantucket Meat & Fish Market would be appropriate for the area and community that supports us.

Thank you for your consideration.

Sean Ready

Nantucket Meat & Fish Market
Liquor License Public Hearing Process

1. The chairman opens the public hearing and may outline the procedure to be followed.

2. The applicant reviews their pending application.

3. Public comment is taken.
   - If applicable, read into record any written objections received from school, church or hospital located within 500 feet.

4. The chairman invites questions from the Board and closes the public hearing.

5. The Board makes a decision to approve or deny.

6. Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, denials must be based on reasonable grounds; ABCC and courts prefer findings based on:
   -- the appropriateness of a liquor license at a particular location
   -- the number of existing dispensaries in Town
   -- the views of the inhabitants of the locality in which a license is sought
   -- traffic, noise, size (typically applies to a new location)
   -- the sort of operation that carries the license
   -- the reputation of the applicant

7. A written decision is required to be sent to the applicant. No need for reasons if the application is simply approved, but if there is a denial or conditions are imposed, the reasoning for this is required to be in the decision. Therefore, the Board should vote on basis for denial or conditions as well [concerns with traffic, another licensee located adjacent to property, limiting hours, etc.].
January 3, 2020

Select Board  
Town of Nantucket  
4 Fairgrounds Road  
Nantucket, MA 02554  

cc. Ms. Amy Baxter

Dear Select Board Members,

I am writing with regard to the now FOURTH application of the Nantucket Meat and Fish Market (this number includes an appeal before the ABCC) for essentially the same license in the same area, of which they were recently denied by the same Board that is presently sitting. This denial was based on the undeniable fact that the area of Amelia Drive is already well served and saturated with year round package stores. There have been NO changes in this area to warrant a change of mind at this time.

I urge this Board to stand for their decision of less than a year ago when they denied this request, until such time as there is a significant change in this area. The fact that there may be a license to give does not mean this Board must grant this request. We are all aware of the huge amount of liquor licenses on Nantucket. Perhaps it is truly time, given the present uncertainty of a possible request for a license in the location of Lucky’s (on the ground that it was an existing license for many years), as well as the new ownership of The Green by a license holder, to pause for a moment......

Nantucket, and especially Amelia Drive, does not need another package store. Please take this moment to say enough is enough and be willing to stand for the decision to deny that was made by you and support what is best for Nantucket. It is time to take a serious look at the need in our community for more locations to purchase alcohol. It is time to step back and evaluate. In doing this you would also be standing for the current license holders struggling to serve our community year round, and more importantly for those within arm’s length of the Nantucket Meat and Fish Market, Annye’s Whole Foods, The Islander and Old South Liquors.

Thank you again for your consideration and for taking the time to read my letter.

Mary Watts

P.O. BOX 1137 • SPARKS AVENUE, NANTUCKET, MA 02554 • 508-228-1136
Meat&Fish Mkt-Seasonal-Package-Beer&Wine
21 Old South Rd
Nantucket, MA 02554
APPLICATION FOR A NEW LICENSE

1. LICENSE CLASSIFICATION INFORMATION

<table>
<thead>
<tr>
<th>ON/OFF-PREMISES</th>
<th>TYPE</th>
<th>CATEGORY</th>
<th>CLASS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-Premises-15</td>
<td>$15 Package Store</td>
<td>Wines and Malt Beverages</td>
<td>Annual</td>
</tr>
</tbody>
</table>

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

We are applying for an Annual Wines and Malt Beverages Package Store License for our existing Meat & Fish Market in Nantucket. Nantucket Meat & Fish Market is a unique stop that serves high quality meats, fresh fish, and prepared foods. We intend to compliment our high quality of products with a small selection of beer and wine.

Is this license application pursuant to special legislation?  

☐ Yes  ☐ No  

Chapter  

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name: Nantucket Meat & Fish Market, Inc.  

FEIN

DBA

Manager of Record: Sean D Ready

Street Address: 21 Old South Road, Nantucket, MA 02554

Phone: 602-233-2222  

Email: sready100@gmail.com

Alternative Phone

Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

A small of portion of the building, having two rooms and total square footage of 4,176 square feet, will be dedicated to beer and wine sales. A portion of the basement, having total square footage of 4,298 square feet will be used for storage.

Total Square Footage: 8,474  

Number of Entrances: 3  

Seating Capacity:

Number of Floors: 2  

Number of Exits: 4  

Occupancy Number:

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Sean Ready  

Phone: 802-999-5231

Title: Owner  

Email: sready100@gmail.com
5. CORPORATE STRUCTURE

Entity Legal Structure: Corporation
Date of Incorporation: June 30, 2016
State of Incorporation: Massachusetts
Is the Corporation publicly traded? ☐ Yes ☐ No

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (e.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
  - On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
  - Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
<th>DOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>John D Ready, Jr.</td>
<td>PO Box 2165, Edgartown, MA 02539</td>
<td>[Redacted]</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Title and or Position</td>
<td>Percentage of Ownership</td>
<td>Director/ LLC Manager US Citizen</td>
<td>MA Resident</td>
</tr>
<tr>
<td>Owner</td>
<td>50%</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
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<td>Director/ LLC Manager US Citizen</td>
<td>MA Resident</td>
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<td>[Redacted]</td>
<td>[Redacted]</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
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Additional pages attached? ☐ Yes ☐ No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. ☐ Yes ☐ No

2
APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE
Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
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</thead>
<tbody>
<tr>
<td>Edgartown Meat &amp; Fish Market</td>
<td>15 off-premises</td>
<td>037200074</td>
<td></td>
</tr>
</tbody>
</table>

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE
Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
</tr>
</thead>
</table>

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION
Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Date of Action</th>
<th>Name of License</th>
<th>City</th>
<th>Reason for suspension, revocation or cancellation</th>
</tr>
</thead>
</table>

7. OCCUPANCY OF PREMISES
Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name: John Ready Trust
Landlord Phone: 802-233-2222
Landlord Email: johnreadyjr@gmail.com
Landlord Address: PO Box 2165, Edgartown, MA 02539

Lease Beginning Date: April 1, 2017
Rent per Month: $16,000.
Lease Ending Date: March 31, 2027
Rent per Year: 192,000.
Will the Landlord receive revenue based on percentage of alcohol sales? Yes ☐ No ☒
8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate
n/a lease

B. Purchase Price for Business Assets
$135,000.

C. Other *(Please specify below) 

D. Total Cost
$135,000.

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

SOURCE OF CASH CONTRIBUTION
Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

<table>
<thead>
<tr>
<th>Name of Contributor</th>
<th>Amount of Contribution</th>
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<tbody>
<tr>
<td>John D Ready Jr</td>
<td>$135,000.</td>
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<tr>
<td>Total</td>
<td>135,000.</td>
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SOURCE OF FINANCING
Please provide signed financing documentation.

<table>
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<tr>
<th>Name of Lender</th>
<th>Amount</th>
<th>Type of Financing</th>
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<thead>
<tr>
<th>Is the lender a licensee pursuant to M.G.L. Ch. 138.</th>
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<tr>
<td>☑ Yes  ☑ No</td>
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<td>☑ Yes  ☑ No</td>
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<td>☑ Yes  ☑ No</td>
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<tr>
<td>☑ Yes  ☑ No</td>
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FINANCIAL INFORMATION
Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? (☐ Yes   ☑ No)

Please indicate what you are seeking to pledge (check all that apply)  ☐ License   ☐ Stock   ☐ Inventory

To whom is the pledge being made?
10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name: Sean D Ready Date of Birth: [Redacted] SSN: [Redacted]

Residential Address: PO Box 2165, Edgartown, MA 02539

Email: sready100@gmail.com Phone: 802-999-5231

Please indicate how many hours per week you intend to be on the licensed premises: 40

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? [ ] Yes [ ] No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship: US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? [ ] Yes [ ] No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Municipality</th>
<th>Charge</th>
<th>Disposition</th>
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C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Start Date</th>
<th>End Date</th>
<th>Position</th>
<th>Employer</th>
<th>Supervisor Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/2011</td>
<td>Present</td>
<td>Owner</td>
<td>Edgarlown Meat &amp; Fish Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? [ ] Yes [ ] No If yes, please fill out the table. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Date of Action</th>
<th>Name of License</th>
<th>State</th>
<th>City</th>
<th>Reason for suspension, revocation or cancellation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager’s Signature: [Signature] Date: 12/23/19
11. MANAGEMENT AGREEMENT
Are you requesting approval to utilize a management company through a management agreement?  
Yes ☐ No ☒
If yes, please fill out section 11.
Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. This does not pertain to a liquor license manager that is employed directly by the entity.

11A. MANAGEMENT ENTITY
List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

<table>
<thead>
<tr>
<th>Entity Name</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name of Principal
Residential Address
SSN
DOB

Title and or Position
Percentage of Ownership
Director
US Citizen
MA Resident

Name of Principal
Residential Address
SSN
DOB

Title and or Position
Percentage of Ownership
Director
US Citizen
MA Resident

Name of Principal
Residential Address
SSN
DOB

Title and or Position
Percentage of Ownership
Director
US Citizen
MA Resident

Name of Principal
Residential Address
SSN
DOB

Title and or Position
Percentage of Ownership
Director
US Citizen
MA Resident

CRIMINAL HISTORY
Has any individual identified above ever been convicted of a State, Federal or Military Crime?
Yes ☐ No ☒ If yes, attach an affidavit providing the details of any and all convictions.

11B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 11A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?
Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE
Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?
Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT
Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?
Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>License Type</th>
<th>Municipality</th>
<th>Date(s) of Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
</tr>
</tbody>
</table>

11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION
Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?
Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Date of Action</th>
<th>Name of License</th>
<th>City</th>
<th>Reason for suspension, revocation or cancellation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11F. TERMS OF AGREEMENT
a. Does the agreement provide for termination by the licensee? Yes ☐ No ☐
b. Will the licensee retain control of the business finances? Yes ☐ No ☐
c. Does the management entity handle the payroll for the business? Yes ☐ No ☐
d. Management Term Begin Date _________________
e. Management Term End Date _________________
f. How will the management company be compensated by the licensee? (check all that apply)
   ☐ $ per month/year (indicate amount)
   ☐ % of alcohol sales (indicate percentage)
   ☐ % of overall sales (indicate percentage)
   ☐ other (please explain)

ABCC Licensee Officer/LLC Manager
Signature: [Signature]
Title: Owner
Date: 12/23/19

Management Agreement Entity Officer/LLC Manager
Signature: [Signature]
Title: [Title]
Date: [Date]
I, Sean Ready, the: ☑ partner; ☐ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

Name: Nantucket Meat & Fish Market

hereby submit this application (hereinafter the “Application”), to the local licensing authority (the “LLA”) and the Alcoholic Beverages Control Commission (the “ABCC” and together with the LLA collectively the “Licensing Authorities”) for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

1. I understand that each representation in this Application is material to the Licensing Authorities’ decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

2. I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

3. I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

4. I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

5. I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

6. I understand that all statements and representations made become conditions of the license;

7. I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

8. I understand that the licensee’s failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

9. I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

10. I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: [Signature]
Date: 12/23/19

Title: Owner
CORPORATE VOTE

The Board of Directors or LLC Managers of Nantucket Meat & Fish Market, Inc.

duly voted to apply to the Licensing Authority of Nantucket and the Commonwealth of Massachusetts Alcoholic Beverages Control Commission on January 22, 2019

Date of Meeting

For the following transactions (Check all that apply):

- New License
- Transfer of License
- Change of Manager
- Change of Officers/ Directors/LLC Managers
- Change of Location
- Alteration of Licensed Premises
- Change Corporate Name
- Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- Change of Class (i.e. Annual/ Seasonal)
- Change of License Type (i.e. club/ restaurant)
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Issuance/Transfer of Stock/New Stockholder
- Other
- Change Corporate Structure (i.e. Corp / LLC)
- Pledge of Collateral (i.e. License/Stock)
- Management/Operating Agreement
- Change of Hours
- Change of DBA

"VOTED: To authorize John Ready

Name of Person
to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Sean Ready

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

[Signature]

Corporate Officer /LLC Manager Signature

Sean Ready
(Print Name)

For Corporations ONLY

A true copy attest,

[Signature]

Corporation Clerk’s Signature

John Ready
(Print Name)
### 6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

<table>
<thead>
<tr>
<th>Entity Name</th>
<th>Percentage of Ownership in Entity being Licensed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nantucket Meat &amp; Fish Market</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
<th>DOB</th>
<th>Percentage of Ownership</th>
<th>Director/ LLC Manager US Citizen</th>
<th>MA Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>John D Ready</td>
<td>PO Box 2165, Edgartown, Ma 02539</td>
<td></td>
<td></td>
<td>50%</td>
<td>Yes No</td>
<td>Yes No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
<th>DOB</th>
<th>Percentage of Ownership</th>
<th>Director/ LLC Manager US Citizen</th>
<th>MA Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sean D Ready</td>
<td>Po Box 2165, Edgartown, MA 02539</td>
<td></td>
<td></td>
<td>50%</td>
<td>Yes No</td>
<td>Yes No</td>
</tr>
</tbody>
</table>

**Criminal History**

Has any individual identified above ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

Yes No
The Commonwealth of Massachusetts
William Francis Galvin
Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Articles of Organization
(General Laws, Chapter 156D, Section 2.02: 850 CMR 13.10)

Identification Number: 001229921

ARTICLE I

The exact name of the corporation is:

NANTUCKET MEAT & FISH MARKET, INC.

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

ARTICLE III

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

<table>
<thead>
<tr>
<th>Class of Stock</th>
<th>Par Value Per Share</th>
<th>Total Authorized by Articles of Organization or Amendments</th>
<th>Total Issued and Outstanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>STK</td>
<td>$0.00000</td>
<td>20,000 Shares</td>
<td>200</td>
</tr>
</tbody>
</table>

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

ARTICLE V

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

IT SHALL BE A CONDITION PRECEDENT TO THE VALIDITY OF ANY SALE OR OTHER TRANSFER OF ANY SHARES OF COMMON STOCK OF THE CORPORATION THAT THE FOLLOWING RESTRICTIONS BE COMPLIED WITH (EXCEPT HEREINAFTER OTHERWISE PROVIDED): 5.1 NO NON-COMPLYING TRANSFERS PROHIBITED; NO SHARES OF COMMON STOCK OWNED BY ANY STOCKHOLDER MAY BE SOLD, ASSIGNED, PLEDGED OR OTHERWISE TRANSFERRED (INC...
ENT THAT SUCH LIABILITY IS IMPOSED BY APPLICABLE LAW (I) FOR ANY BREACH OF THE
DIRECTOR'S DUTY OF LOYALTY TO THE CORPORATION OR ITS STOCKHOLDERS, (II) FOR A
CTS OR OMISSIONS NOT IN GOOD FAITH OR WHICH INVOLVE INTENTIONAL MISCONDUCT
OR A KNOWING VIOLATION OF LAW, (III) UNDER SECTION 61 OR 62 OR SUCCESSOR PRO
VISIONS OF THE MASSACHUSETTS BUSINESS CORPORATION LAW, OR (IV) FOR ANY TRAN
SACTION FROM WHICH THE DIRECTOR DERIVED AN IMPROPER PERSONAL BENEFIT. THIS P
ROVISION SHALL NOT ELIMINATE THE LIABILITY OF A DIRECTOR FOR ANY ACT OR OMMI
SION OCCURRING PRIOR TO THE DATE UPON WHICH THIS PROVISION SHALL APPLY TO OR
HAVE ANY EFFECT ON THE LIABILITY OR ALLEGED LIABILITY OF ANY DIRECTOR FOR OR
WITH RESPECT TO ANY ACTS OR OMISSIONS OF SUCH DIRECTOR OCCURRING PRIOR TO S
UCH AMENDMENT OR REPEAL.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing
appropriate articles of amendment.

ARTICLE VII

The articles of organization and time the articles were received for filing if the articles are not rejected within the
time prescribed by law, if a later effective date is desired, specify such date, which may not be later than the 60th day
after the articles are received for filing.

Later Effective Date: Time:

ARTICLE VIII

The information contained in Article VIII is not a permanent part of the Articles of Organization.

a. The street address of the initial registered office of the corporation in the commonwealth and the name of
the initial registered agent at the registered office:

<table>
<thead>
<tr>
<th>Name:</th>
<th>SEAN READY</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. and Street</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td>UNIT 2</td>
</tr>
<tr>
<td>City or Town</td>
<td>EDGARTOWN</td>
</tr>
<tr>
<td>State:</td>
<td>MA</td>
</tr>
<tr>
<td>Zip:</td>
<td>02359</td>
</tr>
<tr>
<td>Country:</td>
<td>USA</td>
</tr>
</tbody>
</table>

b. The names and street addresses of the individuals who will serve as the initial directors, president,
treasurer and secretary of the corporation (an address need not be specified if the business address of the
officer or director is the same as the principal office location):

<table>
<thead>
<tr>
<th>Title</th>
<th>Individual Name</th>
<th>Address (no PO box)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRESIDENT</td>
<td>SEAN READY</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNIT 2 UNIT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EDGARTOWN, MA 02359</td>
</tr>
<tr>
<td>TREASURER</td>
<td>JOHN READY</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNIT 2 UNIT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EDGARTOWN, MA 02359</td>
</tr>
<tr>
<td>SECRETARY</td>
<td>JOHN READY</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNIT 2 UNIT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EDGARTOWN, MA 02359</td>
</tr>
<tr>
<td>DIRECTOR</td>
<td>SEAN READY</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNIT 2 UNIT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EDGARTOWN, MA 02359</td>
</tr>
<tr>
<td>DIRECTOR</td>
<td>JOHN READY</td>
<td>240 EDGARTOWN ROAD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>UNIT 2 UNIT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EDGARTOWN, MA 02359</td>
</tr>
</tbody>
</table>

d. The fiscal year end (i.e., tax year) of the corporation:
A. A brief description of the type of business in which the corporation intends to engage:

**MARKET**

1. The street address (post office boxes are not acceptable) of the principal office of the corporation:

   | No. and Street | 240 EDGARTOWN ROAD, UNIT 2 BOX 2105 |
   | City or Town   | EDGARTOWN                        |
   | State          | MA                               |
   | Zip            | 02539                            |
   | Country        | USA                              |

2. Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):

   | No. and Street | 240 EDGARTOWN ROAD UNIT 2 |
   | City or Town   | EDGARTOWN                  |
   | State          | MA                         |
   | Zip            | 02539                      |
   | Country        | USA                        |

   - X its principal office
   - ___ an office of its transfer agent
   - ___ an office of its secretary/assistant secretary
   - ___ its registered office

Signed this 30 Day of June, 2016 at 12:43:46 PM by the incorporator(s). (If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)

SEAN F. MURPHY

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All Rights Reserved
THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

June 30, 2016 12:41 PM

[Signature]

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth
TOWN OF NANTUCKET
LIQUOR LICENSE

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER: JOHN READY, as Trustee of 21 OLD SOUTH ROAD NOMINEE TRUST

MAILING ADDRESS: c/o Sarah F. Alger, Four North Water, Nantucket, MA 02554

PROPERTY LOCATION: 21 Old South Road

ASSESSORS MAP/PARCEL: Map 68, Parcel 246

SUBMITTED BY: Holly Fernandes

SBE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land whose property directly touches the proposed property and churches and schools within 500 feet of the property, all as they appear on the most recent applicable tax list.

DATE: 1-9-19

ASSSESSOR’S OFFICE
TOWN OF NANTUCKET
November 30, 2016

Sarah F. Alger, P.C.
Two South Water Street
Nantucket, MA 02554

Re: Application for Seasonal Off-Premises Wine/Malt Liquor License
21 Old South Road - Notice of Decision

Dear Ms. Alger:

On November 16, 2016, the Nantucket Board of Selectmen conducted a hearing on your client’s application for a seasonal off-premises wine and malt liquor license at the above location. Following the hearing on this application the Board voted to deny your license application on the basis that a licensed establishment at this location would not serve the public need or convenience. The Board found that there are five annual off-premises licensed establishments within a half-mile of 21 Old South Road. The Board’s Rules and Regulations Governing Alcoholic Beverages provide that establishments are to be encouraged where the applicant offers a unique establishment, compared to what exists in Nantucket at the time of the application, and discouraged where the proposed location duplicates what is presently located in the area. The Board’s findings do not support the approval of this license. In addition, the Board received one letter and multiple public comments at the hearing in opposition to issuing a new license at this location.

Pursuant to Massachusetts General Laws Chapter 138, §67, you may appeal this decision to the Alcoholic Beverages Control Commission within five (5) days of your receipt of the decision.

Very truly yours,

James R. Kelly
Chairman

cc: Licensing Office
DECISION

NANTUCKET MEAT & FISH MARKET, INC.
21 OLD SOUTH RD.
NANTUCKET, MA 02554
LICENSE#: NEW
HEARD: 04/25/2017

This is an appeal under M.G.L. c. 138, § 67 by Nantucket Meat & Fish Market, Inc. ("Applicant" or "Market"), 21 Old South Road, Nantucket, Massachusetts. Market is appealing the action of the Town of Nantucket Board of Selectmen (the "Local Board" or "Nantucket") for denying its M.G.L. c. 138, § 15 Wines and Malt Beverages Seasonal License application. The Applicant timely appealed the Local Board’s action to the Alcoholic Beverages Control Commission (the "Commission" or "ABCC"), and a hearing was held on Tuesday, April 25, 2017.

The following documents are in evidence:

1. Nantucket Planning Board Decision 7/13/2015;
2. Local Board’s Meeting Agenda 11/16/2016 and Hearing Agenda Packet;
3. Market’s Seasonal License Application with cover letter 10/11/16;
4. Transcript of Local Board Hearing 11/16/2016;
5. Local Board’s Decision 8/6/2014 for Pour La Table;
6. Pour La Table’s Seasonal License Application 3/14/2014;
7. Local Board’s Decision 11/30/2016 on Market’s Application;
8. Market’s Notice of Appeal to ABCC 11/18/2016;
9. ABCC Notice of Appeal Hearing 1/20/2017; and
10. Minutes of Local Board’s Hearing 11/16/2016.

There is one (1) audio recording of this hearing, and five (5) witnesses testified. The Commission took Administrative Notice of the Licensee’s Commission Records.

FINDINGS OF FACT

The Commission makes the following findings of fact:

1. Nantucket Meat & Fish Market, Inc. ("Market") is a registered Massachusetts corporation with a business address of 21 Old South Road, Nantucket, Massachusetts. Sean Ready and John D. Ready, Jr. are each 50% stockholders of the corporation. (Exhibit 3)

2. John D. Ready, Jr. Trust applied for a special permit from the Nantucket Planning Board for a major commercial development and associated zoning relief for construction of a two-story
mixed-use building at 21 Old South Road, Nantucket. The proposed uses included a retail supermarket on the ground floor (for Market’s business, which proposed alcohol sales for off-premises consumption), storage in the basement, and four residential apartments on the second floor. The application proposed sharing a driveway with the adjacent building at 2 Amelia Drive. (Exhibit 1; Testimony)

3. On July 13, 2015, the Nantucket Planning Board voted to approve that application. (Exhibit 1)

4. On October 11, 2016, Market submitted to the Local Board a § 15 wines and malt beverages seasonal license application to be exercised at 21 Old South Road, Nantucket (the “Application”). (Exhibit 3)

5. Market’s concept is a “small specialty gourmet food market” providing “everything needed to create a meal.” (Exhibit 3)

6. The Readys own other meat and fish markets, on Martha’s Vineyard and in Vermont. Those locations have liquor licenses, and only 10% of the sales at each location is attributable to alcohol sales. (Testimony)

7. The Readys’ reputation in the Martha’s Vineyard and Vermont locations is good. (Exhibit 4)

8. Market’s Nantucket store has approximately 4,000 square feet total and approximately 100 square feet is proposed to be dedicated to beer and wine sales. (Exhibit 3)

9. While traffic in the area of Market’s premises is already congested, there would be no increase in traffic or noise as a result of alcohol sales at the premises. (Testimony; Exhibit 3)

10. Nantucket’s current population estimate allows for thirteen seasonal retail package store licenses of which the Local Board has already issued ten. Nantucket is over its annual package store quota with eight licensees. (Testimony; Exhibits 2, 4)

11. There are currently five § 15 licensees within a half-mile of the proposed location. Those stores are:

   i. Annye’s Whole Foods, about a block away from Market on Amelia Drive;
   ii. The Islander, about a block away from Market on Old South Road;
   iii. Old South Liquors;
   iv. Nantucket Wine & Spirits; and
   v. Lucky’s Market.

   (Exhibit 2; Testimony).

12. All but Annye’s Whole Foods are traditional package stores. Annye’s Whole Foods is a specialized market with organic foods, a small selection of beer and wine, and homeopathic remedies. (Testimony)

13. Included in a packet of information provided to the Local Board members before the hearing on the Application was the Local Board’s “Lemberg Decision,” in which the local board, on July 23, 2014, denied the § 15 wines and malt beverages seasonal license application of Pour La Table, LLC (“Pour La Table”). Also included in the packet were the meeting minutes ratifying the local board’s vote to deny the Pour La Table application. (Exhibits 2, 5; Testimony)
14. Pour La Table’s proposed location at 16A Amelia Drive would have been approximately 0.2 miles away from Market. Pour La Table described itself as a “package store that specializes in high-end wines, craft beer, and fine cheeses.” (Testimony: Exhibit 6)

15. The Local Board held a hearing November 16, 2016 on Market’s Application. (Exhibit 2).

16. During the public comment period of the hearing, the only persons who spoke opposed the Application. However, most of those who opposed had interests in other § 15 licenses. (Exhibit 4; Testimony)

17. The Local Board members who participated in the hearing unanimously voted to deny Market’s application, and they decided at the hearing to adopt the same reasons for the denial as cited in the Lemberg Decision. (Exhibit 4)

18. The Local Board’s written decision, dated November 30, 3016, (the “Decision”) reasoned that “a licensed establishment at this location would not serve the public need or convenience. The Board found that there are five annual off-premises licensed establishments within a half-mile of 21 Old South Road. The Board’s Rule and Regulations Governing Alcoholic Beverages provide that establishments are to be encouraged where the applicant offers a unique establishment, compared to what exists in Nantucket at the time of the application, and discouraged where the proposed location duplicates what is presently located in the area. The Board’s findings do not support the approval of this license. In addition, the Board received one letter and multiple public comments at the hearing in opposition to issuing a new license at this location.” (Exhibit 7)

DISCUSSION

In reviewing the decision of a denial by a local licensing authority, the Commission gives “reasonable deference to the discretion of the local authorities” and determines whether “the reasons given by the local authorities are based on an error of law or are reflective of arbitrary or capricious action.” Great Atlantic & Pacific Tea Co., Inc. v. Board of License Comm’rs of Springfield, 387 Mass. 833, 837, 838 (1983); see Ballarin, Inc. v. Licensing Bd. of Boston, 49 Mass. App. Ct. 506, 512 (2000) (when reviewing the local licensing authority’s authority, court does not assess the evidence but rather “examine[s] the record for errors of law or abuse of discretion that add up to arbitrary and capricious decision-making”). However, while this discretion of the local licensing authority is broad, “it is not untrammeled.” Ballarin, 49 Mass. App. Ct. at 511.

The Appeals Court has held that a local board may deny a license even if the facts show that a license lawfully could be granted. See Donovan v. City of Woburn, 65 Mass. App. Ct. 375, 379 (2006). “Neither the [local board’s] broad discretion nor the limitations on judicial review, however, mean that the [local board] can do whatever it pleases whenever it chooses to do so.” See id. “Instead, ‘[w]here the factual premises on which [the board] purports to exercise discretion is not supported by the record, its action is arbitrary and capricious and based upon error of law, and cannot stand.” Id. (quoting Ruci v. Client’s Sec. Bd., 53 Mass. App. Ct. 737, 740 (2002)). A Board must state the reasons for its decision whether or not to issue the liquor license. M.G.L. c. 138, §23. “Adjudicatory findings must be ‘adequate to enable [a court] to determine (a) whether the . . . order and conclusions were warranted by appropriate subsidiary findings, and (b) whether such subsidiary findings were supported by substantial evidence.” Charlesbank Rest. Inc. v. Alcoholic Beverages Control Comm’n, 12 Mass. App. Ct. 879, 880 (1981) (quoting Westborough v. Dep’t of Pub. Util., 358 Mass. 716, 717-718 (1971)). General findings are
insufficient, and if the licensing board does not make sufficient findings, "it remain[s] the Commission's obligation to articulate the findings of fact, which were the basis of the conclusions it drew," and not merely adopt the findings of the board. Charlesbank Rest. Inc., 12 Mass. App. Ct. at 880.

The statutory language is clear that there is no right to a liquor license of the type specified in M.G.L. c. 138, § 15. As Section 23 provides in pertinent part:

"[t]he provisions for the issue of licenses and permits [under c. 138] imply no intention to create rights generally for persons to engage or continue in the transaction of the business authorized by the licenses or permits respectively, but are enacted with a view only to serve the public need and in such a manner as to protect the common good and, to that end, to provide, in the opinion of the licensing authorities, an adequate number of places at which the public may obtain, in the manner and for the kind of use indicated, the different sorts of beverages for the sale of which provision is made."

M.G.L. c. 138, § 23. Licenses to sell alcoholic beverages are a special privilege subject to public regulation and control for which states have especially wide latitude pursuant to the Twenty-First Amendment to the United States Constitution. Connolly v. Alcoholic Beverages Control Comm'n, 334 Mass. 613, 619 (1956); Opinion of the Justices, 368 Mass. 857, 861 (1975). The procedure for the issuance of licenses to sell alcoholic beverages is set out in M.G.L. c. 138. Licenses must be approved by both the local licensing authorities and the Commission. M.G.L. c. 138, §§ 12, 67; see Beacon Hill Civic Ass'n v. Ristorante Toscano, Inc., 422 Mass. 318, 321 (1996).

A local licensing authority has discretion to determine public convenience, public need, and public good, with respect to whether to grant a license to sell alcoholic beverages. See Donovan, 65 Mass. App. Ct. at 378-379; Ballarin, 49 Mass. App. Ct. at 510-511. A local board exercises very broad judgment about public convenience and public good with respect to whether to issue a license to sell alcoholic beverages. Donovan, 65 Mass. App. Ct. at 379.

A local board's determination to deny an application based on the lack of public need is not contrary to law where the local board considers the need for the particular business that the applicant sought to run and the local board applies its analysis to the applicant's proposed business and to the location of the proposed business. Id. at 380. In Ballarin, the Appeals Court held that "[n]eed in the literal sense of the requirement is not what the statute is about. Rather the test includes an assessment of public want and the appropriateness of a liquor license at a particular location." Ballarin, 49 Mass. App. Ct. at 511 (Italics added).

"Consideration of the number of existing dispensaries in a locality is a proper concern . . . as are the views of the inhabitants of the locality in which a license is sought . . . In making its discretionary determination, a licensing authority may take into account a wide range of factors - such as traffic, noise, size, the sort of operation that carries the license, and the reputation of the applicant."

Id. (italics added). The Ballarin Court further noted that "[t]he opposition of the neighborhood, albeit an important factor for a licensing board to consider, does not convert the exercise of a licensing board's adjudicatory function into a plebiscite." Id. at 512.

Upon review of the record before the Local Board and the evidence before Commission, the Commission finds that the Local Board fulfilled its responsibility regarding the Application and that the Local Board's
decision was not based on an error of law or reflective of arbitrary or capricious action. See Great Atlantic & Pacific Tea Co., Inc., 387 Mass. at 837. The Local Board held a hearing during which it heard testimony and reviewed Market’s Application and documentary evidence. The Local Board received evidence that there are five § 15 licensees within a half mile radius of Market. The Local Board also received evidence that Annye’s Whole Foods, a store selling organic foods, homeopathic remedies, and a small selection of beer and wine, is about a block away from Market. (Testimony; Exhibit 2) It was not erroneous for the Local Board to conclude that “a licensed establishment at this location would not serve the public need or convenience.” (Exhibit 7)

Market takes issue with the fact that the Local Board did not discuss the distinctions between Market’s business and that of the existing nearby § 15 licensees. (Joint Pre-Hearing Memo at 11) However, the transcript of the hearing before the Local Board reveals the Local Board heard evidence about the type of products Market would sell compared to traditional package stores as well as Market’s goal to provide its customers with the convenience of one-stop-shopping. (Exhibit 4) The fact that there are five § 15 licensees within a half mile radius of Market was the major factor in the Local Board denying the Application. (Testimony; Exhibits 4, 7) In fact, Annye’s Whole Foods, which is about a block away from Market, has a relatively similar concept as Market’s. (Exhibit 4) Contrary to Market’s suggestion, Market’s concept (a food market selling some alcoholic beverages) is not comparable to the unique type of services the applicant in Donovan v. City of Woburn, 65 Mass. App. Ct. 375 (2006) sought to provide (sale of gifts containing, in some instances, alcohol). 2

It was not error for the Local Board to note in its Decision that there were multiple public comments made at the hearing in opposition to the Application. See Ballarin, 49 Mass. App. Ct. at 512 (providing that the opposition of the neighborhood is an important factor for a local board to consider). Notably, most of those who opposed the Application were § 15 licensees who would compete with Market were the Application granted. (Exhibit 4) However, the Local Board properly did not consider competition in its denial of the Application, and the Commission does not do so now. Great Atlantic & Pac. Tea Co., 13 Mass. App. Ct. at 271) (the statutory standard of public need “affords no protection for licensees against competition but provides only for the service of the public in a way to protect the common good by making provision for an adequate number of places where members of the public may obtain desired beverages”). In fact, the two Local Board members who testified at the Commission hearing testified that had there not been five § 15 licensees within a half mile radius of Market’s location, they would have voted to approve the license Application. (Testimony)

Market argues that the Local Board should have considered the fact that the Planning Board approved Market’s project, with its proposed sale of alcoholic beverages. (Joint Pre-Hearing Memo at 14-15)

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1 Market’s counsel at the Local Board hearing described Market as “a grocery store with a little beer and wine. Not unlike say if you went to Annie’s[sic] for your organic food and your organic wine. This is just another concept just like that.” (Exhibit 4)

2 This case is also distinguished from New England Farms, Inc. (ABCC Decision August 21, 2013), which Market cites, where the Commission found that the local board had not properly considered the Ballarin factors or the applicant’s type of business under Donovan and instead focused on potential competition between that applicant and an existing nearby licensee. Unlike N.E. Farms, in the present case, Ballarin factors were presented to the Local Board at the hearing. (Exhibit 4) The factors of traffic, noise, size, and reputation weighed in the Applicant’s favor. (Exhibit 4) However, the Local Board based its decision primarily on the fact that there are five § 15 licenses within a half mile radius of Applicant’s premises. (Testimony; Exhibit 4)
While the Planning Board may have considered issues similar to those considered by the Local Board at the liquor license hearing, the Planning Board’s determination on a special permit is separate and distinct from the Local Board’s determination of whether to grant a liquor license. A local authority’s approval of one type of permit or license does not necessitate the granting of a different license or permit from another authority within that city or town. See MTS, Inc. v. City of Northampton, 73 Mass. App. Ct. 1127, *2 (March 16, 2009) (memorandum and order pursuant to Mass. R. App. P. 1:28) (hardware store obtained a land use license to sell flammable materials but instead needed a flammable materials permit because the “flammable materials permit is distinct from and serves different purposes than a land use license”).

Market also argues that the Local Board improperly relied upon the reasoning in the Lemberg Decision—Pour La Table’s application—without elaboration or comparison to the instant Application. (Joint Pre-Hearing Memo at 16-19) The Lemberg Decision and the local board meeting minutes ratifying the vote to deny that application were included in the packet of information provided to the Local Board members prior to the hearing on Market’s Application. (Exhibit 2; Testimony) It was not improper for the Local Board members to adopt the reasoning in the Lemberg Decision for the instant Decision because: (1) the Local Board members each had a copy of the Lemberg Decision; (2) the Lemberg Decision relates to an application for a seasonal off-premises wine and malt liquor license in the same neighborhood as Market’s location; (3) Pour La Table’s proposed location was approximately 0.2 miles away from Market’s location; (4) the local board in the Lemberg Decision was concerned about Pour La Table’s proposed proximity to the same § 15 licensees that are in Market’s half mile radius; and (5) Pour La Table proposed selling some food, namely fine cheeses. (Testimony; Exhibit 2) In denying Market’s Application for the same reasons as in the Lemberg Decision, the Local Board was treating its applicants equally and consistently.

As the Supreme Judicial Court has stated,

[t]here was evidence before the [Local Board] that the area had a large number of establishments selling beer and wine, and that the public did not need an additional establishment. The [Local Board] stated the reason for their decision. There is nothing in the record to indicate that the decision was whimsical or not based on logical analysis. On the record, we can only conclude that the decision was founded on reasoned judgment, and was not arbitrary or capricious.

