



# Updated Meeting Posting MEETING POSTING

Original Posting Time: 2021 JUN 11 AM 10:41

Original Posting Number: T586

## \*MEETING LOCATION AND MEETING TIME CHANGE

### TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting notices and agenda must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

RECEIVED

2021 JUN 14 PM 02:06  
NANTUCKET TOWN CLERK  
Posting Number:T 591

<b>Committee/Board/s</b>	Historic District Commission (HDC) – Old Business
<b>Day, Date, and Time</b>	Tuesday, June 15, 2021; <b>05:00 PM- IN-PERSON</b>
<b>Location / Address</b>	Public Safety Facility, First Floor Community Room, 4 Fairgrounds Rd, Nantucket, MA
	Ray Pohl, Chairman
<b>Please note:</b>	If there is no quorum of members present, or if meeting posting is not in compliance with the OML statute, no meeting may be held.

## HISTORIC DISTRICT COMMISSION

**Signature of Chair/Authorized Person: Cathy Flynn, Land Use Specialist**

2 Fairgrounds Road  
Nantucket, Massachusetts 02554  
[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

**Commissioners:** Ray Pohl (Chair), Diane Coombs (Vice-Chair), John McLaughlin, Abby Camp, Val Oliver

**Associate Commissioners:** Stephen Welch, Jesse Dutra, Carrie Thornewill

**Staff:** Terry Norton, Cathy Flynn, Holly Backus and Kadeem McCarthy

Historic Structures Advisory Board (HSAB), Sconset Advisory Board (SAB), Madaket Advisory Board (MAB), Sign Advisory Council (SAC).

## AGENDA

Listed below are the topics the chair reasonably anticipates will be discussed at the meeting.

**Some applications on this agenda may not be heard at this meeting due to time constraints. Please check with the office on Wednesday after the Tuesday meeting for further information.**

### I. PUBLIC COMMENT

### II. CONSENT

	<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1.	6 Gull Island LLC	6 Gull Island	Historic determination	42.4.3/61	Sarah McLane
2.	Town of Nantucket	4 Western Avenue	Outdoor walk-in refrigerator	87/60	Abigail Shaw
3.	Kathleen Schatz	8 Swain Street	As-built shed	42.4.1/82.1	Self
4.	Carl Nielsen	15 Bassett Road	Rev 69715; chimney/vents	26/59	Chris Carey
5.	Peter Kaizer	6 Nobadeer Avenue	Garage move on frm 24 Woodbine	80/37.2	Self

### III. CONSENT WITH CONDITIONS

	<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1.	Thomas Wynn	10 Moors End Lane	Pool/deck/pergola	43/214	Ahern, LLC

- Pool must not be visible at time of inspection and in perpetuity
2. Michael Schulder 33 Nonantum Avenue Shed 87/49 Jardins International
- Due to lack of visibility

#### IV. SIGNS

<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1. Nant Land Bank	168 Hummock Pond Road	Informational Kiosk	65/13.2	Sustainable Nantucket
2. Nant Land Bank	168 Hummock Pond Road	Quarter board sign	65/13.2	Sustainable Nantucket
3. Sheila Egan	35 Old South Road	Projecting sign	68/6.4	Clay Twombly
4. Pearl Street RT	4 India Street	Rev 3433; add brass edging	42.3.1/169	LINK
5. Nant Hist Assoc	15 Broad Street	Temporary banner	42.4.2/61	Ashley Santos
6. Nant Hist Assoc	15 Broad Street	Temporary banner	42.4.2/61	Ashley Santos