Great Atlantic & Pacific Tea Co., Inc., 387 Mass. at 839-840. Once a local board determines that an area is adequately served by the number of existing dispensaries, it need go no further. Town of Middleton v. Alcoholic Beverages Control Comm’n, 64 Mass. App. Ct. 1108 (2005) (memo and order pursuant to Rule 1:28). The Local Board’s denial was based on information presented during the course of the public hearing and grounded in the cases of Ballarin and Donovan.

Therefore, the Commission finds that the decision of the Local Board is supported by the record, was not based upon an error of law, and thus, is not arbitrary and capricious.
CONCLUSION

Based on the evidence and testimony at the hearing, the Commission APPROVES the action of the Local Board for denying the M.G.L. c. 138, § 15 wines and malt beverages seasonal license application of Nantucket Meat & Fish Market, Inc.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner  
Jean M. Lorizio, Chairman  
Kathleen McNally, Commissioner

Dated: June 14, 2017

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译.

cc: Stephen Miller, Esq. via facsimile 617-946-4620  
Brian Riley, Esq. via facsimile 617-654-1735  
Frederick G. Mahony, Chief Investigator  
Administration, File
May 6, 2019

Sarah F. Alger, Esquire
Four North Water Street
Nantucket, MA 02554

Re: Application for Annual Off-Premises Wine/Malt Liquor License
21 Old South Road – Notice of Decision

Dear Ms. Alger:

On April 24, 2019, the Nantucket Select Board conducted a hearing on your client’s application for an annual off-premises wine and malt liquor license at the above location. Following the hearing on this application the Board voted 3-0 to deny your license application on the basis that a licensed establishment at this location would not serve the public need or convenience. The Board found that there are five annual off-premises licensed establishments within a half-mile of 21 Old South Road. The Board’s Rules and Regulations Governing Alcoholic Beverages provide that establishments are to be encouraged where the applicant offers a unique establishment, compared to what exists in Nantucket at the time of the application, and discouraged where the proposed location duplicates what is presently located in the area. The Board’s findings do not support the approval of this license. In addition, the Board received over a dozen letters and emails and multiple public comments at the hearing in opposition to issuing a new license at this location.

Pursuant to Massachusetts General Laws Chapter 138, §67, you may appeal this decision to the Alcoholic Beverages Control Commission within five (5) days of your receipt of the decision.

Very truly yours,

Dawn Hill Holdgate
Chair

cc: Licensing Office
Hi Katie,

Since Erika is out today, I wanted to see if you could help me get two letters into the Select Board packet for the Meat and Fish Hearing Wednesday. One is below and I will forward the second. Thank you!

Amy

Amy, hello, and happy new year to you!

My letter today is to clarify my position on Annye’s Wholefoods Market and our beer and malt license, which has just been approved by the Select Board.

With regard to the Readys' new application for a license, nothing has changed in the landscape since they have first applied, and been refused three times. Lucky’s giving up their license has no bearing on availability, it was agreed.

As for Annye’s, nothing has changed. I have placed my portion of 14 Amelia on the market, but I have NOT put Brooklyn Books, Inc. on the market, my C corporation which is the holder of my license. It needs to be noted that nothing has changed at all
with Annye’s.

Annye’s has had a perfect 20-year record of compliance with all rules and regulations, and responsibilities of ownership of a license. If and when I sell the market, I would hope to transfer my license to the next steward of the market. At the moment, nothing is changing.

As a citizen of Nantucket, and one who is philanthropically committed to island life, I would like to say that it is perhaps time for our community to think with caution about the number of venues selling alcoholic beverages, whether or not there are slots to be filled.

Respectfully,

Annye Camara
Dear Nantucket Board of Selectmen,

We are writing to you as owners of a Nantucket business and as seasonal residents of the island, to express our concern regarding the Nantucket Meat and Fish Market’s application for a new Annual Package Store License.

As small business owners, of course, we are very concerned about the prospect of yet another liquor license being approved in an already heavily saturated market.

However, new liquor licenses are granted based on “need” in a community. There continues to be no need for another Package Store License on Nantucket, and especially not in this part of the island. Nothing has changed since the last time Meat and Fish went before the Board of Selectmen when their appeal was denied. They are surrounded by five Annual Package Store Licenses located within one half mile of the applicant. Residents continue to be fully served on all levels in this regard—all twelve thousand off-season residents.

In addition to the issue of serving the community’s needs, the economic health of local businesses should be a concern of the Nantucket Selectmen Board. Those locally run businesses, like Annye’s Whole Foods, are the community. The issuance of another liquor license will serve to overload an already segmented and challenging market. The potential result could well be the loss of neighborhood merchants who have served the island for years and made long-term commitments.

We respectfully ask for your consideration to uphold your last decision and deny The Nantucket Meat and Fish Market an Annual Package Store License.

Thank you,
Carri Wroblewski and Klaudia Mally
Owners, BRIX Wine Shops
A third letter that just came in for Meat and Fish. May see a few more this weekend as people read the paper....

From: Licensing
Sent: Friday, January 17, 2020 1:58 PM
To: Baxter, Amy <abaxter@police.nantucket-ma.gov>; Ciarmataro, Ann <aciarmataro@police.nantucket-ma.gov>
Subject: FW: Nantucket Meat and Fish Market

From: Karen Bopp
Sent: Friday, January 17, 2020 1:57:39 PM (UTC-05:00) Eastern Time (US & Canada)
To: Licensing
Subject: Nantucket Meat and Fish Market

Dear Selectboard:

I am writing to ask you to consider favorably the application for an alcohol license for Nantucket Meat and Fish Market. They run a top notch operation of there and the convenience of being able to stop in one location to purchase all items needed for the day would be very convenient. I know we have other liquor stores in close radius but I don’t really see that their business would be affected substantially enough for you to consider not granting the Nantucket Meat and Fish market a license. It seems to me that there is enough business to go around especially in the summer.

At this time, I would like to mention how convenient it is to have the Nantucket Meat and Fish Market now open year round as it seems another option for groceries was certainly needed.

Thank you for your consideration.

Sincerely

Karen and David Bopp
61 Lovers Lane
Staff
Amy Baxter, Licensing Administrator

Subject
New Entertainment License Application – Maddequet Admiralty, 15 Tennessee Ave., Madaket

Executive Summary
Maddequet Admiralty, 15 Tennessee Ave is applying for a New Entertainment License. The establishment is currently licensed as a Club with an Annual All Alcohol Club Liquor License. As such they are required to be licensed for any Live or recorded Music/Entertainment. They are applying for the License at the request of Licensing to bring them into compliance with all Liquor Licensed establishments.

Staff Recommendation
Licensing this establishment will assist with managing inspections for Life Safety requirements and managing any issues with noise or other activities. All Entertainment to end by 10:00 pm. -- Any requests for special event extensions must be made to Select Board for consideration.

- Interior Live Bands set-ups must be reviewed by Fire Department.

Background/Discussion
N/A

Impact: Environmental □ Fiscal □ Community□ Other□
N/A

Board/Commission Recommendation
N/A

Public Outreach
Public hearing notice advertised for two weeks

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)
N/A

Attachments
Maddequet Admiralty Entertainment Application; Maddequet Admiralty Liquor License
TOWN OF NANTUCKET  
NEW LICENSE APPLICATION  
LIQUOR * COMMON VICTUALLER * ENTERTAINMENT  

APPLICANT  

Primary Contact Name: Woody Lindley  
Title: Commodore  
Company name: Maddequet Admiralty Association  
DBA: Maddequet Admiralty Association  
Primary Phone: 508-221-2468  
Primary E-mail: lindley8@verizon.net  
Primary Mailing Address: PO Box 191 Nantucket, MA 02554  
Manager Cell Phone: 508-221-2468  
Manager E-mail: lindley8@verizon.net  

PREMISES  

Licensees Applying For:  
☐ LIQUOR  
☐ COMMON VICTUALLER  
✓ ENTERTAINMENT  

Address of Establishment:  
15 Tennessee Avenue Nantucket, MA 02554  
Description of Premises:  
Non-profit private club—One story frame building, large meeting room, kitchen and restrooms  

Total Sq. Footage: 2400  
# of Exits: 4  
# of Entrances: 4  

Proposed Seating Capacity Interior: 99  
Proposed Seating Capacity Exterior:  

Is this a Change of Use for the Premises?  
☐ YES  
✓ NO  
If Yes, What was the former Business/Occupant?  

Is there a Special Permit or any Planning Board Decision involving the property?  
☐ YES  
✓ NO  
(If Yes, Please include a copy with the application)  

Describe Any Planned Renovations to the Premises:  
(Include any HDC approval for renovations if applicable)
TOWN OF NANTUCKET
NEW LICENSE APPLICATION
LIQUOR * COMMON VICTUALLER * ENTERTAINMENT

ENTERTAINMENT LICENSE

SELECT ENTERTAINMENT LEVEL BELOW:

☐ LEVEL 1: BACKGROUND: Non-Amplified Music through House Sound System Only to include: Radio/CD/iPod/TV

☐ LEVEL 2: LIVE ACOUSTIC: Level 1 + Non-Amplified/Acoustic Live Music to include Instruments, Vocalists – no additional speakers, microphones or amplification

☑ LEVEL 3: LIVE AMPLIFIED: Level 1-2 + Amplified Live Music to include Disc Jockey, Instruments and Vocalists with amplification

☐ LEVEL 4: AMPLIFIED DANCE: <100 Occupancy: Level 1-3 + Dance Floor, Theater

☐ LEVEL 5: NIGHTCLUB: Level 1-4’ Occupancy >100

Please Describe your Plan for Entertainment (i.e. Low Level Background Music; Live Bands, Dancing, Special Events, etc.)
Club functions Indoors-low level background music, live music for private functions
Club functions Outdoors-Occasionally live music for private function, such as wedding reception

Please Describe Location for Entertainment to include areas for background music and location of Live Music, Dance Floor, etc.
(Include Floor Plan with Location of Live Music Highlighted)

Will Seating, Tables or Furniture of any kind be moved to create room for Dancing and/or Live Entertainment? ☐ Yes ☑ No
All Proposed Floor Plans and Set-ups must be submitted and approved by the Building & Fire Departments before a License is issued.

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<th>Entertainment Hours Interior:</th>
<th>Mon. 8 am to 10pm</th>
<th>Tues. 8 am to 10pm</th>
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TOWN OF NANTUCKET
NEW LICENSE APPLICATION
LIQUOR * COMMON VICTUALLER * ENTERTAINMENT

ADDITIONAL INFO

DBA  Maddequet Admiralty Association

License Applied For  Entertainment

Premises Address  15 Tennessee Avenue

Proposed License Manager  H Woody Lindley
THE LICENSING BOARD for the
TOWN OF NANTUCKET, MASSACHUSETTS
HEREBY GRANTS AN
ANNUAL RETAIL CLUB LICENSE
TO EXPOSE, KEEP FOR SALE, AND TO SELL
ALL ALCOHOLIC BEVERAGES
TO BE CONSUMED ON THE PREMISES

BUSINESS: Maddequet Admiralty Assoc. ON PREMISES DESCRIBED AS:
DBA: Maddequet Admiralty One story frame building. Large meeting room, kitchen
PREMISES: 15 Tennessee Ave. and restrooms.
Nantucket, MA 02554
MANAGER: H. Woodruff Lindley

The hours during which alcoholic beverages may be sold: In accordance with MGL Chapter
138 and amendments thereto with the local provision that patrons shall not be served alcoholic beverages
before 8:00AM Monday through Saturday and 11:00AM on Sunday. No alcohol service is permitted
after 1:00AM and patrons must be off the license premises and said premises must be closed by
1:30AM. Any restrictions apply as are on file with the local licensing authority. In accordance with
Article 40 ATM 2001, Chapter 86.1 Board of Health Regulations Prohibit Smoking in Certain Places within
the Town of Nantucket.

This license is granted and accepted upon the express condition that the licensee shall, in all respects,
conform to all the provisions of the Liquor Control Act, Chapter 138 of the Massachusetts General
Laws, as amended and any rules or regulations made thereunder by the licensing authorities, including, but
not limited to Chapter 250 of the Town of Nantucket Rules and Regulations Governing Alcoholic
Beverages.

IN TESTIMONY WHEREOF, the undersigned have hereunto
affixed his official signature on this 18th day of December 2019.

Dawn Hill Holdgate
Chair, Select Board

THIS LICENSE WILL EXPIRE DECEMBER 31, 2020
*Unless earlier suspended, cancelled, or revoked

This License Shall Be Displayed On the Premises in a Conspicuous Place Where it May Be Easily Seen.
A Current Certificate of Inspection with Approved Occupancy Must Always be Posted with this License.
**Agenda Item Summary**

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<tr>
<th>Agenda Item #</th>
<th>VIII. 4.</th>
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<td>Date</td>
<td>1/22/20</td>
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**Staff**
Katie Cabral

**Subject**
National Grid Utility Petition – 31 Old South Rd

**Executive Summary**
National Grid to relocate pole #14 on Old South Road 15’ southeast to accommodate a new driveway entrance and NGrid customer to install 2-3” conduit encased in concrete into 31 Old South Road to feed new development.

**Staff Recommendation**
Approve with Departmental Conditions.

**Background/Discussion**
n/a

**Impact: Environmental ☐  Fiscal ☐  Community ☐  Other ☐**
n/a

**Board/Commission Recommendation**
n/a

**Public Outreach**
Abutter notifications sent and 2 weeks of notices in I&M

**Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)**
n/a

**Attachments**
Departmental comments; NGrid petition
UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: NATIONAL GRID
TYPE: Manhole and Duct Locations
SITE ADDRESS: 31 Old South Rd
HEARING DATE: January 22, 2020

COMMENTS

NPD: No Issues. – Lt. MacVicar
FIRE: No Issues. – Chief Murphy
PLANNING: No Response
DPW: **No Issues. – Rob McNeil**
SEWER: There is a TON Gravity Sewer main within the shoulder as well as a 12” PVC Force main coming from the Naushop Pump Station. Recent work by Strang Construction did expose these lines as well as they ran a new water main across Old south from#31. Mains are fairly shallow in this area. Call for mark out. – David Gray
WWCo: Call for mark out of water utilities in the area. – Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.**
November 7, 2019

Town of Nantucket
Board of Selectmen
16 Broad Street
Nantucket, MA 02554

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit, please contact:

National Grid's Wendy Paluch of the hearing date / time at 508-212-5792 or wendy.paluch@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

Wendy Paluch; 280 Melrose Street; Providence, RI 3rd floor

Very truly yours,

[Signature]
Name: Distribution Design Supervisor
Supervisor, Distribution Design

Enclosures
PETITION FOR POLE RE-LOCATIONS
Nantucket, MA 02554
November 7, 2019

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to relocate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:

South Old Rd

National Grid to relocate pole #14, 15' southeast to accommodate new driveway entrance and customer to install 2-3" conduit encased in concrete into property of #31 to see new 4 lot development.

Wherefore it asks that it be granted a relocation for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said pole to be erected substantially in accordance with the plan filed herewith marked:

NANTUCKET ELECTRIC COMPANY

Plan No. 29142081 Dated: 10/31/2019

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such pole and buildings as said petitioner may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross arm at a suitable point on each of said poles for the fire, telephone and telegraph signal wires belonging to the municipality and used exclusively for municipal purposes.

NANTUCKET ELECTRIC COMPANY

By: Eric Weidman
Manager of Distribution Design
ORDER FOR POLE RE-LOCATIONS

Nantucket, MA 02554

November 7, 2019

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

IT IS HEREBY ORDERED:
that NANTUCKET ELECTRIC COMPANY be and they are hereby granted relocations for and
permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and
protective fixtures as said Company may deem necessary, in the public way or ways hereinafter referred
to, as requested in petition of said Company dated the 7th day of November, 2019

All construction under this order shall be in accordance with the following conditions:--
Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points
indicated upon the plan marked--

NANTUCKET ELECTRIC COMPANY
Plan No. 29142081 Dated 10/31/2019

There may be attached to said pole by NANTUCKET ELECTRIC COMPANY not to exceed twenty
wires and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected,
and the number of poles which may be erected thereon under this order:--

South Old Rd

National Grid to relocate pole #14, 15' southeast to accommodate new
driveway entrance and customer to install 2-3" conduit encased in concrete
into property of #31 to fee new 4 lot development.
Also for permission to lay and maintain underground laterals, cables and wires in the above or
intersecting public ways for the purpose of making connections with such poles and buildings as each
of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Board of Selectmen of the Town of Nantucket, Massachusetts, on the __________ day of
______________________, 2019

____________________________________
Clerk of Selectmen

CERTIFICATE

I hereby certify that the foregoing is a true copy of a relocation order adopted by the
Board of Selectmen of the Town of Nantucket, Massachusetts, on the __________ day of
______________________, 2019 and recorded with the records of location orders of said
Town, Book:___________, Page:______________.
This certified copy is made under the provisions of Chapter 166 of General Laws and any additions
thereto or amendments thereof.

Attest: _________________________________
Town Clerk
I hereby certify that on ______________________, 20____, at ____ o'clock, ____M.,
at ________________________________ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits
described in the order herewith recorded, and that I mailed at least seven days before said hearing a
written notice of the time and place of said hearing to each of the owners of real estate (as determined by
the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

______________________________

______________________________

______________________________

Selectmen of the Town of

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice
adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the_______ day of
_________________________ 2019 and recorded with the records of location orders of said Town,
Book __________, Page ___________

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions
thereto or amendments thereof.

Attest: _______________________

Town Clerk
National Grid to relocate pole #14, 15' southeast to accommodate new driveway entrance and customer to install 2-3" conduit encased in concrete into property of #31 to feed new 4 lot development.
<table>
<thead>
<tr>
<th>Map</th>
<th>Block</th>
<th>Lot</th>
<th>Unit</th>
<th>Owner's Name</th>
<th>Co Owner's Name</th>
<th>Address</th>
<th>City</th>
<th>ST Zip</th>
<th>Parcel Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>46</td>
<td></td>
<td></td>
<td>NANTUCKET TOWN OF</td>
<td>WATER COMMISSION</td>
<td>1 MILESTONE RD</td>
<td>NANTUCKET</td>
<td>MA 02554</td>
<td>1 MILESTONE RD</td>
</tr>
<tr>
<td>68</td>
<td>1</td>
<td></td>
<td></td>
<td>REINHOLD JULIE &amp; TR</td>
<td>JULIE E REINHOLD TRUSTS</td>
<td>PO BOX 1444</td>
<td>NANTUCKET</td>
<td>MA 02554</td>
<td>25 OLD SOUTH RD</td>
</tr>
<tr>
<td>68</td>
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<td>SANTOS PROPERTIES LLC</td>
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<td>SIASET</td>
<td>MA 02554</td>
<td>27 OLD SOUTH RD</td>
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<td></td>
<td>OLD SOUTH RD LP</td>
<td></td>
<td>10R AIRPORT RD</td>
<td>NANTUCKET</td>
<td>MA 02554</td>
<td>31 OLD SOUTH RD</td>
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<td>68</td>
<td>4</td>
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<td></td>
<td>KEIDTH AMANDA A TR</td>
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<td>367 MICHIGAN PARK RD</td>
<td>NORWICH</td>
<td>CT 06360</td>
<td>33 OLD SOUTH RD</td>
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<td>68</td>
<td>444</td>
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<td></td>
<td>BLUE HILLS BANK</td>
<td>APTH ACCTS PAYABLE</td>
<td>500 RIVER RIDGE DR FL 3</td>
<td>NORWOOD</td>
<td>MA 02062</td>
<td>1 ANELIA DR</td>
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<td>68</td>
<td>246</td>
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<td></td>
<td>READY JOHN D TR</td>
<td>READY JOHN D TRUST</td>
<td>PO BOX 3165</td>
<td>SUGARTOWN</td>
<td>MA 02336</td>
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10/31/201 8:50:07AM

\[ \frac{6.80}{7} = \frac{47.60}{7} \]
<table>
<thead>
<tr>
<th>Staff</th>
<th>Katie Cabral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject</td>
<td>National Grid Utility Petition – West Chester St/Gull Island Ln</td>
</tr>
<tr>
<td>Executive Summary</td>
<td>National Grid to install handhole at base of Pole #1 on West Chester Street to reroute service to 8 Gull Island Lane.</td>
</tr>
<tr>
<td>Staff Recommendation</td>
<td>Approve with Departmental Conditions.</td>
</tr>
<tr>
<td>Background/Discussion</td>
<td>n/a</td>
</tr>
<tr>
<td>Impact: Environmental</td>
<td>☐</td>
</tr>
<tr>
<td>Fiscal</td>
<td>☐</td>
</tr>
<tr>
<td>Community</td>
<td>☐</td>
</tr>
<tr>
<td>Other</td>
<td>☐</td>
</tr>
<tr>
<td>Board/Commission Recommendation</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Outreach</td>
<td>Abutter notifications sent and 2 weeks of notices in I&amp;M</td>
</tr>
<tr>
<td>Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)</td>
<td>n/a</td>
</tr>
<tr>
<td>Attachments</td>
<td>Departmental comments; NGrid petition</td>
</tr>
</tbody>
</table>
UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: NATIONAL GRID

TYPE: Manhole and Duct Locations

SITE ADDRESS: W Chester St/Gull Island

HEARING DATE: January 22, 2020

COMMENTS

NPD: No Issues. – Lt. MacVicar

FIRE: No Issues. – Chief Murphy

PLANNING: No Response

DPW: No Issues. – Rob McNeil**

SEWER: The town’s only active 20” DI Sewer Force main is within this project area as shown in the screenshot below. Extreme caution must be exercised hand digging only is suggested. There is a main trunk Gravity line also in this area. Call for mark out. -David Gray

WWCo: Call for mark out of water utilities in the area. – Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.
Town of Nantucket  
Board of Selectmen  
16 Broad Street  
Nantucket, MA 02554

January 21, 2020

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this petition, please contact:

Wendy Paluch, Operations Support Clerk  
wendy.paluch@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

Wendy Paluch  
280 Melrose Street  
Providence, RI 02907  
3rd Floor,

Very truly yours,

[Signature]

Eric Widman, Engineering  
Supervisor, Distribution Design

Enclosures
PETITION FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

January 21, 2020

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along the following public way:

West Chester St
National Grid to install handhole at base of Pole
1 West Chester St.

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked:—

NANTUCKET ELECTRIC COMPANY
Plan No. 29254204 Dated: 11/19/2019

NANTUCKET ELECTRIC COMPANY

By: Eric Weidman
Manager of Distribution Design
ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

January 21, 2020

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NANTUCKET ELECTRIC COMPANY be and they are hereby granted permission to
excavate the public highways and to run and maintain underground electric conduits, together with such
sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways
hereinafter referred to, and to make the necessary house connections along said extensions,
as requested in petition of said Company dated the 21st day of January, 2020

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY
Plan No. 29254204 Dated: 11/19/2019

The following are the public ways or parts of ways along which the underground electric conduits above
referred to may be laid--

West Chester St

National Grid to install manhole at base
of Pole 1 West Chester St

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen
of the Town of Nantucket, Massachusetts
held on the ________ day of ____________ 2020

__________________________________________________________________________
Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts
Book:____________________ Page:____________

Attest: ___________________________
Town Clerk
I hereby certify that on __________________________, 20____, at ____ o'clock, ____ M.,
at ___________________________ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits
described in the order herewith recorded, and that I mailed at least seven days before said hearing a
written notice of the time and place of said hearing to each of the owners of real estate (as determined by
the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

____________________________

____________________________

Selectmen of the Town of

____________________________

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice
adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the_______ day of
____________________________ 2020 and recorded with the records of location orders of said Town,
Book ________________, Page ________________.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions
thereto or amendments thereof.

Attest: __________________________

Town Clerk
# Pole & UG Petition/Permit Request Form

<table>
<thead>
<tr>
<th>City</th>
<th>WR #</th>
</tr>
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<tbody>
<tr>
<td>Town of</td>
<td>Nantucket</td>
</tr>
<tr>
<td>(circle one)</td>
<td>29254204</td>
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</table>

<table>
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<th>Install</th>
<th>(quantity)</th>
<th>(circle one)</th>
<th>(street name)</th>
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</thead>
<tbody>
<tr>
<td>SO Poles on</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Remove</th>
<th>(quantity)</th>
<th>(circle one)</th>
<th>(street name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO Poles on</td>
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<td></td>
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</tbody>
</table>

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<th>Relocate</th>
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<th>(circle one)</th>
<th>(street name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO Poles on</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Beginning at a point approximately ___ feet of the centerline of the intersection of ___ (street name) and continuing approximately ___ feet in a ___ direction.

Install underground facilities:

Street(s) West Chester ST

Description of Work:

NATIONAL GRID TO INSTALL HARDWARE AT BASE OF POLE #1, WEST CHESTER ST

ENGINEER Tim Huxley

DATE 11/19/2019

Distribution Design Updated by: JMD. Last Updated: 01/14/2011

PRINTED COPIES OF THESE DOCUMENTS ARE NOT CONTROLLED. AUTHORIZED VERSIONS APPEAR ON THE NGGRID INFONET ONLY
National Grid contractor to install handhole at base of pole #1 in order to reroute existing illegal service to #8 Gull Island Ln.
<table>
<thead>
<tr>
<th>Map</th>
<th>Block</th>
<th>Lot</th>
<th>Unit</th>
<th>Owner's Name</th>
<th>Co Owner's Name</th>
<th>Address</th>
<th>City</th>
<th>ST Lip</th>
<th>Parcel Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>4243</td>
<td>14</td>
<td>2</td>
<td></td>
<td>MOORE WILLIAM M JR</td>
<td></td>
<td>P O BOX 7012</td>
<td>SIAMONSET</td>
<td>MA</td>
<td>02564</td>
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<tr>
<td>4243</td>
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<td>WINDIN CAESARA F TR</td>
<td>WINDIN NOMINEE TRUST</td>
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<td>NORWALK</td>
<td>CT</td>
<td>06850</td>
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<td>30228 LLC</td>
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<td>02554</td>
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<td>46 BROAD BROOK LN</td>
<td>STAMFORD</td>
<td>CT</td>
<td>06907</td>
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<td>COUNTRY MAUREEN J TR ETAL</td>
<td>SIX GULL ISLAND LN REALTY TRUST</td>
<td>330 E 43RD STREET # 605</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10017</td>
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<td>NANTAH</td>
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<td>MA</td>
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<td>GOSTEMHAR D &amp; SUSANNE J</td>
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<td>8 GULL ISLAND LN</td>
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<td>MA</td>
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<td>359 MAIN STREET</td>
<td>CHATHAM</td>
<td>MA</td>
<td>02633</td>
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</table>

$74.80

11/18/2011 10:42:29 AM
Agenda Item Summary

Staff
Katie Cabral

Subject
National Grid Utility Petition – Parker Lane

Executive Summary
National Grid customer to install 70’ of 2-3” conduit encased in concrete and new handhole (hh1-4) on Parker Lane in order to supply electric service to 3 Parker Lane

Staff Recommendation
Approve with Departmental Conditions.

Background/Discussion
n/a

Impact: Environmental ☐ Fiscal ☐ Community☐ Other☐
n/a

Board/Commission Recommendation
n/a

Public Outreach
Abutter notifications sent and 2 weeks of notices in I&M

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)
n/a

Attachments
Departmental comments; NGrid petition
UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: NATIONAL GRID

TYPE: Manhole and Duct Locations

SITE ADDRESS: Parker Lane

HEARING DATE: January 22, 2020

COMMENTS

NPD: No Issues. – Lt. MacVicar

FIRE: No Issues. – Chief Murphy

PLANNING: No Response

DPW: **No Issues. – Rob McNeil**

SEWER: There is a gravity Sewer Main within the project area. Contractor must call for mark out. – David Gray

WWCo: Call for mark out of water utilities in the area. – Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.**
November 15, 2019

Town of Nantucket  
Board of Selectmen  
16 Broad Street  
Nantucket, MA 02554  

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this petition, please contact:

Wendy Paluch, Operations Support Clerk  
wendy.paluch@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

Wendy Paluch  
280 Melrose Street  
Providence, RI 02907  
3rd Floor,

Very truly yours,

[Signature]  
Eric Widman, Engineering  
Supervisor, Distribution Design  

Enclosures
PETITION FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA  02554                               November 15, 2019

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts,
including the necessary sustaining and protecting fixtures, along the following public way:

Parker Ln

Install hand hole & 50' of 2-3" conduit
encased in concrete.

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location
for and permission to install and maintain manholes, ducts and wires, together with such sustaining and
protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in
accordance with the plan filed herewith marked:--

NANTUCKET ELECTRIC COMPANY
Plan No.  29188254    Dated:    10/31/2019

NANTUCKET ELECTRIC COMPANY

By:  Eric Wiedman
Manager of Distribution Design
ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

November 15, 2019

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NANTUCKET ELECTRIC COMPANY be and they are hereby granted permission to
evacuate the public highways and to run and maintain underground electric conduits, together with such
sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways
hereinafter referred to, and to make the necessary house connections along said extensions,
as requested in petition of said Company dated the 15th day of November, 2019

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY
Plan No. 29188254 Dated: 10/31/2019

The following are the public ways or parts of ways along which the underground electric conduits above
referred to may be laid--

Parker Ln

Install hand hole & 50' of 2-3" conduit
encased in concrete.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen
of the Town of Nantucket, Massachusetts
held on the __________ day of ________________ 2019

______________________________
Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts
Book: _________________ Page: ________________

Attest: ______________________
Town Clerk
I hereby certify that on _______________________, 20____, at ___ o'clock, ___M.,
at ____________________________ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits
described in the order herewith recorded, and that I mailed at least seven days before said hearing a
written notice of the time and place of said hearing to each of the owners of real estate (as determined by
the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

________________________________________

________________________________________

________________________________________

Selectmen of the Town of

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice
adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the ______ day of
__________________________ 2019 and recorded with the records of location orders of said Town,
Book __________, Page __________.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions
thereto or amendments thereof.

Attest: __________________________

Town Clerk
Pole & UG Petition/Permit Request Form

City
Town of (Circle one) NANTUCKET

Install
SO (quantity) JO Poles on (circle one) (street name)

Remove
SO (quantity) JO Poles on (circle one) (street name)

Relocate
SO (quantity) JO Poles on (circle one) (street name)

Beginning at a point approximately 105 feet NW of the centerline of the intersection of Gray Ave (street name) and continuing approximately 50 feet in a NW direction.

Install underground facilities:

Street(s) PARKER LN

Description of Work:

Install hand hole & 50' of 2-3' conduit encased in concrete

ENGINEER

DATE

Distribution Design Updated by: JMD. Last Updated: 01/14/2011

PRINTED COPIES OF THESE DOCUMENTS ARE NOT CONTROLLED AUTHORIZED VERSIONS APPEAR ON THE NGGRID INFOINET ONLY
Customer to install 50' of 2-3" conduit encased in concrete and handhole hh2-2. Contact Steve Holdgate at 508-325-8223 before staring work and inspections.
| Map | Block | Lot | Unit | Owner(s) Name | Co Owner(s) Name | Address | City | ST Zip | Parcel Location |
|-----|-------|-----|------|---------------|-----------------|---------|------|--------|----------------|----------------|
| 67  | 311   |     | 1    | FEINDEL DAVID A & MARGARET G TR | FEINDEL KINNEE TRUST | 10 PARKER LN | NANTUCKET | MA 02554 | 10 PARKER LN |
| 67  | 312   |     | 1    | BARKER CARL H & FITZGERALD JULIE A GENERAL PARTNERS SPOLION FAMILY LP | | 70 BOX 2567 | NANTUCKET | MA 02554 | 6 PARKER LN |
| 67  | 317   |     | 1    | PARKS ANTHONY F & COLLEEN M | C/O JANIE MERRIS | 2 TOOGES COURT | NANTUCKET | MA 02554 | 4 PARKER LN |
| 67  | 319   |     | 1    | REARDON MARY A & NASVILLE CAROL A | | 5 PARKER LN | NANTUCKET | MA 02554 | 5 PARKER LN |
| 67  | 319   |     | 1    | REARDON ROBERT R JR | | 650A STATION AVE A-10 | RESEDA | CA 91330 | 3 PARKER LN |
| 67  | 319   |     | 2    | HUZINIK BRIAN S ETAL | | 7 PARKER LANE | NANTUCKET | MA 02554 | 7 PARKER LN |
| 67  | 769   |     | 1    | THOMAS MILL LUXE & CAROLINE S | | 12 BROAD STREET | NANTUCKET | MA 02554 | 58 HOOPER FARM RD |
| 67  | 771   |     | 1    | THE PARKER LANE LLC | | 12 BROAD STREET | NANTUCKET | MA 02554 | 1A PARKER LN |

10/31/201  9:29:25AM
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<thead>
<tr>
<th>Staff</th>
<th>Katie Cabral</th>
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<tr>
<td>Subject</td>
<td>National Grid Utility Petition – Somerset Rd/Land Bank Dorms</td>
</tr>
<tr>
<td>Executive Summary</td>
<td>National Grid customer to install new handhole (hh1) and 30’ of 2-4” conduit encased in concrete off existing transformer on Somerset Road to supply electric service to Miacomet Golf Course.</td>
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<tr>
<td>Staff Recommendation</td>
<td>Approve with Departmental Conditions.</td>
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<td>Background/Discussion</td>
<td>n/a</td>
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<td>Impact: Environmental</td>
<td>☐  Fiscal</td>
</tr>
<tr>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Board/Commission Recommendation</td>
<td>n/a</td>
</tr>
<tr>
<td>Public Outreach</td>
<td>Abutter notifications sent and 2 weeks of notices in I&amp;M</td>
</tr>
<tr>
<td>Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)</td>
<td>n/a</td>
</tr>
<tr>
<td>Attachments</td>
<td>Departmental comments; NGrid petition</td>
</tr>
</tbody>
</table>
UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: NATIONAL GRID
TYPE: Manhole and Duct Locations
SITE ADDRESS: 123 Somerset Road
HEARING DATE: January 22, 2020

COMMENTS

NPD: No Issues. – Lt. MacVicar
FIRE: No Issues. – Chief Murphy
PLANNING: No Response
DPW: No Issues. – Rob McNeil**
SEWER: No Issues. – David Gray
WWCo: Call for mark out of water utilities in the area. – Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.
September 19, 2019

Town of Nantucket
Board of Selectmen
16 Broad Street
Nantucket, MA 02554

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this petition, please contact:

RoseAnn LeMaster, Operations Support Clerk
roseann.ljmaster@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

RoseAnn LeMaster
280 Melrose Street
Providence, RI 02907
3rd Floor,

Very truly yours,

[Signature]
Eric Widman, Engineering
Supervisor, Distribution Design

Enclosures
PETITION FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

September 19, 2019

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along the following public way:

SOMERSET ROAD

CUSTOMER TO INSTALL 30' OF CONDUIT ENCASED IN CONCRETE OF EXISTING XFMR

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked:--

NANTUCKET ELECTRIC COMPANY
Plan No. 28463834 Dated: 7/12/2019

NANTUCKET ELECTRIC COMPANY

By: Eric Widmann
Manager of Distribution Design
ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

September 19, 2019

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NANTUCKET ELECTRIC COMPANY be and they are hereby granted permission to
excavate the public highways and to run and maintain underground electric conduits, together with such
sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways
hereinafter referred to, and to make the necessary house connections along said extensions,
as requested in petition of said Company dated the 19th day of September, 2019

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY
Plan No. 28463834 Dated: 7/12/2019

The following are the public ways or parts of ways along which the underground electric conduits above
referred to may be laid--

SOMERSET ROAD

CUSTOMER TO INSTALL 30' OF 2-4"
CONDUIT ENCASED IN CONCRETE OF
EXISTING X FMR

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen
of the Town of Nantucket, Massachusetts
held on the _________ day of _____________ 2019

______________________________
Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts
Book: ______________________ Page: ________________

Attest: ______________________
Town Clerk
I hereby certify that on ______________________, 20___, at ___ o'clock, ___ M.,
at ______________________ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits
described in the order herewith recorded, and that I mailed at least seven days before said hearing a
written notice of the time and place of said hearing to each of the owners of real estate (as determined by
the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

________________________________________

________________________________________

________________________________________

Selectmen of the Town of

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice
adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the_______ day of
_____________________________ 2019 and recorded with the records of location orders of said Town,
Book __________, Page __________.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions
thereto or amendments thereof.

Attest: __________________________

Town Clerk
Pole & UG Petition/Permit Request Form

City
Town of: Wainscott
WR #: 28463834

Install
SO Poles on (quantity) (circle one) (street name)

Remove
SO Poles on (quantity) (circle one) (street name)

Relocate
SO Poles on (quantity) (circle one) (street name)

Beginning at a point approximately 250 feet NW of the centerline of the intersection of West Macomber Rd (street name) and continuing approximately 30 feet in a westerly direction.