#### V. NEW BUSINESS (05/18/21)

<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1. Village Way R.T. <b>05-3782</b>	6 Village Way	New dwelling	14/42	Workshop APD
2. 37 Pocomo Road RT <b>05-3813</b>	37 Pocomo Road	Cabana	14/38	Workshop/APD
3. 11 India Street LLC <b>05-3816</b>	11 India Street	Fence	42.3.1/122.2	Ahern
4. Cannonbury Lane Part. <b>05-3817</b>	14 Cannonbury Lane	New dwelling	74/11	Workshop APD
5. Cannonbury Lane Part. <b>05-3788</b>	14 Cannonbury Lane	Pool and hardscape	74/111	Ahern
6. Gifford Whitney A Trst <b>05-3818</b>	6 Lily Street	Window and door change	42.3.4/45	CWA
7. 8 Walsh LLC <b>05-3819</b>	8 Walsh Street	Addition	42.4.1/83	Brook Meerbergen
8. Barry + Robert Ang <b>05-3821</b>	11 Jonathan Way	New dwelling	75/42	McMullen + Assoc.
9. Barry + Robert Ang <b>05-3822</b>	11 Jonathan Way	Cottage	75/42	McMullen + Assoc.
10. Barry + Robert Ang <b>05-3823</b>	11 Jonathan Way	Shed	75/42	McMullen + Assoc.
11. Barry + Robert Ang <b>05-3824</b>	11 Jonathan Way	Pool and hardscape	75/42	McMullen + Assoc.
12. Beach Not LLC <b>05-3827</b>	16 Cannonbury Lane	Pool and hardscape	74/12	JGG Architects
13. 103 Main Street LLC <b>05-3829</b>	103 Main Street	Unapproved granite posts	42.3.3/153	Atlantic Landscaping
14. Renehan Steven J. <b>05-3830</b>	24 Stone Post Way	Pool and hardscape	73.3.2/68	Atlantic Landscaping
15. 38 Prospect LLC <b>05-3831</b>	38 Prospect – Lot 29	Spa/hardscape	54.4.4/56	LFW/Mark Lombardi
16. Greg Raiff <b>05-3832</b>	100 Low Beach Road	Rev 10-21882 minor revs	75/27	Bernice Wahler
17. Jim Ikard <b>05-3833</b>	1 Bloom Street	Addition	42.3.3/140	Emeritus
18. Jim Helfrich <b>05-3834</b>	37 Fair Street	Addition/alteration	42.3.2/212	Emeritus
19. Earret LLC <b>05-3836</b>	6A Morey Lane	New dwelling	73.3.1/47	Emeritus
20. John Berry <b>05-3837</b>	22 Eel Point Road	Demo/move off dwelling	40/45	Emeritus
21. John Berry <b>05-3838</b>	22 Eel Point Road	New dwelling	40/45	Emeritus
22. Bill Burke <b>05-3839</b>	54 Pochick Ave	Addition	79/128	Emeritus
23. Doug Meyer <b>05-3841</b>	18 Gardner Road	New dwelling	43/135	Emeritus
24. Doug Meyer <b>05-3840</b>	18 Gardner Road	Garage	43/135	Emeritus
25. Darrell Ferguson <b>05-3842</b>	28 Main St, Sias	Rev 02-2856 cupola + pergola	73.3.1/47	Emeritus
26. Eric Kraeutler <b>05-3843</b>	35 New Street	Move off/demo	73.4.2/42	Botticelli + Pohl
27. Eric Kraeutler <b>05-3844</b>	35 New Street	New dwelling	73.4.2/42	Botticelli + Pohl
28. Okay Okay House LLC <b>06-3934</b>	10 Union Street	Rev 2342; door change	42.3.1/43	BPC
29. Hannah Gardner House <b>05-3845</b>	6 Gull Island Lane	Revise bldg size + alterations	42.4.3/61	Sarah McLane
30. NISDA <b>05-3846</b>	71 Washington Street	Move off/demo	42.2.3/41.2	BPC
31. NISDA <b>05-3847</b>	71 Washington Street	Move off/demo	42.2.3/41.2	BPC
32. NISDA <b>05-3848</b>	71 Washington Street	Move off/demo	42.2.3/41.2	BPC
33. William Scannell <b>05-3849</b>	119R Eel Point Road	Rev 12-2446; cupola revs	33/17.1	BPC
34. Sweet Meadow Sylvia <b>05-3851</b>	74 W Chester Street	Hardscape	41/478	NAG
35. Kingfisher R.T. <b>05-3719</b>	278 Polpis Road	Rev 2488 relocate on site	25/2	Gryphon Architects