Install underground facilities:
Street(s) Somer Set Rd

Description of Work:
Customer to install 30' of 2-1/4 conduit encased in concrete of existing XFR

ENGINEER: Jim Huxley

DATE

Distribution Design Updated by: JMD. Last Updated: 01/14/2011

PRINTED COPIES OF THESE DOCUMENTS ARE NOT CONTROLLED. AUTHORIZED VERSIONS APPEAR ON THE NGGRID INFONET ONLY
Customer to install handhole hh1 and 30' of 2-4" conduit encased in concrete off existing transformer to supply electric service to Miacomet Golf Course.
<table>
<thead>
<tr>
<th>Map</th>
<th>Block</th>
<th>Lot</th>
<th>Unit</th>
<th>Owner's Name</th>
<th>Co Owner's Name</th>
<th>Address</th>
<th>City</th>
<th>ST Zip</th>
<th>Parcel Location</th>
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</thead>
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<td>NANTUCKET ISLANDS LAND BANK</td>
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<td>MA 02554</td>
<td>125 SOMERSET RD</td>
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<tr>
<td>66</td>
<td>69</td>
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<td>NANTUCKET ISLANDS LAND BANK</td>
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<td>22 BROAD ST</td>
<td>NANTUCKET</td>
<td>MA 02554</td>
<td>123 SOMERSET RD</td>
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<td></td>
<td>SWEEDSON ROBERT C JR &amp; KAREN E</td>
<td></td>
<td>2 CRYSTAL LANE</td>
<td>MILLIS</td>
<td>MA 02654</td>
<td>130- SOMERSET RD</td>
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<tr>
<td>66</td>
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<td>FOWLER JOHN ETAL</td>
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<td>64 STAPLES ROAD</td>
<td>EASTON</td>
<td>CT 06612</td>
<td>126 SOMERSET RD</td>
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<tr>
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<td>SWENSON ROBERT C JR &amp; KAREN E</td>
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<td>2 CRYSTAL LANE</td>
<td>MILLIS</td>
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<td>NEVILLE RUTH ARNE</td>
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<td>MA 02554</td>
<td>126- SOMERSET RD</td>
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<tr>
<td>66</td>
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<td>BOISTALLI JOHN &amp; ST CLAIR ROBYN</td>
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<td>275 NANTUCKET STREET</td>
<td>NANTUCKET</td>
<td>MA 02559</td>
<td>128 SOMERSET RD</td>
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<td>RUFFING RAYMOND TRST</td>
<td>RUFFING FAMILY REV TRUST</td>
<td>86 ALEXANDER DRIVE</td>
<td>TUXEDO PARK</td>
<td>NY 10987</td>
<td>132 SOMERSET RD</td>
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</table>
### Agenda Item Summary

<table>
<thead>
<tr>
<th>Staff</th>
<th>Katie Cabral</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject</strong></td>
<td>National Grid Utility Petition – 36 Lily Street</td>
</tr>
<tr>
<td><strong>Executive Summary</strong></td>
<td>National Grid customer to install new handhole (hh2-1) and 60’ of 2-4” conduit encased in concrete on Lily Street in order to supply electric service to 36 Lily St.</td>
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<tr>
<td><strong>Staff Recommendation</strong></td>
<td>Approve with Departmental Conditions.</td>
</tr>
<tr>
<td><strong>Background/Discussion</strong></td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Impact: Environmental</strong></td>
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<td><strong>Community</strong></td>
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<tr>
<td><strong>Board/Commission Recommendation</strong></td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Public Outreach</strong></td>
<td>Abutter notifications sent and 2 weeks of notices in I&amp;M</td>
</tr>
<tr>
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</tr>
<tr>
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<td>Departmental comments; NGrid petition</td>
</tr>
</tbody>
</table>
UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: NATIONAL GRID

TYPE: Manhole and Duct Locations

SITE ADDRESS: 36 Lily St

HEARING DATE: January 22, 2020

COMMENTS

NPD: No Issues. – Lt. MacVicar

FIRE: No Issues. – Chief Murphy

PLANNING: No Response

DPW: **No Issues. – Rob McNeil**

SEWER: There is a TON Gravity Sewer as well as a private low pressure force main coming up from #36 within the driveway. At the base of the driveway is a TON Storm water main that is very shallow that runs West to East. Contractor MUST call for mark out. – David Gray

WWCo: Call for mark out of water utilities in the area. – Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.**
November 27, 2019

Town of Nantucket
Board of Selectmen
16 Broad Street
Nantucket, MA 02554

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this petition, please contact:

Wendy Paluch, Operations Support Clerk
wendy.paluch@nationalgrid.com

If this petition meets with your approval, please return an executed copy to:

Wendy Paluch
280 Melrose Street
Providence, RI 02907
3rd Floor,

Very truly yours,

[Signature]
Eric Widman, Engineering Supervisor, Distribution Design

Enclosures
PETITION FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

November 27, 2019

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along the following public way:

Lily St

Install hand hole and 60' of 2-4" conduit encased in concrete

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked:--

NANTUCKET ELECTRIC COMPANY
Plan No. 29211781 Dated: 11/14/2019

NANTUCKET ELECTRIC COMPANY

By: Eric Weinmann
Manager of Distribution Design
ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

November 27, 2019

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NANTUCKET ELECTRIC COMPANY be and they are hereby granted permission to
evacuate the public highways and to run and maintain underground electric conduits, together with such
sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways
hereinafter referred to, and to make the necessary house connections along said extensions,
as requested in petition of said Company dated the 27th day of November, 2019

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY

Plan No. 29211781 Dated: 11/14/2019

The following are the public ways or parts of ways along which the underground electric conduits above
referred to may be laid--

Lily St

Install hand hole and 60' of 2-4" conduit
encased in concrete

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen
of the Town of Nantucket, Massachusetts
held on the __________ day of ________________ 2019

_____________________________
Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts
Book:_______________________ Page:______________

_____________________________
Attest: Town Clerk

_____________________________
Town Clerk
I hereby certify that on _________________, 20___, at ____ o'clock, ____ M., at ______________________ a public hearing was held on the petition of NANTUCKET ELECTRIC COMPANY for permission to excavate the public highways and to run and maintain underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

______________________________

______________________________

Selectmen of the Town of Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the _______ day of _________________ 2019 and recorded with the records of location orders of said Town, Book ________, Page ____________.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _______________________

Town Clerk
Pole & UG Petition/Permit Request Form

City: Nantucket
WR #: 29211781

Install: SO
JO Poles on
(quantity) (circle one) (street name)

Remove: SO
JO Poles on
(quantity) (circle one) (street name)

Relocate: SO
JO Poles on
(quantity) (circle one) (street name)

Beginning at a point approximately \(200\) feet \(\text{SW}\) of the centerline of the intersection of \(\text{Centre St}\)
(street name)

and continuing approximately \(60\) feet in a \(\text{SW}\) direction.

Install underground facilities:
Street(s): Lily St

Description of Work:

INSTALL HAND HOLE AND 60' OF
2-4" CONDUIT RECAVISED IN CONCRETE

ENGINEER: Jim Huxley

DATE: ____________________

Distribution Design Updated by: JMD. Last Updated: 01/14/2011
PRINTED COPIES OF THESE DOCUMENTS ARE NOT CONTROLLED. AUTHORIZED VERSIONS APPEAR ON THE NGPGRID INFONET ONLY.
Customer to install handholes hh2-1 and 60' of 2-4" conduit encased in concrete in order to supply electric service to #36.
ABUTTERS LISTING
NANTUCKET, MA

<table>
<thead>
<tr>
<th>Map</th>
<th>Block</th>
<th>Lot</th>
<th>Unit</th>
<th>Owner's Name</th>
<th>Co Owner's Name</th>
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<td>02116</td>
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<td>LOWY THOMAS P &amp; BETH</td>
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<td>304 WEST 76TH ST</td>
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<td>NY</td>
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<td>COSTELLO MARY BETH</td>
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<td>WEST MARY G &amp; JOHN G</td>
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<td>35 LILY ST</td>
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<td>MA</td>
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<td>BISHOP ELEANOR CONSTANCE TRS</td>
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<td>25 BALINEO ROAD</td>
<td>BARRINGTON</td>
<td>IL</td>
<td>60010</td>
</tr>
<tr>
<td>4243</td>
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<td></td>
<td>ANDREWS VINCENT F III</td>
<td></td>
<td>1133 PARK AVENUE # 1W</td>
<td>NEW YORK</td>
<td>NY</td>
<td>10128</td>
</tr>
</tbody>
</table>

\[ \text{6.80} \times 8 \quad \text{\textdollar\ 54.40} \]
TOWN OF NANTUCKET

Quarterly Financial Report
Second Fiscal Quarter Ended
December 31, 2019
Table of Contents

Financial Highlights.........1
General Fund Revenues.........2
  Results for most recent quarter.........3
General Fund Expenses.........4
  Results for most recent quarter.........5
Capital Investments.........6
  Financing Activity.........7
  Investment Report.........8
The Town of Nantucket ended the second quarter of fiscal year 2020 on an hopeful note. Local indicators show activity on the island remains strong, however do appear to be leveling off. The strength of the island economy is measured though indicators related to sectors such as the real estate and building industries, the tourism industry and transportation sector. At the municipal government level, local receipts are a measure of growth.

Spending increases in FY2020 are aimed at the following: addressing deferred maintenance on public buildings and infrastructure, meeting government mandates (such as the Open Meeting Law and state procurement laws), negotiating expired collective bargaining agreements, and advancing the Town’s technology infrastructure.

**General Fund Revenues**

Second quarter General Fund revenues were $25.6M, representing a $1.6M increase (+7%) over the second quarter of last year. Real Estate Personal Property taxes collected are typically the main drivers behind the quarter-over-quarter increase. We saw an increase in each of those categories over the second quarter last year, (+3%) and (+1%) respectively. However, we saw a decrease in each in the six month period compared to last year. The real estate and personal property tax revenue has decreased 1% and 6% relatively. In the local receipts category, Motor Vehicle Excise Taxes collected were down $71K (37%) compared to Q2/FY19 while the local rooms tax was up $929K (+51%) over the same period. The quarter-end results for local receipts categories were (+38%) higher than Q2/FY19. Revenue from Fees & Rentals and Licenses & Permits saw a decline when compared to the second quarter of FY2019. Building Permits in particular fell by $96K (-24%) when compared to the second quarter of FY2019. We are keeping a watchful eye revenue as we continue through the fiscal year. Also worthwhile to mention the increase in other departmental revenue this quarter, $144K (+283%) over Q1/FY19. This increase can be attributed to a payback from the airport.

**General Fund Expenses**

General Fund expenses ended the quarter at $12M, a decrease of $7M over the same quarter in FY2019 (-36%). General Government expenses were down by $208K (-9%). There was a significant increase in mosquito control expenses this quarter compared to Q2/FY20 and also an increase in snow & ice removal. An uptick in insurance costs in general was seen in Q2/FY19: Group Insurance was up $547K (+11%) and General Insurance was up $252K (+20%).

---

(1) General Fund: general government, safety & protection, marine department, maintenance, human services, culture & recreation, and contractual obligations.
**General Fund Revenues**

*Where does the money come from?*

**General Fund Revenues**

For Fiscal Quarter Ended December 31, 2019

- **Motor Vehicle Excise Tax**: 45%
- **Local Rooms Tax**: 16%
- **Local Meals & Other Excise**: 13%
- **Fees & Rentals**: 9%
- **License & Permits**: 7%
- **License & Permits**: 2%
- **Other**: 6%
- **License & Permits**: 3%
- **License & Permits**: 6%

**Second Quarter Rooms Tax**

(in millions of dollars)

- Q2/FY16: $1.6M
- Q2/FY17: $1.7M
- Q2/FY18: $1.6M
- Q2/FY19: $1.8M
- Q2/FY20: $2.7M

**Second Quarter Motor Vehicle Excise Tax**

(in thousands of dollars)

- Q2/FY16: $165K
- Q2/FY17: $137K
- Q2/FY18: $191K
- Q2/FY19: $193K
- Q2/FY20: $121K

**Second Quarter Meals Tax**

(in thousands of dollars)

- Q2/FY16: $418K
- Q2/FY17: $460K
- Q2/FY18: $461K
- Q2/FY19: $478K
- Q2/FY20: $501K

**Second Quarter Building Permits**

(in thousands of dollars)

- Q2/FY16: $257K
- Q2/FY17: $340K
- Q2/FY18: $378K
- Q2/FY19: $407K
- Q2/FY20: $311K

---

(1) Excludes real estate and personal property tax revenue, which equals approx. 81% of total revenues collected in Q1/FY18.
## General Fund Revenues

Results for most recent quarter

<table>
<thead>
<tr>
<th>Quarter Ended December 31, QTR/QTR Actuals</th>
<th>FY2020</th>
<th>Variance to Budget</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Estate Taxes</td>
<td>$ 19,248,453</td>
<td>$ 18,718,547</td>
<td>3%</td>
<td>$ 529,905</td>
<td>$ 83,919,763</td>
<td>$ (45,544,960)</td>
</tr>
<tr>
<td>Personal Property Taxes</td>
<td>377,504</td>
<td>374,316</td>
<td>1%</td>
<td>3,188</td>
<td>1,722,373</td>
<td>(977,983)</td>
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<tr>
<td><strong>Excise Taxes</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Motor Vehicle Excise Tax</td>
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<td>192,802</td>
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<td>Local Rooms Tax</td>
<td>2,734,726</td>
<td>1,805,137</td>
<td>51%</td>
<td>929,589</td>
<td>3,375,000</td>
<td>1,726,699</td>
</tr>
<tr>
<td>Local Meals Tax</td>
<td>501,161</td>
<td>477,550</td>
<td>5%</td>
<td>23,611</td>
<td>985,800</td>
<td>12,389</td>
</tr>
<tr>
<td>Other - Includes Penalties &amp; Interest</td>
<td>262,290</td>
<td>153,334</td>
<td>71%</td>
<td>108,955</td>
<td>582,000</td>
<td>(208,038)</td>
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<tr>
<td><strong>Subtotal - Excise Taxes</strong></td>
<td>3,619,170</td>
<td>2,628,824</td>
<td>38%</td>
<td>990,346</td>
<td>7,632,800</td>
<td>(630,459)</td>
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<tr>
<td>Charges for Services</td>
<td>13,234</td>
<td>11,040</td>
<td>20%</td>
<td>2,194</td>
<td>29,000</td>
<td>(544)</td>
</tr>
<tr>
<td><strong>Fees &amp; Rentals</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Board Filing Fees</td>
<td>16,268</td>
<td>30,538</td>
<td>(47%)</td>
<td>(14,270)</td>
<td>95,000</td>
<td>(54,893)</td>
</tr>
<tr>
<td>Plumbing &amp; Wiring Inspection Fees</td>
<td>89,995</td>
<td>100,365</td>
<td>(10%)</td>
<td>(10,370)</td>
<td>335,000</td>
<td>(160,473)</td>
</tr>
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<td>HDC Filing Fees</td>
<td>63,055</td>
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<td>97,895</td>
<td>102,500</td>
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<td>(4,602)</td>
<td>168,000</td>
<td>60,115</td>
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<tr>
<td>Marine Moorings &amp; Docking Fees</td>
<td>172,150</td>
<td>115,530</td>
<td>49%</td>
<td>56,620</td>
<td>160,000</td>
<td>47,170</td>
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<tr>
<td>Other</td>
<td>80,928</td>
<td>114,587</td>
<td>(29%)</td>
<td>(33,659)</td>
<td>417,000</td>
<td>(258,594)</td>
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<tr>
<td><strong>Subtotal - Fees &amp; Rentals</strong></td>
<td>520,293</td>
<td>529,183</td>
<td>(2%)</td>
<td>(8,889)</td>
<td>1,390,000</td>
<td>(455,189)</td>
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<tr>
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<td></td>
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<tr>
<td>Building Permits</td>
<td>310,819</td>
<td>407,455</td>
<td>(24%)</td>
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<td>(586,803)</td>
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<td>Liquor Licenses</td>
<td>60,000</td>
<td>46,550</td>
<td>29%</td>
<td>13,450</td>
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<td>(121,300)</td>
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<td>5,595</td>
<td>197,600</td>
<td>(111,898)</td>
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<tr>
<td><strong>Subtotal - License &amp; Permits</strong></td>
<td>411,553</td>
<td>489,144</td>
<td>(16%)</td>
<td>(77,591)</td>
<td>1,495,100</td>
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<tr>
<td>School Aid</td>
<td>900,435</td>
<td>887,589</td>
<td>1%</td>
<td>12,846</td>
<td>3,550,359</td>
<td>(1,751,000)</td>
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<tr>
<td>Other</td>
<td>79,113</td>
<td>73,198</td>
<td>8%</td>
<td>5,915</td>
<td>258,963</td>
<td>(98,548)</td>
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<tr>
<td><strong>Subtotal - State Local Aid</strong></td>
<td>979,548</td>
<td>960,787</td>
<td>2%</td>
<td>18,761</td>
<td>3,809,322</td>
<td>(1,849,548)</td>
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<tr>
<td>Fines &amp; Forfeits</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Fines</td>
<td>148,163</td>
<td>91,266</td>
<td>62%</td>
<td>56,897</td>
<td>215,000</td>
<td>10,119</td>
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<tr>
<td>Other</td>
<td>4,503</td>
<td>6,635</td>
<td>(32%)</td>
<td>(2,133)</td>
<td>-</td>
<td>13,268</td>
</tr>
<tr>
<td><strong>Subtotal - Fines &amp; Forfeits</strong></td>
<td>152,665</td>
<td>97,901</td>
<td>56%</td>
<td>54,765</td>
<td>215,000</td>
<td>23,387</td>
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<tr>
<td>Investment Income</td>
<td>(26)</td>
<td>-</td>
<td>na</td>
<td>(26)</td>
<td>135,000</td>
<td>-</td>
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<td>Indirect Costs</td>
<td>154,075</td>
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<td>-</td>
<td>-</td>
<td>308,150</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>1,900</td>
<td>(100%)</td>
<td>(1,900)</td>
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<tr>
<td><strong>Subtotal - Transfer &amp; Other Sources</strong></td>
<td>154,075</td>
<td>155,975</td>
<td>(1%)</td>
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<td>308,150</td>
</tr>
</tbody>
</table>

Total General Fund Revenue                   | $ 25,672,087 | $ 24,016,743 | 7% | $ 1,655,344 | $ 100,524,788 | (49,611,760) |
## General Fund Revenues
Results for six months ended December 31, 2019

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<tr>
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<td>na</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Transfer &amp; Other Sources</td>
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<td></td>
</tr>
<tr>
<td>Debt Premium</td>
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<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>154,075</td>
<td>154,075</td>
<td>(100%)</td>
<td>(1,900)</td>
<td>308,150</td>
<td></td>
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<tr>
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<td>1,900</td>
<td>1,900</td>
<td>(100%)</td>
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</tr>
<tr>
<td><strong>Total General Fund Revenue</strong></td>
<td>$25,672,087</td>
<td>$24,016,743</td>
<td>7%</td>
<td>$1,655,344</td>
<td>$100,524,788</td>
<td>$49,611,760</td>
<td></td>
</tr>
</tbody>
</table>
General Fund Expenses
Where does the money go?

General Fund Expenses
For Fiscal Quarter Ended December 31, 2019

- Education
- Safety & Protection
- General Gov't
- Group & General Insurance
- Maintenance
- All Others
- Debt Service

Second Quarter Operational Expenses (1)
(in millions of dollars)

- Q2/FY16: $1.8M
- Q2/FY17: $1.4M
- Q2/FY18: $1.4M
- Q2/FY19: $1.6M
- Q2/FY20: $1.7M

Second Quarter Salary Expenses (2)
(in millions of dollars)

- Q2/FY16: $4.3M
- Q2/FY17: $3.7M
- Q2/FY18: $3.9M
- Q2/FY19: $4.5M
- Q2/FY20: $4.5M

Second Quarter Health & Other Group Insurance
(in millions of dollars)

- Q2/FY16: $2.8M
- Q2/FY17: $2.7M
- Q2/FY18: $2.8M
- Q2/FY19: $2.7M
- Q2/FY20: $3.2M

Second Quarter Debt Service (P&I)
(in millions of dollars)

- Q2/FY16: $1.7M
- Q2/FY17: $2.0M
- Q2/FY18: $3.3M
- Q2/FY19: $3.5M
- Q2/FY20: $3.1M

---

(1) Excludes Debt Service, Transfers and State Assessments, which are subject to timing differences
(2) Excludes Health Insurance & Other Group Insurance, Pension Costs and Contractual Obligations.
### General Fund Expenses

**Results for most recent quarter**

<table>
<thead>
<tr>
<th></th>
<th>Quarter Ended Dec 31, FY2020</th>
<th>QTR/QTR % Change</th>
<th>FY20 Budget $</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Government</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance Committee</td>
<td>$24</td>
<td>(100%)</td>
<td>$18,680</td>
<td>$(18,500)</td>
</tr>
<tr>
<td>Finance &amp; Operations</td>
<td>$466,187</td>
<td>(15%)</td>
<td>$2,762,317</td>
<td>$(1,719,453)</td>
</tr>
<tr>
<td>Human Resources</td>
<td>97,998</td>
<td>3%</td>
<td>496,187</td>
<td>$(327,201)</td>
</tr>
<tr>
<td>Information Systems / GIS</td>
<td>242,797</td>
<td>4%</td>
<td>1,496,400</td>
<td>$(794,101)</td>
</tr>
<tr>
<td>Legal / Town Counsel</td>
<td>142,818</td>
<td>4%</td>
<td>559,133</td>
<td>$(320,293)</td>
</tr>
<tr>
<td>Moderator</td>
<td>-</td>
<td>-</td>
<td>1,680</td>
<td>$(1,680)</td>
</tr>
<tr>
<td>Planning &amp; Land Use Services</td>
<td>456,582</td>
<td>(8%)</td>
<td>2,150,313</td>
<td>$(1,238,631)</td>
</tr>
<tr>
<td>Town Administration</td>
<td>415,263</td>
<td>(12%)</td>
<td>2,312,370</td>
<td>$(1,449,881)</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>180,347</td>
<td>(21%)</td>
<td>971,548</td>
<td>$(567,469)</td>
</tr>
<tr>
<td>Town Clerk</td>
<td>68,797</td>
<td>(5%)</td>
<td>343,271</td>
<td>$(213,496)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$2,070,789</td>
<td>(9%)</td>
<td>$11,111,899</td>
<td>$(6,650,704)</td>
</tr>
<tr>
<td><strong>Safety &amp; Protection</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Management</td>
<td>$-</td>
<td>-</td>
<td>8,000</td>
<td>$(8,642)</td>
</tr>
<tr>
<td>Fire Department</td>
<td>786,582</td>
<td>25%</td>
<td>3,534,337</td>
<td>$(2,005,077)</td>
</tr>
<tr>
<td>Police &amp; Animal Control</td>
<td>1,503,298</td>
<td>(1%)</td>
<td>6,832,755</td>
<td>$(3,789,465)</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>73,451</td>
<td>211%</td>
<td>172,370</td>
<td>(76,217)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$2,363,331</td>
<td>9%</td>
<td>$10,547,463</td>
<td>$5,879,402</td>
</tr>
<tr>
<td><strong>Marine &amp; Coastal Resources</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Department</td>
<td>$130,745</td>
<td>(5%)</td>
<td>867,941</td>
<td>(271,221)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$130,745</td>
<td>(5%)</td>
<td>$867,941</td>
<td>(271,221)</td>
</tr>
<tr>
<td><strong>Maintenance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gas / Town Vehicles</td>
<td>$63,292</td>
<td>(6%)</td>
<td>375,000</td>
<td>$(256,457)</td>
</tr>
<tr>
<td>Mosquito Control</td>
<td>85,045</td>
<td>421%</td>
<td>164,391</td>
<td>$(79,346)</td>
</tr>
<tr>
<td>Public Buildings</td>
<td>186,404</td>
<td>(34%)</td>
<td>1,402,261</td>
<td>$(902,191)</td>
</tr>
<tr>
<td>Public Works</td>
<td>798,975</td>
<td>17%</td>
<td>3,465,115</td>
<td>$(1,987,478)</td>
</tr>
<tr>
<td>Snow &amp; Ice Removal</td>
<td>41,086</td>
<td>1,773%</td>
<td>82,600</td>
<td>(39,781)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$1,174,801</td>
<td>12%</td>
<td>$5,489,367</td>
<td>$(3,265,253)</td>
</tr>
<tr>
<td><strong>Human Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human Services</td>
<td>$75,944</td>
<td>(1%)</td>
<td>359,364</td>
<td>$(208,411)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$75,944</td>
<td>(1%)</td>
<td>$359,364</td>
<td>$(208,411)</td>
</tr>
<tr>
<td><strong>Culture &amp; Recreation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Atheneum</td>
<td>$183,186</td>
<td>1%</td>
<td>732,745</td>
<td>$(366,373)</td>
</tr>
<tr>
<td>Town Clock</td>
<td>1,157</td>
<td>845%</td>
<td>4,741</td>
<td>$(2,207)</td>
</tr>
<tr>
<td>Visitor Services</td>
<td>78,636</td>
<td>4%</td>
<td>470,132</td>
<td>$(203,160)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$262,299</td>
<td>2%</td>
<td>$1,207,618</td>
<td>$(571,739)</td>
</tr>
<tr>
<td><strong>Other Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Service Principal</td>
<td>$2,261,812</td>
<td>(15%)</td>
<td>5,598,113</td>
<td>$(823,070)</td>
</tr>
<tr>
<td>Debt Service Interest</td>
<td>798,964</td>
<td>(1%)</td>
<td>3,567,193</td>
<td>$(1,804,832)</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>3,222,496</td>
<td>19%</td>
<td>13,750,934</td>
<td>$(8,409,469)</td>
</tr>
<tr>
<td>General Insurance</td>
<td>116,777</td>
<td>16%</td>
<td>2,000,334</td>
<td>$(465,773)</td>
</tr>
<tr>
<td>Retirement Assessment</td>
<td>-</td>
<td>na</td>
<td>4,796,286</td>
<td>$(45,373)</td>
</tr>
<tr>
<td>Cherry Sheet Assessments</td>
<td>136,174</td>
<td>62%</td>
<td>506,166</td>
<td>$(232,123)</td>
</tr>
<tr>
<td>Contractual Obligations</td>
<td>-</td>
<td>na</td>
<td>400,000</td>
<td>$(400,000)</td>
</tr>
<tr>
<td>Intergovernmental-SWF</td>
<td>-</td>
<td>na</td>
<td>6,189,664</td>
<td>$(6,189,664)</td>
</tr>
<tr>
<td>Intergovernmental-OIH</td>
<td>-</td>
<td>na</td>
<td>2,276,181</td>
<td>$(2,276,181)</td>
</tr>
<tr>
<td>Intergovernmental- Cumm School</td>
<td>-</td>
<td>na</td>
<td>500,000</td>
<td>$(500,000)</td>
</tr>
<tr>
<td>Education</td>
<td>$7,441,616</td>
<td>(100%)</td>
<td>30,136,642</td>
<td>$(30,136,642)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$6,536,223</td>
<td>(53%)</td>
<td>$69,721,513</td>
<td>$(51,283,155)</td>
</tr>
<tr>
<td><strong>Total General Fund Expenses</strong></td>
<td>$12,614,811</td>
<td>(36%)</td>
<td>$7,176,541</td>
<td>$99,305,164</td>
</tr>
</tbody>
</table>
## General Fund Expenses

Results for six months ended December 31, 2019

<table>
<thead>
<tr>
<th>General Government</th>
<th>Six Months Ended Dec 31, FY2020</th>
<th>YTD/YTD % Change</th>
<th>FY20 Budget Annual</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance Committee</td>
<td>$180</td>
<td>(97%)</td>
<td>$1,868</td>
<td>(18,500)</td>
</tr>
<tr>
<td>Finance &amp; Operations</td>
<td>1,042,864</td>
<td>(7%)</td>
<td>2,762,317</td>
<td>(1,719,453)</td>
</tr>
<tr>
<td>Human Resources</td>
<td>168,987</td>
<td>1%</td>
<td>496,178</td>
<td>(327,201)</td>
</tr>
<tr>
<td>Information Systems / GIS</td>
<td>702,298</td>
<td>24%</td>
<td>1,496,400</td>
<td>(794,101)</td>
</tr>
<tr>
<td>Legal / Town Counsel</td>
<td>238,841</td>
<td>36%</td>
<td>559,133</td>
<td>(320,293)</td>
</tr>
<tr>
<td>Moderator</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>(1,680)</td>
</tr>
<tr>
<td>Planning &amp; Land Use Services</td>
<td>911,682</td>
<td>(1%)</td>
<td>2,150,313</td>
<td>(1,238,631)</td>
</tr>
<tr>
<td>Town Administration</td>
<td>862,489</td>
<td>4%</td>
<td>2,312,370</td>
<td>(1,449,881)</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>404,079</td>
<td>7%</td>
<td>971,548</td>
<td>(567,469)</td>
</tr>
<tr>
<td>Town Clerk</td>
<td>129,776</td>
<td>1%</td>
<td>343,271</td>
<td>(213,496)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$4,461,195</td>
<td>4%</td>
<td>$11,111,899</td>
<td>(6,650,704)</td>
</tr>
</tbody>
</table>

**Safety & Protection**

| Emergency Management | -                               | na               | 8,000             | (8,642)           |
| Fire Department     | 1,529,260                       | 28%              | 3,534,337         | (2,005,077)       |
| Police & Animal Control | 3,043,290                   | 7%               | 6,832,755         | (3,789,465)       |
| Street Lighting     | 96,153                          | 161%             | 172,370           | (76,217)          |
| **Subtotal**        | $4,668,062                      | 15%              | $10,547,463       | 5,879,402         |

**Marine & Coastal Resources**

| Marine Department  | $596,720                        | 3%               | 867,941           | (271,221)         |
| **Subtotal**       | $596,720                        | 3%               | $867,941          | (271,221)         |

**Maintenance**

| Gas / Town Vehicles | $118,543                        | (7%)             | 375,000           | (256,457)         |
| Mosquito Control    | 85,045                          | (7%)             | 164,391           | (79,346)          |
| Public Buildings    | 500,070                         | (1%)             | 1,402,261         | (902,191)         |
| Public Works        | 1,477,637                       | 7%               | 3,465,115         | (1,987,478)       |
| Snow & Ice Removal  | 42,819                          | 635%             | 82,600            | (39,781)          |
| **Subtotal**        | $2,224,114                      | 5%               | $5,489,367        | (3,265,253)       |

**Human Services**

| Human Services      | $150,952                        | 8%               | 359,364           | (208,411)         |
| **Subtotal**        | $150,952                        | 8%               | $359,364          | (208,411)         |

**Culture & Recreation**

| Atheneum            | $366,373                        | 1%               | 732,745           | (366,373)         |
| Town Clock          | 2,534                           | 95%              | 4,741             | (2,207)           |
| Visitor Services    | 266,972                         | 11%              | 470,132           | (203,160)         |
| **Subtotal**        | $635,878                        | 6%               | $1,207,618        | (571,739)         |

**Other Expenditures**

| Debt Service Principal | $4,775,043                       | 30%              | 5,598,113         | (823,070)         |
| Debt Service Interest  | 1,762,361                       | 18%              | 3,567,193         | (1,804,832)       |
| Group Insurance        | 5,341,438                       | 11%              | 13,750,934        | (8,409,496)       |
| General Insurance      | 1,534,561                       | 20%              | 2,000,334         | (465,773)         |
| Retirement Assessment  | 4,750,913                       | 7%               | 4,796,286         | (45,373)          |
| Cherry Sheet Assessments | 274,043                        | 9%               | 506,166           | (232,123)         |
| Contractual Obligations | -                              | na               | -                | (400,000)         |
| Intergovernmental-SWEF | 6,039,524                       | (100%)           | 6,189,664         | (6,189,664)       |
| Intergovernmental-OIH  | 1,511,446                       | (100%)           | 2,276,181         | (2,276,181)       |
| Intergovernmental- Cumm School | 450,000                     | (100%)           | 500,000           | (500,000)         |
| Education              | $11,819,106                     | (100%)           | $30,136,642       | (30,136,642)      |
| **Subtotal**           | $18,438,357                     | 48%              | $69,721,513       | (51,283,155)      |

**Total General Fund Expenses**

| $31,175,278                  | 34%                          | $16,387,645      | 68,129,885        |
### FY2020 YTD Top 10 Capital Projects
Expenditures for the Six Months Ended December 31, 2019

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A11/2016 FIRE STATION</td>
<td>$1,822,822.73</td>
</tr>
<tr>
<td>A10/'19 6FG AREA IMPROVEMENTS</td>
<td>$277,500.00</td>
</tr>
<tr>
<td>A10'20 BUY FRONT END LOADER</td>
<td>$240,300.00</td>
</tr>
<tr>
<td>A18/'19 IMPROVE STMWATER SYS</td>
<td>$236,696.02</td>
</tr>
<tr>
<td>A17/'19 RENO MARINE DPT 34WASH</td>
<td>$118,314.00</td>
</tr>
<tr>
<td>A10/2016 DESIGN NEW FACILITY</td>
<td>$107,123.51</td>
</tr>
<tr>
<td>A32'20 SACHEM'S PATH BOND</td>
<td>$103,583.33</td>
</tr>
<tr>
<td>A10'20 REPLACE FIRE SCBAS</td>
<td>$93,500.00</td>
</tr>
<tr>
<td>A10/'19 ROAD MAINTENANCE</td>
<td>$82,109.49</td>
</tr>
<tr>
<td>A10/'18 STORMWATER IMPROVES</td>
<td>$70,107.67</td>
</tr>
</tbody>
</table>
Financing Activity

How much do we owe?

The Town’s Credit Rating

- External credit ratings have a direct influence on the Town’s ability to:
  - Minimize borrowing costs
  - Successfully borrow funds to complete the improvement and construction of long-term assets and the Town’s infrastructure

- In October 2018, Moody’s affirmed the Town’s rating of AAA - the highest rating on the municipal credit rating scale - and reaffirmed a positive outlook.
- In October 2016, Standard & Poor’s initiated coverage on the Town of Nantucket’s general obligation debt in a report establishing a AA rating. There has been no new rating since this initial report.

<table>
<thead>
<tr>
<th>Type of Bond Issued</th>
<th>Moody’s Rating</th>
<th>Standard &amp; Poor’s Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Obligation</td>
<td>AAA</td>
<td>AA</td>
</tr>
</tbody>
</table>
Investment Report

How safe is our money?

The following is a report prepared by the Town’s investment manager, Morgan Stanley:

**Equity Markets - Review**

Sparked by improving US economic data and optimism around a Phase 1 trade deal with China, US equity markets rallied into the end of the calendar year.

Returns for the MA Legal List equities and S&P 500 index were both +9% for the quarter, closing 2019 with an overall return of 27% and 31% respectively.

**Fixed Income - Review**

After closing the first quarter of FY 2020 at 1.68%, the yield on the 10 Year Treasury rose steadily, given the above mentioned equity market performance and improving economic conditions.

The Federal Reserve has signaled a halt to their recent interest rate cuts, and will remain “data dependent” on forward economic, employment and inflation forecasts.

**Strategy Outlook**

As interest rates increased in the quarter, we gradually began extending maturities where appropriate (excluding General & Operating funds), reinvesting new cash proceeds into the 18 month – 2 year timeframe.

The Town’s fixed income allocation remains fully invested in US Treasury and Agency securities..

For the equity allocation (recently lowered in June 2019), we remain fully invested in the 21 Legal List equity positions.

**Advisory Fees**

Total of monthly fees (10/1/2019 – 12/31/2019)

- Pooled Trust: $7,520.72
- OPEB: $2,404.24
- Airport Stab: $328.99
Our Island Home

Quarterly Financial Report
Second Fiscal Quarter Ended
December 31, 2019
Table of Contents

Summary and Financial Highlights........... 1
  OIH Revenues........... 2
  Results for most recent quarter......... 3
  Results for year-to-date period........ 4
  OIH Expenses........... 5
  Results for most recent quarter......... 6
  Results for year-to-date period........ 7
Our Island Home Financial Highlights

**OIH Revenues**
Revenue in the second quarter totaled $987K, up 22% (+$175K) compared to Q2/FY19, representing 55% of projected revenue for FY2020. The increase in revenue can largely be attributed to the $21K increase (+37%) in Medicare Revenue and the $12K increase (+118%) in secondary insurance.