#### VI. OLD BUSINESS (05/25/21)

<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1. Mary Claus Trustee <b>04-3405</b>	31 Low Beach Road	New dwelling	74/36	Botticelli + Pohl
• <i>Commissioners: Coombs, McLaughlin, Camp, Oliver, Thornewill; Alternates: None; Recused: Pohl</i>				
2. Anehialine Prop <b>04-3327</b>	19 E Creek Road	Addition	55/60	BPC
• <i>Commissioners: Pohl, Coombs, McLaughlin, Welch, Thornewill; Alternates: None; Recused: Camp, Oliver</i>				
3. 38 Prospect LLC <b>03-3070</b>	38/38R Prospect/Birdsong	New main house	55.4.4/80.1	Brook Meerbergen
• <i>Commissioners: Pohl, Coombs, Camp, Welch, Thornewill; Alternates: None; Recused: Oliver</i>				
4. 38 Prospect LLC <b>03-3099</b>	38/38R Prospect/Birdsong	New 2 <sup>nd</sup> dwelling	55.4.4/80.1	Brook Meerbergen
• <i>Commissioners: Pohl, Coombs, Camp, Welch, Thornewill; Alternates: None; Recused: Oliver</i>				
5. 38 Prospect LLC <b>02-3037</b>	38/38R Prospect/Birdsong	Water feature	55.4.4/80.1	Brook Meerbergen
• <i>Commissioners: Pohl, Coombs, Camp, Welch, Thornewill; Alternates: None; Recused: Oliver</i>				

6.	38 Prospect LLC <b>02-3094</b>	38/38R Prospect/Birdsong	Shed	55.4.4/80.1	Brook Meerbergen
	• <i>Commissioners: Pohl, Coombs, Camp, Welch, Thornewill; Alternates: None; Recused: Oliver</i>				
7.	Tim Demasi <b>04-3424</b>	3 Gladlands Ave	New dwelling	80/234	Emeritus
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: Welch; Recused: None</i>				
8.	Josh Gregg <b>05-3714</b>	2 Sandplain Drive	Pool and hardscape	68/356	Swimming Pool & Design
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
9.	David Berson-Lacey <b>04-3382</b>	6 Hedge Row	Dormer + shed addition	73.3.2/87	SM Roethke
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: Welch; Recused: None</i>				
10.	Cannonbury Holding <b>04-3380</b>	18 Cannonbury Lane	New dwelling	71/13	Chip Webster
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Welch, Thornewill; Recused: None</i>				
11.	Jennifer Silva <b>04-3381</b>	14 Harborview Way	Lift, addition & roofwalk	42.4.1/26	Thornewill Design
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Oliver, Welch; Alternates: None; Recused: Thornewill</i>				
12.	Sam Aloisi <b>05-3620</b>	19 Quaker Road	New dwelling	41/42	Thornewill Design
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: None; Recused: Thornewill</i>				
13.	Brian Franz <b>04-3609</b>	10-12 Cannonbury Lane	Pool	74/9 + 10	Ahern LLC
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: None; Recused: Oliver</i>				
14.	Diedre Hamlin Trust <b>02-2951</b>	6 Lowell Place	Addition	41/167	Topham Design
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: Welch; Recused: None</i>				
15.	Gary Creem <b>04-3603</b>	6 + 8 Hydrangea Lane	Addition	73/87 + 88	Val Oliver
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: None; Recused: Oliver</i>				
16.	Grey Lady Lane, LLC <b>04-3600</b>	4 Grey Lady Lane	New dwelling	66/702	Val Oliver
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Thornewill; Alternates: None; Recused: Oliver</i>				
17.	3 Waterview LLC <b>04-3613</b>	3 Waterview Drive	New dwelling	76/117.1	Linda Williams
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: None; Recused: None</i>				
18.	3 Waterview LLC <b>04-3594</b>	3 Waterview Drive	Pool and hardscape	76/117.1	Linda Williams
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: None; Recused: None</i>				
19.	Stephanie Basile <b>04-3602</b>	8 New Mill	Garage/apartment	42.3.3/33.2	Linda Williams
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
20.	Mark Finnegan <b>05-3623</b>	36 Warren's Landing	Gazebo/cabana	38/44	BPC
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
21.	Mark Finnegan <b>05-3624</b>	36 Warren's Landing	Pool	38/44	BPC
	• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
22.	White Elephant LLC <b>03-3084</b>	50 Easton Street	Awning addition	42.4.1/23	Mike Duffy
	• <i>Commissioners: Pohl, Coombs, Camp, Welch, Thornewill; Alternates: None; Recused: None</i>				

## VII. NEW BUSINESS (06/07/2021)

	<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1.	Josh Morash <b>05-3885</b>	8 Bayberry Lane – Lot A	Move/demo	67/72	Val Oliver Design
2.	Josh Morash <b>05-3886</b>	8 Bayberry Lane – Lot A	New dwelling	67/72	Val Oliver Design
3.	Jeff Morash <b>05-3881</b>	8 Bayberry Lane – Lot B	New dwelling w/ garage	67/72	Val Oliver Design
4.	Laurence Goode <b>05-3887</b>	10 Grey Lady Lane	New dwelling	66/705	Val Oliver Design
5.	Lawrence Conway <b>05-3891</b>	167 Surfside Road	New dwelling	87/118	Val Oliver Design
6.	Local Buoy Props <b>05-3890</b>	39 Beach Grass Road	New duplex	66/368	Val Oliver Design
7.	Linda Towne <b>05-3884</b>	5 Evergreen Way – Lot B	New dwelling	68/726	Val Oliver Design
8.	Jacob Martinson <b>05-3883</b>	16 W York Lane	New dwelling	55/8.2	Val Oliver Design
9.	Diane Catino Etal <b>05-3892</b>	11 D Street	New dwelling	60/2.1	Ethan McMorrow
10.	Tomaiolo Development <b>05-3901</b>	3 Raceway Drive	Move off/demo	66/281	Ethan McMorrow
11.	3 Raceway Drive LLC <b>06-3964</b>	3 Raceway Drive	New dwelling	66/281	Sophie Metz
12.	Town of Nantucket <b>05-3897</b>	58 Bunker Road	New metal shop building	78/119	S.M. Roethke
13.	Hatcreek Cattle Co. <b>05-3898</b>	15 Beach Grass Road	New dwelling	68/394	Karsten Reinemo
14.	Patti Duester <b>05-3876</b>	13 Monomoy Road	As-built fence	54/198	Self
15.	Magnus Nicolin <b>06-3957</b>	6 Brier Patch Road	Rooftop solar	21/136	Karen Alence
16.	Robert Meyer Jr. <b>06-3961</b>	307 Polpis Road	Renovate barn	25/39	CWA
17.	5 Sherburne Way <b>06-3958</b>	5 Sherburne Way	New Guest House	30/38	Botticelli & Pohl
18.	Kristen Engle Trust <b>06-3979</b>	90 Pocomo Road	Pool and hardscape	15/43	CWA
19.	Howard + Holt	10 Bayberry Lane	Addition	67/71	Newman Inc.
20.	Oliver Carr <b>06-3954</b>	84 Cliff Road	New dwelling	30/74.1	Robert Newman
21.	Robert Newman <b>06-3972</b>	6 Topping Lift Road	Addition/garage	66/308	Robert Newman
22.	Downyflake Inc <b>06-3974</b>	14 West Creek Road	Commercial building	55/175	Robert Newman
23.	Downyflake Inc <b>06-3971</b>	14 West Creek Road	Rooftop solar array	55/175	Robert Newman

24. Stuart Whitlock <b>06-3965</b>	101 Orange Street	As-built fence	55.1.4/17	Self
25. 17 Lincoln Realty Trust <b>06-3968</b>	17 Lincoln Circle	Pool and hardscape	30/18	Ben Champoux
26. Gary Winn <b>06-3960</b>	25 N Water St	Window replacement	42.4.2/2.1	Linda Williams
27. Peter Dupont <b>06-3963</b>	47 Millbrook Road	New dwelling	56/231	Ethan McMorrow
28. Tim Quinlisk <b>06-3962</b>	88 Quidnet Road	Rev 03-0793; add dormer	21/109	Botticelli + Pohl
29. Thomas Rhodes II Trst <b>06-3932</b>	125 Main Street	New dwelling	42.3.3/49	Gryphon Architects
30. Tim Vieth <b>06-3912</b>	3 Gladlands Avenue	Pool and hardscape	88/234	Atlantic Landscaping
31. Aileen Newquist <b>06-3911</b>	29 Main Street	Pool and hardscape	73.3.1/9	Atlantic Landscaping
32. Rhack LLC <b>06-3909</b>	20 Sherburne Tpk	Pool and hardscape	30/195	Atlantic Landscaping
33. Brian Nester <b>06-3908</b>	4 E Lincoln Avenue	Pool and hardscape	42.4.1/49	Atlantic Landscaping
34. 41 Beach Grass LLC <b>06-3953</b>	41 Beach Grass Road	New dwelling	68/367	Val Oliver Design
35. 43 Beach Grass LLC <b>06-3952</b>	43 Beach Grass Road	New dwelling	66/358	Val Oliver Design
36. John Barry <b>06-3956</b>	22 Eel Point Road	New guest house	40/45	Emeritus
37. John Barry <b>06-3955</b>	22 Eel Point Road	New garage	40/45	Emeritus
38. Barbara Henderson <b>06-3981</b>	6A Silver Street	Spa and hardscape	55.4.1/184.1	Waterscapes
39. Thomas Wynn Trst <b>06-3966</b>	10 Moors End Lane	Addition	43/214	Studio Ppark