**OIH Expenses**
Expenses for Q2/FY20 were down 8% (-$126K) compared to last fiscal year and represent 42% of annual budgeted expenses. The most notable decrease in expenses is from medical insurance and payroll. Professional services was $20K over the amount spent in Q2 of FY2019 due to contract nurses hired to fill vacant positions. Repairs & Maintenance and medical supplies expenses increased over Q2/FY19 by $6K and $12K respectively.

**5 STAR update - as of Q1**
Still 1 Star total - 3 star survey, 1 star staffing (1 star for RN coverage as we missed 7 days and 4 Star total nurse staffing) and 1 star Quality Measures. The two areas we had scored higher in for quality measures were short term residents who report pain – (48%) and short term residents that have use of AntiPsyhotics, (3.7%) are down to 12% and 0% respectively over the most recent 6 months. New changes to scoring/measures: (October forward) - removing the pain measures from scoring and adjust cut points. This would put us at a 2 star quality as is and close to a 3-star quality measures.
### TOWN OF NANTUCKET
OUR ISLAND HOME - ENTERPRISE FUND
Operating Revenue and Expenditures for Six Months Ended December 31, 2019

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td>$3,310,307</td>
<td>$1,827,997</td>
<td>$1,560,351</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>8,482,857</td>
<td>3,556,461</td>
<td>3,889,456</td>
</tr>
<tr>
<td><strong>Net Earnings</strong></td>
<td>(5,172,550)</td>
<td>(1,728,464)</td>
<td>(2,329,105)</td>
</tr>
<tr>
<td><strong>Transfer from Retained Earnings</strong></td>
<td>2,687,245</td>
<td>2,687,245</td>
<td>3,018,623</td>
</tr>
<tr>
<td><strong>NET EARNINGS</strong></td>
<td>$(2,485,305)</td>
<td>$958,781</td>
<td>$689,518</td>
</tr>
<tr>
<td><strong>Retained Earnings</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**OTHER SOURCES/USES:**
- **General Fund Subsidy**: $2,276,181
- **Encumbrance Carryforwards**: 209,124
- **FinCom GF Reserve Fund Transfer**: -

<table>
<thead>
<tr>
<th></th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Surplus(Deficit) Including Debt Service and Other Financing Sources</strong></td>
<td>$(0)</td>
<td>$1,120,943</td>
</tr>
</tbody>
</table>

**Certified Retained Earnings as of July 01, 2019**
- $1,619,047

Plus: Current Surplus as of December 31, 2019
- 1,120,943

**Projected Balance as of December 31, 2019 (1)(2)**
- $2,739,990

---

(1) Revenues remain a projection, until certified by the the Department of Revenue, therefore this is only a projection as of this point in time, until Retained Earnings go through the Certification process.
(2) Actual balance will be lower due to encumbrances that are carried forward.
OIH Revenues
Where does the money come from?

FY2020 Revenue Breakdown - YTD Actuals

Census Data Per Payor Source
### OIH Revenues for Quarter Ended December 31, 2019

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>Quarter Ended Dec 31,</th>
<th>QTR/QTR</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY2020 Actuals</td>
<td>FY2019 Actuals</td>
<td>% Change</td>
<td>$ Change</td>
</tr>
<tr>
<td>Medicaid Patient Revenue</td>
<td>408,271</td>
<td>312,419</td>
<td>31%</td>
<td>95,853</td>
</tr>
<tr>
<td>Medicare Revenue</td>
<td>81,472</td>
<td>59,611</td>
<td>37%</td>
<td>21,861</td>
</tr>
<tr>
<td>Private Patient Income</td>
<td>355,182</td>
<td>323,420</td>
<td>10%</td>
<td>31,762</td>
</tr>
<tr>
<td>Patient Paid Amount</td>
<td>130,247</td>
<td>110,741</td>
<td>18%</td>
<td>19,505</td>
</tr>
<tr>
<td>Secondary Insurance</td>
<td>12,180</td>
<td>5,589</td>
<td>118%</td>
<td>6,590</td>
</tr>
<tr>
<td>Direct Care Staff Payments</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Prior Year CPE Receipts</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Bounced Checks</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Interest Earned</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$ 987,352</strong></td>
<td><strong>$ 811,781</strong></td>
<td><strong>22%</strong></td>
<td><strong>$ 175,571</strong></td>
</tr>
</tbody>
</table>

**OTHER FINANCING SOURCES**

<table>
<thead>
<tr>
<th>Source</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Subsidy</td>
<td>-</td>
<td>$ -</td>
<td>na</td>
<td>-</td>
<td>$ 2,276,181</td>
<td>$ 2,276,181</td>
</tr>
<tr>
<td>Voted Use of Certified Retained Earnings - Operations</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>$ 2,687,245</td>
<td>(2,687,245)</td>
<td></td>
</tr>
<tr>
<td>FinCom Transfer</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>FY2018 Encumbrance Carryforward</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>209,124</td>
<td>(46,962)</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>$ -</td>
<td>$ -</td>
<td>na</td>
<td>$ -</td>
<td>$ 5,172,550</td>
<td>$ (5,010,388)</td>
</tr>
</tbody>
</table>

**TOTAL REVENUE AND OTHER FINANCIAL SOURCES**

<table>
<thead>
<tr>
<th>Source</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 987,352</td>
<td>$ 811,781</td>
<td>22%</td>
<td>$ 175,571</td>
<td>$ 8,482,857</td>
<td>$ (6,492,698)</td>
</tr>
</tbody>
</table>

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.
## OIH Revenues

**OIH Revenue for Six Months Ended December 31, 2019**

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>YTD</th>
<th>FY2020 Budget</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid Patient Revenue</td>
<td>$ 808,028</td>
<td>$ 777,433</td>
<td>4%</td>
<td>$ 30,595</td>
<td>$ 699,210</td>
<td>$ 1,398,420</td>
<td></td>
<td>(590,392)</td>
</tr>
<tr>
<td>Medicare Revenue</td>
<td>188,886</td>
<td>107,477</td>
<td>76%</td>
<td>81,409</td>
<td>158,740</td>
<td>317,480</td>
<td></td>
<td>(128,594)</td>
</tr>
<tr>
<td>Private Patient Income</td>
<td>561,717</td>
<td>472,057</td>
<td>19%</td>
<td>89,661</td>
<td>487,996</td>
<td>975,992</td>
<td></td>
<td>(414,275)</td>
</tr>
<tr>
<td>Patient Paid Amount</td>
<td>252,182</td>
<td>192,582</td>
<td>31%</td>
<td>59,600</td>
<td>220,425</td>
<td>440,850</td>
<td></td>
<td>(188,668)</td>
</tr>
<tr>
<td>Secondary Insurance</td>
<td>17,184</td>
<td>10,802</td>
<td>59%</td>
<td>6,382</td>
<td>88,783</td>
<td>177,565</td>
<td></td>
<td>(160,381)</td>
</tr>
<tr>
<td>Direct Care Staff Payments</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Prior Year CPE Receipts</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Bounced Checks</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Interest Earned</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>$ 1,827,997</td>
<td>$ 1,560,351</td>
<td>17%</td>
<td>$ 267,646</td>
<td>$ 1,655,154</td>
<td>$ 3,310,307</td>
<td></td>
<td>(1,482,310)</td>
</tr>
</tbody>
</table>

**OTHER FINANCING SOURCES**

<table>
<thead>
<tr>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>YTD Budget</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Subsidy</td>
<td>$ -</td>
<td>$ 1,511,446</td>
<td>(100%)</td>
<td>$ (1,511,446)</td>
<td>-</td>
<td>$ 2,276,181</td>
</tr>
<tr>
<td>Certified Retained Earnings - Operations</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>$ 2,687,245</td>
</tr>
<tr>
<td>FinCom Transfer</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>FY2018 Encumbrance Carryforward</td>
<td>162,162</td>
<td>63,375</td>
<td>156%</td>
<td>98,787</td>
<td>-</td>
<td>209,124</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>$ 162,162</td>
<td>$ 1,574,821</td>
<td>(90%)</td>
<td>$ (1,412,659)</td>
<td>-</td>
<td>$ 5,172,550</td>
</tr>
</tbody>
</table>

**TOTAL REVENUE AND OTHER**

<table>
<thead>
<tr>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>YTD Budget</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 1,990,158</td>
<td>$ 3,135,172</td>
<td>(37%)</td>
<td>$(1,145,013)</td>
<td>$ 1,655,154</td>
<td>$ 8,482,857</td>
<td>$(6,492,698)</td>
</tr>
</tbody>
</table>

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.*
OIH Expenses
Where does the money go?

FY2020 Expenses Breakdown - YTD Actuals

- Payroll and Benefits: 65%
- Medical Insurance: 13%
- Professional Services: 14%
- Indirect Costs: 2%
- Food: 2%
- Medical Supplies: 2%
- Utilities, Repairs and Maintenance: 1%
- Other Expenses: 1%
# OIH Expenses

## OIH Operating Expenses for Quarter Ended December 31, 2019

<table>
<thead>
<tr>
<th>OPERATING EXPENSES WITHOUT DEBT</th>
<th>Quarter Ended Dec 31,</th>
<th>QTR/QTR</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY2020 Actuals</td>
<td>FY2019 Actuals</td>
<td>% Change</td>
<td>$ Change</td>
</tr>
<tr>
<td>Payroll - Salary</td>
<td>$ 872,635</td>
<td>$ 1,016,572</td>
<td>(14%)</td>
<td>$(143,936)</td>
</tr>
<tr>
<td>Medicare P/R Tax Expense</td>
<td>$ 12,563</td>
<td>$ 14,718</td>
<td>(15%)</td>
<td>$(2,155)</td>
</tr>
<tr>
<td>Medical Insurance</td>
<td>$ 238,569</td>
<td>$ 264,896</td>
<td>(10%)</td>
<td>$(26,327)</td>
</tr>
<tr>
<td>Barnstable County Retirement</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Contractual Obligations</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Utilities</td>
<td>$ 29,285</td>
<td>$ 29,943</td>
<td>(2%)</td>
<td>$(658)</td>
</tr>
<tr>
<td>Repairs &amp; Maintenance</td>
<td>$ 15,091</td>
<td>$ 8,202</td>
<td>84%</td>
<td>6,890</td>
</tr>
<tr>
<td>Food</td>
<td>$ 35,376</td>
<td>$ 33,237</td>
<td>6%</td>
<td>2,138</td>
</tr>
<tr>
<td>Professional Services</td>
<td>$ 242,249</td>
<td>$ 221,387</td>
<td>9%</td>
<td>20,862</td>
</tr>
<tr>
<td>Medical Supplies</td>
<td>$ 34,836</td>
<td>$ 22,468</td>
<td>55%</td>
<td>12,369</td>
</tr>
<tr>
<td>General Insurance</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Other Supplies</td>
<td>$ 11,247</td>
<td>$ 11,231</td>
<td>0%</td>
<td>15</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>$ 23,075</td>
<td>$ 23,075</td>
<td>0%</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>$ 5,926</td>
<td>$ 2,115</td>
<td>180%</td>
<td>3,811</td>
</tr>
<tr>
<td>Transfer to Capital</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
</tr>
<tr>
<td>Total Expenditures - Excluding Debt Serv</td>
<td>$ 1,520,851</td>
<td>$ 1,647,842</td>
<td>(8%)</td>
<td>$(126,992)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DEBT SERVICE</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Issuance Costs</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>BAN Costs, Principal, Interest</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total Debt Service</td>
<td>$ -</td>
<td>$ -</td>
<td>na $</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| TOTAL OPERATING EXPENSES AND DEB | $ 1,520,851 | $ 1,647,842 | (8%) | $(126,992) | $ 8,482,857 | $(4,926,396) |

**Note:** Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.
# OIH Expenses

## OIH Operating Expenses for Quarter Ended December 31, 2019

<table>
<thead>
<tr>
<th>OPERATING EXPENSES WITHOUT DEBT</th>
<th>Six Months Ended Dec 31, YTD/YTD</th>
<th>FY2020 Budget Annual w/ Carryfwd</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY2020 Actuals</td>
<td>FY2019 Actuals</td>
<td>% Change</td>
</tr>
<tr>
<td>Payroll - Salary</td>
<td>1,642,526</td>
<td>1,919,121</td>
<td>(14%)</td>
</tr>
<tr>
<td>Medicare P/R Tax Expense</td>
<td>23,658</td>
<td>27,203</td>
<td>(13%)</td>
</tr>
<tr>
<td>Medical Insurance</td>
<td>448,101</td>
<td>549,131</td>
<td>(18%)</td>
</tr>
<tr>
<td>Barnstable County Retirement</td>
<td>653,832</td>
<td>774,864</td>
<td>(16%)</td>
</tr>
<tr>
<td>Contractual Obligations</td>
<td>-</td>
<td>-</td>
<td>na</td>
</tr>
<tr>
<td>Utilities</td>
<td>60,884</td>
<td>61,604</td>
<td>(1%)</td>
</tr>
<tr>
<td>Repairs &amp; Maintenance</td>
<td>26,148</td>
<td>15,254</td>
<td>71%</td>
</tr>
<tr>
<td>Food</td>
<td>64,039</td>
<td>57,177</td>
<td>12%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>510,999</td>
<td>369,704</td>
<td>38%</td>
</tr>
<tr>
<td>Medical Supplies</td>
<td>55,549</td>
<td>43,421</td>
<td>28%</td>
</tr>
<tr>
<td>General Insurance</td>
<td>-</td>
<td>-</td>
<td>na</td>
</tr>
<tr>
<td>Other Supplies</td>
<td>15,634</td>
<td>17,474</td>
<td>(11%)</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>46,150</td>
<td>46,150</td>
<td>0%</td>
</tr>
<tr>
<td>Other</td>
<td>8,940</td>
<td>8,353</td>
<td>7%</td>
</tr>
<tr>
<td>Transfer to Capital</td>
<td>-</td>
<td>-</td>
<td>na</td>
</tr>
<tr>
<td><strong>Total Expenditures - Excluding Debt Serv</strong></td>
<td>$3,556,461</td>
<td>$3,889,456</td>
<td>(9%)</td>
</tr>
</tbody>
</table>

## DEBT SERVICE

<table>
<thead>
<tr>
<th>DEBT SERVICE</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>Annual Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Issuance Costs</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>BAN Costs, Principal, Interest</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Debt Service</strong></td>
<td>$ -</td>
<td>$ -</td>
<td>na</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

## TOTAL OPERATING EXPENSES AND DEBT

<table>
<thead>
<tr>
<th>TOTAL OPERATING EXPENSES AND DEBT</th>
<th>FY2020 Actuals</th>
<th>FY2019 Actuals</th>
<th>% Change</th>
<th>$ Change</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$3,556,461</td>
<td>$3,889,456</td>
<td>(9%)</td>
<td>($332,995)</td>
<td>$8,482,857</td>
<td>($4,926,396)</td>
</tr>
</tbody>
</table>
Solid Waste Enterprise Fund

Quarterly Financial Report
Second Fiscal Quarter
Ended December 31, 2019
Table of Contents

Financial Highlights .......... 1
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Expenses - Results for most recent quarter .......... 7, 8
Solid Waste Financial Highlights

Solid Waste Revenues

Q2/FY20 was down 8% from the same quarter last year and represented 14% over the projected revenue budget. Tipping fees were down 4% due to lower volumes processed at the landfill. Landfill fees collected decreased 92% compared to last year. This decrease will likely be offset in Q3 when landfill fee revenues have been posted. The transfer from the general fund has not taken place yet which can be attributed to the reduction in other financing sources however this transfer will be realized on the Q3 report.

Solid Waste Expenses

Total Expenditures for the first quarter of FY20, excluding Debt Service, were $2.48M, 13% more than Q2/FY19 and represented 42% of the annual budget. Repairs and Maintenance were down significantly over last year (-79%) which can be attributed to the a purchase of a cardboard baler at the beginning of FY19. C&D Professional services were similar compared to last year while professional services from Recycle/MRF were up 51% ($355K).
# TOWN OF NANTUCKET
## SOLID WASTE ENTERPRISE FUND

Operating Revenue and Expenses for Six Months Ended Dec 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Budget FY2020</th>
<th>Six Months Ended Dec 31, FY2020</th>
<th>FY2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$ 3,401,600</td>
<td>$ 1,474,718</td>
<td>$ 1,565,792</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>11,081,069</td>
<td>4,696,075</td>
<td>4,763,899</td>
</tr>
<tr>
<td><strong>Gross Earnings</strong></td>
<td>(7,679,469)</td>
<td>(3,221,357)</td>
<td>(3,198,107)</td>
</tr>
<tr>
<td><strong>Transfer from Retained Earnings</strong></td>
<td>1,367,606</td>
<td>1,367,606</td>
<td>400,572</td>
</tr>
<tr>
<td><strong>Net Earnings</strong></td>
<td>$ (6,311,863)</td>
<td>$ (1,853,751)</td>
<td>$ (2,797,535)</td>
</tr>
</tbody>
</table>

**Retained Earnings**

**Net Sources (Uses)**
- General Fund Subsidy - Override: -
- General Fund Subsidy - Tax Levy: -
- General Fund Subsidy: 6,189,664
- General Fund Subsidy - Shortfall Raised on Recap: 550,000
- Authorized use of free cash: 6,039,524

**Encumbrance Carryforwards**

<table>
<thead>
<tr>
<th>Surplus (Deficit)</th>
<th>122,199</th>
<th>84,340</th>
<th>38,843</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certified Retained Earnings as of July 01, 2019</strong></td>
<td>$ 1,453,694</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Plus: Current Surplus as of December 31, 2019</strong></td>
<td>$ (1,769,410)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Projected Balance as of December 31, 2019 (1)(2)</strong></td>
<td>$ (315,716)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

(1) Revenues remain a projection, until certified by the Department of Revenue. Therefore this is only a projection as of this point in time until Retained Earnings go through the Certification process.

(2) Actual balance will be lower due to encumbrances carried forward.
Solid Waste Revenues

Where does the money come from?

Revenue Breakdown (in thousands)

- Tipping Fees
- Landfill Fees

FY2019:
- $1,517k Tipping Fees
- $47k Landfill Fees

FY2020:
- $1,463k Tipping Fees
- $12k Landfill Fees
### Operating Revenue for Quarter Ended December 31, 2019

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>Quarter Ended Dec 31, FY2020</th>
<th>QTR/QTR $ Change</th>
<th>% Change</th>
<th>FY2020 Budget Annual w/ Carrywd</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landfill Fees</td>
<td>$2,506</td>
<td>$33,372</td>
<td>$ (30,866)</td>
<td>$531,600</td>
<td>$(519,764)</td>
</tr>
<tr>
<td>Tipping Fees</td>
<td>745,654</td>
<td>778,532</td>
<td>$ (32,878)</td>
<td>2,870,000</td>
<td>(1,407,184)</td>
</tr>
<tr>
<td>Debt Premium</td>
<td>-</td>
<td>-</td>
<td>- na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>63</td>
<td>981</td>
<td>$ (918)</td>
<td>(94%)</td>
<td>66</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$748,223</strong></td>
<td><strong>$812,885</strong></td>
<td><strong>$ (64,662)</strong></td>
<td><strong>$3,401,600</strong></td>
<td><strong>(1,926,882)</strong></td>
</tr>
</tbody>
</table>

**Note:** Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.
### Solid Waste Revenues

**Operating Revenue for Six Months Ended December 31, 2019**

<table>
<thead>
<tr>
<th>Revenue Type</th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>% of Budget</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Landfill Fees</strong></td>
<td>$11,837</td>
<td>$47,285</td>
<td>$(35,449)</td>
<td>(75%)</td>
<td>2%</td>
<td>$531,600</td>
<td>$(519,764)</td>
</tr>
<tr>
<td><strong>Tipping Fees</strong></td>
<td>1,462,816</td>
<td>1,517,332</td>
<td>$(54,515)</td>
<td>(4%)</td>
<td>51%</td>
<td>2,870,000</td>
<td>$(1,407,184)</td>
</tr>
<tr>
<td><strong>Debt Premium</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Miscellaneous Revenues</strong></td>
<td>66</td>
<td>1,175</td>
<td>$(1,110)</td>
<td>(94%)</td>
<td>na</td>
<td>66</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>$1,474,718</td>
<td>$1,565,792</td>
<td>$(91,074)</td>
<td>(6%)</td>
<td>43%</td>
<td>$3,401,600</td>
<td>$(1,926,882)</td>
</tr>
</tbody>
</table>

**Other Financing Sources**

<table>
<thead>
<tr>
<th>Source</th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>% of Budget</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Fund Subsidy</strong></td>
<td>-</td>
<td>6,039,524</td>
<td>$(6,039,524)</td>
<td>(100%)</td>
<td>0%</td>
<td>6,189,664</td>
<td>$(6,189,664)</td>
</tr>
<tr>
<td><strong>General Fund Subsidy - Shortfall Raised on Recap</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Voted Use of Certified Retained Earnings - Operations</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>na</td>
<td>1,367,606</td>
<td>$(1,367,606)</td>
</tr>
<tr>
<td><strong>Voted Use of Certified Free Cash - Operations</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Encumbrance Carryforwards</strong></td>
<td>84,340</td>
<td>38,843</td>
<td>45,497</td>
<td>117%</td>
<td>69%</td>
<td>122,199</td>
<td>$(37,859)</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>$84,340</td>
<td>$6,078,367</td>
<td>$(5,994,027)</td>
<td>(99%)</td>
<td>1%</td>
<td>$7,679,469</td>
<td>$(7,595,129)</td>
</tr>
</tbody>
</table>

**Total Revenue and Other Financing Sources**

<table>
<thead>
<tr>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>% of Budget</th>
<th>FY2020 Budget</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,559,059</td>
<td>$7,644,159</td>
<td>$(6,085,101)</td>
<td>(80%)</td>
<td>14%</td>
<td>$11,081,069</td>
<td>$(9,522,010)</td>
</tr>
</tbody>
</table>

---

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.*
## Solid Waste Expenses

### Operating Expenses for Quarter Ended December 31, 2019

#### OPERATING EXPENDITURES WITHOUT DEBT

<table>
<thead>
<tr>
<th></th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>FY2020 Budget Annual w/ Carryfwd</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payroll - Salary</td>
<td>$4,194</td>
<td>$3,184</td>
<td>$1,010</td>
<td>32%</td>
<td>$108,810</td>
<td>$(99,734)</td>
</tr>
<tr>
<td>Medicare P/R Tax Expense</td>
<td>61</td>
<td>46</td>
<td>15</td>
<td>32%</td>
<td>1,510</td>
<td>$(1,378)</td>
</tr>
<tr>
<td>Medical Insurance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>30,000</td>
<td>$(30,000)</td>
</tr>
<tr>
<td>Barnstable County Retirement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Utilities</td>
<td>82,698</td>
<td>73,588</td>
<td>9,110</td>
<td>12%</td>
<td>449,584</td>
<td>$(277,896)</td>
</tr>
<tr>
<td>Repair &amp; Maintenance</td>
<td>1,746</td>
<td>8,230</td>
<td>(6,484)</td>
<td>(79%)</td>
<td>449,584</td>
<td>$(256,588)</td>
</tr>
<tr>
<td>Prof. Services - Collection &amp; Disposal</td>
<td>1,642,695</td>
<td>1,432,670</td>
<td>210,025</td>
<td>15%</td>
<td>6,811,802.00</td>
<td>$(3,642,841)</td>
</tr>
<tr>
<td>Prof. Services - Recycle / MRF</td>
<td>210,441</td>
<td>139,204</td>
<td>71,237</td>
<td>51%</td>
<td>798,506</td>
<td>$(443,234)</td>
</tr>
<tr>
<td>Freight</td>
<td>439,006</td>
<td>432,408</td>
<td>6,598</td>
<td>2%</td>
<td>2,229,131</td>
<td>$(1,412,375)</td>
</tr>
<tr>
<td>General Insurance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>28,750</td>
<td>33,275</td>
<td>2,795</td>
<td>8%</td>
<td>228,315</td>
<td>$(158,801)</td>
</tr>
<tr>
<td>Other (Contingency)</td>
<td>36,069</td>
<td>33,275</td>
<td>2,795</td>
<td>8%</td>
<td>228,315</td>
<td>$(158,801)</td>
</tr>
</tbody>
</table>

**Total Expenses - Excluding Debt Service** $2,445,660 $2,151,355 $294,305 14% $11,037,158 $(6,380,347)

#### DEBT SERVICE

<table>
<thead>
<tr>
<th></th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>FY2020 Budget Annual w/ Carryfwd</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>$34,000</td>
<td>$34,000</td>
<td>-</td>
<td>0%</td>
<td>$34,000</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>5,264</td>
<td>5,919</td>
<td>(655)</td>
<td>(11%)</td>
<td>9,911</td>
<td>$(4,647)</td>
</tr>
<tr>
<td>Issuance Costs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>BAN Costs, Principal, Interest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**Total Debt Service** $39,264 $39,919 $(655) 2% $43,911 $(4,647)

**Total Expenses and Debt Service** $2,484,924 $2,191,274 $293,650 13% $11,081,069 $(6,384,994)
## Operating Expenses for Quarter Ended December 31, 2019

### OPERATING EXPENDITURES WITHOUT DEBT

<table>
<thead>
<tr>
<th></th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>FY2020 Budget Annual w/ Carryfwd</th>
<th>Variance to Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payroll - Salary</td>
<td>$9,076</td>
<td>$9,606</td>
<td>$(530)</td>
<td>(6%)</td>
<td>$108,810</td>
<td>$(99,734)</td>
</tr>
<tr>
<td>Medicare P/R Tax Expense</td>
<td>132</td>
<td>139</td>
<td>(8)</td>
<td>(6%)</td>
<td>1,510</td>
<td>$(1,378)</td>
</tr>
<tr>
<td>Medical Insurance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>30,000</td>
<td>$(30,000)</td>
</tr>
<tr>
<td>Barnstable County Retirement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Utilities</td>
<td>171,688</td>
<td>143,343</td>
<td>28,345</td>
<td>20%</td>
<td>449,584</td>
<td>$(277,896)</td>
</tr>
<tr>
<td>Repair &amp; Maintenance</td>
<td>7,912</td>
<td>166,597</td>
<td>(158,685)</td>
<td>(95%)</td>
<td>264,500</td>
<td>$(256,588)</td>
</tr>
<tr>
<td>Prof. Services - Collection &amp; Disposal</td>
<td>3,168,961</td>
<td>2,966,569</td>
<td>202,392</td>
<td>7%</td>
<td>6,811,802.00</td>
<td>(3,642,841)</td>
</tr>
<tr>
<td>Prof. Services - Recycle / MRF</td>
<td>355,272</td>
<td>339,613</td>
<td>15,659</td>
<td>5%</td>
<td>798,506</td>
<td>(443,234)</td>
</tr>
<tr>
<td>Freight</td>
<td>816,756</td>
<td>819,388</td>
<td>(2,632)</td>
<td>(0%)</td>
<td>2,229,131</td>
<td>(1,412,375)</td>
</tr>
<tr>
<td>General Insurance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>57,500</td>
<td>66,094</td>
<td>3,419</td>
<td>5%</td>
<td>228,315</td>
<td>(158,801)</td>
</tr>
<tr>
<td>Other (Contingency)</td>
<td>69,513</td>
<td>66,094</td>
<td>3,419</td>
<td>5%</td>
<td>228,315</td>
<td>(158,801)</td>
</tr>
</tbody>
</table>

Total Expenses - Excluding Debt Service: $4,656,811 $ | 4,568,850 $ | 87,961 | 2% | $11,037,158 | (6,380,347)

### DEBT SERVICE

<table>
<thead>
<tr>
<th></th>
<th>FY2020</th>
<th>FY2019</th>
<th>$ Change</th>
<th>% Change</th>
<th>Annual w/ Carryfwd</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>$34,000</td>
<td>$149,000</td>
<td>$(115,000)</td>
<td>(77%)</td>
<td>$34,000</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>5,264</td>
<td>46,050</td>
<td>$(40,786)</td>
<td>(89%)</td>
<td>9,911</td>
<td>(4,647)</td>
</tr>
<tr>
<td>Issuance Costs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>BAN Costs, Principal, Interest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>na</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Total Debt Service: $39,264 $ | 195,050 $ | $(155,786) | (80%) | $43,911 | (4,647)

Total Expenses and Debt Service: $4,696,075 $ | 4,763,899 $ | $(67,824) | (1%) | $11,081,069 | (6,384,994)
COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET

WARRANT FOR
2020 ANNUAL TOWN MEETING
Nantucket High School
Mary P. Walker Auditorium
Saturday, April 4, 2020 - 9:00 AM

AND

ANNUAL TOWN ELECTION
Nantucket High School
Tuesday, April 14, 2020
7:00 AM - 8:00 PM
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, APRIL 4, 2020 AT 9:00 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 2019 Annual Town Report or as may come before this meeting; or to take any other action related thereto.

(Select Board)

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.

(Select Board)

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.

(Select Board)

ARTICLE 4
(Revolving Accounts: Spending Limits for FY 2021)
To see what spending limits the Town will establish for revolving accounts established pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws and Section 19-21 of the Town Code for Fiscal Year 2021; or take any other action related thereto.

(Select Board)
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 2020; said sum not to exceed five (5) percent of the Fiscal Year
2020 tax levy; or to take any other action related thereto.

(Select Board)

ARTICLE 6
(Fiscal Year 2020 General Fund Budget Transfers)
To see what sums the Town will vote to transfer into various line items of the
Fiscal Year 2020 General Fund operating budget from other line items of said budget
and from other available funds; or to take any other action related thereto.

(Select Board)

ARTICLE 7
(Personnel Compensation Plans for Fiscal Year 2021)
To see if the Town will vote to adopt the following Compensation Plans for Fiscal
Year 2021:

<table>
<thead>
<tr>
<th>Schedule A -- Miscellaneous Compensation Schedule</th>
<th>$600.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abatement Advisory Committee (yearly per member)</td>
<td>$600.00</td>
</tr>
<tr>
<td>Americans with Disabilities Act Facilitator (hourly)</td>
<td>$15.00</td>
</tr>
<tr>
<td>Building, Plumbing, Wiring Inspector, Assistants (hourly)</td>
<td>Up to $75.00</td>
</tr>
<tr>
<td>Certified Nurse’s Aide/Our Island Home (Per Diem - hourly)</td>
<td>$20.00 $22.00</td>
</tr>
<tr>
<td>Dietician/Our Island Home (hourly)</td>
<td>$41.00</td>
</tr>
<tr>
<td>Dispatcher (Per Diem - hourly)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Election Warden (hourly)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Election Worker (hourly)</td>
<td>$15.00</td>
</tr>
<tr>
<td>Exercise Instructors/Senior Center (hourly)</td>
<td>Up to $40.00</td>
</tr>
<tr>
<td>EMT, Call (hourly)</td>
<td>$15.00 $20.00</td>
</tr>
<tr>
<td>Fire Captain, Call (yearly)</td>
<td>$150.00</td>
</tr>
<tr>
<td>Fire Fighter, Call (hourly)</td>
<td>$15.00 $20.00</td>
</tr>
<tr>
<td>Fire Lieutenant, Call (yearly)</td>
<td>$125.00</td>
</tr>
<tr>
<td>Fire Chief, Second Deputy (yearly)</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Fire Chief, Third Deputy (yearly)</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Licensed Practical Nurse/Our Island Home (Per Diem - hourly)</td>
<td>$26.00 $28.00</td>
</tr>
<tr>
<td>Our Island Home Ancillary (Per Diem - hourly)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Paramedic, Certified (Per Diem - hourly)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Registered Nurse/Our Island Home (Per Diem - hourly)</td>
<td>$37.00 $38.00</td>
</tr>
<tr>
<td>Registrar of Voters (yearly)</td>
<td>$600.00</td>
</tr>
</tbody>
</table>
Registrar, Temporary Assistant (hourly) 15.00
Reserve Police Officer (hourly) 30.00
Seasonal Assistant Harbormaster (hourly) 30.00
Seasonal Lifeguard Supervisor (hourly) 30.00
Seasonal Maintenance Supervisor/Public Works (hourly) 21.00
Seasonal Health Inspector 30.00
Temporary Employee various rates
Veterans’ Agent (hourly) 16.00

Schedule B - Seasonal Employee Compensation Schedule
(Spring, Summer, Fall, Winter/Effective April 1, 2020 - April 1, 2021)

<table>
<thead>
<tr>
<th>Compensation Level</th>
<th>Start</th>
<th>Second Season</th>
<th>Third Season</th>
<th>Fourth Season</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-Hourly*</td>
<td>$16.00</td>
<td>$17.00</td>
<td>$18.00</td>
<td>$19.50</td>
</tr>
<tr>
<td>B-Hourly*</td>
<td>$17.00</td>
<td>$18.00</td>
<td>$19.00</td>
<td>$20.00</td>
</tr>
<tr>
<td>C-Hourly*</td>
<td>$18.00</td>
<td>$19.00</td>
<td>$12.00</td>
<td>$21.00</td>
</tr>
<tr>
<td>D-Hourly*</td>
<td>$20.00</td>
<td>$20.50</td>
<td>$21.00</td>
<td>$21.50</td>
</tr>
</tbody>
</table>

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

A: Information Aide, Seasonal Health Assistant, Shellfish Warden, Seasonal Natural Resources Enforcement Officer
B: Dock Worker, Natural Resources Technician, Seasonal Permit Sales Clerk
C: Seasonal Firefighter/EMT, Community Service Officer, Lifeguard, Seasonal Laborer
D: Lead Dock Worker, Seasonal Recreational Coordinator, Seasonal Engineering Intern, Seasonal Waste Reduction Intern

Schedule C -- Compensation Schedule for Elected Officials*
Moderator $175 per year
Selectman, Chair $5,000 per year
Selectmen $3,500 per year
Town Clerk $103,649

*$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.

(Select Board)

ARTICLE 8
(Appropriation: Fiscal Year 2021 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 2021; or to take any other action related thereto.

(Select Board)

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 grant agreements be executed by and between the Select Board and the respective private, not-for-profit agency for Fiscal Year 2021, which grant agreements shall stipulate mutually agreed upon terms and conditions; or to take any other action related thereto.

(Select Board)

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 the offices, departments, boards and commissions of the Town of Nantucket; provided that one or more amounts to be raised and appropriated may be contingent upon a Proposition 2½ capital outlay exclusion ballot question; or to take any other action related thereto.

(Select Board)

ARTICLE 11
(Appropriation: Newtown Road Transportation Improvements)
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, to be spent by the Town Manager with the approval of the Select Board, for the purpose of making various transportation-related improvements on Newtown Road, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; or to take any other action related thereto.

(Select Board)

ARTICLE 12
(Appropriation: Reconstruction of Lover's Lane)
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, to be spent by the Town Manager with the approval of the Select Board, for the purpose of making various transportation-related improvements on Lover's Lane, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; or to take any other action related thereto.

(Select Board)

ARTICLE 13
(Appropriation: Construction and Improvements to Amelia Drive and Waitt Drive)
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, to be spent by the Town Manager with the approval of the Select Board, for the purpose of making various transportation-related improvements on Amelia Drive and Waitt Drive, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; or to take any other action related thereto.

(Select Board)

ARTICLE 14
(Appropriation: Construction and Improvements to Children's Beach Storm Water Pump Station)
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, to be spent by the Town Manager with the approval of the Select Board, for the purpose of making various improvements to the Children's Beach Storm Water Pump Station, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; or to take any other action related thereto.

(Select Board)

ARTICLE 15
(Appropriation: Fiscal Year 2021 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 2021, out of anticipated revenues of the designated funds, for the purposes set forth above; provided that any
amounts to be raised and appropriated to support the operation of Our Island Home for Fiscal Year 2021 shall be contingent on the passage of a Proposition 2 and ½ override ballot question; or to take any other action related thereto.

(Select Board for the Various Departments Indicated)

ARTICLE 16
(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 for the Enterprise Funds of the Town of Nantucket; or to take any other action related thereto.

(Select Board for the Various Departments Indicated)

ARTICLE 17
(Enterprise Funds: Fiscal Year 2020 Budget Transfers)
To see what sums the Town will vote to transfer into various line items of Fiscal Year 2020 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.

(Select Board)

ARTICLE 18
(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.

(Select Board)

ARTICLE 19
(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 ambulances, and other such related costs to operate the Town's
ambulance services, including up to six (6) full-time firefighter/EMT and/or paramedic 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.

(Select Board)

ARTICLE 20
(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.

(Select Board)

ARTICLE 21
(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 2021, 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 Seventy Thousand Two Hundred One Dollars ($170,201); or to take any other action related thereto.

(Select Board/County Commissioners)

ARTICLE 22
(Appropriation: Finalizing Fiscal Year 2021 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 2021 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.
ARTICLE 23
(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.

(Select Board)

ARTICLE 24
(Appropriation: Other Post-Employment Benefits Trust 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, to deposit into the Other Post-Employment Benefits Liability Trust Fund established pursuant to Mass. General Law chapter 32B, section 20, for Fiscal Year 2021.
Or, to take any other action related thereto.

(Select Board)

ARTICLE 25
(Appropriation: Fiscal Year 2021 Senior Work-off Program)
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 purpose of supporting the Senior Work-off Program pursuant to Massachusetts General Laws Chapter 59, section 5K for the Town of Nantucket for Fiscal Year 2021; or to take any other action related thereto.

(Select Board)

ARTICLE 26
(Appropriation for Special Purpose Stabilization Fund for Airport Employee Accrued Liabilities)
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 placed in the Airport special purpose stabilization fund established pursuant to M.G.L. Chapter 40, Section 5B, Paragraph 2, for the benefit of the Nantucket Airport, such fund to be used for the future payment of accrued liabilities for compensated absences due any employee upon termination of the employee’s full-time employment; or take any action relative thereto.

(Select Board for Airport Commission)
ARTICLE 27
(Appropriation for Special Purpose Stabilization Fund for Town Employee Accrued Liabilities)

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 placed in the Town Employee Accrued Liability Special Purpose Stabilization Fund established pursuant to M.G.L. Chapter 40, Section 5B, Paragraph 2, for the benefit of the Town of Nantucket General Fund (excluding the School Department), such fund to be used for the future payment of accrued liabilities for compensated absences due any employee upon termination of the employee's full-time employment; or take any action relative thereto.

(Select Board)

ARTICLE 28
(Amend Purpose of Special Stabilization Fund for Substance Abuse Prevention Efforts)

To see if the Town will vote to amend its acceptance of G.L. c. 40, Section 5B adopted pursuant to Article 30 of the 2018 Annual Town Meeting, to create a Substance Abuse Special Purpose Stabilization Fund as follows (new language shown as highlighted text, language to be deleted shown by strike-out):

"...monies in said Fund to be used, subject to appropriation, to implement substance abuse and/or mental health programs in the Town, provide grants to nonprofit addiction and/or mental health treatment agencies, acquire public safety equipment and/or personnel related to substance abuse control and/or mental health, and related costs, and that the Human Services Contract Review Committee shall annually provide recommendations for such expenditures; provided that fifty (50) percent of the local option marijuana sales tax collected pursuant to General Laws Chapter 64N, Section 3, as amended by Section 13 of Chapter 55 of the Acts of 2017, and the vote taken under Article 3 of the November 6, 2017 Special Town Meeting, be deposited into the Substance Abuse Special Purpose Stabilization Fund...";

and, also to change the name of the Fund to "Substance Abuse and Mental Health Special Purpose Stabilization Fund"; or to take any other action relative thereto.

(Select Board)

ARTICLE 29
(Appropriation: Harbor Place/Professional Services)

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, to be spent by the Town Manager with the approval of the Select Board, for the purpose of engaging the services of one or more engineers or consultants to develop conceptual plans for improvements to streets and sidewalks, water, sewer and stormwater improvements, and the development of transportation options for the redevelopment of the waterfront area in the vicinity of Straight Wharf, New Whale Street, Commercial Street, and Candle
Street, that may be required as part of the development of Harbor Place by private
developers; or to take any other action relative thereto.

(Select Board)

ARTICLE 30
(Nantucket Islands Land Bank Financing)
To see if the Town will vote to pledge the full faith and credit of the Town
pursuant to Chapter 669 of the Acts of 1983, as amended, to secure the principal of and
interest on bonds or notes of the Nantucket Islands Land Bank to be issued (a) to
finance the acquisition by purchase, eminent domain or otherwise by the Land Bank
Commission of land or interests in land for the purposes of the Land Bank and (b) to
fund any debt service reserve or reserves that may be required in connection with such
financing; provided that the amount of such bonds or notes of the Land Bank
guaranteed by the Town pursuant to any vote passed under this article shall be in
addition to amounts of Land Bank indebtedness that the Town has previously agreed to
guarantee; or, to take any other action as may be related thereto.

(Select Board for Nantucket Islands Land Bank Commission)

ARTICLE 31
(Community Preservation Committee: Fiscal Year 2020 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 is available for future appropriations.

<table>
<thead>
<tr>
<th>FROM</th>
<th>TO</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 26 ATM 2011 Town of Nantucket</td>
<td>Fiscal year 2020</td>
<td></td>
</tr>
<tr>
<td>Nobadeer Field Complex</td>
<td>Community Preservation Committee</td>
<td>$436.95</td>
</tr>
<tr>
<td></td>
<td>Community Open Space reserved fund balance</td>
<td></td>
</tr>
<tr>
<td>Article 26 ATM 2011 Town of Nantucket</td>
<td>Fiscal year 2020</td>
<td></td>
</tr>
<tr>
<td>Skate Park</td>
<td>Community Preservation Committee</td>
<td>$539.98</td>
</tr>
<tr>
<td></td>
<td>Community Open Space reserved fund balance</td>
<td></td>
</tr>
<tr>
<td>Article 28 ATM 2012 Town of Nantucket</td>
<td>Fiscal year 2020</td>
<td></td>
</tr>
<tr>
<td>Nobadeer field complex</td>
<td>Community Preservation Committee</td>
<td>$519.27</td>
</tr>
<tr>
<td></td>
<td>Community Open Space Reserved Fund balance</td>
<td></td>
</tr>
<tr>
<td>Article 30 ATM 2017 Town of Nantucket</td>
<td>Fiscal year 2020</td>
<td></td>
</tr>
<tr>
<td>Nobadeer field complex</td>
<td>Community Preservation Committee</td>
<td>$199.22</td>
</tr>
<tr>
<td></td>
<td>Community Open Space Reserved Fund balance</td>
<td></td>
</tr>
<tr>
<td>Total Transfers to Community Open Space Reserved Fund Balance</td>
<td>$1,695.42</td>
<td></td>
</tr>
<tr>
<td>Article ATM 2017</td>
<td>Fiscal Year 2020</td>
<td>$38,375.36</td>
</tr>
</tbody>
</table>
(Kenneth Beaugrand, et al)

ARTICLE 32
(Appropriation: Fiscal Year 2021 Community Preservation Committee)
To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2021 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.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>St. Paul's Church in Nantucket</td>
<td>$218,700</td>
</tr>
<tr>
<td>Restoration and preservation of the East and North walls</td>
<td></td>
</tr>
<tr>
<td>Nantucket Preservation Trust</td>
<td>$46,000</td>
</tr>
<tr>
<td>Historic streetscapes preservation and rehabilitation in</td>
<td></td>
</tr>
<tr>
<td>Conjunction with the University of Florida Preservation</td>
<td></td>
</tr>
<tr>
<td>Institute Nantucket</td>
<td></td>
</tr>
<tr>
<td>Nantucket Maria Mitchell Association</td>
<td>$319,000</td>
</tr>
<tr>
<td>Restoration of the exterior of the observatory on Vestal</td>
<td></td>
</tr>
<tr>
<td>Street</td>
<td></td>
</tr>
<tr>
<td>Nantucket Athenue</td>
<td>$24,000</td>
</tr>
<tr>
<td>Fourth phase, conservation of the last of the historic</td>
<td></td>
</tr>
<tr>
<td>paintings</td>
<td></td>
</tr>
<tr>
<td>First Congregational Church</td>
<td>$384,000</td>
</tr>
<tr>
<td>Summer church, North, South and West façade restoration</td>
<td></td>
</tr>
<tr>
<td>South Church Preservation Fund</td>
<td>$220,000</td>
</tr>
<tr>
<td>Restore the exterior painting on the front and tower,</td>
<td></td>
</tr>
<tr>
<td>including scaffolding and carpentry restoration</td>
<td></td>
</tr>
<tr>
<td>Town of Nantucket, Assessors Office</td>
<td>$121,000</td>
</tr>
<tr>
<td>Phase 1 of three-year project to restore the Town’s</td>
<td></td>
</tr>
<tr>
<td>assessing Records</td>
<td></td>
</tr>
<tr>
<td>Nantucket Historical Association</td>
<td></td>
</tr>
<tr>
<td>Restoration of the internal integrity of the Thomas Macy</td>
<td></td>
</tr>
</tbody>
</table>
warehouse, providing ADA access and including “wet floor proofing” to address potential sea level rise  $308,400

<table>
<thead>
<tr>
<th>Landmark House- Nantucket Community Service Inc.</th>
<th>To restore the roof on the Landmark House and Grossman wing</th>
<th>$96,000</th>
</tr>
</thead>
</table>

Sub-total  $1,737,100

$1,718,475 of the funds to be used in this category are from the Community Preservation surcharge, interest and the State matching funds, and the balance of the funds used in this category, $18,625, are from the Historic Preservation reserves.

### Community Housing

<table>
<thead>
<tr>
<th>Nantucket Affordable Housing Trust Fund</th>
<th>For closing cost assistance for newly developed 800% AMI home ownership units in the Richmond development</th>
<th>$150,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nantucket Interfaith Council</td>
<td>Nantucket rental assistance program, housing and rental assistance to low and moderate-income Nantucket working families</td>
<td>$170,000</td>
</tr>
</tbody>
</table>

Town of Nantucket

- Funds to pay the interest and principal of the Bond authorized at the 2015 Nantucket Town Meeting for the balance of the infrastructure at the Sachem’s Path affordable housing complex  $112,000
- Funds to pay the interest and principal of the Five Million Bond authorized at the 2019 Nantucket Town meeting to pay the cost of acquiring land, which may include buildings thereon, for the development of affordable housing and to pay cost of designing, constructing, reconstructing and equipping affordable housing.  $350,000

Sub-total  $782,000

$115,752 of the funds utilized in this category is from the Undesignated reserves and the balance of the funds utilized in this category are from the Community Preservation surcharge, interest and the State matching funds.

### Open Space Conservation/Recreation

<table>
<thead>
<tr>
<th>Town of Nantucket</th>
<th>Funds to pay the interest and principal of the Bond authorized at the 2012 Nantucket Town Meeting for the creation of an artificial turf playing field at Nobadeer Farm</th>
</tr>
</thead>
</table>

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DRAFT Town of Nantucket 2020 Annual Town Meeting and Election Warrant
Road. | $125,000
---|---
**Nantucket Platform Tennis Association**<br>Lighting for the previously funded newly created pickle ball courts | $81,000
**Linda Loring Foundation**<br>Increasing accessibility to comply with the ADA guidelines for parking and existing trails areas | $32,850
**Sustainable Nantucket Community Farm Institute, phase 4**<br>Funds for extension of farm electrical system and infrastructure Upgrades other than for pump | $81,427

Sub-total | $320,277

$20,000 of the funds utilized in this category is from the Open Space reserves with the balance of the funds to be used in this category from the Community Preservation surcharge, interest and the State matching funds.

**Administrative**

**Community Preservation Committee**<br>Administrative and operating expenses | $125,000

Sub-total | $125,000

All of the funds to be used in this category are from the Community Preservation surcharge, interest and the State matching funds.

**TOTAL** | $2,964,377

All amounts to be appropriated from the following sources:

<table>
<thead>
<tr>
<th>SOURCES</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raised and appropriated from FY 2018 Community Preservation Surcharge</td>
<td>$2,388,000</td>
</tr>
<tr>
<td>From State matching funds for FY 2018, to be received in 2019</td>
<td>$400,000</td>
</tr>
<tr>
<td>From Interest</td>
<td>$22,000</td>
</tr>
<tr>
<td>From Designated Reserves for Historic Preservation</td>
<td>$18,625</td>
</tr>
<tr>
<td>From designated reserves for Open Space</td>
<td>$20,000</td>
</tr>
<tr>
<td>From Undesignated Reserves</td>
<td>$115,752</td>
</tr>
</tbody>
</table>
Total Revenues $2,964,377

For fiscal year 2021 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 33
(Appropriation: Health and Human Services - Fairwinds)
To see if the Town will vote to: Appropriate the sum of one hundred twenty-eight thousand dollars ($128,000.00) from Free Cash or the General Fund or any other source to deposit in the Health & Human Services Department to fund the Fairwinds’ behavioral health sliding fee services for indigent and uninsured patients.

; or otherwise act thereon.

(Tessandra de Alberdi, et al)

ARTICLE 34
(Appropriation: Health and Human Services - Ambulance Transport Fund)
To see if the Town will vote to appropriate the sum of One Hundred Fifty Five Thousand Dollars ($155,000) from Free Cash and or the General Fund or any other source to deposit into the Health & Human Services Department, to fund ambulance transport for behavioral health patients from Nantucket to treatment facilities off island.

(Walter Wieners, et al)

ARTICLE 35
(Appropriation: Incineration of Solid Waste)
To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to contract with ECO WASTE SOLUTION, 5760 Shier-rings Road Dublin, OH 43016 or other suitable vendor. To provide the installation, operation and manage the incineration of up to 10 Tonnes/Per day of solid waste or to take any other action relative thereto.

(Clifford J. Williams, et al)
ARTICLE 36
(Appropriation: Legal Opinion for Beach Access)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to provide funding for a legal opinion that would give a direction to allow free access to the tidal flat's in and around the coastal area's of Nantucket. By investigating indepth the rights given to the Town of Nantucket by the Proprietors in 1841 as set forth by the colonial act of 1693, but not limited to any other means that would benefit the community or take any other action relative thereto.

(Clifford J. Williams, et al)

ARTICLE 37
(Appropriation: Hazardous Waste)

To see if the Town will vote to: appropriate and also to raise or borrow pursuant to any applicable statute or transfer from available funds the sum of $1,000,000. 1 million dollars or the amount there of to be spent by the Department of Public Works for the design, engineering, permitting, construction, and equipping a hazardous waste collection building to improve availability of disposal and transfer. The facility should be open to the public for a minimum of 4 days per month consisting of 3 business weekdays and 1 Saturday at 4 hours each day and/or by appointment. The facility shall be directed by the Department of Public Works and may be subcontracted to a private operator; or otherwise act thereon.

(Andrew G. Lowell, et al)

ARTICLE 38
(Re-establish Parks and Recreation Department)

To see if the Town will vote to direct Town Administration and the Select Board to reestablish the Parks and Recreation Department beginning in Fiscal Year 2021. The Department head, who shall be appointed by the Town Manager pursuant to Section 4-4(b) of the Town Charter, shall be an individual qualified (degree college or two years experience in recreational management), and shall be responsible for the maintenance of all parks and playing fields in the Town of Nantucket which are under the jurisdiction of the Nantucket Parks and Recreation Commission. The Department Head shall be responsible for ensuring that all recreational facilities are kept in good order to serve the public. He or she may coordinate projects with the Department of Public Works, subject to the approval of the Town Manager and the Parks and Recreation Commission. The salary and benefits shall be determined by the 2021 wage scale for the Town of Nantucket. The Department Head shall meet with the Parks and Recreation Commission on a monthly basis keeping them informed on the status of all current projects; and further to raise and appropriate or transfer from available funds a sum of money to fund the position for Fiscal Year 2021 or to take any other action relative thereto.

(Maria Zodda, et al)
ARTICLE 39
(Zoning Map Change: RC-2 to R-5 - 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 5 (R-5) district:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>66</td>
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<td>12</td>
<td>Appleton Road</td>
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</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ RC-2 to R-5” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 40
(Zoning Map Change: RC-2 to R-5 - Bartlett Road and Boynton Lane)
To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following property currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

<table>
<thead>
<tr>
<th>MAP</th>
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<th>NUMBER</th>
<th>STREET</th>
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<td>664</td>
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</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ RC-2 to R-5” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)
ARTICLE 41
(Zoning Map Change: RC-2 to R-5 - Miacomet Avenue and Surfside 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 5 (R-5) district:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
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<td>67</td>
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<td>Miacomet Avenue</td>
</tr>
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</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ RC-2 to R-5” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 42
(Zoning Map Change: RC-2 to CN - Bartlett Road, Thirty Acres Lane, Boynton Lane, and Surfside 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 Neighborhood Commercial (CN) district:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>67</td>
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<tr>
<td>67</td>
<td>115.1</td>
<td>12½</td>
<td>Bartlett Road</td>
</tr>
</tbody>
</table>
ARTICLE 43

(Zoning Map Change: RC-2 to CTEC - Appleton Road, Bartlett Road and Perry Lane)

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:

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ RC-2 to CN” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)
ARTICLE 44
(Zoning Map Change: RC-2 to R-5 and/or CN - 33 Old South Road and 24 Ticcoma 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 Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) and/or Commercial Neighborhood (CN) districts:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>67</td>
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<td>24</td>
<td>Ticcoma Way</td>
</tr>
</tbody>
</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ RC-2 to R-5 and/or CN” dated October 2019 and filed herewith at the Office of the Town Clerk.
Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 45
(Zoning Map Change: RC to CN - Francis, Union, and Washington Streets, and Salt Marsh 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 Residential Commercial (RC) district in the Commercial Neighborhood (CN) district:

<table>
<thead>
<tr>
<th>MAP</th>
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<tbody>
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<td>20.4</td>
<td>80E</td>
<td>Washington Street</td>
</tr>
</tbody>
</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ RC-2 to CTEx” dated October 2019 and filed herewith at the Office of the Town Clerk.
Or to take any other action related thereto.

(Select Board for Planning Board)
All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ RC to CN” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 46

(Zoning Map Change: SR-1 to SOH - Bank Street, Beach Street, Broadway, Codfish Park Road, Elbow Lane, Fawcett Way, Front Street, Gully Road, Jackson Street, and North Gully 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 Sconset Residential 1 (SR-1) district in the Sconset Old Historic (SOH) district:

<table>
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<td>10</td>
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</tr>
</tbody>
</table>

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ SR-1 to SOH” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.
ARTICLE 47

(Zoning Map Change: R-20 to R-40 - Bayberry Lane and Rugged 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 20 (R-20) district in the Residential 40 (R-40) district:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>67</td>
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<tr>
<td>67</td>
<td>61</td>
<td>7</td>
<td>Bayberry Lane</td>
</tr>
<tr>
<td>67</td>
<td>72</td>
<td>8</td>
<td>Bayberry Lane</td>
</tr>
<tr>
<td>67</td>
<td>62</td>
<td>9</td>
<td>Bayberry Lane</td>
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<td>67</td>
<td>71</td>
<td>10</td>
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<td>70</td>
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<td>67</td>
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<td>67</td>
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<td>18</td>
<td>Bayberry Lane</td>
</tr>
<tr>
<td>67</td>
<td>915</td>
<td>30</td>
<td>Rugged Road</td>
</tr>
</tbody>
</table>

As altered by ANR Plan #8298, as may be amended

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ R-20 to R-40” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 48

(Zoning Bylaw Amendment: Swimming Pool - Residential)

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, by taking the following actions (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-
sustentative 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. Amend section 2A (definitions) as follows:

   **SWIMMING POOL - RESIDENTIAL**
   A structure designed ... 
   - In the VR District only...
   - In the R-1, SR-1, R-5, and R-5L districts only, the following criteria must be met: (1) a minimum lot area of 7,500 square feet is required, and (2) side and rear yard setbacks of 10 feet shall apply to the residential swimming pool and associated mechanical equipment. This requirement shall apply to residential swimming pools for which a building permit is issued after September 30, 2020.


Or, to take any other action related thereto.

*(Select Board for Planning Board)*

**ARTICLE 49**

*(Zoning Bylaw Amendment: Sheds in the R-5 and R-10 Districts)*

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 16, 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-sustentative 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):*

...  

(4) In the R-5 District only, the ten-foot side yard setback may be reduced to five feet under one of the following conditions:

   (a) A five-foot side yard setback may apply to a secondary dwelling or accessory structure that is located within 20 feet of the rear lot line, or to sheds of not more than 50 square feet in ground cover and eight feet in height, as measured from the top of the slab or pier foundation; or;
(b) Where a common driveway of at least 10 feet in width is provided to allow access to two or more lots.

(5) In the R-10 District the ten-foot side and/or rear yard setback may be reduced to five feet for sheds of not more than 50 square feet in ground cover and eight feet in height, as measured from the top of the slab or pier foundation.

Or to take any other action related thereto.

(SELECT BOARD FOR PLANNING BOARD)

ARTICLE 50
(Zoning Bylaw Amendment: Driveways)
To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 20.1B, 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-sustentative 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):

... A Certificate of Appropriateness issued by the Nantucket Historic District Commission (HDC) is required prior to driveway access approval by the DPW for lots located within the “Core Historic Districts” as shown on the map entitled “Core Historic Districts”, dated April 9, 2019, as may be amended from time to time by the HDC.

Or to take any other action related thereto.

(SELECT BOARD FOR PLANNING BOARD)

ARTICLE 51
(Zoning Bylaw Amendment: Demolition Delay)
To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 26, 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-sustentative 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):

Issuance of building and use permits.
A. No building or structure shall be used, erected, constructed, relocated, added to or otherwise subjected to alteration, or demolished without a building or use permit having been issued by the Building Commissioner or Local Inspector for any use or structure. No lot shall be changed from its use preexisting the July 27, 1972, effective date of this chapter, except to its natural condition allowed by § 139-7A(5) above, without a use permit or a building permit permitting such use. No such
permit shall be issued until such construction, erection, relocation, addition, alteration, demolition or use, as proposed, shall comply in all respects with the provisions of this chapter as determined by the Zoning Enforcement Officer or with a decision rendered by the Board of Appeals, the Planning Board, or the courts in the case of appeals. [Amended 4-10-2000 ATM by Art. 46, AG approval 8-2-2000]

(1) Demolition delay. [Added 4-14-1997 ATM by Art. 40, AG approval 8-5-1997]

(a) Statement of purpose. The purpose of this section is to establish a predictable process for reviewing requests to demolish residential structures in order to:

[1] Establish an appropriate waiting period during which the Town and the applicant can propose and consider alternatives to the demolition of a building of residential value;

[2] Minimize the quantity of demolition debris ending up in the landfill;

[3] Create an incentive for reuse of residential structures;


(b) Buildings subject to demolition delay. All residential structures are subject to review by the Building Commissioner or a registered design professional for the purpose of determining whether such buildings have any residential reuse potential.

(c) Issuance of demolition permit. The requirements set forth in this section are in addition to, and not in lieu of, the requirements of any other codes, ordinances, statutes, or regulations applicable to the demolition of buildings. No demolition permit shall be issued for a building that is subject to review, pursuant to Subsection A(1)(b) above, unless:

[1] It is determined that demolition is necessary, pursuant to Subsection A(1)(d) below.

[2] It is determined that said building has no residential reuse potential due to the existing condition of the structure or physical barriers to moving the structure such as significant trees, bridges, etc.


(d) Required demolition or repair.

[1] Demolition. Nothing in this section shall restrict any authority in the general laws for the Building Commissioner or Building Inspector to order the building owner, or Town, to demolish a building at any time if it is determined that the condition of a building or part thereof presents an imminent and substantial danger to the public health or safety.

[2] Repair. Nothing in this section shall restrict any authority in the general laws for the Building Commissioner or Building Inspector to require the applicant to take
reasonable action to prevent the need for required demolition of a significant building, which may include securing the building and making it safe so that it does not present an imminent and substantial danger to the public. 

(e) Issuance of building, use, or occupancy permit.

[1] If it has been determined that a building is subject to review has re-use potential pursuant to Subsection A(1)(b) above, no building permits shall be issued for the erection of a new building on the site of such building subject to review before issuing a demolition permit for such building subject to review in compliance with this section.

[2] If it has been determined that a building subject to review has been voluntarily demolished in violation of this section, no building permits shall be issued for new construction, or any use or occupancy permit for any use other than a park or recreational open space, with respect to the premises of such building for a period of two years after the date of the determination. As used herein, "premises" includes the parcel of land upon which the demolished building was located and all abutting parcels under common ownership or control.

[3] The applicant (or the owner of record, if different from the applicant) shall be responsible for properly securing the building during the time that it is subject to review under this section. If a building is subject to demolition delay, pursuant to Subsection A(1)(b) above, and the applicant fails to secure the building, the loss of the building to fire or other causes shall be considered voluntary demolition for the purposes of this section.

(f) Procedure.

[1] An application for review of reuse potential pursuant to this section shall be made to the Building Commissioner or Local Inspector. The request shall be made by letter, email or any other method acceptable to the building official, manner provided in this Subsection A(1)(f). If the applicant is not the owner of record of the building, the owner or owners of record shall co-sign the application.

[2] The applicant (or building owner) is encouraged to apply for review under this section as early as possible, so that any necessary review, and any delay period required by this section, may be completed prior to, or during, any other review to which the building or its site may be subject.

[3] Application for review under this section shall be made in connection with an application for a demolition permit.

[4] After its receipt of an application, pursuant to this Subsection A(1)(f), the following determinations shall be made:

[a] Whether immediate demolition is required pursuant to Subsection A(1)(d); and
[b] Whether said structure has any residential reuse potential pursuant to Subsection A(1)(c)(2).

[5] A notice of determination shall be made issued within 20 days after the request, the application filing date. If it is determined that the structure does not require immediate demolition and that it does have reuse potential the applicant shall place a public notice in a local newspaper.

[a] Contents of public notice.

INVITATION FOR LETTERS OF INTEREST REGARDING AVAILABILITY OF HOUSE WHICH MUST BE MOVED FROM CURRENT LOCATION A house at (street address), scheduled for demolition, is being made available to any interested parties subject to the owner's conditions. The Building Commissioner is accepting Letters of Interest for 30 days from the date of this publication. All interested parties should submit a letter of interest to the Building Commissioner. The house must be moved within 60 days of this publication.

Subject to the Chapter 139 Section 26A(1) of the Code of the Town of Nantucket (the so-called "demolition delay bylaw"), a house located at INSERT ADDRESS is being made available to any interested party subject to the ability to move the structure within 60 days from the date of this publication, in addition to meeting any conditions imposed by the current owner. A letter of interest must be submitted to INSERT OWNER/CONTACT ADDRESS AND EMAIL with a copy provided to the Town of Nantucket Building Commissioner at 2 Fairgrounds Road or by e-mail at INSERT BUILDING COMMISSIONER E-MAIL within 30 days from the date of this publication. Letters of interest received after 30 days may be considered at the discretion of the property owner.

[6] A published copy of said notice shall be presented to the Building Department. From the date of publication of said notice, any interested parties shall have 30 days to respond in writing to the Building Commissioner. If any bona fide letters of interest, as determined by the Building Commissioner or Building Local Inspector, are received within the thirty-day period no demolition permit shall be issued for a period of 30 days thereafter.

[7] If no bona fide letters of interest are received within the thirty-day period, a demolition permit may be issued.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 52
(Zoning Bylaw Amendment and Zoning Map Amendment: Technical Amendments)
To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket and to amend the Zoning Map, 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-sustentative 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. Amend section 2A (definitions) as follows:

**INCLUSIONARY UNIT**
Any rental dwelling unit required pursuant to § 139-11H restricted to employee occupancy.

**LANDSCAPE CONTRACTOR**
A business engaged in the decorative and functional alteration, planting, and maintenance of grounds. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground. Exterior storage of equipment and/or materials must be effectively screened by a wall, fence, or densely planted vegetative buffer.

2. Amend section 12 by deleting the existing title in its entirety and replacing it with the following, and by reordering section 12 by placing the existing subsections in the order listed in the title:

   Town Overlay District (TOD), Country Overlay District (COD), Formula Business Exclusion Overlay District (FBED), Mid Island Planned Overlay District (MIPOD), Village Height Overlay District (VHOD), Nantucket Cottage Hospital Overlay District (NCHOD), Public Wellhead Recharge District (PWED), Flood Hazard Overlay District (FHOD), Harbor Overlay District (HOD), Solar Energy Overlay District (SEOD).

3. Amend section 30E(8) by deleting it in its entirety and replacing it with the following language consistent with the provisions of MGL c. 40A s. 11 as follows:

   A special permit, or any extension, modification or renewal thereof, shall not take effect until a copy of the decision bearing the certification of the Town Clerk that 20 days have elapsed after the decision has been filed in the office of the Town Clerk and either that no appeal has been filed or the appeal has been filed within such time, or if it is a special permit which has been approved by reason of the failure of the permit granting authority or special permit granting authority to act thereon within the time prescribed, a copy of the application for the special permit-accompanied by the certification of the Town Clerk stating the fact that the permit granting authority or special permit granting authority failed to act within the time prescribed, and whether or not an appeal has been filed within that time.
and that the grant of the application resulting from the failure to act has become final, is recorded in the registry of deeds for Nantucket County and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the owner or applicant.

4. Amend the Zoning Map by placing a portion of property at 32 Crooked Lane (Map 41, Parcel 331) currently located in the Residential 40 (R-40) district in the Residential 20 (R-20) district, as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ R-40 to R-20” dated October 2019 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board for Planning Board)

ARTICLE 53
(Zoning Map Change: R-5 to CTEC – Mary Ann Drive)

To see if the Town will vote approve the zoning map change from the existing R-5 zone to the CTEC zone on the following three, (3) properties;

14 MARYANN DRIVE, Map 68, Parcel 444
16 MARY ANN DRIVE, Map 68, Parcel 445,
18 Mary Ann Drive, Map 68 Parcel 446,

; or otherwise act thereon.

(Brian Ryder, et al)

ARTICLE 54
(Zoning Map Change: R-10 to CN – 3 Cobble Court)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following property currently located in the Residential 10 (R-10) district in the Commercial Neighborhood (CN) district:

<table>
<thead>
<tr>
<th>Map</th>
<th>Parcel</th>
<th>Number</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>260</td>
<td>3</td>
<td>Cobble Court</td>
</tr>
</tbody>
</table>

All as shown on the attached map.

Or to take any other action related thereto.

(Susan C. Ottison, et al)

ARTICLE 55
(Zoning Map Change: VR to VN – Polpis Road and Chatham Road)

Page 30
DRAFT Town of Nantucket 2020 Annual Town Meeting and Election Warrant
To see if the Town will vote to take the following actions in regard to the following property:

<table>
<thead>
<tr>
<th>Map</th>
<th>Lot</th>
<th>Number</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>128/188</td>
<td>2</td>
<td>Polpis Road</td>
</tr>
<tr>
<td>54</td>
<td>187</td>
<td>4</td>
<td>Polpis Road</td>
</tr>
<tr>
<td>54</td>
<td>186</td>
<td>11</td>
<td>Chatham Road</td>
</tr>
<tr>
<td>54</td>
<td>125</td>
<td>13</td>
<td>Chatham Road</td>
</tr>
<tr>
<td>54</td>
<td>124</td>
<td>10</td>
<td>Polpis Road</td>
</tr>
<tr>
<td>54</td>
<td>183</td>
<td>12</td>
<td>Polpis Road</td>
</tr>
<tr>
<td>54</td>
<td>181</td>
<td>16</td>
<td>Polpis Road</td>
</tr>
<tr>
<td>54</td>
<td>180</td>
<td>18</td>
<td>Polpis Road</td>
</tr>
</tbody>
</table>

1) Amend the Zoning Map of the Town of Nantucket by placing the foregoing properties, currently located in the Village-Residential (V-R) district, to the Village-Neighborhood (VN) zoning district.

All as shown on the attached map.

Or to take any other action related thereto.

(Robert Von Kampen, et al)

ARTICLE 56
(Zoning Map Change: LUG-2 to R-20 - Rugged Road)

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

<table>
<thead>
<tr>
<th>Map</th>
<th>Lot</th>
<th>Number</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>67</td>
<td>166</td>
<td>25</td>
<td>Rugged Road</td>
</tr>
</tbody>
</table>

1) Amend the Zoning Map of the Town of Nantucket by placing the foregoing property, currently located in the Limited Use General - 2 (LUG-2) district, to the Residential-20 (R-20) zoning district.

All as shown on the attached map.

Or to take any other action related thereto.

(Irene Schreiber, et al)

ARTICLE 57
(Zoning Map Change: LUG-3 to LUG-1 - Driscoll Way)

To see if the Town will vote to take the following actions in regard to the following property:
1) Amend the Zoning Map of the Town of Nantucket by placing the foregoing properties, currently located in the Limited Use General - 3 (LUG-3) district, to the Limited Use General - 1 (LUG-1) zoning district:

All as shown on the attached map.

Or to take any other action related thereto.

(James M. Driscoll II, et al)

ARTICLE 58
(Zoning Bylaw Amendment: Commercial Mid-Island - Height Restriction)

Reason and Intent;

At the 2016 Annual Town Meeting, Article 36 was adopted. The article had several sections, was complicated and in the case of changes in Section 17A, not in the best interests of Nantucket. The change in Section 17A involved the change of the height restriction for the SMI District from 30 feet to 40 feet. This Article will reestablish the same height limitation as exist in the other districts referenced in Chapter 17 Section 17A.

The Article:

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 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):

To amend section 17A as follows:

A. Building and structure height is measured as the average height of all sides of a building or structure from the average mean grade to the highest point of the building and/or structure. There shall be only one highest point for each building and/or structure. No one building and/or structure side shall exceed 32 feet, except in the CDT and CMI districts, or as otherwise permitted. Height limitations, except as noted in the Village Height Overlay District, shall be as follows:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Maximum Height</th>
</tr>
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<tbody>
<tr>
<td>Country Overlay District</td>
<td>30</td>
</tr>
<tr>
<td>SR-1, SOH, SR-10, SR-20, LUG-1, LUG-2, LUG-3, MMD, VN, VTEC, VR</td>
<td></td>
</tr>
</tbody>
</table>
Or to take any other action related thereto.

**(Vallorie Oliver, et al)**

**ARTICLE 59**

*(Zoning Bylaw Amendment: Residential Event Facility)*

To see if the Town will vote to: add Residential Event Facility as a definition in Section 139-2 and Use Chart in Section 139-7A.

**Residential Event Facility** - A residential lot or lots in common ownership or common use or control that are used for events that meet three of the following criteria: 1) more than 50 people in attendance, 2) use of a tent larger than 150 square feet, 3) exterior live or amplified music after 8pm, and 4) serviced by a caterer. No lot shall act as a Residential Event Facility for more than two events per calendar year, and no event shall last longer than two calendar days. No lot shall act as a Residential Event Facility for more than one event per calendar year without first of obtaining a Special Permit from the Planning Board, with restrictions and conditions as may be appropriate, upon the finding that 1) the use is not substantially detrimental to the neighborhood or contrary to public health, public safety, and/or traffic safety, and 2) the applicant has sufficiently addressed issues of health, safety, and nuisance which the Planning Board may deem appropriate, including hours of operation, days of operation, fire safety, sanitation, food safety, alcohol service, architectural access, parking, traffic safety, lighting, trash, noise, screening, accessibility to responsible persons, site management and abutter notices.

To amend the Use Chart of Section 139-7A to add Residential Event Facility as a use by Special Permit in all zoning districts.

**(Steven Cohen, et al)**

**ARTICLE 60**

*(Zoning Bylaw Amendment: Rural Affordable Development)*

To see if the Town will vote to: amend Section 139 to provide for a Rural Affordable Development option, allowing for division of lots of 120,000 square feet or larger in the LUG-2 and LUG-3 zoning districts, with a 50% affordable housing requirement and other provisions to allow moderate development while protecting the rural nature of these areas, substantially as provided in the attached Exhibit A.

**Exhibit A to Annual Town Meeting - Citizen’s Article**

Rural Affordable Development

<table>
<thead>
<tr>
<th>Town Overlay District</th>
<th>R-1, ROH, R-5, R-10, R-20, R-40, CDT, CN, CTEC, CI, RC, RC-2, LC</th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Overlay District</td>
<td>CMI</td>
<td>40 30</td>
</tr>
</tbody>
</table>
To see if the Town will vote to: amend Section 139 to provide for a **Rural Affordable Development** option with the purpose to provide for housing that is affordable to those who earn at or below 150% of the Nantucket County median household income; to help households to continue to reside on Nantucket; to generate and preserve affordable housing in the Town of Nantucket in perpetuity; to provide for affordable and accessible housing with moderate density in rural areas; all in order to maintain Nantucket's diversity and unique sense of community.

1) In the LUG-2 and LUG-3 zoning districts, the Planning Board, acting as the special permit granting authority, may issue a special permit for Rural Affordable Development, authorizing the division of a lot (or abutting lots) into two or more lots, provided the following requirements and/or conditions shall apply:
   a) The initial lot or lots shall have a lot area of at least 120,000 square feet,
   b) At least 50% of the resulting buildable lots shall be subject to a Nantucket Housing Needs Covenant for affordable ownership by a Qualified Purchaser Household, or for affordable rental to a Qualified Rental Household,
   c) Lots subject to a Nantucket Housing Needs Covenant shall contain at least 20,000 square feet of lot area,
   d) Lots not subject to a Nantucket Housing Needs Covenant shall contain at least 40,000 square feet of lot area,
   e) Each buildable lot shall be restricted to one dwelling, which shall be a single family dwelling,
   f) Each buildable lot shall have adequate access and parking,
   g) Each buildable lot shall have adequate utilities and services, including sewer or septic capacity and water capacity, and
   h) Each lot shall be restricted from any further lot division that results in any additional building lots.

2) To mitigate impacts on the rural nature of the area, and to preserve natural resources, water quality, wildlife habitat, scenic views, and existing mature vegetation, the Planning Board may impose conditions related to such on any lot, including conditions that reasonably provide for the following:
   a) Screening of structures and parking areas,
   b) Buffers from abutting properties,
   c) Limitations on improving or clearing of specified portions of any lot,
   d) Limitations on the number and location of curb cuts,
   e) Limitations on the ground cover, height or location of any structures,
   f) Limitations on grade changes,
   g) Limitations on uses on any lot, and
   h) Mitigation of environmental impacts.

3) In determining the initial lot size and the subsequent percentage of lots subject to a Nantucket Housing Needs Covenant, the Planning Board shall apply a credit to the application for any abutting lot already subject to such covenant that was divided from the applicant lot at the time of the imposition of that covenant.
4) Except as otherwise provided, the ground cover ratio and setback requirements of the underlying zoning district shall apply to each lot.

5) Provided the Planning Board finds that doing so will not have an adverse impact on the rural natural of the area and will promote the intent of this section, the Planning Board may provide the following relief by special permit:
   a) Waive the regularity formula in § 139-16D,
   b) Provide for a reduction in frontage, providing that each lot shall have not less than 20 feet of frontage or shall have a recorded easement of sufficient width and grade to provide access,
   c) Provide for the reduction of the front yard setback to not less than 20 feet and the side and rear yard setbacks to not less than 10 feet,

6) Planning Board approval of a Rural Affordable Development special permit shall not substitute for approval of a definitive subdivision or approval not required (ANR) plan.

(Steven Cohen, et al)

ARTICLE 61

(Zoning Bylaw Amendment/Home Rule Petition: Coastal Erosion Liability Waiver)

Reason and Intent;

This article was included in the 2015 ATM. It was recommended for adoption by the Finance Committee, but was "Not adopted by Majority Voice Vote". With the passage of time, protecting the Town from liability due to climate change and seal level rise is only more important. The impact is prospective and the sooner action is taken, the sooner protection will begin. It is just a matter of property owners accepting personal responsibility. The article below is exactly the same as the one for 2015 and was drafted by Town Counsel.

The Article:

To see if the Town will vote to amend Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 139-26, as follows (NOTE: new language is shown as highlighted text; 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); and to further authorize the Board of Selectmen to file a Home Rule Petition with the General Court to effectuate the purposes and intent of the zoning amendment should it be deemed necessary and/or prudent to do so by the Board of Selectmen:

Chapter 139 ZONING

Article V. Administration and Enforcement
§ 139-26. Issuance of building and use permits.

A. No building or structure shall be used, erected, constructed, relocated, added to or otherwise subjected to alteration, or demolished without a building or use permit having been issued by the Building Commissioner for any use or structure. No lot shall be changed from its use preexisting the July 27, 1972, effective date of this chapter, except to its natural condition allowed by § 139-7A(5) above, without a use permit or a building permit permitting such use. No such permit shall be issued until such construction, erection, relocation, addition, alteration, demolition or use, as proposed, shall comply in all respects with the provisions of this chapter as determined by the Zoning Enforcement Officer or with a decision rendered by the Board of Appeals, the Planning Board, or the courts in the case of appeals.

(1) Demolition delay.

(e) Issuance of building, use, or occupancy permit.

[1] If it has been determined that a building is subject to review, pursuant to Subsection A(1)(b) above, no building permits shall be issued for the erection of a new building on the site of such building subject to review before issuing a demolition permit for such building subject to review in compliance with this section.

[2] If it has been determined that a building subject to review has been voluntarily demolished in violation of this section, no building permits shall be issued for new construction, or any use or occupancy permit for any use other than a park or recreational open space, with respect to the premises of such building for a period of two years after the date of the determination. As used herein, "premises" includes the parcel of land upon which the demolished building was located and all abutting parcels under common ownership or control.

[3] The applicant (or the owner of record, if different from the applicant) shall be responsible for properly securing the building during the time that it is subject to review under this section. If a building is subject to demolition delay, pursuant to Subsection A(1)(b) above, and the applicant fails to secure the building, the loss of the building to fire or other causes shall be considered voluntary demolition for the purposes of this section.

[4] The issuance of a building permit for construction on Shorefront Land or within 300 feet of Shorefront Land shall be required to, in exchange for the issuance of the building permit required by this Section, execute a release, hold harmless and indemnification agreement ("Release") relative to said permitting and the potential for coastal erosion and impacts on or elimination of public access to the property at issue. Said Release shall be maintained by the Building Commissioner.
(2) Any applicant seeking a building permit pursuant to the terms of this Section for construction on Shorefront Land or property within 300 feet of Shorefront Land shall be required to, in consideration for the issuance of the building permit required by this Section, execute a release, hold harmless and indemnification agreement (“Release”) acknowledging the potential for coastal erosion in the vicinity of the property at issue and the potential for impacts on or elimination of public access to said property due to coastal erosion. Pursuant to said Release and the issuance of a permit, the applicant shall understand and be advised that the proposed construction/reconstruction site at or within 300 feet of the Shorefront Land may be subject to extraordinary hazards and damage from waves during storms, erosion, retreat, settlement, sinking, or subsidence and said Owner shall assume full and sole risk for such hazards, including any restrictions on public access to said property. As such, the Owner shall unconditionally waive any present, future, and unforeseen causes of action and claims of liability on the part of the Town arising from the aforementioned or other natural hazards and relating to said permit approval and resultant construction, as a condition of approval. Further, the Owner shall agree to indemnify and hold harmless the Town and its departments, boards, officials and employees for any acts or omissions and related cost of defense, including, but not limited to, claims related to impacts on or reductions in public access to said property, arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner, Owner's successor-in-interest and/or third parties.

D. Issuance of permits. Upon receiving the application, the Building Inspector shall examine the same within a reasonable time after filing. The Zoning Enforcement Officer shall provide the Building Commissioner with a certificate of compliance with this chapter. If the application does not conform to the provisions of all pertinent local laws, the Building Commissioner shall reject such application in writing, stating the reasons therefore, within 30 days of the submission of a complete application.

(1) He shall inform the applicant of his right of appeal to the Board of Appeals in the event such application is rejected.

(2) If satisfied that the proposed work and/or use conforms to the provisions of this chapter and all laws and ordinances applicable thereto, he shall issue a building or use permit thereto, within 30 days of the submission of a complete application.

(3) The issuance of a permit for construction on Shorefront Land or within 300 feet of Shorefront Land shall be required to, in exchange for the issuance of the building permit required by this Section, execute a release, hold harmless and indemnification agreement (“Release”) relative to said permitting and the potential for coastal erosion and impacts on or elimination of public access to the property at issue. Said Release shall be maintained by the Building Commissioner.
H. Temporary permit. A temporary permit may, upon written request of an applicant, be authorized by a favorable vote of at least four members of the Board of Appeals for a nonconforming structure or use which the Board of Appeals finds necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit (unless previously made conforming or validated) without cost to the Town (unless the Town is the applicant). Such permit may be renewed annually for an aggregate period not exceeding three years. Applicants for a temporary permit to engage in construction on Shorefront Land or within 300 feet of Shorefront Land shall be required to, in exchange for the issuance of a temporary building permit, execute a release, hold harmless and indemnification agreement ("Release") relative to said permitting and the potential for coastal erosion or impacts on or elimination of public access to the property at issue.

I. Payment of fees. No building or use permit shall be issued until the fees prescribed by the Board of Selectmen shall be paid to the Building Inspector.

J. Compliance with permit. All work or uses shall conform to the approved application for which the permit has been issued as well as the approved plot plan.

K. Disclaimer of Liability. This Bylaw shall not create any liability on the part of the Town, its departments, boards, officials and employees for any extraordinary hazards and damage from waves during storms, erosion, retreat, settlement, sinking, or subsidence damage that results from reliance on this Bylaw or any administrative decision made lawfully thereunder.

(Rick Atherton, et al)

ARTICLE 62
(Bylaw Amendment: Preservation of Historically Significant Buildings)
To see if the Town will vote to amend the Nantucket General By-Laws by adding a new chapter to the Nantucket town code for the purpose of preserving and protecting significant buildings within the Town as set forth below; and further to authorize the Select Board to file any Home Rule legislation that may be necessary to carry out the purposes of this article.

Title of Bylaw
Preservation of Historically Significant Buildings

Intent and Purpose
This by-law is enacted for the purpose of preserving and protecting significant buildings within the Town which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect of demolition on the character of the town. Through this bylaw, owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods,
this bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historic District Commission (HDC) is authorized to advise the Building Inspector with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this by-law.

**Definitions**

APPLICANT-Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION-An application for the demolition of a building.

BUILDING-Any combination of materials forming a shelter for persons, animals, or property.

BUILDING COMMISSIONER - The person occupying the office of Building Commissioner or otherwise authorized to issue demolition permits.

COMMISSION - The Historic District Commission (HDC) or its designee.

DEMOLITION-Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

DEMOLITION PERMIT - The building permit issued by the Building Inspector for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

PREFERABLY PRESERVED - Any significant building which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished.

A preferably preserved building is subject to the twelve-month demolition delay period of this bylaw.

SIGNIFICANT BUILDING - Any building within the town which is in whole or in part fifty years or more old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

The Building is listed on, or is within an area listed on, the National Register of Historic Places; or The Building has been found eligible for the National Register of Historic Places; or The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or
The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

**Procedure**
No demolition permit for a building which is in whole or in part fifty years or more old shall be issued without following the provisions of this bylaw. If a building is of unknown age, it shall be assumed that the building is over 50 years old for the purposes of this bylaw. An applicant proposing to demolish a building subject to this bylaw shall file with the Building Commissioner an application containing the following information:

The address of the building to be demolished.
The owner’s name, address and telephone number.
A description of the building.
The reason for requesting a demolition permit.
A brief description of the proposed reuse, reconstruction or replacement.
A photograph or photograph(s) of the building.

The Building Commissioner shall within seven days forward a copy of the application to the Commission. The Commission shall within fifteen days after receipt of the application, make a written determination of whether the building is significant.

A significant building is defined as: any building within the town which is in whole or in part fifty years or more old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The Building is listed on, or is within an area listed on, the National Register of Historic Places; or
- The Building has been found eligible for the National Register of Historic Places; or
- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or

The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

Upon determination by the Commission that the building is not significant, the
Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Commissioner and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Commissioner within fifteen days of receipt of the application, the Building Commissioner may proceed to issue the demolition permit.

If the Commission finds that the building is significant, it shall hold a public hearing within thirty days of the written notification to the Building Commissioner. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in town hall for a period of not less than seven days prior to the date of said hearing and the applicant and the building inspector shall be notified in writing of the meeting time and place.

The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building should be preferably preserved. If agreed to in writing by the applicant, the determination of the Commission may be postponed.

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Commissioner and applicant in writing. No demolition permit may then be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within twenty-one days of the public hearing, the Building Commissioner may issue the demolition permit.

Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved building, no building permit for new construction or alterations on the premises shall be issued for a period of twelve months from the date of the determination unless otherwise agreed to by the Commission.

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Commissioner and have found to comply with all laws pertaining to the issuance of a building permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for the issuance of such building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a
demolition permit under this section.

The Building Commissioner may issue a demolition permit or a building permit for a preferably preserved building within the twelve months if the Commission notifies the Building Commissioner in writing that the Commission finds that the intent and purpose of this bylaw is served even with the issuance of the demolition permit or the building permit.

Following the twelve-month delay period, the Building Commissioner may issue the demolition permit.

**Administration**

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw.

The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this bylaw.

The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

The Commission may pro-actively develop a list of significant buildings that will be subject to this bylaw. Buildings proposed for the significant building list shall be added following a public hearing.

**Emergency Demolition**

If after an inspection, the Building Commissioner finds that a building subject to this bylaw is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Building Commissioner may issue an emergency demolition permit to the owner of the building or structure. The Building Commissioner shall then prepare a report explaining the condition of the building and the basis for his decision which shall be forwarded to the Commission.

**Enforcement and Remedies**

The Commission and/or the Building Commissioner are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof. Any owner of a building subject to this bylaw that demolished the building without first obtaining a demolition permit in accordance with the provisions of this bylaw shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.
If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

**Historic District Act**

Nothing in this by-law shall be deemed to conflict with the provisions of the Historic District Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this by-law do so conflict, that act shall prevail.

**Severability**

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

;or otherwise act thereon.

(Mary Bergman, et al)

**ARTICLE 63**

(Affordable Housing Requirements)

To see if the Town will vote to: To require the Town of Nantucket to create and enforce legislation and regulations to enact and enforce the attachment of the state mandated 10% affordable housing to our local building permit process. 10% of new residence permits issued annually (both year round and seasonal) shall be designated affordable. For each 10 residential permits issued 1 shall be affordable; or otherwise act thereon.

(Andrew G. Lowell, et al)

**ARTICLE 64**

(Public Property Damage)

To see if the Town will vote to: require the Town of Nantucket through the PLUS department to create and enforce regulations to hold accountable all land owners to repair damage to public property caused by permitted activity. All applicants to the PLUS Department must submit photos of surroundings 500 feet beyond each boundary to a public way areas of concern shall include streets/roads, shoulders, sidewalks, medians and bike paths. These areas shall be inspected and approved before a certificate of occupancy or completion is issued; or otherwise act thereon.

(Andrew G. Lowell, et al)

**ARTICLE 65**

(Short-Term Rental Tax Cap)
To see if the Town will vote to cap the Short Term Rental Tax on Nantucket at a total of 10% of the gross rental cost. (It is noted that 5.6% of the Tax is the State portion of the tax. Therefore, the Nantucket portion of the Tax would be 4.4%) 

; or otherwise act thereon.

(Curtis Barnes, et al)

ARTICLE 66
(Town Meeting Vote Required to Implement On-street Paid Parking)
To see if the town will vote to require a vote of town meeting prior to the implementation by the Town of Nantucket of paid on-street parking.

(Christopher Glowacki, et al)

ARTICLE 67
(Prohibiting Roundabouts Near Schools)
To see if the Town will vote to: Prohibit the construction of a rotary, a roundabout or a traffic circle by any other name on any public way within 1000 feet of a public school in the Town of Nantucket.

; or otherwise act thereon.

(John F. McGrady, Jr., et al)

ARTICLE 68
(Complaint Committee)
To see if the Town will vote to: Approve that all Town of Nantucket Departments and Boards, staffed by employees, elected or howsoever constituted, or empowered, and including the office of Town Administration and its head, set full, clear and published standards for their performance and, included therewith, have a full and clear accessible complaints procedure together with appropriated redress for the user of the services when its alleged that wrongdoing or maladministration has occurred. Moreover, see if the Town will vote to approve, within any limitations set by the laws of the Commonwealth of Massachusetts, the formation of a committee to deal with complaints of wrongdoing or maladministration made against and employee of the Town of Nantucket, any Department of the Town of Nantucket or any Board of Member of a Board elected by voters of the Town of Nantucket.

(Theresa Williams, et al)

ARTICLE 69
(Traffic Rules and Regulations: Limit Heavy Commercial Vehicle Deliveries in Core District)
To see if the Town will vote to direct the Select Board, as part of its administration of the Town’s public ways pursuant to Article 200 of the Town’s Code of Bylaws (the “Traffic Rules and Regulations”), to develop a pilot program between June 15, 2020,
and September 15, 2020, for (a) tracking the level of compliance of certain Heavy Commercial Vehicles, as defined in the Traffic Rules and Regulations, with a vehicle body length exceeding twenty-one (21) feet ("Large HCVs") with the Town's Noise Bylaw; and (b) adjusting the hours of delivery by Large HCVs to the downtown core district to between 5:00 am to 10:00 am and 3:30 pm to 5:00 pm during such period for the purposes of reducing traffic congestion and gathering more granular data than is currently available on time of day, size and weight of vehicle, type of commercial use, and access locations of Large HCVs on the Town's public ways within the downtown core district with the purpose of considering further regulation of the size of such vehicles permitted on said public ways (or a subset thereof), which public ways may be so accessed, in which areas, and during which hours; or take any other action on the matter.

Explanation: There has been a noticeable increase in commercial deliveries, especially from the largest heavy commercial vehicles, delivering in the downtown core district. ACKNow volunteers its time and resources working with the Town to put together the requisite analytical framework by collaborating with businesses and commercial delivery companies to put a pilot program in place for the summer of 2020, including adjusting delivery times for the largest heavy commercial vehicles in the downtown core district and identifying measurable factors that will determine the success of the pilot program and whether it should be permanently implemented. This pilot project is an opportunity to learn about one aspect of congestion and inform a long-term strategy to help alleviate commercial traffic in the island’s downtown core district.

(Grant Sanders, et al)

ARTICLE 70
(Bylaw Amendments: Name Change of Board of Selectmen to Select Board)

To see if the Town will vote to amend the Town Code to be consistent with Chapter 110 of the Acts of 2019, including without limitation the Zoning Bylaw set forth in Chapter 139, to rename the Board of Selectmen as the Select Board, by striking out, in every instance in which they appear, the words "Board of Selectmen" or "Selectmen" and inserting in place thereof the words "Select Board"; and by striking out, in every instance in which they appear, the word "Selectman" and "Selectmen" and inserting in place thereof the words "Select Board Member" or "Select Board Members"; and further to authorize the Town Clerk to make non-substantive, ministerial revisions to ensure that gender and numerical issues in related text is revised to properly reflect such change in title; and, further, to amend Chapter 38 of the General Code in its title and by inserting the following new §38-6:

§38-6. Select Board.
For the purposes of this Code and otherwise, the former Board of Selectmen shall be referred to as the Select Board and members of the Board shall be referred to as “Select Board Members.” The Select Board shall have all the powers and duties of a board of selectmen under the General Laws and any special laws applicable to the Town of Nantucket, as well as such other powers and duties as are provided in this Code;
Or to take any other action relative thereto.

(Select Board)

ARTICLE 71
(Bylaw Amendment: Finances)
To see if the Town will vote to amend Chapter 19 (Finances), Article XIII (Revolving Accounts) by adding an additional revolving account 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; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):

§19-21. Revolving accounts established

<table>
<thead>
<tr>
<th>FUND</th>
<th>REVENUE SOURCE</th>
<th>AUTHORITY TO SPEND</th>
<th>USE OF FUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Rebate Program</td>
<td>Operational Adder from the energy aggregation program</td>
<td>Town Manager with approval of Board of Selectmen</td>
<td>Rebates for residential solar energy systems and other uses authorized by the Town's Municipal Aggregation Plan</td>
</tr>
</tbody>
</table>

Or to take any other action related thereto.

(Select Board)

ARTICLE 72
(Bylaw Amendment: Stormwater)
To see if the Town will vote to amend the Code of the Town of Nantucket by inserting a new General Bylaw, Chapter 121 entitled “Stormwater Management” as follows:

Chapter 121
Stormwater Management

§141-1 Purpose and Objectives.
The purpose of this Bylaw is to establish minimum stormwater management requirements and procedures in order to control stormwater discharges into the waters of the Commonwealth. Uncontrolled stormwater runoff can degrade water quality within harbors, ponds, streams, wetlands, and groundwater. Uncontrolled stormwater runoff can also adversely impact aquatic and wildlife habitat, cause contamination of
public water supplies, damage public infrastructure, exacerbate flooding, and cause damage to public and private property. Furthermore, illicit connections and discharges to the municipal storm drain system can adversely impact water quality and threaten public health, safety, and the environment. Regulation of stormwater discharges from construction sites, post-construction stormwater discharges associated with new development and redevelopment, and illicit connections and discharges to the municipal storm drain system is necessary for the protection of the Town’s water bodies, wetlands, and groundwater, and to protect the public health, safety, welfare, and the environment. This Bylaw seeks to effectuate this purpose through the following objectives:

A. Prevent pollution of Nantucket’s water bodies, wetlands, and groundwater from uncontrolled stormwater runoff and illicit connections and discharges.
B. Prohibit illicit connections and unauthorized discharges to the municipal storm drainage system, and to require the removal of all such illicit connections and unauthorized discharges.
C. Protect, maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements and procedures to manage stormwater runoff.
D. Control stormwater runoff and prevent soil erosion and sedimentation resulting from construction sites.
E. Ensure that soil erosion and sedimentation control measures and stormwater runoff control practices such as green infrastructure and Low Impact Development (LID) are incorporated into the site planning and design process and are implemented and maintained.
F. Promote infiltration and recharge of groundwater in a manner that is protective of water quality and drinking water supplies.
G. Establish the legal authority to ensure compliance with the provisions of the bylaw through permitting, inspection, monitoring and enforcement.

§141-2 Authority
This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, pursuant to the Regulations of the federal Clean Water Act found at 40 CFR 122.34, and as authorized by the residents of Nantucket at Town Meeting, dated April 4, 2020. Nothing in this bylaw is intended to replace or be in derogation of the requirements of any other bylaw that has been or may be adopted by the Town of Nantucket.

§141-3 Definitions
The following definitions shall apply in the interpretation and implementation of this Bylaw. Additional definitions may be adopted by separate regulation.

Applicant - Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a Stormwater Management Permit for proposed land conversion activity.

Best Management Practice (BMP) - An activity, procedure, restraint, or structural
improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Certificate of Completion - A written determination by the Stormwater Authority that work has been completed in accordance with a Local Stormwater Management Permit.


Clearing - Any activity that removes the vegetative surface cover.

Development - The modification of land to accommodate a new use or expansion of use, usually involving construction.

Discharge of Pollutants - The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Disturbance of Land - Any action that causes a change in the position, location, or arrangement of soil, sand rock, gravel of similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters, involves clearing and grading, or results in an alteration of drainage characteristics.

Illicit Connection: any surface or subsurface drain or conveyance, which allows an illegal discharge into the municipal storm drainage system. Illicit connections include conveyances which allow a non-stormwater discharge to the municipal storm drainage system, including but not limited to: sewage, process wastewater or wash water, and any connections from indoor drainage sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

Illicit Discharge: any unpermitted discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges specifically exempted from this bylaw when such non-stormwater discharges are not significant contributors of pollution.

Land Conversion Activity: Any new development, redevelopment, clearing, or disturbance of land, or any activity that will change the ability of the ground surface to absorb water or will alter the drainage characteristics of the land.

Massachusetts Stormwater Management Standards - The Standards as further defined by the Massachusetts Stormwater Handbook, issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c.
21, §. 23-56. The Standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**Municipal Storm Drainage System:** a conveyance or system of conveyances for stormwater (including roads with drainage systems, public ways, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Town or County of Nantucket.

**Non-stormwater Discharge:** any discharge to the storm drainage system not composed entirely of storm water

**Pollutant:** Including but not limited to: paints, varnishes, and solvents; oil and other automotive or marine fluids; liquid, solid wastes, and liquid wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, accumulations, and floatables; pesticides, herbicides, and fertilizers; hazardous materials and wastes; sewage, fecal coliform, and pathogens; dissolved and particulate metals; animal wastes; dredged spoil; filter backwash; munitions; chemical wastes; biological materials; heat; rock, sand, salt; soils; construction wastes and residues; and industrial, municipal and agricultural waste discharged into water.

**Redevelopment** - Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes development, not redevelopment, even where such activities are part of a common plan which also involves redevelopment. Redevelopment includes maintenance and improvement of existing roadways including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems and repaving; and remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.

**Runoff:** Rainfall, snowmelt, or irrigation water that does not soak into the ground and flows over the ground or impervious surfaces that prevent runoff from naturally soaking into the ground.

**Stormwater** - Runoff from precipitation or snow melt and surface water runoff and drainage.

**Stormwater Authority:** the Director of the Department of Public Works or his designee. The Stormwater Authority is responsible for administering, implementing, and enforcing this bylaw. Other boards and/or departments may participate in the review process as defined in this bylaw.

**Stormwater Management Permit:** The permit issued by the Stormwater Authority allowing land conversion activities within the Town of Nantucket as provided for under this Bylaw and implementing Regulations.
Waters of the Commonwealth - All waters within the jurisdiction of the commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

§141-4 Administration

A. Stormwater Authority

1. The Director of the Department of Public Works shall be the Stormwater Authority for this Bylaw and shall administer, implement and enforce this Bylaw and any Regulations implemented hereunder.

2. Any powers granted to or duties imposed upon the Director of the Department of Public Works under this Bylaw may be delegated in writing by the Director of the Department of Public Works to any Town employee, board, commission, committee or agent, as his “designee”.

B. Fees

The Stormwater Authority shall establish a schedule of permit application fees, technical review fees, and other fees as referenced in this bylaw or by separate regulation.

C. Waivers

The Stormwater Authority may waive strict compliance with this Bylaw if such action is allowed by Federal, State and local statutes, bylaws, and/or regulations; is in the public interest; and is consistent with the purposes and intent of this bylaw.

Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Bylaw does not further the purposes or objectives of this Bylaw. The Stormwater Authority or its Reviewing Agent may require documentation to be submitted and stamped by a qualified P.E. registered in Massachusetts or a Certified Professional in Erosion and Sediment Control (CPESC).

D. Regulations

The Stormwater Authority may adopt, and periodically amend, regulations to effectuate the purposes of this bylaw after public notice and public hearing. Failure by the Stormwater Authority to promulgate such regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

E. Actions by the Stormwater Authority
The Stormwater Authority may take any of the following actions as a result of an application for a stormwater management permit: approval, approval with conditions, disapproval, or disapproval without prejudice.

F. Appeals
A decision of the Stormwater Authority shall be final. Further relief of a decision by the Stormwater Authority made under this chapter shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with MGL c 249, § 4.

§141-5 Illicit Discharges and Connections

A. Applicability
This section shall apply to all flows entering the storm drainage system owned and/or operated by the Town of Nantucket, open watercourses, or the Waters of the Commonwealth.

B. Prohibited Activities

1. Illicit Discharges - No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into any area including but not limited to the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth.

2. Illicit Connections - No person shall construct, use or allow, maintain or continue any illicit connection to the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

3. Obstruction of Municipal Storm Drainage System - No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drainage system without prior written approval from the Stormwater Authority or his designee. No person shall dump or dispose of yard waste (leaves, grass clippings, etc.) into the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth.

i. Drains - No person shall tie any pump, cellar, yard, roof, or area drain directly into the municipal storm drainage system without prior written approval from the Stormwater Authority or designated representative.

ii. Catch Basins - No person shall directly or indirectly dump, discharge or cause or allow to be discharged into any catch basin, any solid waste, construction debris, paint or paint product, antifreeze, hazardous waste, oil, gasoline, grease and all other automotive and petroleum products, solvents and degreasers, drain cleaners, commercial or household cleaners, soap, detergent, ammonia, food and food waste, grease or yard waste, animal feces, dirt, sand, gravel, or other pollutant. Any person determined by the Stormwater Authority to be responsible for the discharge of any of the above substances to a catch basin may be held responsible for cleaning the catch basin and any other portions of the storm drainage system impacted.
according to Town standards and requirements or paying the cost for such cleaning. In addition, the person shall be responsible for paying any penalties assessed by the Town.

iii. **Septage** - No person shall discharge or cause or allow to be discharged any septage, or septic tank or cesspool overflow, into the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth.

iv. **Storage & Disposal of Hazardous Materials** - The disposal of waste, gasoline or any other hazardous material into the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth is strictly prohibited and is in violation of state and federal pollution laws.

v. **Private Drainage Systems** - It is prohibited for anyone with a private drainage system to tie into the municipal storm drainage system without prior written approval from the Stormwater Authority or designated representative.

vi. **Discharges onto a Public Way** - No person shall allow a pipe, swale, swimming pool discharge, or other point source to discharge onto a Public Way.

C. **Exemptions to Prohibited Activities**

The Stormwater Authority may specify in regulations certain categories of non-stormwater discharges or flows that are allowed under this bylaw and regulations provided that the source is not a significant contributor of a pollutant to the municipal storm drainage system, open watercourses, or the Waters of the Commonwealth.

§141-6 **Stormwater Management**

A. **Applicability** No person may undertake any land conversion activity of 500 square feet or greater within the Town of Nantucket, unless exempted as specified in Part C of this section, without first obtaining a Stormwater Management Permit under this Bylaw and implementing Regulations. A Storm Water Management Permit shall be required for any of the following, except for an activity exempt as specified in Part C:

1. **Minor Stormwater Permit.**
   a. The creation of new impervious area, or expansion of existing impervious area, greater than 750 square feet and not exceeding 2,500 square feet;
   b. Repair, replacement, expansion of septic systems provided the work does not exceed the thresholds in Section 141-6 (A)(2);
   c. The addition or on-site redistribution of more than 250 cubic yards, but not exceeding 500 cubic yards, of earth materials including, but not limited to, sand, gravel, stone, soil, loam, clay, sod, fill and mineral products.

2. **Major Stormwater Permit.**
   a. Construction of any new dwelling or new dwelling replacing an existing dwelling;
   b. Any land disturbance exceeding an area of 5,000 square feet, or more than 20% of a parcel or lot, whichever is less; except for exempt activities in Section 141-6 (C);
   c. Creation or new impervious surface greater than 2,500 square feet;
(d) The addition or on-site redistribution of more than 500 cubic yards of earth materials including, but not limited to, sand, gravel, stone, soil, loam, clay, sod, fill, and mineral products;
(e) Reconstruction of a public or private way;
(f) Reconstruction or replacement of existing non-residential parking lots, including associated driveways, greater than 2,500 square feet.

B. Stormwater Management Standards. Projects under this Bylaw shall be designed to meet the Massachusetts Stormwater Management Standards as further defined in the Massachusetts Stormwater Handbook. The Stormwater Authority may implement regulations with additional standards for stormwater management that must be met for all projects under this Bylaw. Low Impact Development (LID) site planning and design strategies shall be used to the maximum extent feasible.

C. Exemptions

(1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection act regulation 310 CMR 10.04, as amended;
(2) Maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling;
(3) The construction of fencing that will not substantially alter existing terrain or drainage patterns;
(4) Normal maintenance and improvements of the Town’s publicly owned roadways and associated drainage infrastructure; and
(5) Emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or other action as deemed necessary by a Town department or board to abate such a threat to public health or safety.

D. Procedures. Permit procedures and requirements shall be defined and included as part of any regulations promulgated pursuant to this bylaw. No land owner or land operator shall receive any of the grading, or other land development permits required for land conversion activity, and no land owner shall commence or allow to be commenced land conversion activity, without first receiving a Stormwater Management Permit from the Stormwater Authority allowing such land conversion activity.

1. Action by Stormwater Authority
   a. Determination of completeness - The Stormwater Authority shall review the application submission and issue a determination stating whether the application is complete and whether it complies with all applicable stormwater standards.
   b. Incomplete applications - If the Stormwater Authority determines that the application is incomplete, including insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, the Stormwater Authority may require the submission of additional information and/or disapprove the application and deny the Permit.
   c. Applications deemed to be complete and in compliance with stormwater standards. Each application for a Stormwater Management Permit that complies with this Bylaw and any
implementing regulations, and is determined to be a complete application by the Stormwater Authority shall be acted upon within thirty (30) days of the date of filing with the Stormwater Authority, unless such application has been withdrawn from consideration. The Stormwater Authority may:

i. Approve the Permit;
ii. Approve the Permit with Conditions; or
iii. Deny the Permit.

d. Applications not in compliance with stormwater standards.

i. For applications where the Stormwater Authority has determined that the stormwater standards are not met, the applicant may appeal the determination and request a public hearing with the Stormwater Authority to consider the application or resubmit the application demonstrating compliance.

ii. For applications where the stormwater standards cannot be met due to site conditions or the applicant wishes to propose an alternative design not inconsistent with the stormwater standards, the applicant may immediately request a public hearing with the Stormwater Authority.

2. Public Hearing Process

a. A public hearing is required for all Minor and Major Stormwater Permit applications where stormwater standards cannot be met. Minor Permits and Major Permits that meet stormwater design standards shall not require a public hearing. Public hearings shall be published in a newspaper of general circulation for two (2) consecutive weeks. The first publication date shall be published not less than fourteen (14) days before the day of the hearing. A copy of the hearing notice shall be posted in the Office of the Town Clerk for a period of not less than fourteen (14) days before the date of the hearing. Copies of the notice shall be mailed, postage prepaid, to the applicant, property owner (if different) and to direct abutters and owners of land directly opposite on a public or private way as they appear on the most recent Assessor’s list.

b. The Stormwater Authority may take any of the following actions following the close of the public hearing for an application for a Stormwater Management Permit:

i. Approve the Permit;
ii. Approve the Permit with conditions; or
iii. Deny the Permit.

§141-7 Enforcement

(1) The Stormwater Authority or its designee may issue a written order to enforce the provisions of this bylaw or any regulations thereunder. If the Stormwater Authority determines that a person has failed to follow the requirements of a Stormwater Management Permit or failed to obtain said Permit or otherwise failed to comply with this Bylaw and the requirements of the implementing Regulations, then the Stormwater Authority may issue a written order to the person to remediate the non-compliance and/or any adverse impact caused by it, which may include:
(a) A requirement to cease and desist from the land conversion activity until there is compliance with the bylaw and provisions of the Stormwater Management Permit or other authorization;

(b) Maintenance, installation or performance of additional erosion and sediment control measures;

(c) Monitoring, analyses, and reporting

(d) Remediation of erosion and sedimentation resulting directly or indirectly from the land conversion activity; and/or

(e) A requirement to eliminate discharges, directly or indirectly, into a watercourse or into the waters of the Commonwealth.

(2) If the Stormwater Authority or its designee determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further provide that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

(3) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner’s property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59, § 57 after the 31st day at which the costs first become due.

(4) Noncriminal disposition. As an alternative to criminal prosecution or civil action, the Town of Nantucket may elect to utilize the noncriminal disposition procedure set forth in M.G.L. c. 40, § 21D and the Nantucket Noncriminal Disposition Bylaw. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

(5) Entry to perform duties under this bylaw. To the extent permitted by local, state or federal law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.

(6) Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be appealed to a court of competent jurisdiction pursuant to G.L. c. 249, §4.
(7) Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

§141-8 Surety

The Stormwater Authority may require the permittee to post before the start of land conversion or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by Town counsel, and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit but the bond may not be fully released until the Stormwater Authority has issued a Certificate of Completion.

§141-9 Severability

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

§141-10 Transitional Provisions

Property owners shall have 90 days from the effective date of this bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period unless local, state, or federal agencies deem that immediate actions are warranted.

Or to take any other action relative thereto.

(Select Board)

ARTICLE 73
(Bylaw Amendment: Single-Use Plastics)

To see if the Town will vote to amend Chapter 124A (Single-Use Plastics) as follows (NOTE: new language is shown as highlighted text, language to be deleted is shown by strikethrough; these methods to denote changes are not meant to become part of the final text; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):

Chapter 124A 125A. Single-Use Plastics

Article I. Regulation of Sale, Distribution and Commercial Use of Certain Single-Use Plastics

§ 124A 125A-1. Definitions and purpose.

A. Definitions:
COMMERCIAL USE

Using the petroleum-based plastic products listed herein in a business, directly/indirectly for financial gain or convenience.

PETROLEUM-BASED PLASTIC

Plastics Plastic materials manufactured using petroleum-derived polymers. Plant-based Compostable plastics as defined by ASTM International are exempted from this bylaw.


It shall be unlawful to sell, distribute or otherwise commercially use the following single-use petroleum-based plastic products in the Town and County of Nantucket on or after June 1, 2020:

A. Straws and drink stirrers;
B. Six-pack can and bottle flexible yokes Flexible can and bottle yokes;
C. Single-use drinking Drinking cups and lids;
D. Plates, bowls and noncompostable eating utensils;
E. Drinking water in single-serve polyethylene terephthalate (PET) plastic or non-recyclable containers of one liter (34 ounces) or less; and
F. Single-use, non-recyclable coffee beverage pods.

§ 124A 125A-3. Exemptions for emergencies and other.

A. Drinking water. Sales occurring after a declaration of an emergency adversely affecting availability and/or quality of drinking water to Nantucket residents by the Emergency Management Director or other duly authorized Town, Commonwealth or United States official shall be exempt from this bylaw until seven calendar days after such declaration has ended.

B. Medical packaging and medically required usage are exempted providing no recyclable alternatives are available.

C. Plant-based Compostable plastics are exempted from this bylaw.

(Select Board)
ARTICLE 74
(Bylaw Amendment: Single-Use Plastics)

To see if the Town will vote to:

1) make certain amendments to the bylaw "The Regulation of Commercial Sale, Distribution and Use of Single Use Plastics” as approved in Special Town Meeting 2018, Article 16 (Called”STM2018-16”);

2) request that the Board of Public Works vote to rescind Board of Public Works Regulation 71.00 ("Regulation 71.00") as adopted by the Board of Public Works pursuant to the authority granted under section 125-3 of the Code of the Town of Nantucket and the general authority of the Board of Public Works pursuant to Chapter 169 of the Acts of 1965, as amended by Chapter 259 of the Acts of 1987, in order to incorporate the purpose and intent of that Regulation into the bylaw STM2018-16;

3) to remove from the Code of the Town of Nantucket § 125-3 Biodegradable Packaging [Amended 12-12-1989 STM by Art. 2, approved 3-14-1990]; and

4) once Regulation 71.00 is rescinded, and § 125-3 Biodegradable Packaging is removed from the Code of The Town of Nantucket, replace both with the revised bylaw “The Regulation of Commercial Sale, Distribution and Use of Certain Single Use Plastics” the text of which follows (with underlined text below showing additions to the version of the bylaw that was approved at STM 2018 as printed in the Warrant, double strike throughs (     ) to show deletions and underlined italic blue font to indicate language transferred from Regulation 71.00 and Code of the Town of Nantucket § 125-3 Biodegradable Packaging. None of these markings shall appear in the final version of the bylaw.);

the purpose of which is to make certain correction, clarifications; additions of definitions and items to be banned effective June 1, 2021 or take any other action relative thereto.

To Be Rescinded if Board of Public Works so votes:

Board of Public Works vote to rescind Board of Public Works Regulation 71.00 as adopted by the Board of Works pursuant to the authority granted under section 125-3 of the Code of the Town of Nantucket and the general authority of the Board of Public Works pursuant to Chapter 169 of the Acts of 1965, as amended by Chapter 259 of the Acts of 1987

To Be Removed:

§ 125-3 Biodegradable packaging. [Amended 12-12-1989 STM by Art. 2, approved 3-14-1990] All packaging added to or supplied by vendors or commercial establishments within the Town of Nantucket for merchandise of any type being removed from the establishment shall comply with such rules and regulations requiring the use of biodegradable packaging to the maximum extent reasonably practicable as might be established by the Board of Public Works after a public hearing; provided, however, that
this section shall take effect April 15, 1990. “Biodegradable packaging” means any packaging other than plastic or Styrofoam.

To Be Replaced with The Following:

Section I. Definitions and Purpose

Definitions:

Single-use plastics - are petroleum-based plastic products that are intended to be used only once before they are thrown away. They are “disposable” products. The items covered by this Bylaw are listed herein.

Commercial use - using the petroleum-based plastic products listed herein by a business, directly/indirectly for financial gain or convenience.

Petroleum-based plastic - plastics manufactured using petroleum derived polymers. Plant-based plastics are exempted from this Bylaw.

Compostable - This category of plastic is comprised of two basic types. 1) a material that breaks down without mechanical assistance, which is defined herein as “compostable”; and 2) materials requiring mechanical assistance such as the application of high temperatures not achievable in backyard compost piles for a period of several days, which is defined herein in as “commercially compostable”.

Compostable plastic is defined by the standards association ASTM International (ASTM) as “a plastic that undergoes degradation by biological processes during composting to yield carbon dioxide (CO2), water, inorganic compounds, and biomass at a rate consistent with other known compostable materials and that leaves no visible, distinguishable, or toxic residue.” All petroleum-based plastics that are compostable break eventually breakdown into smaller pieces of petroleum-based plastics, some of which are not visible to the unaided human eye. These particles are known as micro-plastic particles and have been found in most bottled waters and in the human and other animals’ bodies due to ingestion of affected food sources.

They are made from materials that can naturally breakdown into usable compost material in back yard compost piles. These materials will enrich the soil and returns nutrients to the earth. According to the US Federal Trade Commission Green Guide updated October 2012, “Some materials break down into usable compost material that enriches the soil and returns nutrients to the earth.”

Compostable plastics are typically made from some type of renewable raw material. Corn starch is one of the most common materials, as is hemp, but there are other similar options. Regardless of what compostable plastic is made from, it’s transformed into a polymer that looks and feels like traditional plastic. Compostable plastics can be difficult to recycle. Most of them require commercial/industrial composting facilities. Compostable plastic material cannot breakdown through natural processes and must be sent off island to a commercial composting facility where it is processed at high heat for
several days. Nantucket currently does not have the commercial composting capabilities.

**Commerically Compostable** - The American Society for Testing and Materials (now known as ASTM International) has published specific guidelines that must be met for a material to be labeled as commercially compostable. In broad terms, those guidelines are:

- “It must able to be broken down by biological treatment at a commercial or industrial composting facility”;
- “Decomposition of the plastic must occur at a rate similar to the other elements of the material being composted (within 6 months)”; and
- It will “Leave no toxic residue that would adversely impact the ability of the finished compost to support plant growth”

It is compostable material that cannot breakdown through natural processes and must be sent off island to a commercial composting facility where it is processed at high heat for several days.

**Biodegradable** - According to the US Federal Trade Commission Green Guide updated October 2012, “Something that’s biodegradable, like food or leaves, breaks down and decomposes into elements found in nature when exposed to light, air, moister, certain bacteria, or other organisms.”

According to the Federal Trade Commission (FTC), a biodegradable product is one that in its entirety will “completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time (one year) after customary disposal”.

The American Society for Testing and Materials (now known as ASTM International) defines biodegradable plastic as “a plastic in which all the organic carbon can be converted into biomass, water, carbon dioxide, and/or methane via the action of naturally occurring microorganisms such as bacteria and fungi, in timeframes consistent with the ambient conditions of the disposal method.”

Currently there is no data to support that many of the things claiming to be biodegradable will be broken down in landfills.

**Drinking Water** - is potable, unflavored, non-carbonated water that is safe to drink or to use for food preparation.

**Flavored Water** - a category of beverage marketed as water which contains an array of additional ingredients, including, but not limited to, natural and artificial flavors, sugars, sweeteners, vitamins, minerals and other “enhancements”. (source: Medical Dictionary)

**Carbonated Water** - water that contain dissolved carbon dioxide gas, either artificially injected under pressure or occurring due to natural geological processes. Carbonation causes small bubbles to form, giving the water an effervescent quality. Also known as

**Boxed Water** - Any type of drinking water, flavored water, carbonated water packaged in an aseptic carton, like the type often used for holding coconut water, soymilk, soups and the like. These cartons are typically promoted as being more than 75% made from recycled paper or other fibers, but the rest of it is often a set of plastic parts such as a cap and pouring ring and internal layers made from petroleum-based plastics such as polyethylene and aluminum.

**Energy Drink** - a type of drink containing sugar and/or other stimulant compounds when packaged in a petroleum based plastic container or packaged in a paper or similar fiber package like the containers used for Boxed Water.

**Purpose:**
The purpose of the Bylaw 2018-16 and the amendments to Bylaw 2018-16 proposed herein is to protect the health and safety of Nantucket's present and future generations, protect the Town's single source aquifer, its scenic visage, historic status, reduce litter, reduce the threat to the environment caused by rapid filling of the landfill space and by possible introduction of toxic by-products into the groundwater and general environment, protect marine animals and food sources and save the citizens of the Town money. There are safe alternatives for each of the single-use petroleum-based plastic items banned. This bylaw applies to commercial sale, distribution and use of these plastic products. However, individuals need to do their part to strive to conserve, protect and preserve our environment.

The Town of Nantucket recognizes that discarded packaging constitutes the largest single category of waste within the Town and County of Nantucket's waste stream and is, therefore, a necessary focus of any effort towards reducing the filling of the Town's landfill as well as towards reducing the economic and environmental costs of waste management.

The Town finds that discarded non-biodegradable packaging and plastic contained within the waste stream of Nantucket is a fundamental cause of problems associated with solid waste disposal.

The Town understands that the landfill space within the Town and County of Nantucket is diminishing rapidly; that the availability of solid waste receiving areas outside the Island of Nantucket is becoming increasingly uncertain and expensive; and, that for both economic and environmental reasons, measures to simplify the chemical complexity of solid waste and, thereby, to streamline solid waste management must be vigorously pursued.

The Town finds that the chemical composition and the ability of a substance to biodegrade are meaningful and useful criteria to focus upon when establishing public policy that is intended to improve the management and disposal of solid waste, reduce the cumulative impact of litter, encourage composting and other forms of recycling, and
otherwise anticipate environmental problems that may be caused by municipal solid waste disposal programs.

The Town finds and determines that the use of plastics and other non-biodegradable packaging has become widespread throughout the island and the resulting mixed substance waste stream is a serious impediment to solid management programs for the Town and County of Nantucket.

The Town further finds that the widespread use of plastics and non-biodegradable packaging poses a threat to the environment on the Island of Nantucket by causing rapid filling of the landfill space and by the possible introduction of toxic by-product into the groundwater and general environment of the island of Nantucket.

The economic and environmental problems associated with the mixed substance waste stream are so severe that a program of incrementally simplify the chemical composition of solid waste, thereby encouraging the composting of putrescible wastes and encouraging other forms of recycling of solid waste substances, is a policy goal of the Town of Nantucket.

BY-LAW:

Section II. Commercial sale, distribution and commercial use of petroleum-based single use plastic products.

It shall be unlawful to commercially sell, distribute or otherwise commercially use the following single-use petroleum-based plastic products in the Town and County of Nantucket on or after June 1, 2020:

- Straws and drink stirrers;
- Six-pack Can and bottle flexible yokes (no limit on capacity size);
- Single use drinking cups and lids;
- Plates and non-compostable eating utensils;
- Drinking water in single-serve polyethylene terephthalate (PET) containers of 1 liter (34 ounces) or less; and
- Single use, non-biodegradable recyclable coffee or other beverage pods

It shall be unlawful to commercially sell, distribute or use the following single-use petroleum-based plastic and other listed products in the Town and County of Nantucket on or after June 1, 2022:

- Flushable wipes containing plastic fibers, cloth fibers and/or anti-bacterial chemicals;
- Cellulose acetate and or any other type of plastic fiber cigarette filters;
- Plastic mesh tea bags;
- Any type of non-deposit, plastic beverage container of 63 ounces or less, including, but not limited to water, flavored water, sparkling water, soda, energy drinks;
- Boxed water containers with components of petroleum based plastic materials such as pouring spouts, caps and as a liner;
- Plastic and glass nip bottles with capacities of up to 200ml;
Plastic stick ear buds;
Small, individual plastic bottles of body wash, shampoo, conditioner, body lotion with capacities of up to 200ml;
Plastic shopping bags, take-out bags, take-out containers, clam-shell containers and similar containers;
Any and all non-recyclable petroleum based plastic products with resin identification codes #3 through #7

Any and all packaging added to or supplied by a vendor within the Town of Nantucket for the purpose of transporting merchandise of any type shall be biodegradable and compostable.

Reusable compostable containers and recyclable paper or cardboard containers are allowable alternatives and, where not a health hazard as determined by the Board of Health or public law, vendors shall encourage the use of such containers by allowing customers to bring their own containers or by providing such reusable containers at no charge or for a reasonable fee.

Each vendor within the Town of Nantucket shall display a notice proximate to the point of sale device and plainly visible to its patron stating the following:

“All packaging added or supplied by this vendor or commercial establishment for merchandise of any type being removed from this establishment must be biodegradable, compostable packaging. No non-biodegradable packaging may be added to or supplied by this vendor or commercial establishment for merchandise of any type being removed from the establishment.”

Section III. Exemption for Emergencies and other
Drinking water (plain, unflavored) - Sales occurring after a declaration of an emergency adversely affecting availability and/or quality of drinking water to Nantucket residents by the emergency Management Director or other duly authorized Town, Commonwealth or United States official shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.
Medical packaging and medically required usage are exempted providing no recyclable alternatives are available.
Plant-based, biodegradable or compostable plastics are exempted from this Bylaw.

Section IV. Enforcement Process
Enforcement of this Bylaw shall be the discretionary responsibility of the Town Manager or her/his designee. Police officers and Health Agents have the authority to enforce this Bylaw. The Town Manager shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any establishment conducting sales, distribution or otherwise engaging in the commercial use of the prohibited plastic products in violation of this Bylaw shall be subject to a noncriminal disposition fine as specified in Article II of Chapter 1 of the Code of the Town of Nantucket under M.G.L. Chapter 40, § 21D. Any such fines shall be paid to the Town of
Nantucket. Enforcement shall be through the process of noncriminal disposition under MGL c. 40, § 21D and Article II of Chapter 1 of the Code of the Town of Nantucket.

V. Suspension of the Bylaw
If the Town Manager determines that the cost of implementing and enforcing this Bylaw has become unreasonable, then the Town Manager shall so advise the Select Board, and the Select Board shall conduct a public hearing to inform the citizens of such costs. After the public hearing, the Select Board may continue this Bylaw in force or may suspend it permanently or for such length of time as they may determine.

VI. Severability
The provisions of this bylaw and article are severable. If any part of this section should be held invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of the bylaw or article, and the remainder of the bylaw or article shall stay in full force and effect.

(Bruce Mandel, et al)

ARTICLE 75
(Bylaw Amendment: Coastal Areas and Open Spaces, Protection of)
To see if the town will vote to amend the Code of the Town of Nantucket, Chapter 66 (“Coastal areas, open spaces, protection of”), by adding a new section 66-3.2.0 as follows:

Insert a numbered one (“1.0”) in front of the existing text of section 66-3. Insert a new paragraph numbered two (“2.0”) as follows:

2.0. No person shall, without a valid permit(s), place any obstruction, including, for example, but not limited to, fencing, rope lines, or other barrier of any kind, that has the effect of prohibiting individuals from accessing the beach below the mean high water mark for the use of fishing, fowling, and navigation rights protected by Chapter 91 of the General Laws of the Commonwealth.

(Burton Balkind, et al)

ARTICLE 76
(Bylaw Amendment: Bicycles)
To see if the Town will vote to amend the Town of Nantucket Code, Chapter 57 (Bicycles and Mopeds) by adding the following new Article IV, or take action relative thereto:

Article IV. Bicycle Accident Database

§57-19. Authority and Purpose
This article is enacted in accordance with G.L. c. 40, §22 to promote public safety by establishing certain rules and regulations concerning the use of the Town’s roadways by bicycles and motor vehicles.

§57-20. Bicycle Accident Database

To see if the Town will vote to use up to $50,000 (fifty thousand) from collected Motor Vehicle Excise Taxes to develop and maintain a database of all motor vehicle accidents involving bicycles. Said database shall be a public record and shall be made available to the public via a link on the Town’s website. The database shall include the date, time and location of the accident, the number of vehicles and bicycles involved and whether the bicyclist suffered any injury. Any doctor, nurse, or first responder or other medical provider providing treatment to an individual injured as a bicyclist in an accident with a motor vehicle shall be requested to make a report to the Chief of Police for inclusion in the Bicycle Accident Database. For purposes of this section, neither the Database, nor any report issued by a medical provider, shall include the name or any identifying information concerning an injured individual.


The provisions of this bylaw are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

(Ian Golding, et al)

ARTICLE 77
(Bylaw Amendment: Bicycles)

To see if the Town will vote to amend the Town of Nantucket Code, Chapter 57 (Bicycles and Mopeds) by adding the following new Article IV, or take action relative thereto:

Article IV. Bicycle Right of Way

§57-13. Authority and Purpose

This article is enacted in accordance with G.L. c. 40, §22 to promote public safety by establishing certain rules and regulations concerning the use of the Town’s roadways by bicycles and motor vehicles.

§57-14. Right of Way for Users of Multi-Use/Shared Use Paths

A. At any location at which a multi-use/shared path intersects with or is crossed by a public or private way or driveway with the exception of major intersections to be determined by the TON, bicyclists, pedestrians and other users of the paths shall have the right of way and any person operating a motor vehicle shall stop and yield to such bicyclist, pedestrian or other user.
B. At any location at which a multi-use/shared path intersects with or is crossed by a public or private way with the exception of major intersections to be determined by the TON, the Town shall install informative path-crossing signs and separate stop signs facing the motor vehicle approach to the intersection so that drivers of motor vehicles are warned to use all caution necessary and to yield the right of way to any bicyclist, pedestrians or other users of the path.

For the purposes of paragraphs A and B in §57-14, a major intersection shall be considered to be the intersection between a main road, e.g. the Milestone Road, or secondary road that bears as much vehicular traffic as a main road, and a multi-use path.


The provisions of this bylaw are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

(Ian Golding, et al)

ARTICLE 78
(Bylaw Amendment: Bicycles)

To see if the Town will vote to amend the Town of Nantucket Code, Chapter 57 (Bicycles and Mopeds) by adding the following new Article IV, or take action relative thereto:

Article IV. Bicycle Passing Buffer Zone

§57-16. Authority and Purpose

This article is enacted in accordance with G.L. c. 40, §22 to promote public safety by establishing certain rules and regulations concerning the use of the Town’s roadways by bicycles and motor vehicles.

§57-17. Bicycle Passing Buffer Zone

No person operating a motor vehicle on a public way within the Town of Nantucket shall overtake or pass a bicyclist proceeding in the same direction of travel unless a three-foot separation can be given between the right side of the driver’s vehicle, including all mirrors and other projections, and the left side of the bicyclist at all times.


The provisions of this bylaw are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

(Ian Golding, et al)
ARTICLE 79
(Bylaw Amendment: Merchandise and Wares)
To see if the Town will vote to amend Chapter 97 (Merchandise and Wares, Display of), §97-1 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; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket):

§ 97-1, Display restricted.
   A. No person, firm, association or corporation shall display, store or maintain any merchandise or wares (except flowers, potted plants and window boxes of flowers) on any Town street or sidewalk or on the exterior (including any door or shutter which, when opened externally, displays such merchandise or wares) of any commercial structure, building, warehouse or other establishment, whether the same is offered for sale, rent, lease or exhibition as a type or example of merchandise or wares on display for sale in the interior of the establishment or at any other location or offer for sale or distribution free samples of such merchandise on any town street or sidewalk.

(David Iverson, et al)

ARTICLE 80
(Bylaw Amendment: Outdoor Lighting)
[HISTORY: Adopted by the Annual Town Meeting of the Town of Nantucket 4-14-2005, Art. 52, approved 10-18-2005. Amendments noted where applicable.]

To see if the Town will vote to amend Chapter 102, Outdoor Lighting, of the Code of the Town of Nantucket by adding the following amendments:

A. Authorize a special monthly inspection night shift, with a pay differential for night time work.

B. Follow up to date State of the Art Standards to integrate new technology available to ensure the continuing attraction and potential expansion of Nantucket as a tourist destination for stargazing, if necessary using private-public funding.

Or to take any other action related thereto.

(Linda Williams, et al)

ARTICLE 81
(Bylaw Amendment: Noise - Gas-powered Leaf Blowers)
To see if the Town will vote to amend the Town of Nantucket Noise Bylaw in the following manner: Amend Section 101-2 of the Town’s Code of Bylaws to prohibit, on a Town-wide basis commencing on December 1, 2020, the use of gas-powered leaf
blowers at all times of the day on all days of the year, by any commercial landscaper, commercial landscape company, or other entity engaged in the business of providing home and yard repair, clean-up, and maintenance services for a fee; or take any other action on the matter.

Explanation: Complaints regarding gas-powered leaf blowers by property owners and gardening contractors have been increasing as the use of these tools has also increased. The environmental impact of such gas-powered equipment has also become a growing concern. Finally, it appears that some local commercial landscaping companies have already adopted battery-powered leaf blowers as an effective alternative with much reduced noise levels.

(Julia Lindner, et al)

ARTICLE 82  
(Bylaw Amendment: Capital Projects)
Protection of citizens of Nantucket from unwanted capital projects:

If a capital project has been rejected twice by Town Meeting and/or at the ballot box, the Select Board of the town of Nantucket shall not proceed with the same or a substantially similar project no matter what funding sources may become available therefore without the approval of Town Meeting and if applicable at the ballot box;

§ 2 definition of Capital Projects.
The town meeting of the town of Nantucket by majority vote is authorized to adopt and amend from time to time a definition of “capital projects” to implement this Act.

§__3. Effective date.
This Act shall be effective upon passage.

Or to take any other action relative thereto.

(Carol Butler, et al)

ARTICLE 83  
(Bylaw Amendment: Washington Street Parking Lot)
To see if the Town will vote to amend the General Bylaws of the Town by adding a new section as follows:

§______ Washington Street Lot

There shall be no paid parking allowed at the Washington Street Town Parking Lot without the approval of Town Meeting. No more than seven parking spaces in said lot may be reserved for official Town vehicle use.

And further to authorize the Town Clerk, after consultation with the Town Manager, to insert the bylaw in the appropriate section of the Town Code in accordance with § 1-9 of the Town Code;
Or to take any other action relative thereto.

(Robert R. DeCosta, et al)

ARTICLE 84
(Bylaw Amendment: Board of Sewer Commissioners/
Siasconset Sewer District Map Changes)
To see if the Town will vote to amend Chapter 41 (Board of Sewer Commissioners), section 41-3B (Siasconset Sewer District) of the Code of the Town of Nantucket by adding the following parcel to the Siasconset Sewer District:

<table>
<thead>
<tr>
<th>MAP</th>
<th>LOT</th>
<th>NUMBER</th>
<th>STREET</th>
</tr>
</thead>
<tbody>
<tr>
<td>73</td>
<td>55</td>
<td>320R</td>
<td>Milestone Road</td>
</tr>
</tbody>
</table>

Or to take any other action related thereto.

(Select Board acting as the Board of Sewer Commissioners)

ARTICLE 85
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 154R Cliff Road)
To see if the Town will vote to: Amend the sewer district map to include 154R Cliff Road, identified as Nantucket Tax Accessor's Map 41, Parcel 73.1, which is currently outside the core sewer district.

; or otherwise act thereon.

(Bryan Swain, et al)

ARTICLE 86
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 18 Kimball Avenue)
To see if the Town will vote to: Amend the sewer district map to include 18 Kimball Avenue, identified as Nantucket Tax Accessor's Map 30, Parcel 109, which is currently outside the core sewer district.

; or otherwise act thereon.

(Bryan Swain, et al)

ARTICLE 87
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 11 Milestone Crossing)
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 11 Milestone Crossing shown on Map 68 as Parcel 455 to the Town Sewer District.

(Joyce Karyotakis, et al)

ARTICLE 88
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 1 West Chester Street Ext.)

To see if the Town will vote to amend the Nantucket Sewer District under Nantucket Code, §41-3.A, by including in the Nantucket Sewer District and the map referenced therein the land situated at and known as 1 West Chester Street Extension, shown upon Nantucket Assessor’s Map 41 as Parcel 180;

or take other action with regard thereto.

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

ARTICLE 89
(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 located within the “Hummock North” sewer needs area designated within the Comprehensive Wastewater Management Plan:

<table>
<thead>
<tr>
<th>Map</th>
<th>Parcel</th>
<th>Number</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>56</td>
<td>101</td>
<td></td>
<td>Hummock Pond Road</td>
</tr>
<tr>
<td>56</td>
<td>103</td>
<td></td>
<td>Hummock Pond Road</td>
</tr>
<tr>
<td>56</td>
<td>5</td>
<td></td>
<td>Millbrook Road</td>
</tr>
</tbody>
</table>

Or to take any other action related thereto.

(Allen Reinhard, et al)

ARTICLE 90
(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes - Correia Lane and Marylin Drive)

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 located within the “Miacomet” sewer needs area designated within the Comprehensive Wastewater Management Plan:

<table>
<thead>
<tr>
<th>Map</th>
<th>Parcel</th>
<th>Number</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>80</td>
<td>54</td>
<td>16</td>
<td>Correia Lane</td>
</tr>
<tr>
<td>80</td>
<td>55</td>
<td>17</td>
<td>Correia Lane</td>
</tr>
<tr>
<td>80</td>
<td>56</td>
<td>15</td>
<td>Correia Lane</td>
</tr>
</tbody>
</table>
Or to take any other action related thereto.

(Linda Williams, et al)

ARTICLE 91
(Acceptance of Massachusetts General Law: Sewer User Charge Deferrals for Eligible Citizens)
To see if the Town will accept the provisions of Massachusetts General Laws Chapter 83, Section 16G which allows the Town to enter into agreements with eligible individuals who meet certain income criteria to defer sewer user charges; or take any other action related thereto.

(Select Board)

ARTICLE 92
(Acceptance of Massachusetts General Law: Property Revaluation Services Contracts)
To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 12, to authorize the Chief Procurement Officer of the Town to award contracts for a term of up to five (5) years, including any renewal, extension or option period, for property revaluation services; or take any other action related thereto.

(Select Board)

ARTICLE 93
(Acceptance of Massachusetts General Law: Part-time Building Inspector)
To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 143, Section 3Z which provides for part-time building inspectors to practice for hire or engage in the business for which he is certified, licensed or registered under the building code while serving as such inspector; provided, however, that within the area over which he has jurisdiction as an inspector, he shall not exercise any of his powers and duties as such inspector, including those of enforcement officer of the state building code for construction, reconstruction, alteration, repair, demolition or removal work done by himself, his employer, employee or one employed with him.

The inspection of such work shall be performed by the inspector of buildings or building commissioner of another city, town, or district or by a special assistant inspector of buildings who is appointed solely for the purpose of performing such inspections by the mayor of a city, the board of selectmen of a town or the governing board of a district.
This section shall take effect in a city, town or district upon its acceptance in a city, by the vote of the city council, subject to the provisions of the charter of such city; in a town, by a vote of town meeting; in a municipality having a town council form of government, by a vote of the town council, subject to the provisions of the charter of such municipality; and in any district, by the vote of the cities and towns of the district.

Or to take any other action related thereto.

(Select Board)

ARTICLE 94
(Home Rule Petition: Merger of Nantucket Water Commission and Siasconset Water Commission)

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation set forth below; provided, however, that the General Court may with the approval of the Select Board, 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 authorizing the Town of Nantucket to supply itself and its inhabitants with water

SECTION 1. The town of Nantucket may supply itself and the inhabitants thereof with water for the extinguishment of fires and for domestic and for other purposes, may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of same.

SECTION 2. The said town, for the purposes aforesaid, is hereby authorized to acquire by purchase or take by eminent domain under chapter 79 of the General Laws the entire water rights, estates, franchises and privileges of any corporation supplying water to its inhabitants and thereby become entitled to all its rights and privileges and subject to all its duties and liabilities; and may lease, or take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring, stream or any ground water sources within its limits, not already appropriated for purposes of public water supply, and any water or flowage rights connected therewith; provided, that the amount of water which may be taken shall from time to time be determined by vote of the town; and also may take by eminent domain under said chapter 79, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity and quality of the water shall be taken or used without first obtaining the advice and approval of the department of environmental protection, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary...
in carrying out the provisions of this act shall be subject to the approval of said department. Said town may construct, erect and maintain on the lands acquired and held under the provisions of this act proper dams, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of the department of environmental protection, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs, establish pumping works and lay down and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or in case of failure so to agree as may be approved by the department of telecommunications and energy. Said town may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed under this act, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for in section 8, in such manner as it shall deem for the best interest of the town.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter 79; provided, that the right to damages for the taking of any water, water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, issue from time to time bonds or notes in accordance with the provisions of section 8 of chapter 44 of the General Laws.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section 5; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall
without further vote be assessed by the town annually thereafter in the same manner as
other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever willfully or wantonly corrupts, pollutes or diverts any of the
waters taken or held under this act, or injures any structure, work or other property
owned, held or used by said town under the authority and for the purposes of this act,
shall forfeit and pay to said town three times the amount of damages assessed
therefore, to be recovered in an action of tort; and upon conviction of any one of the
above willful or wanton acts shall be punished by a fine of not more than three hundred
dollars or by imprisonment for not more than one year, or both.

SECTION 8. All water operations of said town shall be consolidated in department of
the town to be known as the water department. All the authority granted to the town by
this act, except sections 5 and 6, and not otherwise specially provided for, shall be
vested in a five-member board of water commissioners, hereinafter known as the
“board”. The board shall have exclusive charge and control of the water department and
water system of the town, subject however to all lawful by-laws and to such instructions,
rules and regulations as said town may impose by its vote. A majority of said board
shall constitute a quorum for the transaction of business. Any vacancy occurring in said
board shall be filled at the next annual town election for the remainder of the unexpired
term and may be filled temporarily by the board of selectmen until the next annual
election, in accordance with the charter of the town of Nantucket as it may be amended
from time to time. Said commissioners shall serve for three-year overlapping terms, so
arranged that the terms of not more than two commissioners shall expire each year.

SECTION 9. Said board shall fix just and equitable prices and rates for the use of
water, and shall prescribe the time and manner of payment of such prices and rates.
The income of the water works shall be applied to defraying all operating expenses,
interest charges and payments on the principal as they accrue upon any bonds or notes
issued under authority of this act. During any period that the water department is not
operated under an enterprise fund system of accounting pursuant to section 53F1/2 of
chapter 44 of the General Laws, if there should be a net surplus remaining after
providing for the aforesaid charges it shall, subject to appropriation by the town, be used
for such new construction as the water commissioners may recommend or be reserved
by the town for future new construction, and in case a surplus should remain after
appropriation or reservation for such new construction, and/or in the event such surplus
is not so appropriated and reserved, the water rates shall be reduced proportionately.
All authority vested in said board by the foregoing provisions of this section shall be
subject to the provisions of section 8 with respect to the town’s authority to adopt
appropriate bylaws, rules, instructions regulations. Said board shall annually, and as
often as the town may require, render a report upon the condition of the works under its
charge and an account of its doings, including an account of receipts and expenditures.

SECTION 10. The town of Nantucket shall be the lawful successor of the Siasconset
water district and the former Wannacomet Water Company, so-called, in every respect.
All property, both real and personal, including funds, records, furnishings and equipment
whatsoever in the custody of said department and company shall be transferred by
operation of law to the town, and no contracts or liabilities of the Siasconset water
district or former Wannacomet Water Company in force on the effective date of this act
shall be affected by the dissolution and abolition of the said district or company, except
as provided in section 16, below.

SECTION 11. The incumbent general manager of the Wannacomet Water Company,
so-called, holding office as of the effective date of this act shall serve as the director of
the consolidated water department until the natural expiration of his current
appointment, or his sooner resignation, retirement or removal.

SECTION 12. Upon the effective date of this act, the so-called Siasconset water district,
created pursuant to chapter 404 of the acts of 1903, as amended, is hereby dissolved,
the board of water commissioners created pursuant to said chapter 404 is abolished,
and the terms of any incumbent members of said board of water commissioners
terminated.

SECTION 13. The enterprise funds previously established by vote of the town pursuant
to section 53F1/2 of chapter 44 of the General Laws and referred to as the Siasconset
Water Enterprise Fund and the Wannacomet Water Enterprise Fund, to the extent they
are in existence as of the effective date of this act, shall hereby be consolidated into a
single enterprise fund to be known as the Nantucket Water Department Enterprise
Fund, which consolidated fund shall be subject to said section 53F1/2 in every respect.

SECTION 14. Any properly-adopted rules and regulations of the boards of water
commissioners created pursuant to chapter 404 of the acts of 1903 and chapter 476 of
the acts of 1987, in effect upon the effective date of this act, shall remain in full force and
effect until such time as they are amended or abolished by the board created under
section 8 this act.

SECTION 15. Upon the effective date of this act, the then-applicable Memorandum of
Agreement between the Nantucket Water Commission and the Siasconset Water shall
be rendered void, and the parties are relieved of their obligations under said
Memorandum of Agreement, except to the extent that any payments are outstanding for
services rendered prior to the effective date of this act.

SECTION 16. All personnel of the water department created under the section 8 of this
act are town employees, and shall be appointed by the board created under said section
8, in accordance with and subject to the requirements of sections 4.5-4.9 of the town
charter, chapter 289 of the acts of 1996 as it may be amended from time to time. Such
employees shall be subject to any applicable by-laws, and personnel policies and
procedures of the town, unless and only to the extent that such by-laws and personnel
policies and procedures have been amended by any valid collective bargaining
agreement, where applicable. Nothing herein shall be construed to alter or amend the
employment status of any existing water department employees, employed as of the
effective date of this act, except as provided in section 12, above.
SECTION 17. As of the effective date of this act, the members of the board of water commissioners created by the provisions of chapter 404 of the acts of 1903 and chapter 476 of the acts of 1987, previously known as the Nantucket Water Commissioners, shall become the first members of the five-member board of water commissioners created under section 8 of this act. Such commissioners shall serve for the remainder of their elected terms or their sooner vacating of office. Thereafter, such offices shall be filled in accordance with said section 8. Two additional commissioners shall be elected at the first annual town election occurring no less than 64 days after the passage of this act, one for a 2-year term and one for a 3-year term. If the 2 additional positions would remain vacant for more than 4 months, the board of selectmen may, in its discretion, make temporary appointments to fill the vacancies until the annual election at which the offices may legally appear on the ballot. Thereafter, all elections and temporary appointments to the board shall be made in accordance with said section 8.

SECTION 18. Chapter 307 of the acts of 1925, chapter 436 of the acts of 1963, and chapter 476 of the acts of 1987 are hereby repealed.

SECTION 19. This act shall take effect upon passage.

Or to take any other action related thereto.

(Select Board for Nantucket Water Commission, Siasconset Water Commission)

NOTE: The above home rule petition was approved as Article 75 of the 2016 Annual Town Meeting; Article 87 of the 2017 Annual Town Meeting, Article 68 of the 2018 Annual Town Meeting and Article 78 of the 2019 Annual Town Meeting. Home rule petitions currently pending before the legislature, which were not acted upon by December 31, 2019, may expire unless renewed by a confirmatory town meeting vote.

ARTICLE 95
(Home Rule Petition: Community Housing Bank Real Estate Transfer Fee)

To see if the Town will vote to request its representatives in the General Court to introduce legislation seeking a special act the text of which is set forth below and to authorize the General Court, with the approval of the Select Board, to make constructive changes in the text thereto as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage; or to take any other action related thereto.

An Act Authorizing the Town of Nantucket to Impose a Real Estate Transfer Fee for Affordable and Workforce Housing and Related Capital Improvements

SECTION 1. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

“Affordable Housing Restriction” is a recorded instrument held by a qualified holder which encumbers and/or restricts a real property interest so that the real property interest is perpetually or for a term of at least thirty (30) years limited to use as a residence occupied by a low or moderate income household which earns less than a specified income level, the upper limit of which may not exceed one hundred seventy-
five percent (175%) of the Nantucket median income. A “qualified holder” is a
governmental body or charitable corporation or trust which qualifies under the terms of
Massachusetts General Laws Chapter 184 (“Chapter 184”) to hold an affordable
housing restriction. Without limiting the generality of the foregoing, “Affordable Housing
Restriction” includes but is not limited to any instrument which conforms to the
requirements of (i) a Nantucket Housing Needs Covenant as described in Chapter 301

“Housing and Community Development Fund”, shall refer to a discrete fund or
account, established by the county treasurer of the Nantucket County under the
provisions of this act.

“Eligible Applicants”, shall refer to non-profit and for-profit corporations and
organizations, individuals, and public entities.

“Purchaser”, shall refer to the transferee, grantee or recipient of any real property
interest.

“Purchase price”, all consideration paid or transferred by or on behalf of a purchaser
to a seller or his nominee, or for his benefit, for the transfer of any real property interest,
and shall include, but not be limited to, all cash or its equivalent so paid or transferred;
all cash or other property paid or transferred by or on behalf of the purchaser to
discharge or reduce any obligation of the seller; the principal amount of all notes or their
equivalent, or other deferred payments, given or promised to be given by or on behalf of
the purchaser to the seller or his nominee; the outstanding balance of all obligations of
the seller which are assumed by the purchaser or to which the real property interest
transferred remains subject after the transfer, determined at the time of transfer, but
excluding real estate taxes and other municipal liens or assessments which are not
overdue at the time of transfer; the fair market value, at the time of transfer, of any other
consideration or thing of value paid or transferred by or on behalf of the purchaser,
including, but not limited to, any property, goods or services paid, transferred or
rendered in exchange for such real property interest.

“Real property interest”, shall refer to any present or future legal or equitable interest
in or to real property, and any beneficial interest therein, including the interest of any
beneficiary in a trust which holds any legal or equitable interest in real property, the
interest of a partner or member in a partnership or limited liability company, the interest
of a stockholder in a corporation, the interest of a holder of an option to purchase real
property, the interest of a buyer or seller under a contract for purchase and sale of real
property, and the transferable development rights created under chapter 183A of the
General Laws; but shall not include any interest which is limited to any of the following:
the dominant estate in any easement or right of way, the right to enforce any restriction;
any estate at will or at sufferance; any estate for years having a term of less than 30
years; any reversionary right, condition, or right of entry for condition broken; and the
interest of a mortgagee or other secured party in any mortgage or security agreement.

“Seller”, shall refer to the transferor, grantor or immediate former owner of any real
property interest.

“Time of transfer” of any real property interest shall mean the time at which such
transfer is legally effective as between the parties thereto, and, in any event, with
respect to a transfer evidenced by an instrument recorded with the appropriate registry
of deeds or filed with the assistant recorder of the appropriate registry district, not later
than the time of such recording or filing.
“Town” shall refer to the Town of Nantucket acting by and through the Board of Selectmen.

SECTION 2. There is hereby imposed a fee equal to one half per cent (1/2%) of the purchase price upon the transfer of any real property interest in any real property situated in Nantucket County. Said fee shall be the liability of the seller of such real property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the seller. The fee shall be paid to the Town of Nantucket, or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative and the seller or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The Town, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Nantucket County, and the assistant recorder for the registry district of Nantucket County, shall not record or register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate executed by the Town or its designee. Failure to comply with this requirement shall not affect the validity of any instrument. The Town shall deposit all fees received hereunder with the Town treasurer. The treasurer shall deposit such fees as follows: 75% in the Affordable Housing Trust Fund and the remainder in capital project funds as determined by the Board of Selectmen, unless such allocation is changed by the affirmative vote of two-thirds of voters at an annual or special town meeting. The fee imposed hereunder shall be due simultaneously with the time of transfer of the transfer upon which it is imposed. Notwithstanding the foregoing, whenever there is a conveyance of real property interests and a conveyance of personalty related thereto at or about the same time, the allocations of payments between real estate and personalty agreed to by the purchaser and seller shall not determine the amount of the fee due hereunder to this section; instead, the Town may require payment of the fee referred to in real property interests so conveyed as determined by the Town.

SECTION 3. At any time within seven days following the issuance of the certificate of payment of the fee imposed by section two, the seller or his legal representative may return said certificate to the Town or its designee for cancellation, together with an affidavit signed under oath or under the pains and penalties of perjury that the transfer, with respect to which such certificate was issued, has not been consummated, and thereupon the fee paid with respect to such transfer shall be forthwith returned to the seller or his legal representative.

SECTION 4. The following transfers of real property interests shall be exempt from the fee established by section 10. Except as otherwise provided, the seller shall have the burden of proof that any transfer is exempt under this section and any otherwise exempt transfer shall not be exempt in the event that such transfer (by itself or as part of
a series of transfers) was made for the primary purpose of evading the fee imposed by
Section 10.

(a) Transfers to the government of the United States, the commonwealth, and any of
their instrumentalities, agencies or subdivisions, including but not limited to transfers to
the Town of Nantucket, the County of Nantucket.

(b) Transfers which, without additional consideration, confirm, correct, modify or
supplement a transfer previously made.

(c) Transfers made as gifts without consideration. In any proceedings to determine
the amount of any fee due hereunder, it shall be presumed that any transfer for
consideration of less than fair market value of the real property interest transferred was
made as a gift without consideration to the extent of the difference between the fair
market value of the real property interest transferred and the amount of consideration
claimed by the seller to have been paid or transferred, if the purchaser shall have been
at the time of transfer the spouse, the lineal descendant, or the lineal ancestor of the
seller, by blood or adoption, and otherwise it shall be presumed that consideration was
paid in an amount equal to the fair market value of the real property interest transferred,
at the time of transfer.

(d) Transfer to the trustees of a trust in exchange for a beneficial interest received by
the purchaser in such trust; distributions by the trustee of a trust to the beneficiaries of
such trust.

(e) Transfers by operation of law without actual consideration, including but not
limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real
property interest.

(f) Transfers made in partition of land and improvements thereto, under chapter two
hundred and forty-one of the General Laws.

(g) Transfers to any charitable organization as defined in clause Third of section five
of chapter fifty-nine of the General Laws, or any religious organization, provided that the
real property interest so transferred will be held by the charitable or religious
organization solely for its public charitable or religious purposes.

(h) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee,
and transfers of the property subject to a mortgage to the mortgagee in consideration of
the forbearance of the mortgagee from foreclosing said mortgage.

(i) Transfers made to a corporation or partnership or limited liability company at the
time of its formation, pursuant to which transfer no gain or loss is recognized under the
provisions of section three hundred and fifty-one or seven hundred and twenty-one of
the Internal Revenue Code of 1986, as amended; provided, however, that such transfer
shall be exempt only in the event that (1) with respect to a corporation, the transferor
retains an interest in the newly formed corporation which is equivalent to the interest the
transferor held prior to the transfer, or (2) with respect to a partnership or limited liability
company, the transferor retains after such formation rights in capital interests and profit
interests within such partnership or limited liability company which are equivalent to the
interest the transferor held prior to the transfer.

(j) Transfers made to a stockholder of a corporation in liquidation or partial liquidation
of the corporation, and transfers made to a partner of a partnership or to a member of a
limited liability company in dissolution or partial dissolution of the partnership or limited
liability company; but the transfer shall be exempt only if (i) with respect to a corporation,
the transferee receives property (including real property interests and other property
received) which is the same fraction of the total property of the transferor corporation as
the fraction of the corporation’s stock owned by the transferee prior to the transfer or (ii)
with respect to a partnership or limited liability company, the transferee receives
property (including real property interests and other property received) which is the
same fraction of the property of the partnership or limited liability company as the
fraction of the capital and profit interests in the transferor formerly owned by the
transferee.

(k) Transfers consisting of the division of marital assets under the provisions of
section thirty-four of chapter two hundred and eight of the General Laws or other
provisions of law.

(l) Transfers of property consisting in part of real property interests situated in
Nantucket County and in part of other property interests, to the extent that the property
transferred consists of property other than real property situated in Nantucket county;
provided that the purchaser shall furnish the Town with such information as it shall
require or request in support of the claim of exemption and manner of allocation of the
consideration for such transfers.

(m) The first $2 million of the sale price of any transfer or series of transfers of real
property interests in a single parcel. Said exemption may be adjusted for inflation as
determined annually by the affirmative vote of two thirds of voters at an annual or
special town meeting. For purposes of this subsection, “inflation” shall mean the
increases, if any, in the total of prices paid for real property transfers year to year for real
property within the Town of Nantucket.

(n) Transfers of minority interests in corporations, trusts, partnerships or limited
liability companies which are publicly traded, which trades are not part of a series of
transfers which together constitute a transfer of control of a corporation, trust,
partnership or limited liability company.

SECTION 5. (a) The Town treasurer shall keep a full and accurate account stating
when, from or to whom, and on what account money has been paid or received relative
to the activities of the Trust Fund and the Housing Fund. Said account shall be subject
to examination by the director of accounts or his agent pursuant to section forty-four of
chapter thirty-five of the General Laws.

(b) Schedules of beneficiaries of trusts, list of stockholders of corporations and lists of
partnerships filed with the Trust Fund for the purpose of determining or fixing the
amount of the fee imposed under section ten or for the purpose of determining the
existence of any exemption under section twelve shall not be public records for the
purposes of section ten of chapter sixty-six of the General Laws.

SECTION 6. A seller who fails to pay all or any portion of the fee established by
section two on or before the time when the same is due shall be liable for the following
additional payments in addition to said fee:

(a) Interest: The seller shall pay interest on the unpaid amount of the fee to be
calculated from the time of transfer at a rate equal to fourteen percent per annum.

(b) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee
imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the
time of transfer, shall pay a penalty equal to five percent of the outstanding fee as
determined by the Town for each month or portion thereof thereafter that the fee is not
paid in full; provided, however, that in no event shall the amount of any penalty imposed hereunder exceed twenty-five per cent of the unpaid fee due at the time of transfer. Whenever the Town determines that all or a portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Town shall be paid by the seller in addition to said fee.

SECTION 7. (a) The Town shall notify the purchaser and the seller by registered or certified mail of any failure to discharge in full the amount of the fee due under this Act and any penalty or interest assessed. The Town shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by the Town within thirty days after the mailing of said notice. The Town shall notify the purchaser and the seller in writing by registered or certified mail of its determination concerning the deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a determination of the Town concerning a deficiency, penalty or interest may, after payment of said deficiency, appeal to the district or superior court within three months after the mailing of notification of the determination of the Town. Upon the failure to timely petition for a hearing, or appeal to said courts, within the time limits hereby established, the purchaser and seller shall be bound by the terms of the notification, assessment or determination, as the case may be, and shall be barred from contesting the fee, and any interest and penalty, as determined by the Town. All decisions of said courts shall be appealable. Every notice to be given under this section by the Town shall be effective if mailed by certified or registered mail to the purchaser or the seller at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in land, the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the public records in Nantucket County, such notice shall be effective when so mailed to the purchaser or seller in care of any person appearing of record to have a fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in Nantucket County.

(b) All fees, penalties and interest required to be paid pursuant to this chapter shall constitute a personal debt of the seller and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Town; said action, suit or proceeding shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

(c) If any seller liable to pay the fee established by this act neglects or refuses to pay the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Town upon all property and rights to property, whether real or personal, belonging to either such purchaser or such seller. Said lien shall arise at the time of transfer and shall continue until the liability for such amount is satisfied. Said lien shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor unless notice thereof has been filed by the Town (i) with respect to real property or fixtures in the registry of deeds for Nantucket County; or (ii) with respect to personal property, in the office in which a security or financing statement or notice with respect to the property would be filed in order to perfect a nonpossessory security interest belonging to the
person named in the relevant notice, subject to the same limitations as set forth in section fifty of chapter sixty-two C of the General Laws.

(d) Sellers applying for an exemption under subsections (a) through (o) of section four shall be required at the time of application for exemption to execute an agreement legally binding on sellers and separately legally binding upon any Legal Representative of the sellers, (1) assuming complete liability for any fee, plus interest and penalties if any, waived on account of an allowed exemption subsequently determined to have been invalid, and (2) submitting to the jurisdiction of the trial court of the commonwealth sitting in Nantucket County. Fees, plus interest and penalties if any, shall be calculated as of the date of the initial property transfer. Execution of the above-described agreement shall not be required of any mortgagee, pledge, purchaser or judgment creditor unless notice of the agreement has been recorded or filed by the Town.

In any case where there has been a refusal or neglect to pay any fee, interest or penalties imposed by this act, whether or not levy has been made, the Town, in addition to other modes of relief, may direct a civil action to be filed in a district or superior court of the commonwealth to enforce the lien of the Town under this section with respect to such liability or to subject any property of whatever nature, of the delinquent, or in which he has any right, title or interest, to the payment of such liability.

The Town may issue a waiver or release of any lien imposed by this section. Such waiver or release shall be conclusive evidence that the lien upon the property covered by the waiver or release is extinguished.

SECTION 8. The provisions of this act are severable, and if any provision hereof, including without limitation any exemption from the fee imposed hereby, shall be held invalid in any circumstances such invalidity shall not affect any other provisions or circumstances. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 9. If the Town has determined that a fee is due by asserting the application of the evasion of fee doctrine described in section 13, then the seller shall have the burden of demonstrating by clear and convincing evidence as determined by the Town that the transfer, or series of transfers, possessed both: (i) a valid, good faith business purpose other than avoidance of the fee set forth in section 10 and (ii) economic substance apart from the asserted fee avoidance benefit. In all such cases, the transferee shall also have the burden of demonstrating by clear and convincing evidence as determined by the Town that the asserted non-fee-avoidance business purpose is commensurate with the amount of the fee pursuant to section 10 to be thereby avoided.

SECTION 10. This act shall take effect ninety (90) days following the date of passage.

(SELECT BOARD)
NOTE: The above home rule petition was approved as Article 82 of the 2016 Annual Town Meeting, Article 88 of the 2017 Annual Town Meeting, Article 70 of the 2018
Annual Town Meeting and Article 79 of the 2019 Annual Town Meeting. Home rule petitions currently pending before the legislature, which were not acted upon by December 31, 2018, may expire unless renewed by a confirmatory town meeting vote.

ARTICLE 96  
(Home Rule Petition: Amending Special Act Authorizing Affordable Housing Covenants) 

To see if the Town will vote to request its representatives in the General Court to introduce special legislation seeking a special act in the form set forth below, amending Chapter 301 of the Acts of 2002, and to authorize the General Court, with the approval of the Select Board, to make constructive changes in the text as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage; or to take any other action related thereto.

AN ACT AMENDING THE ACT AUTHORIZING AFFORDABLE HOUSING COVENANTS 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. Section 2 of Chapter 301 of the Acts of 2002, “An Act Authorizing Affordable Housing Covenants in the Town of Nantucket,” is hereby repealed and the following text is inserted in its place:

Section 2. Notwithstanding the provisions of any general or special law to the contrary, the town of Nantucket may adopt by-laws to designate the Nantucket Housing Authority as the agency authorized to create, administer and enforce Nantucket housing needs covenants. These covenants shall run with the land for a specified number of years or if no termination date is specified then in perpetuity, and shall be executed by or on behalf of the owner of the land appropriate to (a) limiting the use of all or part of the land to occupancy by persons or families of middle income in either rental or other housing, except for a “qualified family member” as defined in Section 8B(2) of Chapter 139 (Zoning) of the Code of Nantucket who shall be exempt from the established income and asset limits otherwise required in said covenants, (b) restricting the resale price of all or part of the property in order to ensure its affordability by future middle income purchasers, or (c) in any way limiting or restricting the use or enjoyment of all or any portion of the land for the purpose of encouraging or ensuring the creation or retention of rental and other housing for occupancy by middle income persons and families.

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

(Select Board)

NOTE: The above home rule petition was approved as Article 89 of the 2017 Annual Town Meeting, Article 71 of the 2018 Annual Town Meeting and Article 80 of the 2019 Annual Town Meeting. Home rule petitions currently pending before the legislature, 

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ARTICLE 97
(Home Rule Petition: Real Estate Conveyance - Portions of 170 and 174 Orange Street and 2 Milestone Road)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to petition the General Court consistent with the requirements of Article 97 of the Amendments to the Massachusetts Constitution to enact special legislation to authorize the transfer and conveyance of portions of certain parcels of land in the Town of Nantucket owned by the Nantucket Islands Land Bank for open space purposes, as described in more detail below and as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___” dated __________ and filed with the Office of the Town Clerk, to the Town of Nantucket for roadway, bicycle, drainage, utility, and sidewalk purposes, provided, however, that the General Court may with the approval of the Nantucket Islands Land Bank, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage:

AN ACT AUTHORIZING THE NANTUCKET ISLANDS LAND BANK TO TRANSFER, CONVEY OR OTHERWISE DISPOSE OF PORTIONS OF CERTAIN LANDS SITUATED IN THE TOWN OF NANTUCKET HELD FOR OPEN SPACE PURPOSES TO THE TOWN OF NANTUCKET FOR ROADWAY, BICYCLE, DRAINAGE, UTILITY, AND SIDEWALK PURPOSES

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

Section 1. Pursuant to Article 97 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 Nantucket Islands Land Bank may transfer, convey or otherwise dispose of portions of certain parcels of land situated in the Town of Nantucket to the Town of Nantucket for roadway, bicycle, drainage, utility, and sidewalk purposes associated with the Milestone Rotary described as follows:

- Tax Assessor’s Map 55, Parcel 63 (a portion of) 170 Orange Street;
- Tax Assessor’s Map 55, Parcel 64 (a portion of) 174 Orange Street;
- Tax Assessor’s Map 55, Parcel 65 (a portion of) 2 Milestone Road;

Any such disposition shall be on such terms and conditions as the Nantucket Islands Land Bank deem appropriate, which may include the reservation of restrictions and easements and the exchange of suitable property from the Town of Nantucket to mitigate the loss of open space land as determined by the Nantucket Islands Land Bank Commissioners, all as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___” dated __________ and filed with the Office of the Town Clerk.

Section 2. This act shall take effect upon its passage.
ARTICLE 98
(Home Rule Petition: Town Charter - Select Board Amendment/Airport Capital Projects)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, amending the charter for the Town of Nantucket, and to authorize the General Court, with the approval of the Select Board, to make changes in the text thereto as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage, or to take any other action related thereto.

AN ACT AMENDING THE CHARTER FOR THE TOWN OF NANTUCKET

SECTION 1. Section 2.1 of article II of the charter of the town of Nantucket, as established by chapter 289 of the acts of 1996, as amended, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended as follows:

1. Striking out the first sentence of the second paragraph said section 2.1 and replacing it with the following:

   Notwithstanding the foregoing, certain powers of Town Meeting as to real estate acquisitions and funding of capital projects at Nantucket Airport shall also be vested in the Select Board, as specified in Sections 3.3 and 3.6, subject to the voters’ right to petition, as specified in Sections 2.1(b), 3.3, and 3.6.

2. Striking out section 2.1(b) and replacing it with the following:

   To veto any real estate acquisition voted by the Select Board pursuant to Section 3.3 or any vote regarding funding of capital projects at the Nantucket Airport pursuant to Section 3.6; provided, however, that a petition proposing such veto in the form of a Town Meeting warrant article is signed by at least ten registered voters and provided that the petition is timely filed with the Town Clerk. The Town Clerk shall then present the petition to the Select Board within the time permitted for inclusion of the article in the next Annual Town Meeting or Special Town Meeting warrant. The Select Board or the Nantucket Airport Commission, as applicable may proceed with the real estate acquisition or use of funding of capital projects to benefit the Airport unless a petition to veto such acquisition or funding is filed with the Town Clerk within 15 days of the public notice provided for Section 3.6 of this Charter.

SECTION 2. Section 3.1 of article III of said charter is hereby amended by adding a new section 3.6 as follows:
Section 3.6 Funding for the Benefit of the Nantucket Airport

At the request of the Nantucket Airport Commission, the Select Board may, notwithstanding any law to the contrary, vote to appropriate, borrow or transfer from available funds any sum of money to be placed in the Airport enterprise fund, or any other fund established for the benefit of Nantucket Airport, in order to permit the Nantucket Airport Commission or the Nantucket Airport to qualify for available grants and loans; provided that the amount of such appropriation or borrowing shall not exceed the total cost of the Capital Project for which the appropriation or borrowing is authorized pursuant to Section 2.1(b) of this Charter; and provided further that any amount authorized to be appropriated, borrowed or transferred by the Select Board shall, subject to any applicable grant or loan requirements and applicable laws, be reduced by the amount of any such grant or loan funds received prior to the issuance of bonds or notes or the expenditure of funds by the Nantucket Airport Commission.

The Select Board shall publish a public notice of such vote in a newspaper having general circulation within the Town. Any such vote shall be subject to veto by Town Meeting if a petition as set forth in Section 2.1(b) is filed with the Town Clerk within 15 days following the date such public notice is published.

Nothing in this section of the Charter shall affect the acceptance of gifts pursuant to Chapter 44, Section 53A of the General Laws.

(Select Board for Nantucket Memorial Airport Commission)

ARTICLE 99

(Home Rule Petition: Real Estate Easement Conveyance - Candle House Lane)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to petition the General Court consistent with the requirements of Article 97 of the Amendments to the Massachusetts Constitution to enact special legislation to authorize the easement conveyance of all or portions of certain parcels of land in the Town of Nantucket owned by the Nantucket Islands Land Bank for open space purposes, as described in more detail below and as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___” dated ________ and filed with the Office of the Town Clerk, to the Town of Nantucket for drainage purposes, provided, however, that the General Court may with the approval of the Nantucket Islands Land Bank, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage:

AN ACT AUTHORIZING THE NANTUCKET ISLANDS LAND BANK TO CONVEY DRAINAGE EASEMENTS OF PORTIONS OF CERTAIN LANDS SITUATED IN THE TOWN OF NANTUCKET HELD FOR OPEN SPACE PURPOSES TO THE TOWN OF NANTUCKET FOR UNDERGROUND DRAINAGE PURPOSES

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:
Section 1. Pursuant to Article 97 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 Nantucket Islands Land Bank may convey an easement(s) under all or portions of certain parcels of land situated in the Town of Nantucket to the Town of Nantucket for underground drainage purposes, provided that the overall use and appearance of said properties remains as open space, described as follows:

- Tax Assessor’s Map 55.4.4, Parcel 105, 14 Candle House Lane;
- Tax Assessor’s Map 55.4.4, Parcel 104, 16 Candle House Lane.

Any such disposition shall be on such terms and conditions as the Nantucket Islands Land Bank deem appropriate, which may include the reservation of restrictions and easements and the exchange of suitable property from the Town of Nantucket to mitigate any impact of open space value as determined by the Nantucket Islands Land Bank Commissioners, all as shown on a map entitled “2020 Annual Town Meeting Warrant Article __” dated __________ and filed with the Office of the Town Clerk.

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

Or to take any other action related thereto.

(Select Board)

ARTICLE 100

(Home Rule Petition: Amending the Town Charter Relative to the Audit Committee)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, amending the charter for the Town of Nantucket, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage. (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):

Article III, Select Board, Section 3.5(c), Further Powers of the Select Board

The Select Board shall have the power:

... 

(c) To establish as may be advisable or needed one or more advisory committees to conduct any inquiry or investigation or to make planning, policy or other recommendations; further, to establish and shall so establish as a permanent standing committee of the town a three member audit committee whose duties shall include appointment of an outside audit firm, review of the annual audit results and evaluation of the internal accounting procedures and controls. The audit committee shall be
composed of three members each serving a term of one year. The committee will consist of the Chairman of the Select Board, the Chairman of the Finance Committee and one member of the Select Board appointed by the Select Board.

Article III, Select Board, Insert Section 3.6- Audit Committee

(a) Members. In accordance with this charter, the Select Board shall establish a five member Audit Committee consisting of the Chairman of the Select Board, the Chairman of the Finance Committee, one appointed member from the Select Board and two members of the Nantucket community. The public members will be appointed by the Select Board. Each member shall be a voting member and be appointed for 1-year terms.

(b) Purposes, Duties, and Responsibilities of the Audit Committee. The Audit Committee shall represent the Select Board in discharging its responsibility relating to the accounting, reporting, and financial practices of the Town, and shall have general responsibility for surveillance of internal controls and accounting and audit activities of the Town. Specifically, the Audit Committee shall:

1. Evaluate and recommend to the Select Board a firm of independent certified public accountants as auditors of the Town.

2. Review with the independent auditors their audit procedures, including the scope, fees and timing of the audit, and the results of the annual audit examination and any accompanying management letters.

3. Review the written statement from the outside auditor of the Town concerning any relationships between the auditor and the Town or any other relationships that may adversely affect the independence of the auditor and assess the independence of the outside auditor.

4. Review and discuss with the Finance Director and the independent auditors the Town's annual audited consolidated financial statements, including an analysis of the auditors' judgment as to the quality of the Town's accounting principles.

5. Review the adequacy of the Town's internal controls.

6. Review significant changes in the accounting policies of the Town and accounting and financial reporting rule change that may have a significant impact on the Town's financial reports.

7. Review material pending legal proceedings involving the Town and other contingent liabilities.
(8) Review the adequacy of the Audit Committee Charter on an annual basis.

(c) Meetings. The Audit Committee shall meet as often as may be deemed necessary. The Audit Committee shall meet in executive session (without the presence of staff) with the independent auditors at least annually. The Audit Committee shall report to the full Select Board with respect to its meetings. The majority of the members of the Audit Committee shall constitute a quorum.

Or to take any other action related thereto.

(Select Board)

ARTICLE 101
(Home Rule Petition: Prohibiting Glyphosate)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation seeking a special act in the form set forth below, amending Chapter 301 of the Acts of 2002, and to authorize the General Court, with the approval of the Board of Selectmen, to make constructive changes in the text as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage; or to take any other action related thereto.

AN ACT PROHIBITING THE USE OF GLYPHOSATE 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. The use of glyphosate, or any product containing glyphosate, as one of the ingredients is hereby prohibited in the Town of Nantucket.

SECTION 2. This act shall take effect upon passage.

(Cheryl Emery, et al)

ARTICLE 102
(Long-term Lease Authorization for Solar Facilities)

To see if the Town will vote to authorize the Select Board to enter into one or more leases of Town land currently held for general municipal purposes for terms not exceeding twenty (20) years for the installation and operation of solar facilities under such terms and conditions as the Select Board deems to be in the best interests of the Town; or to take any other action related thereto.

(Select Board)
ARTICLE 103
(Real Estate Acquisition: 24 Surfside Road)
To see if the Town will vote to authorize the Select Board to acquire for school purposes the fee interest in the property known as 24 Surfside Road, shown on Tax Assessor’s Map 55 as Parcel 243; all as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ Acquisition of 24 Surfside Road” dated _____________ on file at the Office of the Town Clerk; and further to transfer a sum of money from the Proceeds from the Sale of Land Account, said funds to be transferred for the purpose of acquiring said parcel; or to take any other action relative thereto.

(Select Board)

ARTICLE 104
(Real Estate Conveyance: Industrial Land and Acquisition: 57 Surfside Road)
To see if the Town will vote to authorize the Select Board to sell, convey or otherwise dispose of the fee title or lesser interests in all or any portions of the property shown as Lot N-1, containing 16,447± square feet, known as 10 Shadbush Road; Lot N-2, containing 16,332± square feet, known as 14 Shadbush Road; and Lot N-3, containing 5,376± square feet, known as 16 Shadbush Road on a plan entitled “Subdivision Plan of Land in Nantucket, MA, prepared by the Town of Nantucket,” dated June 6, 2016, recorded with Nantucket County Registry of Deeds as Plan No. 2016-59, subject to Chapter 30B of the Massachusetts General Laws and a determination by the Select Board that such conveyance is in the best interests of the Town and; further, to authorize the Select Board to acquire by purchase, gift or eminent domain for sewer purposes a portion of the property at 57 Surfside Road, shown on Tax Assessor’s Map 67 as Parcel 218, shown as Lots 9 and 10 on a sketch plan on file with the office of the Town Clerk and a twenty-foot (20’) wide sewer easement over a portion of the property known as 4 Windy Way, shown on Tax Assessor’s Map 67 as Parcel 118.6.

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ Conveyance of Industrial Land and Acquisition of 57 Surfside Road” dated ___________ and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board)

ARTICLE 105
(Real Estate Acquisition: 114 Orange Street)
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain for public way, drainage, general municipal purposes, and/or the purposes of conveyance, the fee title or lesser interests in all or any portions of the property known as 114 Orange Street, shown on Tax Assessor’s Map 55 as Parcel 403.
ARTICLE 106  
(Real Estate Conveyance: 114 Orange Street)  
To see if the Town will vote to authorize the Select Board to sell, convey or otherwise dispose of the fee or lesser interests in all or any portion of 114 Orange Street shown on Assessor's Map 55 as Parcel 403 to the Nantucket Islands Land Bank for all purposes pursuant to their enabling legislation, to be on any terms and conditions the Select Board deem appropriate, and may include the reservation of any easements and restrictions in regard to the property.

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ Conveyance of 114 Orange Street,” dated __________ and filed herewith at the office of the Town Clerk.

Or to take any other action related thereto.

(Select Board)

ARTICLE 107  
(Real Estate Acquisition: 64 North Liberty Street)  
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain for public way, drainage, and/or general municipal purposes the fee title or lesser interests in all or portions of the property known as 64 North Liberty Street shown on Tax Assessor’s Map 41 as Parcel 233.

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article __ Acquisition of 64 North Liberty Street” dated __________ and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board)

ARTICLE 108  
(Real Estate Acquisition: 1 Hatch Circle (corner of Bartlett Road and Raceway Drive)  
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain for public way, drainage, and/or general municipal purposes,
including affordable housing purposes, the fee title or lesser interests in all or portions of the property known as 1 Hatch Circle, shown on Tax Assessor’s Map 66 as Parcel 277.

All as shown on a map entitled “2020 Annual Town Meeting Warrant Article ___ Acquisition of 1 Hatch Circle” dated ________ and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Select Board)

ARTICLE 109
(Real Estate Acquisition:  East Hallowell Lane)
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public and private rights of passage for public ways and/or general municipal purposes in the portion of East Hallowell Lane lying between the easterly boundary of Lot 10 on Land Court Plan No. 12022-B at the Nantucket County Registry District of the Land Court traveling east to the westerly border of Lot 1 on Land Court Plan No. 12022-B, consisting of approximately 5,191 square feet as shown on the plan attached hereto, or to take any other action related thereto.

(Elizabeth Finlay, et al)

ARTICLE 110
(Real Estate Conveyance:  East Hallowell Lane)
To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of East Hallowell Lane lying between the easterly boundary of Lot 10 on Land Court Plan No. 12022-B at the Nantucket County Registry District of the Land Court traveling east to the westerly border of Lot 1 on Land Court Plan No. 12022-B, consisting of approximately 5,191 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board’s Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions, or take any action related thereto.

(Elizabeth Finlay, et al)

ARTICLE 111
(Real Estate Acquisition:  North Road)
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public or private rights of passage for public ways and/or general municipal purposes in the portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No. 21902-C registered at the Nantucket County Registry District of the Land Court and the
easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto, or to take any other action related thereto.

(Jessie Brescher, et al)

**ARTICLE 112**
(Real Estate Conveyance: North Road)
To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of North Road (Siasconset) lying between the easterly line of Lot 9 on Land Court Plan No. 21902-C registered at the Nantucket County Registry District of the Land Court and the easterly line of Lot 1A on Plan No. 2014-58 at the Nantucket Registry of Deeds, consisting of approximately 2,146 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board’s Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions, or take any action related thereto.

(Jessie Brescher, et al)

**ARTICLE 113**
(Real Estate Acquisition: Cherry Street)
To see if the Town will vote to authorize the Select Board to acquire by purchase, gift or eminent domain the fee or lesser interests together with any public and private rights of passage for public ways and/or general municipal purposes in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto, or to take any other action related thereto.

(Susan M. Burns, et al)

**ARTICLE 114**
(Real Estate Conveyance: Cherry Street)
To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land known as in the portion of Cherry Street lying between the westerly line of Folger Avenue and the easterly line of Lot 2 on Plan No. 2017-58 filed at the Nantucket Registry of Deeds consisting of approximately 6,733 square feet as shown on the plan attached hereto, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board’s Office, such disposition to be on such terms and conditions as the Select Board may deem appropriate, which may include the reservation of easements and restrictions, or take any action related thereto.

(Nicole Evangelista, et al)
ARTICLE 115
(Real Estate Acquisition: North Carolina Avenue)
To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, for general municipal purposes and for the purpose of conveyance of the fee title or lesser interests, together with any public or private rights of passage, in the portion of an unconstructed private way called North Carolina Avenue (also called North Carolina Street), between (a) a line extending the northeasterly boundary of Lot 15, Block 143, on Land Court Plan 3092-H (Map 59.3, Parcel 242) across North Carolina Avenue and (b) the easterly sideline of Starbuck Road as shown on Land Court Plan 3092-21;
or take other action with regard thereto.

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

ARTICLE 116
(Real Estate Conveyance: North Carolina Avenue)
To see if the Town will vote to authorize the Board of Selectmen to sell, convey or otherwise dispose of the fee or lesser interests of all or any portion of the subject land pursuant to M.G.L., c. 30B, 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, in the portion of an unconstructed private way called North Carolina Avenue (also called North Carolina Street), between (a) a line extending the northeasterly boundary of Lot 15, Block 143, on Land Court Plan 3092-H (Map 59.3, Parcel 242) across North Carolina Avenue and (b) the easterly sideline of Starbuck Road as shown on Land Court Plan 3092-21;
or take other action with regard thereto.

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

ARTICLE 117
(Real Estate Conveyance: 4 Morgan Square)
To see if the Town will vote to: Authorize the Select Board to sell, convey or otherwise dispose of the fee or lesser interests of all or a portion of the subject land pursuant to M.G.L., c. 30B and guidelines established under the “Nantucket Yard Sales” program on file at the Select Board office, any such disposition to be such terms and conditions as the Select Board deem appropriate, which may include the reservation of easements and restrictions, in the portion of 4 Morgan Square lying between the Northly lot line of the property know as Assessors Map 87 Parcel 3.1 and The Southerly lot line of 21 Folger Ave. of the property known as Assessors Map 80 Parcel 4.2 and the Easterly lots lines of 64 South Shore Rd known as Map 80 Parcel 111 and 66 South Shore Road known as Map 80 Parcel 44 and 68 South Shore Rd known as Map 80 and Parcel 43.
; or otherwise act thereon.

(David Callahan, et al)

ARTICLE 118  
(Appropriation: Insurance Reimbursement Account)  
To see what sums the Town will vote to appropriate from the Insurance Proceeds Over $150,000 Account, for the purposes of repayment of debt for the sewer force main failure on January 4, 2018; or to take any other action related thereto.

(Select Board)

ARTICLE 119  
(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 2020 tax levy.

Or to take any other action related thereto.

(Select Board)

ARTICLE 120  
(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 current and/or 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.

(Select Board)
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 FOURTEENTH DAY OF APRIL, 2020**
**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:

<table>
<thead>
<tr>
<th>Office</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderator</td>
<td>One for a term of one year</td>
</tr>
<tr>
<td>Select Board</td>
<td>Two for terms of three years</td>
</tr>
<tr>
<td>School Committee</td>
<td>Two for terms of three years</td>
</tr>
<tr>
<td>Historic District Commission</td>
<td>Two for terms of three years</td>
</tr>
<tr>
<td>Nantucket Housing Authority</td>
<td>One for a term of five years</td>
</tr>
<tr>
<td>Nantucket Islands Land Bank Commission</td>
<td>One for a term of five years</td>
</tr>
<tr>
<td>Harbor and Shellfish Advisory Board</td>
<td>Two for terms of three years</td>
</tr>
<tr>
<td>Planning Board</td>
<td>One for a term of five years</td>
</tr>
<tr>
<td>Nantucket Water Commission</td>
<td>One for a term of three years</td>
</tr>
<tr>
<td>Siasconset Water Commission</td>
<td>One for a term of three years</td>
</tr>
</tbody>
</table>

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

1. **Operating Override**
   Shall the Town of Nantucket be allowed to assess an additional $5,000,000 in real estate and personal property taxes for the purpose of supporting the operation of Our Island Home for the fiscal year beginning on July 1, 2020?

2. **Debt Exclusion for Newtown Road Transportation Improvements**
   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 issued in order to make various transportation-related improvements on Newtown Road including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

3. **Debt Exclusion for Reconstruction of Lover’s Lane**
   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 issued in order to make various transportation-related improvements on Lover’s Lane, including the costs
of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

4. **Debt Exclusion for Construction and Improvements to Amelia Drive and Waitt Drive**
   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 issued in order to make various transportation-related improvements on Amelia Drive and Waitt Drive, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

5. **Debt Exclusion for Construction and Improvements to Children’s Beach Storm Water Pump Station**
   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 issued in order to make various improvements to the Children’s Beach storm water pump station, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

6. **Capital Outlay Exclusion**
   Shall the Town of Nantucket be allowed to assess an additional $896,160 in real estate and personal property taxes for the following purposes in the amounts as follows for the fiscal year beginning July 1, 2020?

<table>
<thead>
<tr>
<th>Department</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire</td>
<td>Replacement of Self-contained Breathing Apparatus Equipment</td>
<td>$101,160</td>
</tr>
<tr>
<td>Marine</td>
<td>Additional Sewage Pump-out Boat</td>
<td>$150,000</td>
</tr>
<tr>
<td>Public Works</td>
<td>Replacement of 6-Wheel Dump Truck</td>
<td>$180,000</td>
</tr>
<tr>
<td>Public Works</td>
<td>Replacement of F-350 Truck</td>
<td>$60,000</td>
</tr>
<tr>
<td>Public Works</td>
<td>Replacement of two (2) small pick-up trucks</td>
<td>$90,000</td>
</tr>
<tr>
<td>Public Works</td>
<td>Replacement of Street Sweeper</td>
<td>$250,000</td>
</tr>
<tr>
<td>School</td>
<td>Replacement of Bobcat</td>
<td>$65,000</td>
</tr>
<tr>
<td><strong>Total Capital Exclusion:</strong></td>
<td></td>
<td><strong>$896,160</strong></td>
</tr>
</tbody>
</table>

7. **Capital Outlay Exclusion**
   Shall the Town of Nantucket be allowed to assess an additional $266,522 in real estate and personal property taxes for the continuation of closed caption television camera assessment of storm water drainage systems within the Town for the fiscal year beginning July 1, 2020?

**Non-Binding Ballot Questions:**
1. Are you satisfied with our current form of Town government?
2. Would you like the Town to invest time and resources to investigate alternative forms of local government for further review?

***************************************************************************

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 INSERT day of January in the year Two Thousand Twenty.

Dawn E. Hill Holdgate, Chair

Rita Higgins, Vice Chair

Jason M. Bridges

Matthew G. Fee

Kristie Ferrantella

SELECT BOARD OF NANTUCKET, MA

Pursuant to Chapter 39, section 10 of the General Laws of the Commonwealth and the Warrant of January date, 2020 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 location at the Stop & Shop on Pleasant 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,

___________________________________________________
Constable