### VIII. OLD BUSINESS (06/15/2021)

<u>Property owner name</u>	<u>Street Address</u>	<u>Scope of work</u>	<u>Map/Parcel</u>	<u>Agent</u>
1. Peter Garren <b>04-3615</b>	36 Pocomo Road	2 <sup>nd</sup> dwelling/garage	14/79	NAG
• <i>Commissioners: Pohl, Coombs, McLaughlin, Oliver; Alternates: None; Recused: Camp (stepped out)</i>				
2. Eliza Silva <b>04-3391</b>	16 Helen's Drive	Rooftop solar	66/53	ACK Smart
• <i>Commissioners: Pohl, Coombs, McLaughlin, Oliver, Thornewill; Alternates: Welch; Recused: None</i>				
3. Jennifer Khoury <b>05-3768</b>	27 W Chester Street	Spa	42.3.4/2	David Troast
• <i>Commissioners: Coombs, McLaughlin, Camp, Thornewill; Alternates: None; Recused: Pohl</i>				
4. Westmoor Club <b>05-3636</b>	109 W Chester St	Dorm A	41/805	JGG Architects
• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
5. Westmoor Club <b>05-3637</b>	105 W Chester St	Dorm B	41/805	JGG Architects
• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
6. Carol Anne Surface <b>04-3605</b>	47 Warren's Landing	New dwelling	38/34	BPC
• <i>Commissioners: Coombs, McLaughlin, Camp, Oliver, Thornewill; Alternates: None; Recused: None</i>				
7. Carol Anne Surface <b>04-3606</b>	47 Warren's Landing	Studio	38/34	BPC
• <i>Commissioners: Coombs, McLaughlin, Camp, Oliver, Thornewill; Alternates: None; Recused: None</i>				
8. Carol Anne Surface <b>04-3607</b>	47 Warren's Landing	Pool	38/34	BPC
• <i>Commissioners: Coombs, McLaughlin, Camp, Oliver, Thornewill; Alternates: None; Recused: None</i>				
9. 14 MVR LLC <b>04-3420</b>	14 Madequecham Valley Road	New dwelling	89/13	Emeritus
• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
10. Frederick Hahn <b>05-3797</b>	50 Eel Point Road	Pool and hardscape	32/25.1	Atlantic Landscaping
• <i>Commissioners: Pohl, Coombs, McLaughlin, Camp, Oliver; Alternates: Thornewill; Recused: None</i>				
11. Zero India Street <b>03-3268</b>	1 Cambridge Street	Addition	42.3.1/150.2	Emeritus
• <i>Commissioners: Pohl, Coombs, Camp, Thornewill; Alternates: None; Recused: None</i>				
12. One Folger Road, LLC <b>05-3642</b>	1 Folger Road	Studio	30/195.1	Studio Ppark
• <i>Commissioners: Coombs, McLaughlin, Camp, Oliver, Thornewill; Alternates: None; Recused: None</i>				

### IX. OTHER BUSINESS

Approved Minutes -	June 3, 2021
Review Minutes -	June 7, 2021
Other Business -	<ul style="list-style-type: none"> <li>• Next HDC Meeting-<b>Thursday June 17, 2021; 1:00pm – 2:30pm hard stop</b></li> <li>• HDC Meeting Schedule Update</li> <li>• Sign Advisory Council's updated construction signs and site guideline vote</li> <li>• Coastal Resilience Plan Virtual Open House #2, June 24, 2021, 6-8pm. Registration to attend: <a href="https://www.eventbrite.com/e/nantucket-coastal-resilience-plan-open-house-2-tickets-154033750093">https://www.eventbrite.com/e/nantucket-coastal-resilience-plan-open-house-2-tickets-154033750093</a></li> <li>• Discussion of additions and new dwellings added to the consent agenda</li> <li>• Review policy of Move/Demo hearings in relation to new dwellings</li> <li>• Hardscaping</li> </ul>
Commission Comments	



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

**WHEREAS**, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

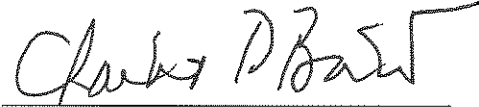
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in cursive script that reads "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts