

Town and County of Nantucket  
Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair  
Jason Bridges  
Matt Fee  
Kristie L. Ferrantella  
Rita Higgins



16 Broad Street  
Nantucket, Massachusetts 02554

Telephone (508) 228-7255  
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[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

C. Elizabeth Gibson  
Town & County Manager

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

- 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 Payroll Warrants for Week of February 23, 2020.
  2. Approval of Treasury Warrants for March 4, 2020.
  3. Approval of Pending Contracts for March 4, 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 (Continued from January 22, 2020; February 12, 2020).
- VIII. TOWN MANAGER'S REPORT*
  1. Harbor Master Building Design Review.
- IX. COMMITTEE REPORTS*
  1. Human Services Contract Review Committee: Review of FY 2021 Human Services Funding Allocations (Article 9 of 2020 Annual Town Meeting Warrant).

*X. CONSENT ITEMS*

1. Gift Acceptances: Health Department; Natural Resources Department.

*XI. CITIZEN/DEPARTMENTAL REQUESTS*

1. Town Clerk: Request for Appointment of Constable.
2. Nantucket Island Chamber of Commerce:
  - a) Request for Approval and Execution of MassDOT Event Notification Form for Daffodil Parade and Sconset Tailgate Picnic to be Held Saturday, April 25, 2020.
  - b) Annual Request for Waiver of Chapter 54(1)(c) of the Code of the Town of Nantucket for Daffodil Festival Tailgate Picnic in Sconset.

*XII. PUBLIC HEARINGS*

1. Public Hearing to Consider Public Assembly Permit Application for Nantucket Island Chamber of Commerce 2020 Daffodil Festival Antique Car Parade to be Held Saturday, April 25, 2020 and Located at Main Street, Federal Street and North Union Street.
2. Public Hearing to Consider Amendments to Chapter 200, Town of Nantucket Traffic Rules and Regulations to Allow for a Paid Parking Program.

*XIII. SELECT BOARD'S REPORTS/COMMENT II*

1. Review of Select Board Comments to 2020 Annual Town Meeting Warrant Articles.
2. Committee Reports.

*XIV. 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**  
**March 4, 2020**

<b>Type of Agreement/Description</b>	<b>Department</b>	<b>With</b>	<b>Amount</b>	<b>Other Information</b>	<b>Source of Funding</b>	<b>Term</b>
Professional Service Agreement	Town Admin	Curley Direct Mail	\$8,805	Contract for mailing 2020 ATM warrants	Town Admin Budget	March 4, 2020 - June 30, 2020
Professional Service Agreement	Town Admin	Lujean Printing Co., Inc.	\$15,973	Contract for printing 2020 ATM warrants	FinCom Budget	March 4, 2020 - June 30, 2020
Professional Service Agreement	Town Admin	The Country Press	\$3,501.18	Contract for printing FY19 Annual Town Report	Town Admin Budget	March 4, 2020 - June 30, 2020
Professional Service Agreement	Town Admin/IT	SHI International Corp.	\$98,200.96	Contract for document scanning & cataloguing for HR, Health & Natural Resources	Article 10/2019 ATM	March 4, 2020 - June 30, 2021

# Nantucket Regional Transit Authority

20 R South Water Street, Nantucket, MA 02554  
Phone: 508-325-9571 • TTY: 508-325-7516  
www.nrtawave.com • nrtan@nantucket-ma.gov

TO: NRTA ADVISORY BOARD/SELECT BOARD  
FROM: PAULA LEARY, NRTA ADMINISTRATOR  
RE: DOWNTOWN BUS SERVICE  
DATE: FEBRUARY 27, 2020

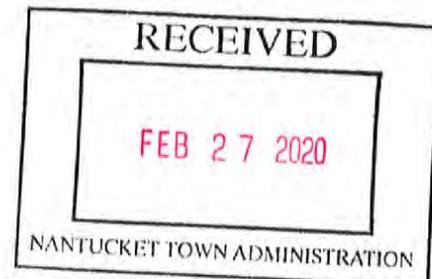


At its February 12, 2020 meeting, it was approved that the Airport Route would be extended to provide 20 minute service from 7 am to 10 pm, May 26<sup>th</sup> through September 7<sup>th</sup> with stops located in close proximity to the 2 Fairgrounds Road parking lot. The operating costs, including marketing is \$207,600 (\$102,720 in FY20 and \$104,880 in FY21).

Outstanding Issues:

- Local Assessment funding – I will provide an update to the Board prior or at the meeting.
- Fare – My recommendation is a fare of \$3 each way, based on the bus stop locations proposed by Mr. McNeil and the NRTA's fare structure.
- I've requested a drawing/map that shows the lot, cut through and signage directing people to the stops. I'm hoping to have that to provide to the board at the meeting.

Thank you.



# Nantucket Regional Transit Authority

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TO: NRTA ADVISORY BOARD AND SELECT BOARD

FROM: PAULA LEARY, NRTA ADMINISTRATOR



RE: DOWNTOWN BUS SERVICE

DATE: FEBRUARY 4, 2020

I am providing the Board with a scenario based on the discussion at the January 22, 2020 joint Board meeting. The ultimate goal of the Select Board is to provide service from the lot at 2 Fairgrounds Road into Town with 10 minute service and a direct route. It is the Board's desire to provide this service for summer 2020. I have taken into consideration the various issues and am presenting options for consideration. The scenario below utilizes the NRTA's existing Airport Route and extending the service dates and hours that enable the service to be provided summer 2020.

The Airport Route operates June 20 thru September 7 (Labor Day) from 10:00 a.m. to 6:00 p.m. operating on a 20 minute schedule. The downtown stop is on Washington Street. Passengers would be able to disembark at the stop sign on the corner of Candle and Salem Streets. In order to maintain the 20 minute schedule the lot would not be directly serviced, but stops will need to be located on Old South Road in close proximity to the lot. Attached are graphics for the bus stop location. Mike Burns will provide information on this at the meeting.

A decision will need to be made on how to fund the service. Although this most likely qualifies under the local assessment regulation for new service, the service is spanning two fiscal years FY20 and FY21. The service would only qualify as new service in FY20. FY21 would need to be funded from another funding source. If the service were to continue the FY21 amount would need to be a consistent funding source.



# Nantucket Regional Transit Authority

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Phone: 508-325-9571 • TTY: 508-325-7516  
www.nrtawave.com • nrt@nantucket-ma.gov

## Service:

- Target general public
- 7 am to 10 pm
- Every 20 minutes
- Buses would leave town and the airport at :00, :20, and :40 reaching the lot stop approximately 5-10 minutes after its departure.
- Fares (\$1.50 each way) and pass rates would be consistent with NRTA's current structure

## Option 1:

- May 15 – September 30
- 139 days
- FY20 \$136,160\*
- FY21 \$174,800
- Total Operating Costs: \$300,960
- Marketing Costs: \$10,000

## Option 2:

- May 26 (Tuesday after Memorial Day) – September 30
- 108 days
- FY20 \$102,720\*
- FY21 \$174,800
- Total Operating Costs: \$267,520
- Marketing Costs: \$10,000

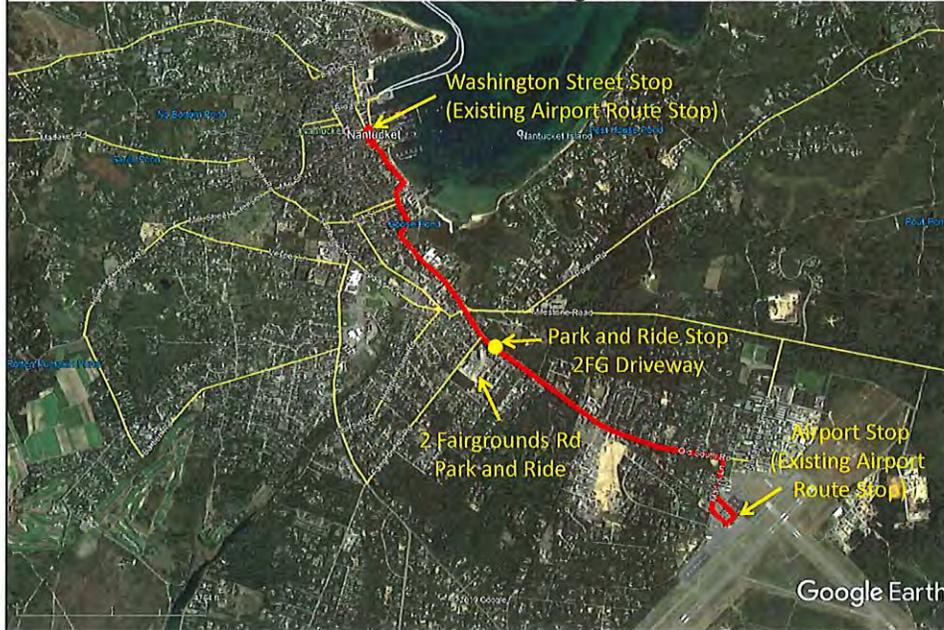
## Option 3:

- May 26– September 7
- 105 days
- FY20: \$102,720\*
- FY21: \$104,880
- Total Operating Costs: \$197,600
- Marketing Costs: \$10,000

\*FY20 amounts include \$10,000 marketing costs for local assessment purposes.



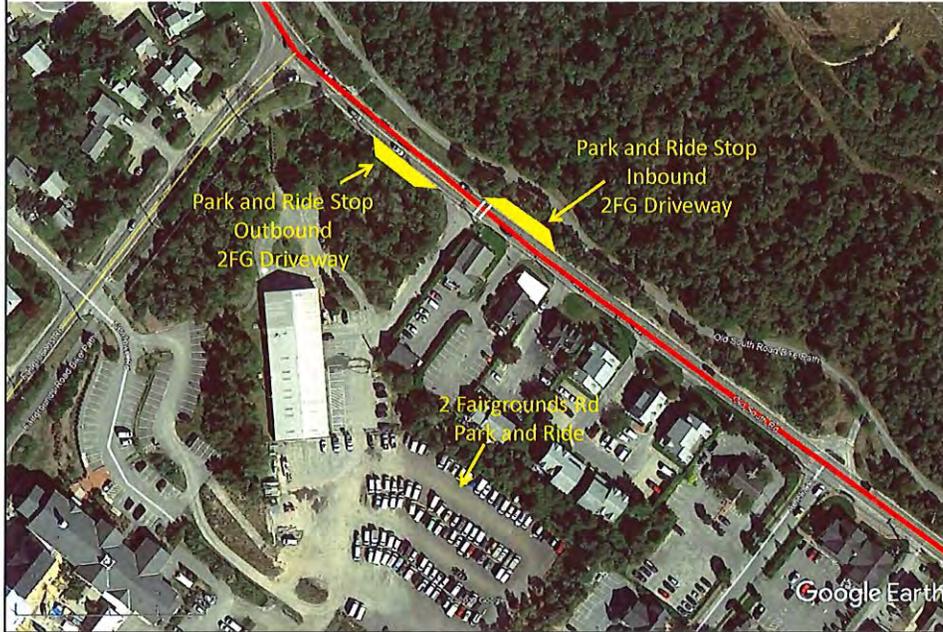
### 2 Fairgrounds Park and Ride / Expanded Airport Route 20 Minute Headway and Mirror Parking Enforcement Schedule



### 2 Fairgrounds Park and Ride / Expanded Airport Route 2 Fairground Rd Conceptual Bus Stop Improvements



**2 Fairgrounds Park and Ride / Expanded Airport Route**  
**2 Fairground Rd Temporary Bus Stop Improvements**



**2 Fairgrounds Park and Ride / Expanded Airport Route**  
**2 Fairground Rd Temporary Bus Stop Improvements**



### 2 Fairgrounds Park and Ride / Expanded Airport Route 2 Fairground Rd Temporary Bus Stop Improvements





# TRANSPORTATION



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%.

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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 ie: 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

DOWNTOWN BUS SERVICE  
2 FAIRGROUNDS ROAD LOT TO TOWN

SCENARIOS

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:

<b>OPERATIONAL DATA</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>
Dates of Operation	6/1-9/5	5/21-10/12	5/22-10/13
# of operating	97 days	145 days	145 days
Hours of Operations	7 am - 10 pm	7 am - 10 pm	7 am - 8 pm
Operating Expense	\$ 162,844	\$ 248,587	\$ 197,124
Passenger Boardings	5,705	9,928	6,228

<b>CONTRIBUTORS</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>
Town of Nantucket	\$ 75,000	\$ 25,000	\$ 25,000
Hy-Line	\$ 45,000	\$ 45,000	\$ 60,000
Steamship Authority	\$ 36,422	\$ 36,422	\$ 50,000
Nantucket Island Resorts	\$ 3,000	\$ 8,000	\$ 12,500
ReMain	\$ 22,079	\$ 49,537	\$ 75,000
Stop & Shop	-	-	\$ 25,000
Nantucket Bank	\$ -	\$ 2,500	\$ 2,500
Brait Builders	\$ 1,000	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 182,501</b>	<b>\$ 166,459</b>	<b>\$ 250,000</b>
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.

**From:** [Libby Gibson](#)  
**To:** [Erika Mooney](#)  
**Subject:** FW: Expanded bus service  
**Date:** Monday, January 13, 2020 1:31:46 PM

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This is the legal op referenced this morning

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

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**From:** Michele Randazzo <MRandazzo@k-plaw.com>  
**Sent:** Friday, January 10, 2020 2:23 PM  
**To:** Libby Gibson <LGibson@nantucket-ma.gov>; Paula Leary <nrtat@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**

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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?**

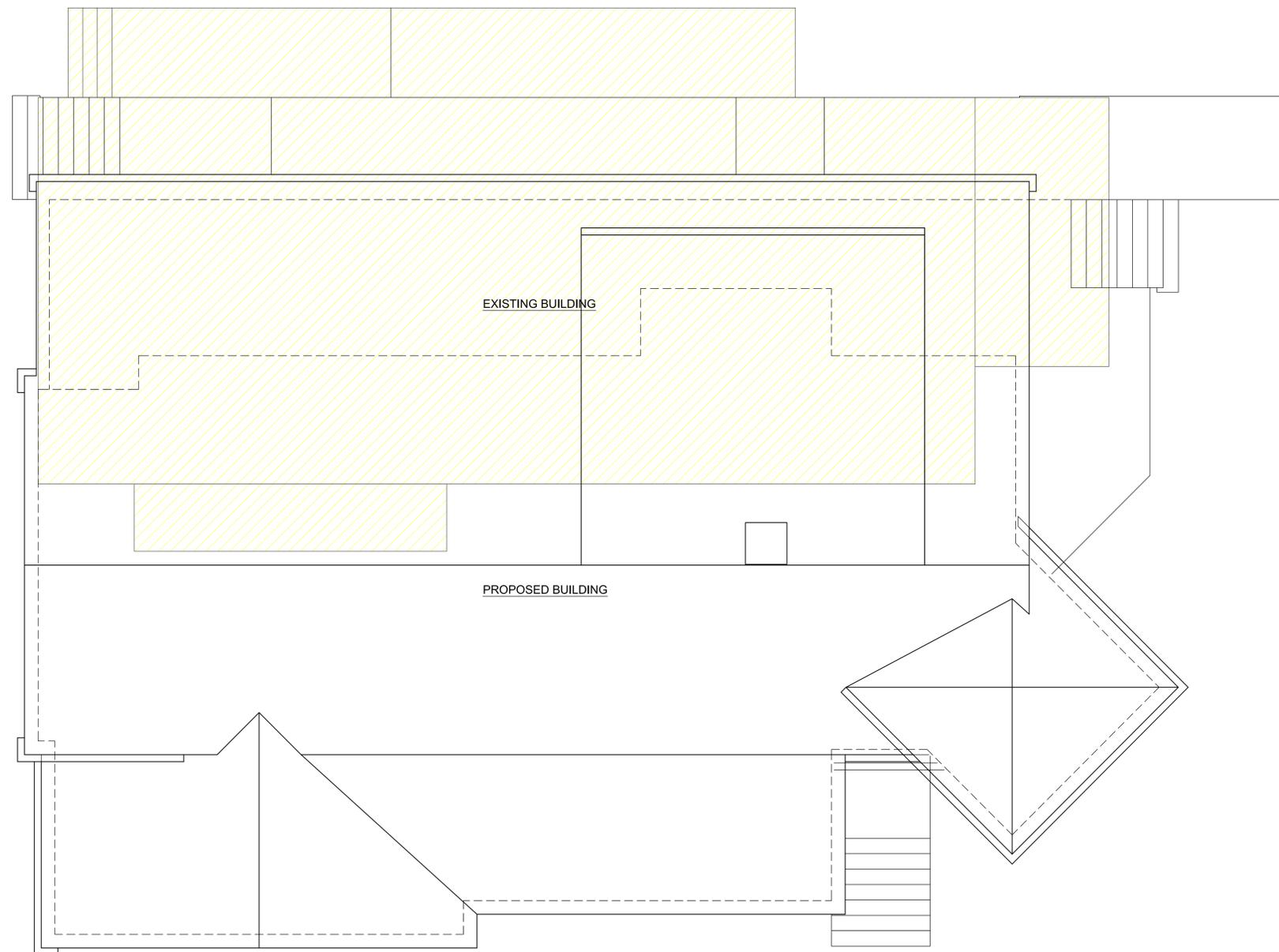
- 10 minutes: 70%
- 15 minutes: 25%
- 20 minutes: 3%

**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%



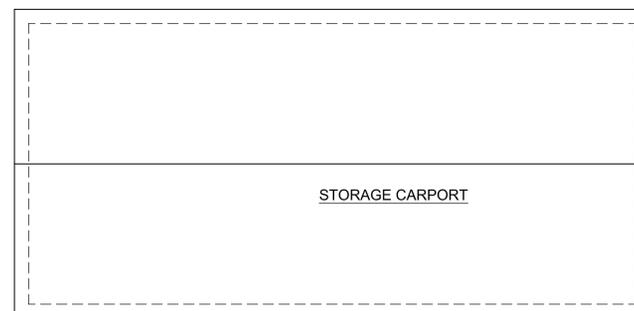
**EXISTING BUILDING**



FIRST FLOOR: 1,363 SF  
 SECOND FLOOR: 1,063 SF  
 SUB-TOTAL: 2,426 SF  
 DECKS: 603 SF  
 TOTAL: 3,029 SF

**PROPOSED BUILDING**

FIRST FLOOR: 1,955 SF  
 SECOND FLOOR: 1,539 SF  
 SUB-TOTAL: 3,494 SF  
 STORAGE CARPORT: 368 SF  
 DECKS: 1,206 SF  
 TOTAL: 5,068 SF



Stephen Kelleher Architects, Inc.  
 Fairhaven Center for Business  
 57 Alden Road  
 Fairhaven, Massachusetts 02719  
 508-992-2007 Fax 992-2021

**Harbormaster Building**  
 34 Washington Street  
 Nantucket, Massachusetts

**PLAN OVERLAY**



Drawn By: PQ  
 Checked: SLK  
 Date: 02.25.2020  
 Scale: 1/4" = 1'-0"

**SD-2.1**

# Nantucket Harbormaster Building

Town of Nantucket  
34 Washington Street  
Nantucket, MA

PROGRESS PRINTS

Architect: Stephen Kelleher Architects, Inc.  
Fairhaven Center for Business  
57 Alden Road  
Fairhaven, MA 02719  
(508) 992-2007 Fax: (508) 992-2021

Civil Engineers: Coastal Engineering  
260 Cranberry Hwy  
Orleans, MA 02653  
(508) 255-6511

Structural Engineers: Tripi Engineering Services, LLC  
433 Main Street, Suite 4  
Hudson, MA 01749  
(781) 287-0077

Mechanical & Electrical Engineers: Garcia, Galuska & DeSousa, Consulting Engineers, Inc.  
370 Faunce Corner Rd.  
Dartmouth, MA 02747  
(508) 998-5700 Fax: (508) 998-0883

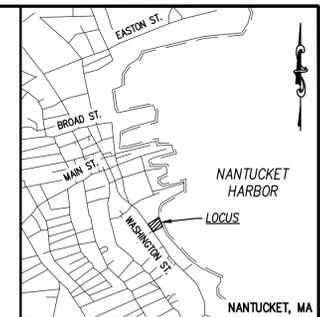
## LIST OF DRAWINGS

C - 2.1.1	SITE LAYOUT & MATERIALS PLAN	S-1	FOUNDATIONS / PILE LOCATION
C - 2.2.1	DRAINAGE, GRADING, UTILITY PLAN	S-2	FOUNDATIONS / PILE LOCATION
		S-3	CARPOT PLANS AND DETAILS
A-1.0	FIRST FLOOR PLAN		
A-1.1	SECOND FLOOR PLAN		
A-1.2	STORAGE BUILDING		
A-2.0	ELEVATIONS		
A-2.1	ELEVATIONS		
A-2.2	INTEREIOR ELEVATIONS		
A-2.3	INTERIOR ELEVATIONS		
A-2.4	INTERIOR ELEVATIONS		
A-3.0	SECTIONS		
A-3.1	SECTIONS		
A-5.1	DETAILS		
I-1.0	FIRST FLOOR PLAN		
I-1.1	SECOND FLOOR PLAN		



**ZONING TABLE:**

ZONE:	
RESIDENTIAL COMMERCIAL (RC)	
MIN. LOT SIZE	5,000 S.F.
FRONT SETBACK	NONE
SIDE/REAR SETBACK	5 FT.
FRONTAGE	50 FT.
GROUND COVER RATIO	50%
RESIDENTIAL 40 (R-40)	
MIN. LOT SIZE	40,000 S.F.
FRONT SETBACK	30 FT.
SIDE/REAR SETBACK	10 FT.
FRONTAGE	75 FT.
GROUND COVER RATIO	10.0%



**KEY MAP**  
NO SCALE

**REFERENCE:**

ASSESSORS MAP 42.2.3,  
PARCELS 2 THROUGH 6  
CTF. #7858  
L.C.PLAN 9434-D  
L.C.PLAN 10450-C

ZONING:  
RESIDENTIAL COMMERCIAL (RC)  
RESIDENTIAL 40 (R-40)  
FLOOD HAZARD OVERLAY DISTRICT (FHOD)  
TOWN OVERLAY DISTRICT

**FLOOD ZONE:**

FLOOD ZONE VE (EL 11) AND CBR5 AREA (11-16-1990) AS SHOWN ON FEMA FIRM PANEL #25019C0086G EFFECTIVE DATE 6-9-2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS PRIOR TO SITING ANY PROPOSED STRUCTURES.

**DATUM:**

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988)

**LEGEND**  
**EXISTING**

- BOUND
- MISC. SIGN
- FENCE
- OHW --- OVERHEAD UTILITY LINE
- W --- WATER LINE
- D --- DRAIN LINE
- S --- SEWAGE DISPOSAL
- ⊙ SEWER MANHOLE
- ⊕ MANHOLE
- ⊞ CATCH BASIN
- ⊙ DRAIN MANHOLE
- ⊕ MONITORING WELL
- ⊕ WATER VALVE
- ⊕ UTILITY POLE
- ⊞ ELECTRIC METER
- ⊕ POST

**PROPOSED**

- ⊞ DUNE RESTORATION AREA

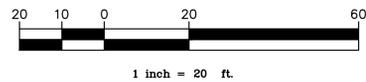


**COVERAGE TABLE**

SUBJECT	EXISTING	PROPOSED	CHANGE
BUILDING FOUNDATION AREA* (IMPERVIOUS FOOTPRINT)	1,497± S.F.	438 ± S.F.	1,059± S.F. REDUCTION
DECKS & STAIRS	804± S.F.	468± S.F.	336± S.F. REDUCTION
HARDSCAPES (PAVEMENT, WALLS, BRICK PATIO)	2,044± S.F.	2,522± S.F.	478± S.F. INCREASE
SHELL DRIVEWAY & WALKS (PERVIOUS)	2,809± S.F.	1,866± S.F.	943± S.F. REDUCTION
TOTAL COVERAGE	7,154± S.F.	5,294± S.F.	1,860± S.F. REDUCTION

\*EXISTING BUILDING IS ON CONCRETE SLAB; PROPOSED HARBOR MASTER BUILDING IS RAISED ABOVE EXISTING GRADE ON 74 PILES, AND PROPOSED STORAGE SHELTER IS ABOVE CONCRETE SLAB FOUNDATION

**PLAN**



Stephen Kelleher Architects, Inc.  
Fairhaven Center for Business  
57 Alden Road  
Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

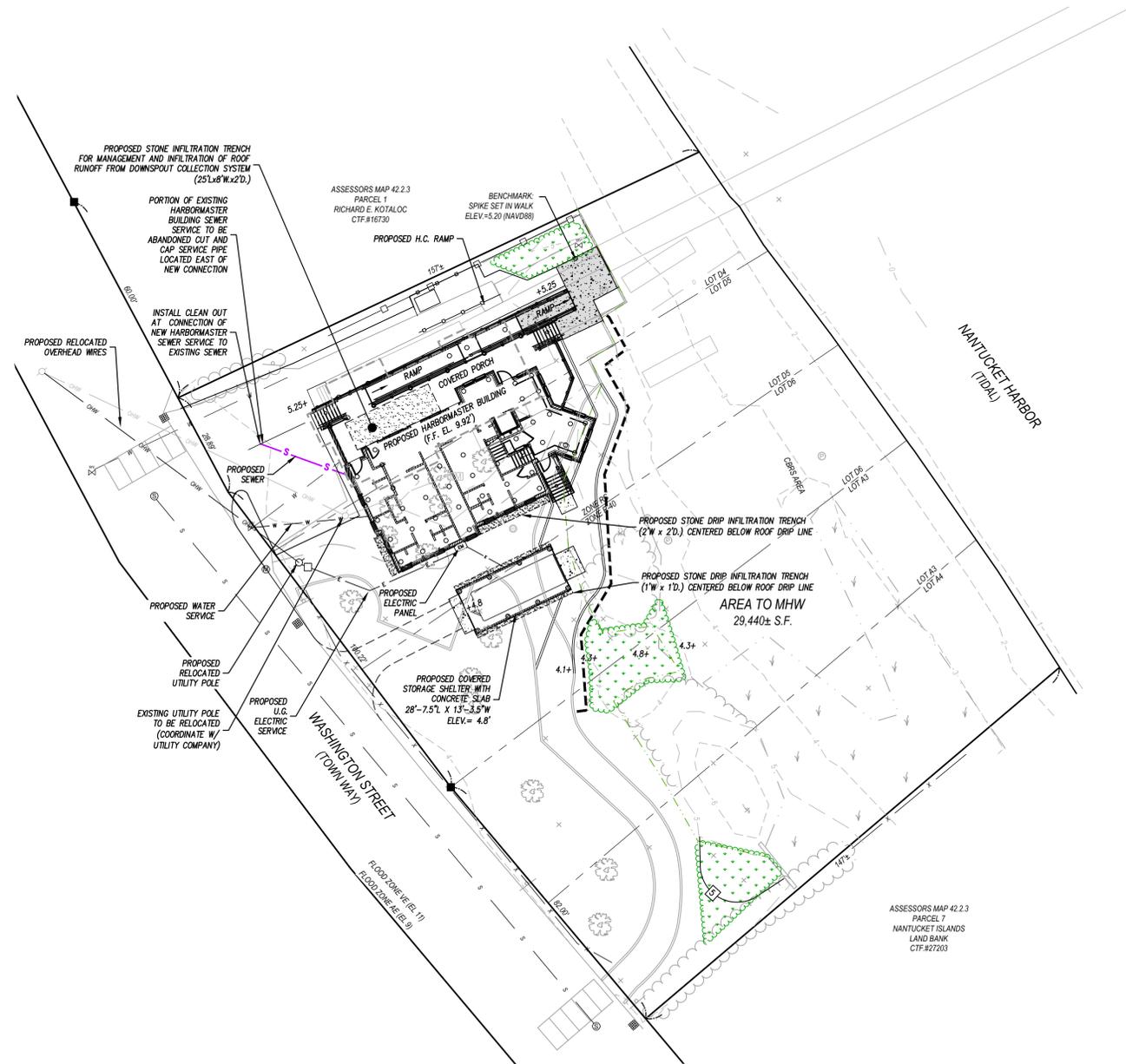
**LAYOUT & MATERIALS PLAN**

Drawn By:	MAP
Checked:	TLM
Date:	02-14-2020
Scale:	1"=20'

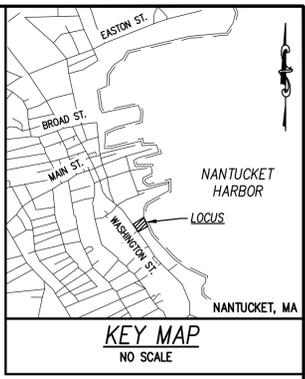
**C2.11**

*DRAFT PLAN FOR COORDINATION*

Coastal Engineering Co., Inc. © 2020



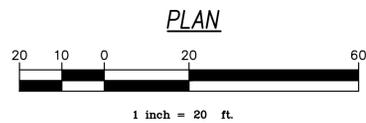
**UTILITY NOTE:**  
 UTILITY DISCONNECTS AND NEW SERVICES TO BE INSTALLED IN ACCORDANCE WITH APPLICABLE ELECTRICAL, PLUMBING, AND WATER DEPARTMENT CODES AND REGULATIONS.



**REFERENCE:**  
 ASSESSORS MAP 42.2.3, PARCELS 2 THROUGH 6  
 CTF #7858  
 L.C.PLAN 9434-D  
 L.C.PLAN 10450-C  
 ZONING:  
 RESIDENTIAL COMMERCIAL (RC)  
 RESIDENTIAL 40 (R-40)  
 FLOOD HAZARD OVERLAY DISTRICT (FHOD)  
 TOWN OVERLAY DISTRICT  
**FLOOD ZONE:**  
 FLOOD ZONE VE (EL 11) AND CBRS AREA (11-16-1990) AS SHOWN ON FEMA FIRM PANEL #25019C0086G EFFECTIVE DATE 6-9-2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS PRIOR TO SITING ANY PROPOSED STRUCTURES.  
**DATUM:**  
 ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988)

**LEGEND**

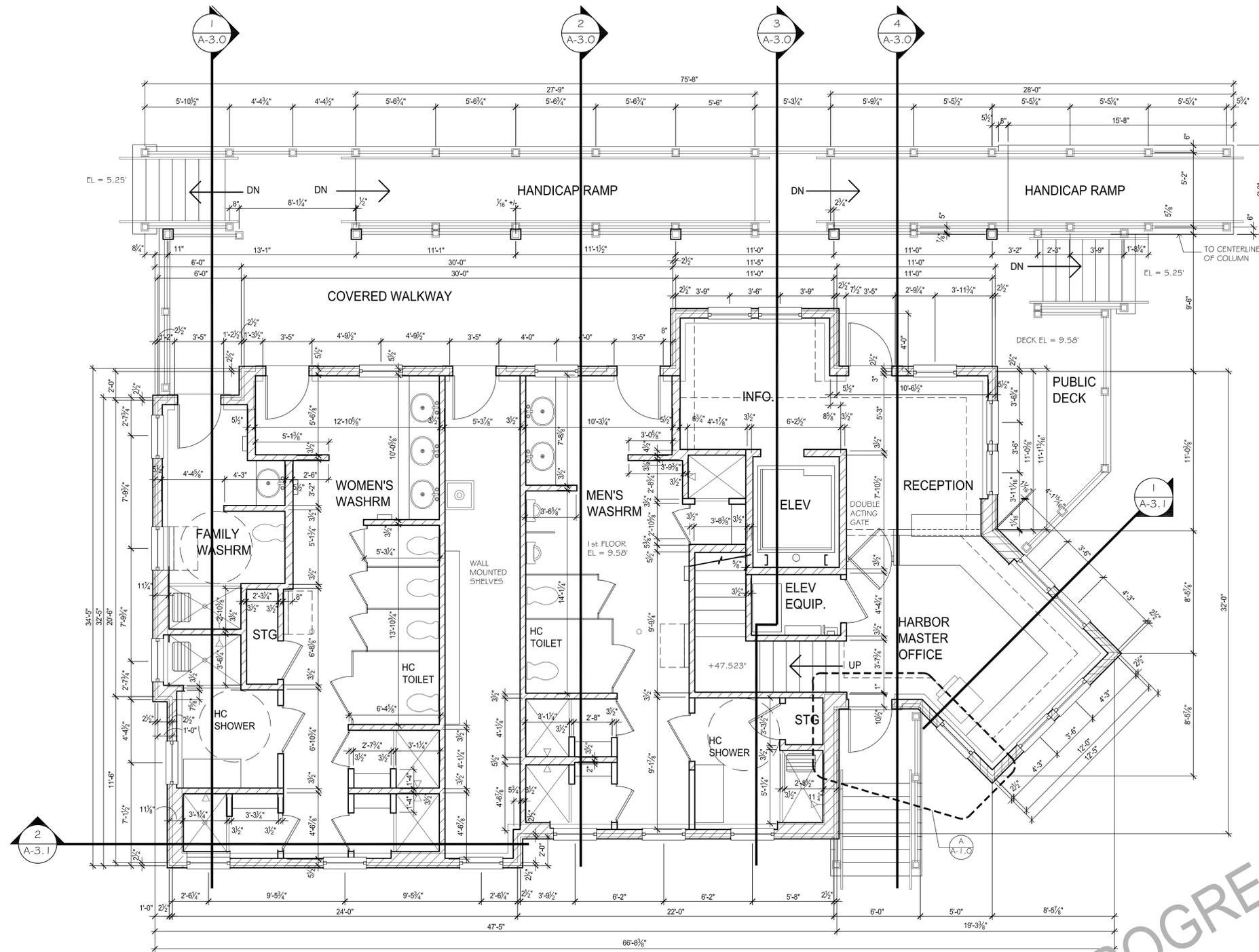
BOUND	CATCH BASIN
MISC. SIGN	DRAIN MANHOLE
FENCE	MONITORING WELL
OVERHEAD UTILITY LINE	WATER VALVE
WATER LINE	UTILITY POLE
DRAIN LINE	ELECTRIC METER
SEWAGE DISPOSAL	POST
SEWER MANHOLE	
MANHOLE	
<b>PROPOSED</b> DUNE RESTORATION AREA	



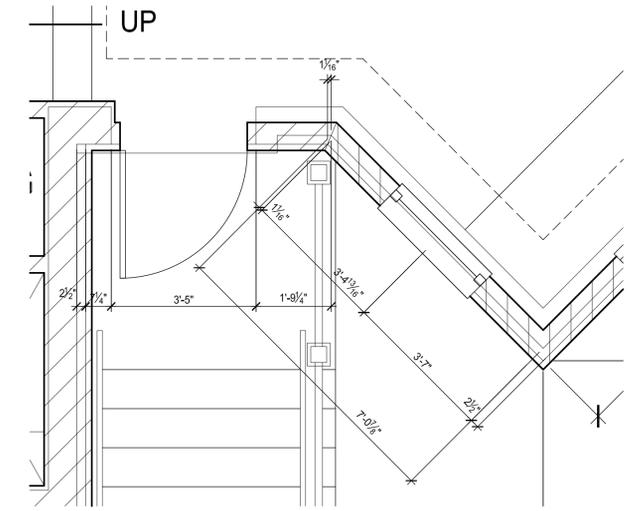
**DRAFT PLAN FOR COORDINATION**

	Stephen Kelleher Architects, Inc. Fairhaven Center for Business 57 Alden Road Fairhaven, Massachusetts 02719 508-992-2007 Fax 992-2021	
	<b>Harbormaster Building</b> 34 Washington Street Nantucket, Massachusetts	
<b>DRAINAGE, GRADING, UTILITY PLAN</b>		
Drawn By: MAP Checked: TLM Date: 2-14-2020 Scale: 1"=20'		

Coastal Engineering Co., Inc. © 2020



**1 1st FLOOR PLAN**  
1/4" = 1'-0"



**2 ENLARGED FLOOR PLAN**  
1/2" = 1'-0"

PROGRESS PRINT

ALL DIMENSIONS TO FACE OF STUD., FACE OF CONCRETE, CENTERLINE OF POST OR COLUMN OR TO OUTSIDE OF DECK.



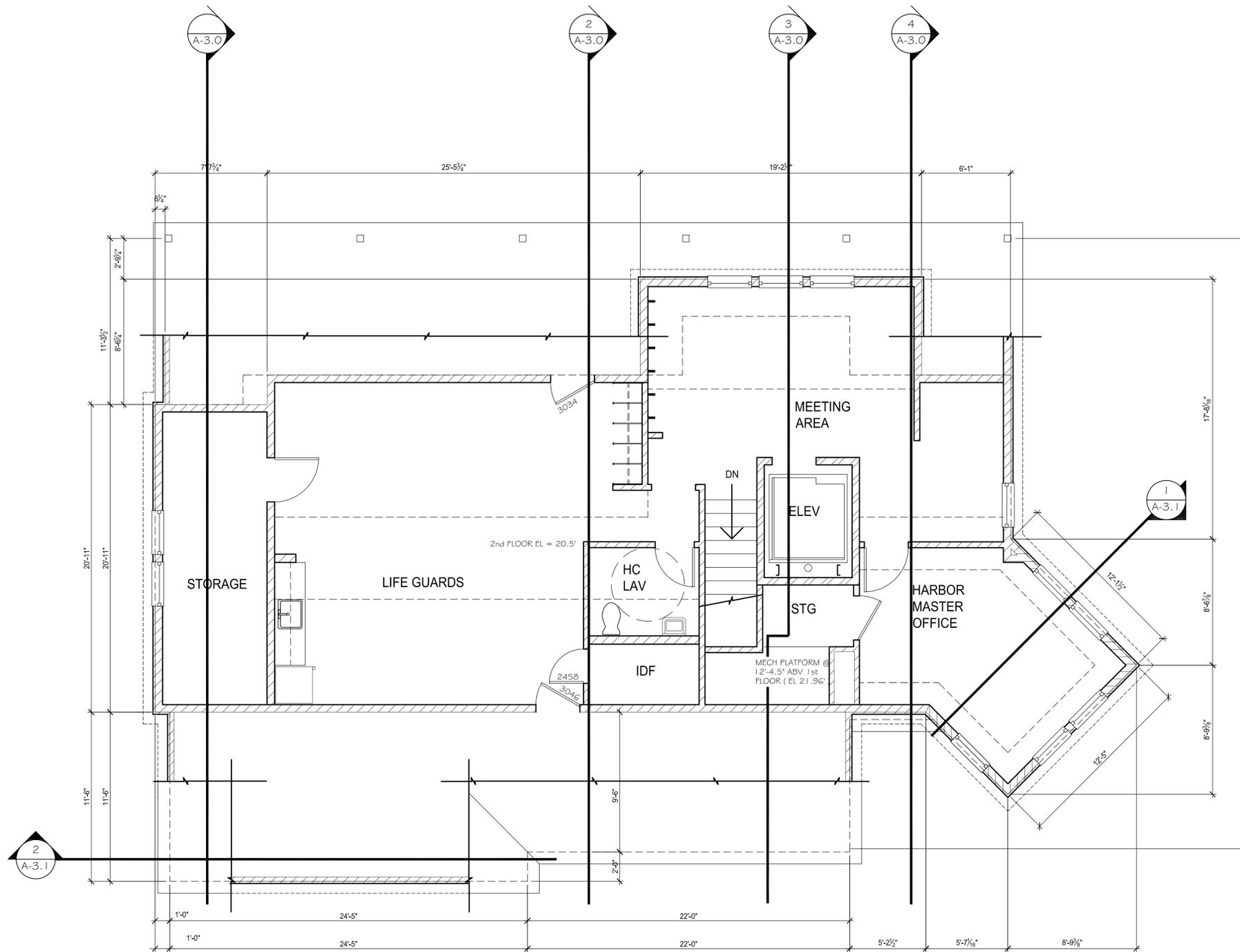
Stephen Kelleher Architects, Inc.  
Fairhaven Center for Business  
57 Alden Road  
Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**First Floor Plan**

Drawn By:	PQ
Checked:	SLK
Date:	02.25.2020
Scale:	AS NOTED

**A-1.0**



PROGRESS PRINT

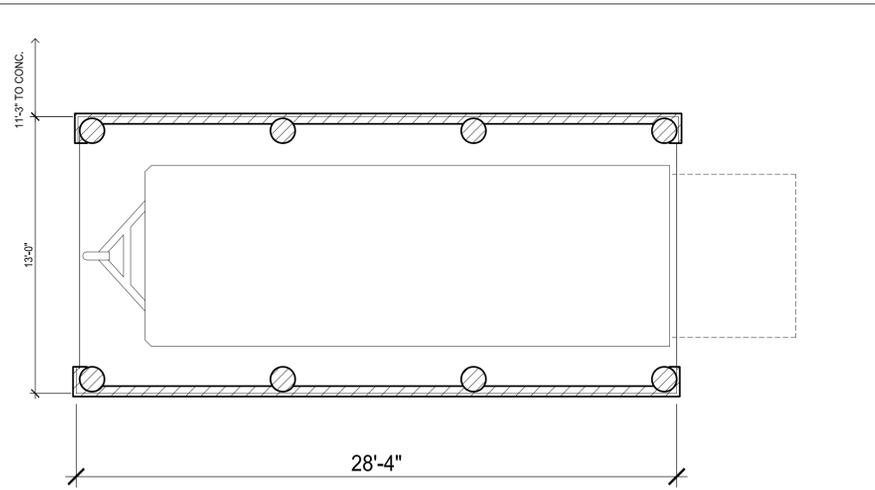


**SK** Stephen Kelleher Architects, Inc.  
 Fairhaven Center for Business  
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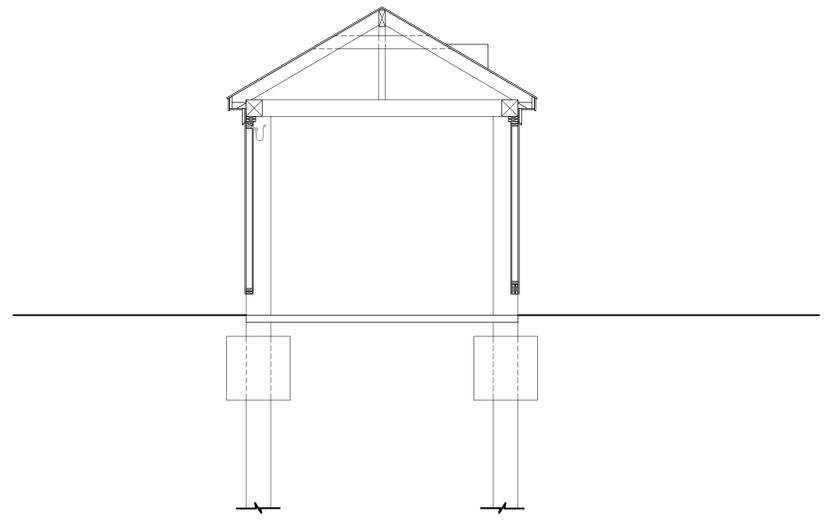
**Harbormaster Building**  
 34 Washington Street  
 Nantucket, Massachusetts

**Second Floor Plan**

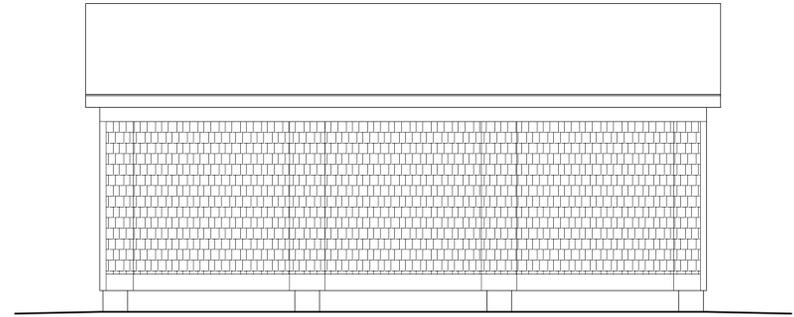
Drawn By:	PQ	<b>A-1.1</b>
Checked:	SLK	
Date:	02.25.2020	
Scale:	1/4" = 1'-0"	



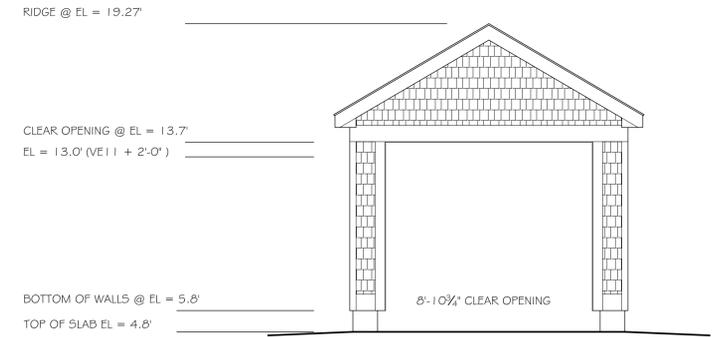
**1 PLAN**  
1/4" = 1'-0"



**2 SECTION A**  
1/4" = 1'-0"



**3 SOUTH ELEVATION**  
1/4" = 1'-0" NORTH ELEVATION SIMILAR



**4 WEST ELEVATION**  
1/4" = 1'-0" EAST ELEVATION SIMILAR

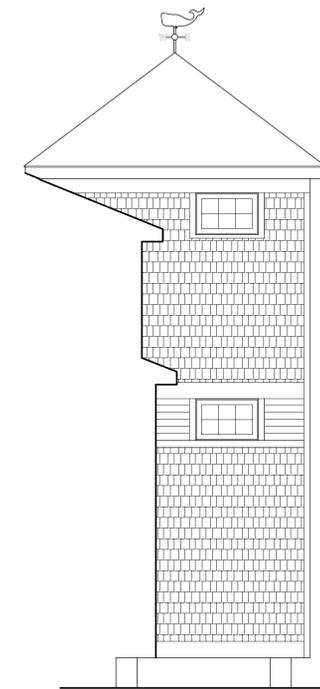
PROGRESS PRINT



<b>SK</b>		Stephen Kelleher Architects, Inc. Fairhaven Center for Business 57 Alden Road Fairhaven, Massachusetts 02719 508-992-2007 Fax 992-2021
<b>Harbormaster Building</b> 34 Washington Street Nantucket, Massachusetts		
<b>Storage Building</b>		
Drawn By:	PQ	<b>A-1.2</b>
Checked:	SLK	
Date:	02.25.2019	
Scale:	1/4" = 1'-0"	



1 **SOUTH ELEVATION**  
1/4" = 1'-0"



2 **SOUTHWEST ELEVATION**  
1/4" = 1'-0"



3 **NORTH ELEVATION**  
1/4" = 1'-0"



4 **SOUTHEAST ELEVATION**  
1/4" = 1'-0"

PROGRESS PRINT



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508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**ELEVATIONS**

Drawn By:	PQ
Checked:	SLK
Date:	2.25.2020
Scale:	1/4" = 1'-0"

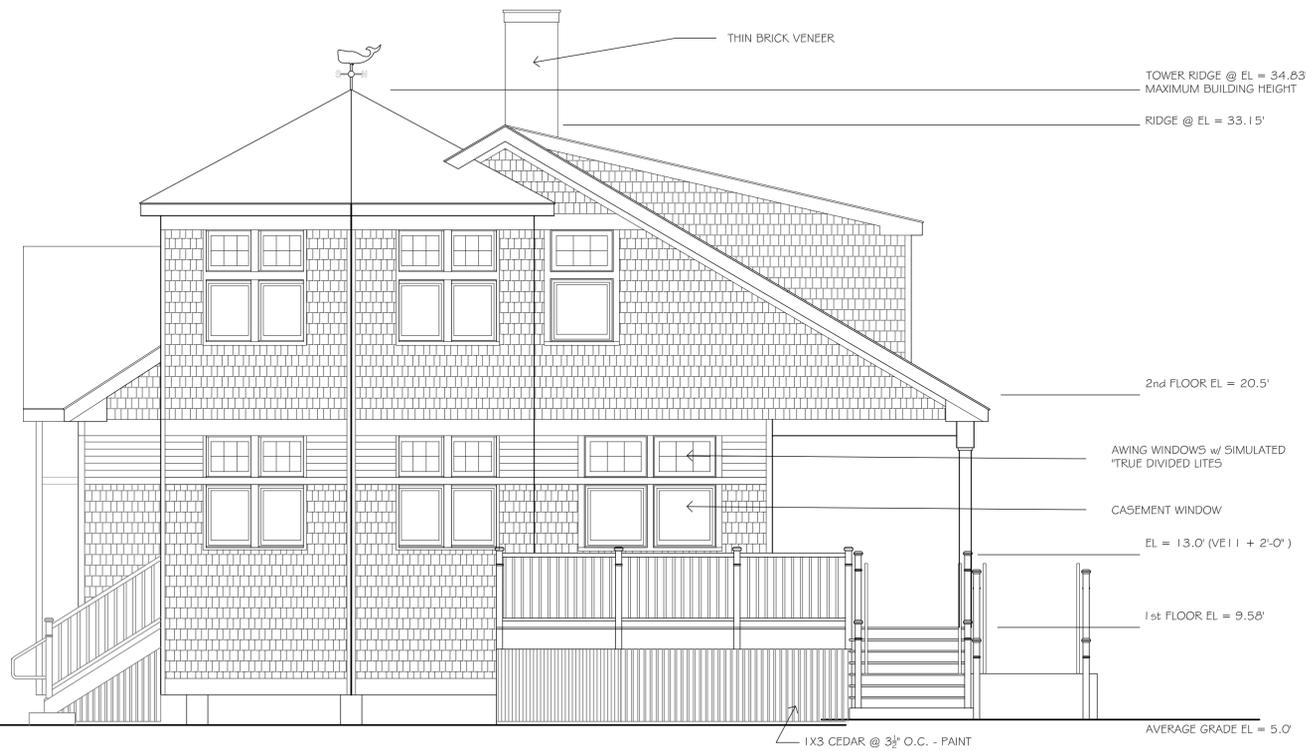
**A-2.0**



**6 NORTH ELEVATION - ON DECK**  
1/4" = 1'-0"



**5 WEST ELEVATION**  
1/4" = 1'-0"



**7 EAST ELEVATION**  
1/4" = 1'-0"



**8 NORTHEAST ELEVATION**  
1/4" = 1'-0"

PROGRESS PRINT



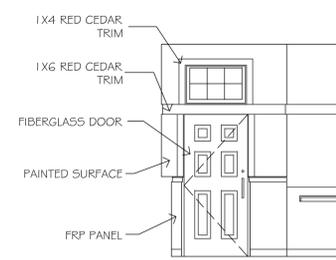
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**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

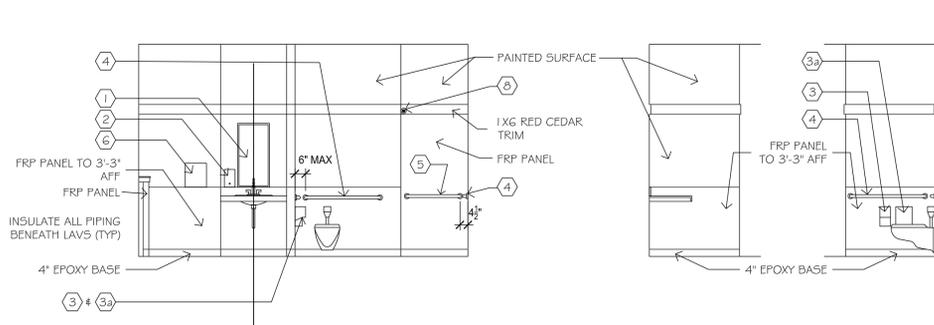
**ELEVATIONS**

Drawn By: PQ  
Checked: SLK  
Date: 2.25.2020  
Scale: 1/4" = 1'-0"

**A-2.1**



NORTH WALL



EAST WALL

SOUTH WALL @ LAV

NORTH WALL @ TOILET

SOUTH WALL

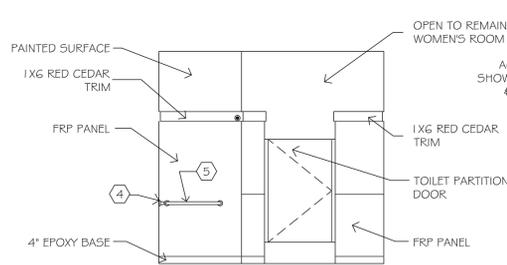
WEST WALL

**1 FAMILY BATHROOM ELEVATIONS**  
1/4" = 1'-0"

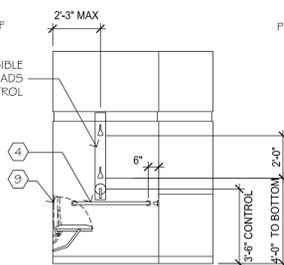
- LEGEND**
- ① MIRRORS, BOBRICK B 165-1836 - MOUNT 3'-4" AFF TO GLASS MAX - CENTER OVER LAVATORY
  - ② SOAP DISPENSERS, WALL MOUNTED, SAN JAMAR 5F46TBK - MOUNT 3'-6" AFF MAX TO CONTROL
  - ③ TOILET TISSUE DISPENSERS, DOUBLE ROLL, BOBRICK B-2888 - MOUNT 2'-4" AFF TO TOP
  - ③a SANITARY NAPKIN DISPOSAL, BOBRICK B-270 - MOUNT TOP @ 2'-4" AFF
  - ④ GRAB BARS, BOBRICK B-6000 SERIES 42" L - MOUNT 2'-10" AFF TO TOP
  - ⑤ GRAB BARS, BOBRICK B-6800 SERIES 30" L - MOUNT 2'-10" AFF TO TOP
  - ⑥ SURFACE MOUNTED HAND DRYER, VERDEDRI BY WORLD DRYER MOUNT @ 3'-3" TO BOTTOM OF DRYER
  - ⑦ DIAPER CHANGING STATION, KOALA KARE KB200D1 - MOUNT AT 2'-9" AFF TO CHANGING SURFACE
  - ⑧ SHOWER CURTAIN ROD, BOBRICK B-6047 - MOUNT AT 6'-9" AFF - PROVIDE 10 GAGE VINYL SHOWER CURTAIN, WIDTH OF SHOWER PLUS 6" X 6'-0" TALL
  - ⑨ PADDED SHOWER SEAT, BOBRICK B-517 or B-516 - MOUNT SEAT BETWEEN 17 AND 19" AFF

PROVIDE TRIM AS REQUIRED TO PAD OUT BEHIND WASHROOM ACCESSORIES WHERE THEY OVERLAP FRP & PAINTED WALL SURFACE

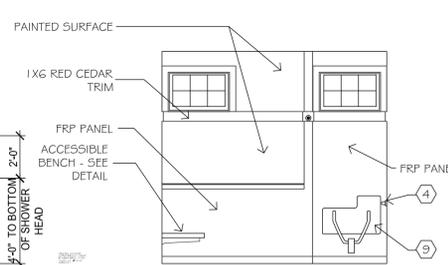
PROVIDE COLOR MATCHED SEALANT JOINTS @ SEAMS IN FRP - PROVIDE COLOR MATCHED SEALANT FILLETS @ BOTTOM OF FRP & COLOR MATCHED TRIM @ TOP, INTERIOR & EXTERIOR CORNERS



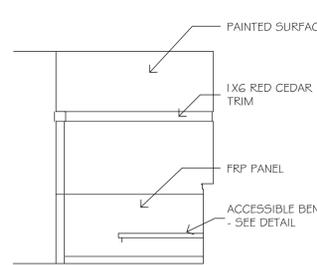
ACCESSIBLE SHOWER EAST WALL



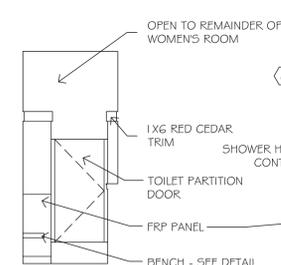
ACCESSIBLE SHOWER NORTH WALL



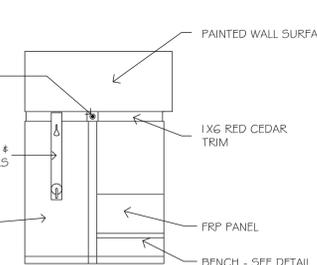
ACCESSIBLE SHOWER WEST WALL



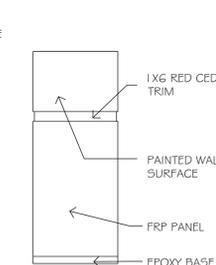
ACCESSIBLE SHOWER SOUTH WALL



SHOWER EAST WALL

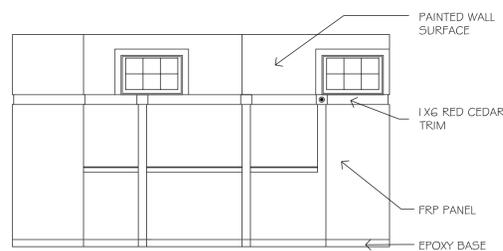


SHOWER NORTH WALL

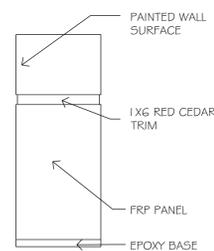


SHOWER WEST WALL

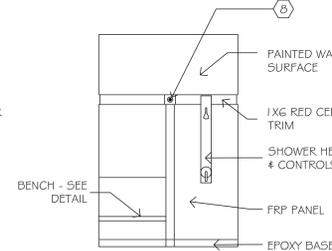
**2 WOMEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"



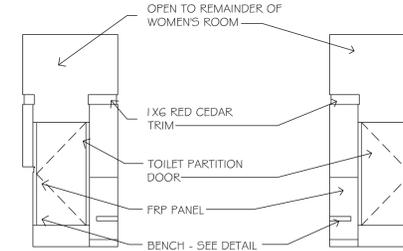
BATHROOM SOUTH WALL



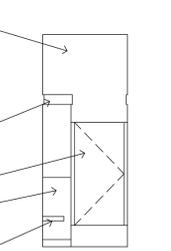
SHOWER EAST WALL



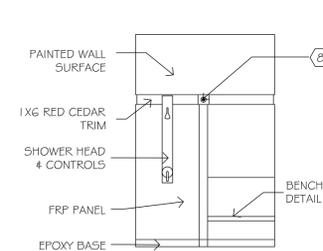
SHOWER NORTH WALL



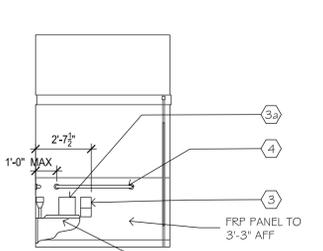
SHOWER WEST WALL



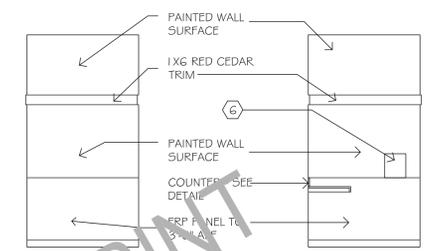
SHOWER WEST WALL



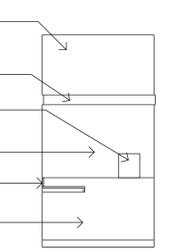
SHOWER SOUTH WALL



ACCESSIBLE STALL SOUTH WALL

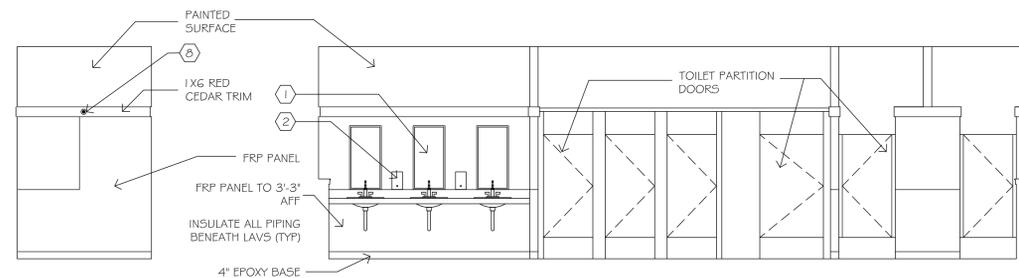


TOILET STALL NORTH WALL

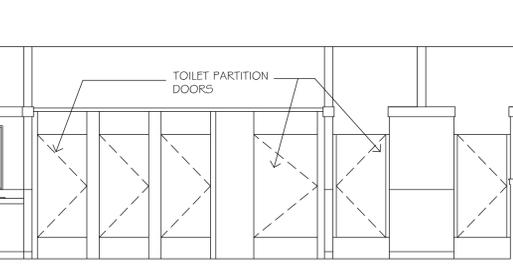


LAVATORY SOUTH WALL

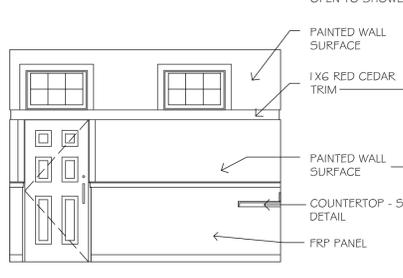
**3 WOMEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"



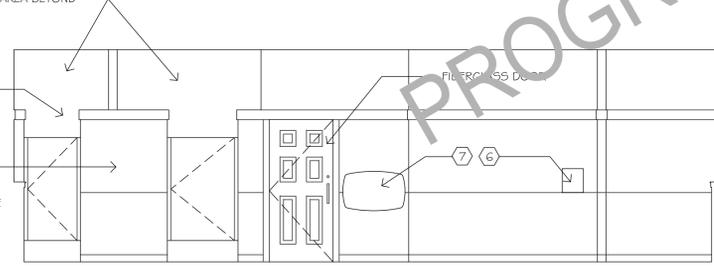
SHOWER NORTH WALL



BATHROOM EAST WALL



BATHROOM NORTH WALL



BATHROOM WEST WALL

**4 WOMEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"

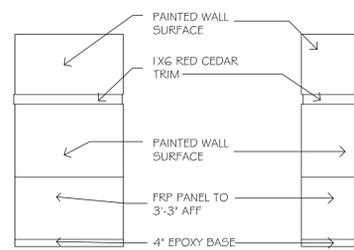
**SK** Stephen Kelleher Architects, Inc.  
Fairhaven Center for Business  
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Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**INTERIOR ELEVATIONS**

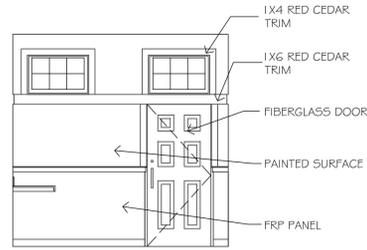
Drawn By: PQ  
Checked: SLK  
Date: 2.25.2020  
Scale: 1/4" = 1'-0"

**A-2.2**

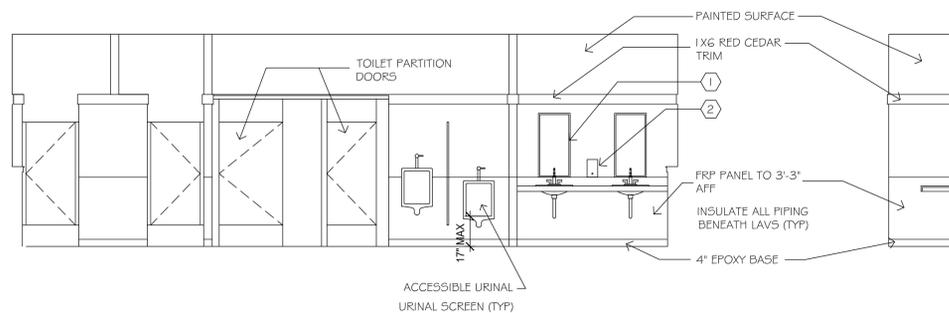


SCREEN WALL NORTH FACE

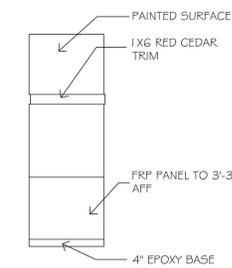
SCREEN WALL SOUTH FACE



BATHROOM NORTH WALL



BATHROOM WEST WALL



SCREEN WALL NORTH VIEW

SCREEN WALL SOUTH VIEW

**1 WOMEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"

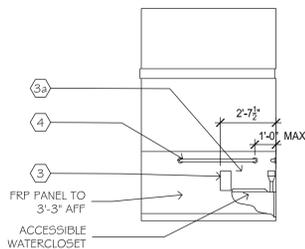
**2 MEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"

**LEGEND**

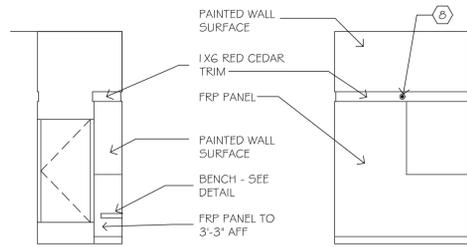
- ① MIRRORS, BOBRICK B165-1836 - MOUNT 3'-4" AFF TO GLASS MAX - CENTER OVER LAVATORY
- ② SOAP DISPENSERS, WALL MOUNTED, SAN JAMAR 5F46TBK - MOUNT 3'-6" AFF MAX TO CONTROL
- ③ TOILET TISSUE DISPENSERS, DOUBLE ROLL, BOBRICK B-2888 - MOUNT 2'-4" AFF TO TOP
- ③a SANITARY NAPKIN DISPOSAL, BOBRICK B-270 - MOUNT TOP @ 2'-4" AFF
- ④ GRAB BARS, BOBRICK B-6800 SERIES 42" L - MOUNT 2'-10" AFF TO TOP
- ⑤ GRAB BARS, BOBRICK B-6800 SERIES 30" L - MOUNT 2'-10" AFF TO TOP
- ⑥ SURFACE MOUNTED HAND DRYER, VERDEDRI BY WORLD DRYER MOUNT @ 3'-3" TO BOTTOM OF DRYER
- ⑦ DIAPER CHANGING STATION, KOALA KARE KB200-01 - MOUNT AT 2'-9" AFF TO CHANGING SURFACE
- ⑧ SHOWER CURTAIN ROD, BOBRICK B-6047 - MOUNT AT 6'-9" AFF - PROVIDE 10 GAGE VINYL SHOWER CURTAIN, WIDTH OF SHOWER PLUS 6" X 6'-0" TALL
- ⑨ PADDED SHOWER SEAT, BOBRICK B-517 or B-516 - MOUNT SEAT BETWEEN 17 AND 19" AFF

PROVIDE TRIM AS REQUIRED TO PAD OUT BEHIND WASHROOM ACCESSORIES WHERE THEY OVERLAP FRP & PAINTED WALL SURFACE

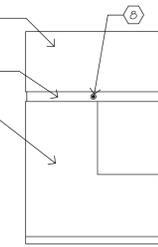
PROVIDE COLOR MATCHED SEALANT JOINTS @ SEAMS IN FRP - PROVIDE COLOR MATCHED SEALANT FILLETS @ BOTTOM OF FRP & COLOR MATCHED TRIM @ TOP, INTERIOR & EXTERIOR CORNERS



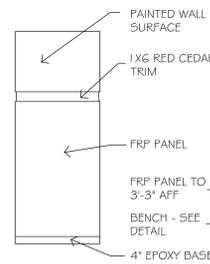
ACCESSIBLE STALL SOUTH WALL



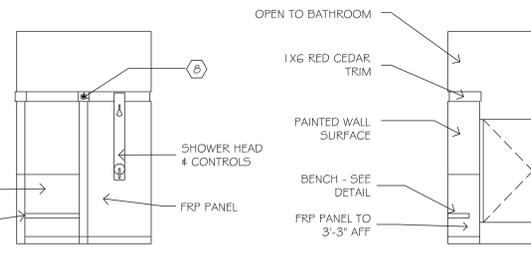
SHOWER EAST WALL



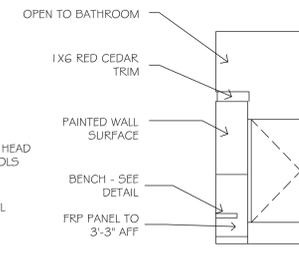
SHOWER NORTH WALL



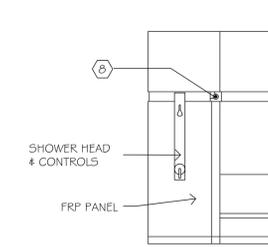
SHOWER WEST WALL



SHOWER SOUTH WALL

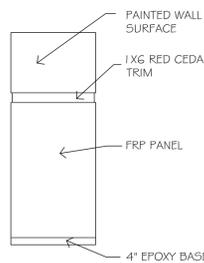


BATHROOM WEST WALL

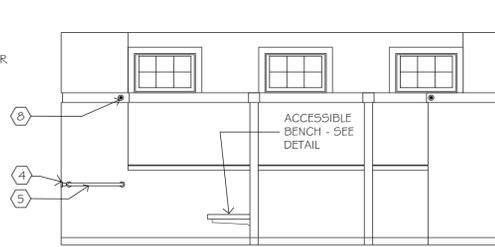


SHOWER NORTH WALL

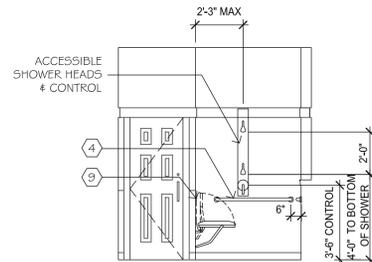
**3 MEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"



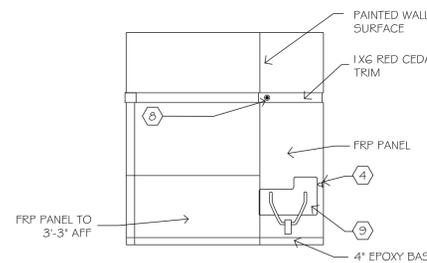
SHOWER WEST WALL



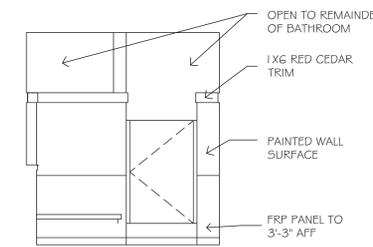
BATHROOM SOUTH WALL



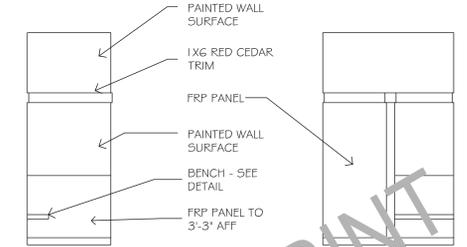
SHOWER EAST WALL



SHOWER NORTH WALL



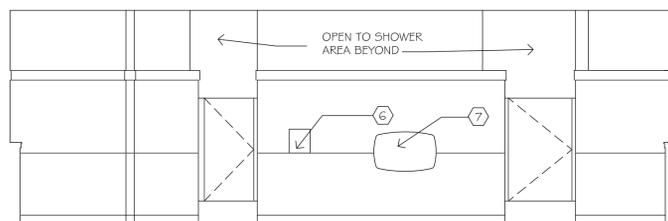
SHOWER WEST WALL



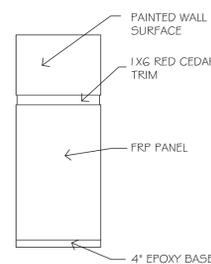
SHOWER SOUTH WALL

SHOWER EAST WALL

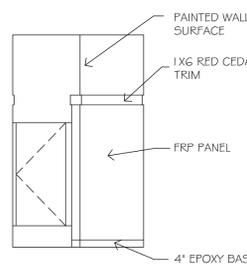
**4 MEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"



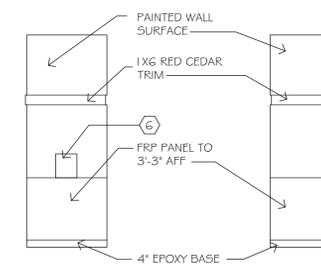
BATHROOM EAST WALL



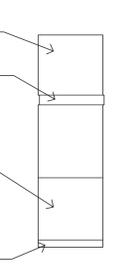
SHOWER NORTH WALL



SHOWER WEST WALL



SCREEN WALL SOUTH FACE



SCREEN WALL NORTH FACE

**5 MEN'S BATHROOM ELEVATIONS**  
1/4" = 1'-0"

PROGRESS PRINT



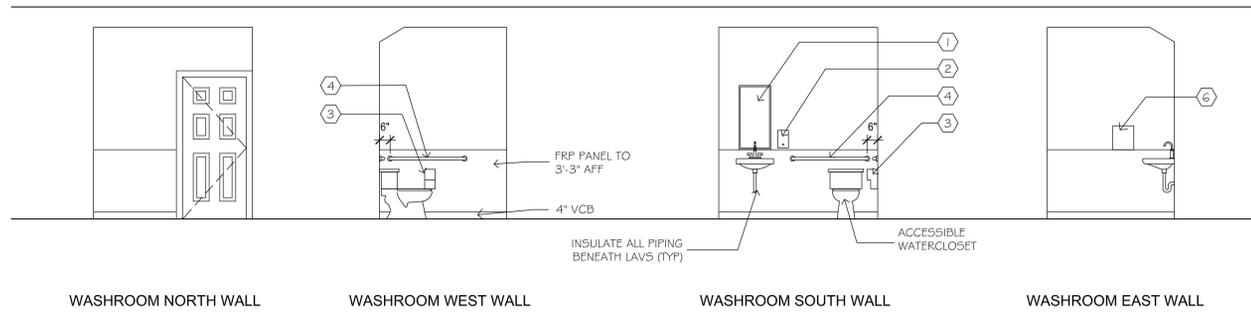
Stephen Kelleher Architects, Inc.  
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57 Alden Road  
Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**INTERIOR ELEVATIONS**

Drawn By:	PQ
Checked:	SLK
Date:	2.25.2020
Scale:	1/4" = 1'-0"

**A-2.3**



WASHROOM NORTH WALL

WASHROOM WEST WALL

WASHROOM SOUTH WALL

WASHROOM EAST WALL

**1 STAFF WASHROOM ELEVATIONS**  
1/4" = 1'-0"

**LEGEND**

- ① MIRRORS, BOBRICK B 165-1836 - MOUNT 3'-4" AFF TO GLASS MAX - CENTER OVER LAVATORY
- ② SOAP DISPENSERS, WALL MOUNTED, SAN JAMAR 5F46TBK - MOUNT 3'-6" AFF MAX TO CONTROL
- ③ TOILET TISSUE DISPENSERS, DOUBLE ROLL, BOBRICK B-2888 - MOUNT 2'-4" AFF TO TOP
- ③ SANITARY NAPKIN DISPOSAL, BOBRICK B-270 - MOUNT TOP @ 2'-4" AFF
- ④ GRAB BARS, BOBRICK B-6800 SERIES 42" L - MOUNT 2'-10" AFF TO TOP
- ⑤ GRAB BARS, BOBRICK B-6800 SERIES 30" L - MOUNT 2'-10" AFF TO TOP
- ⑥ SURFACE MOUNTED HAND DRYER, VERDEDRI BY WORLD DRYER MOUNT @ 3'-3" TO BOTTOM OF DRYER
- ⑦ DIAPER CHANGING STATION, KOALA KARE KB200-01 - MOUNT AT 2'-9" AFF TO CHANGING SURFACE
- ⑧ SHOWER CURTAIN ROD, BOBRICK B-6047 - MOUNT AT 6'-9" AFF - PROVIDE 10 GAGE VINYL SHOWER CURTAIN, WIDTH OF SHOWER PLUS 6" X 6'-0" TALL
- ⑨ PADDED SHOWER SEAT, BOBRICK B-517 or B-516 - MOUNT SEAT BETWEEN 17 AND 19" AFF

PROVIDE TRIM AS REQUIRED TO PAD OUT BEHIND WASHROOM ACCESSORIES WHERE THEY OVERLAP FRP & PAINTED WALL SURFACE

PROVIDE COLOR MATCHED SEALANT JOINTS @ SEAMS IN FRP - PROVIDE COLOR MATCHED SEALANT FILLETS @ BOTTOM OF FRP & COLOR MATCHED TRIM @ TOP, INTERIOR & EXTERIOR CORNERS

PROGRESS PRINT



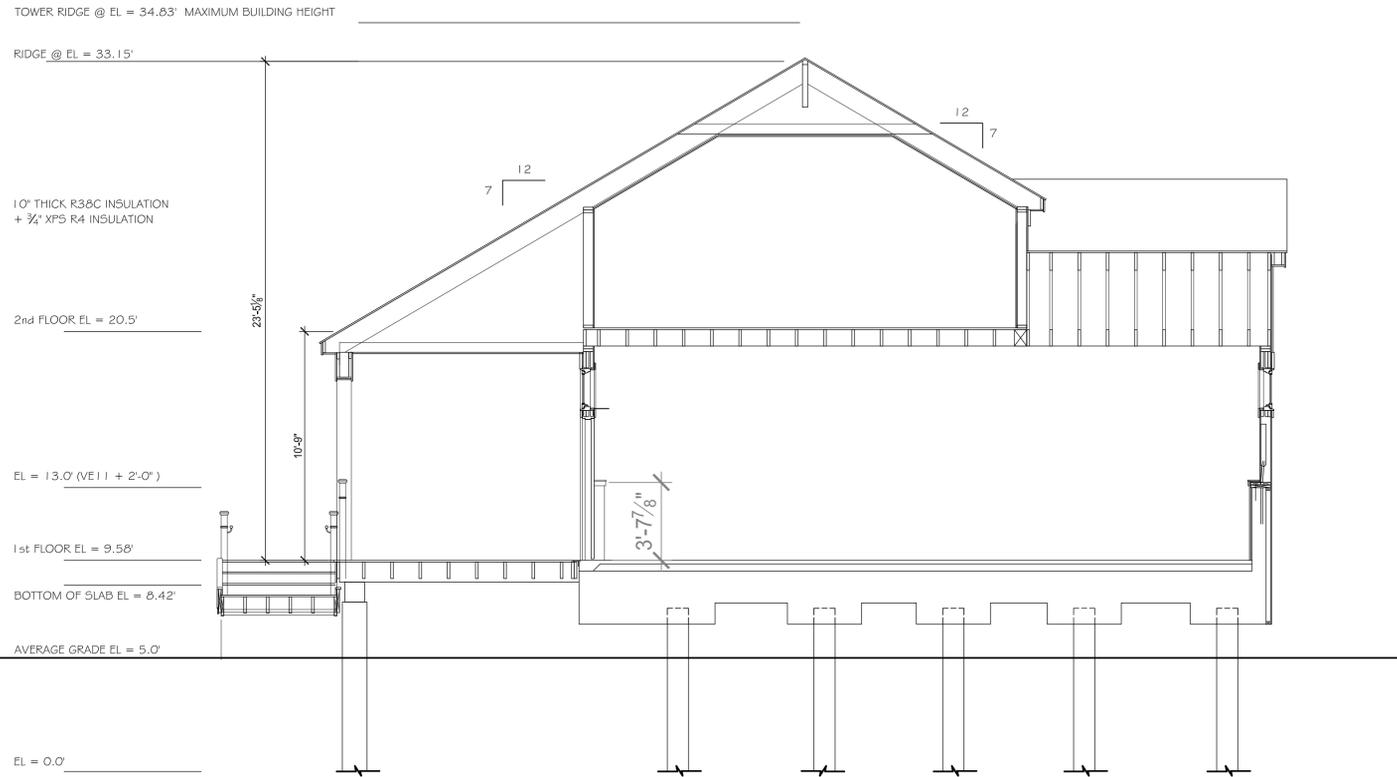
Stephen Kelleher Architects, Inc.  
Fairhaven Center for Business  
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Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

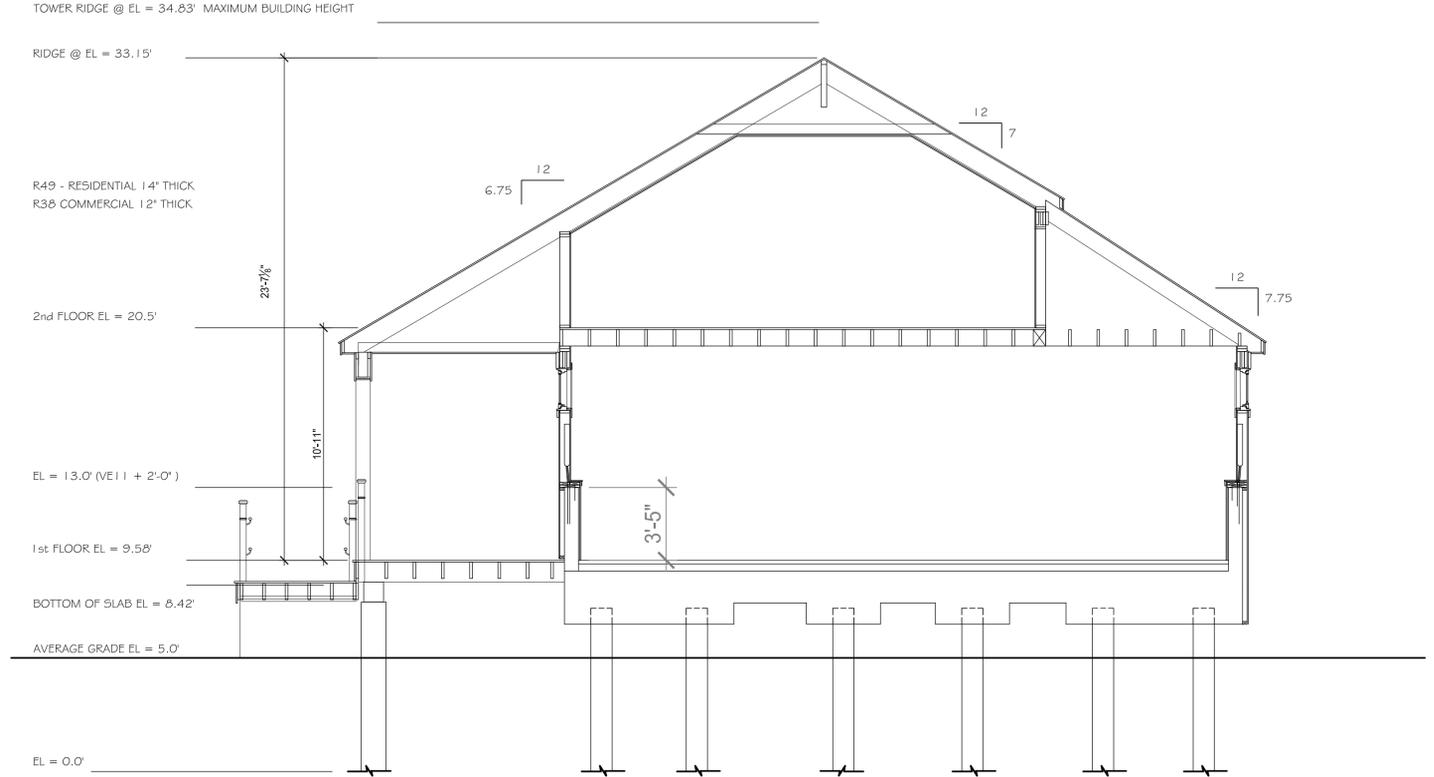
**INTERIOR ELEVATIONS**

Drawn By:	PQ
Checked:	SLK
Date:	2.25.2020
Scale:	1/4" = 1'-0"

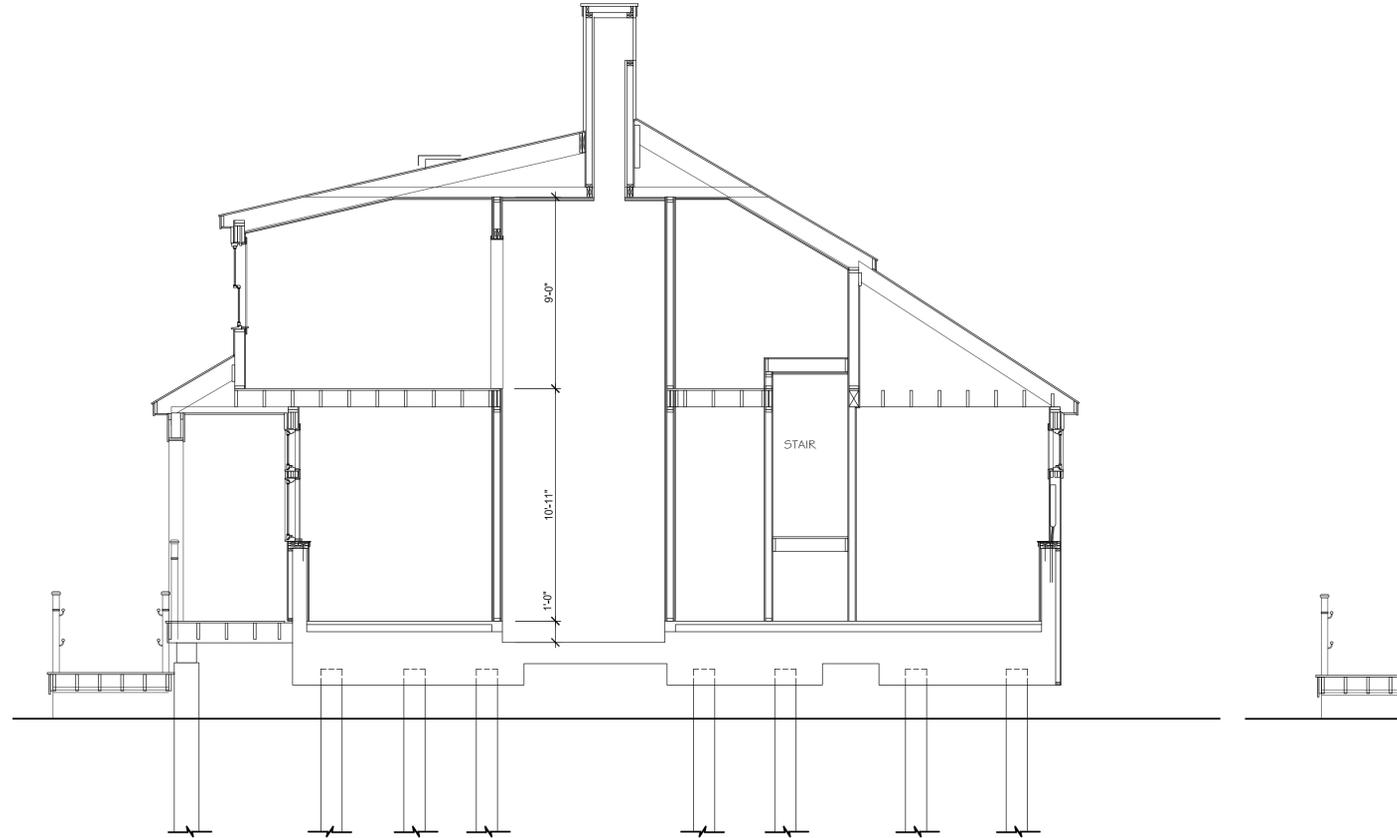
**A-2.4**



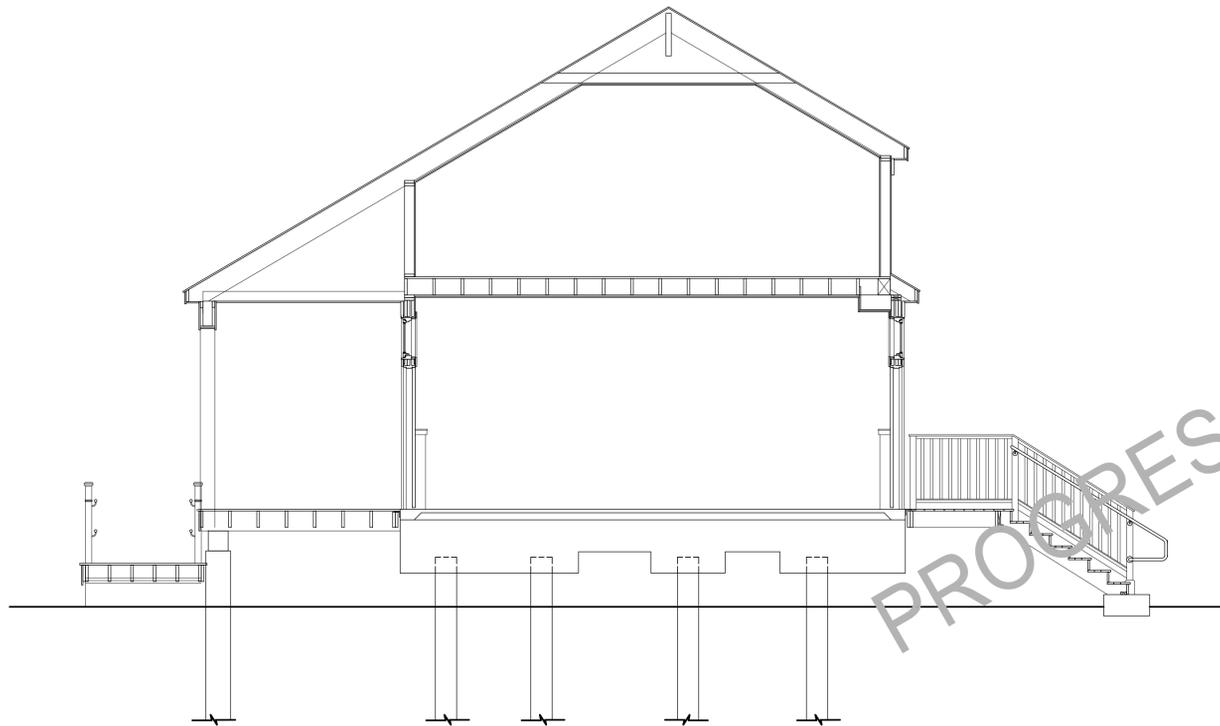
**1 SECTION 1**  
1/4" = 1'-0"



**2 SECTION 2**  
1/4" = 1'-0"



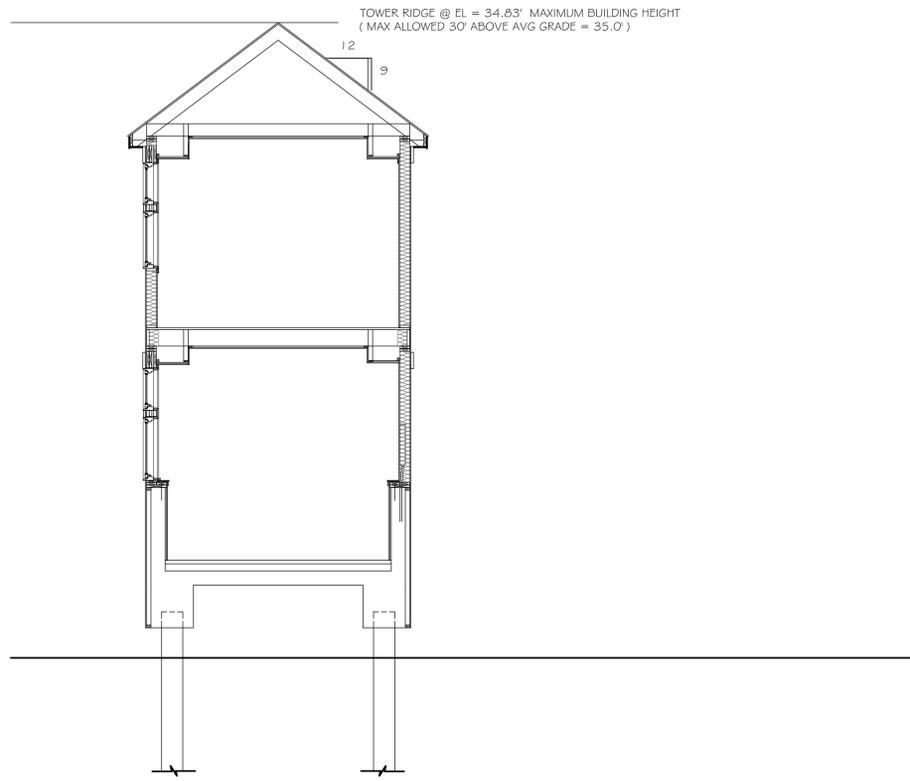
**3 SECTION 3**  
1/4" = 1'-0"



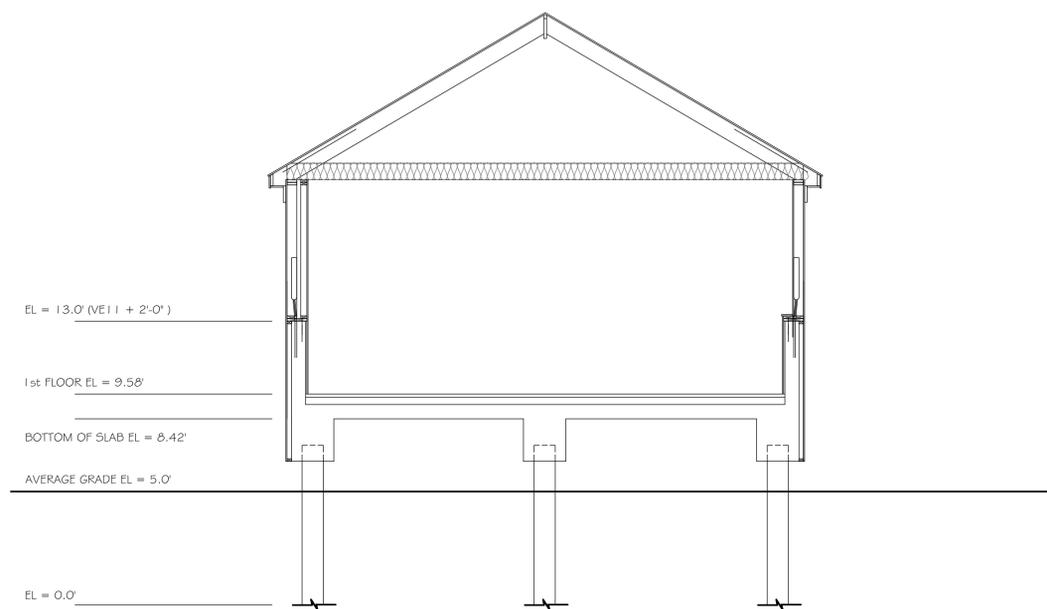
**4 SECTION 4**  
1/4" = 1'-0"

PROGRESS PRINT

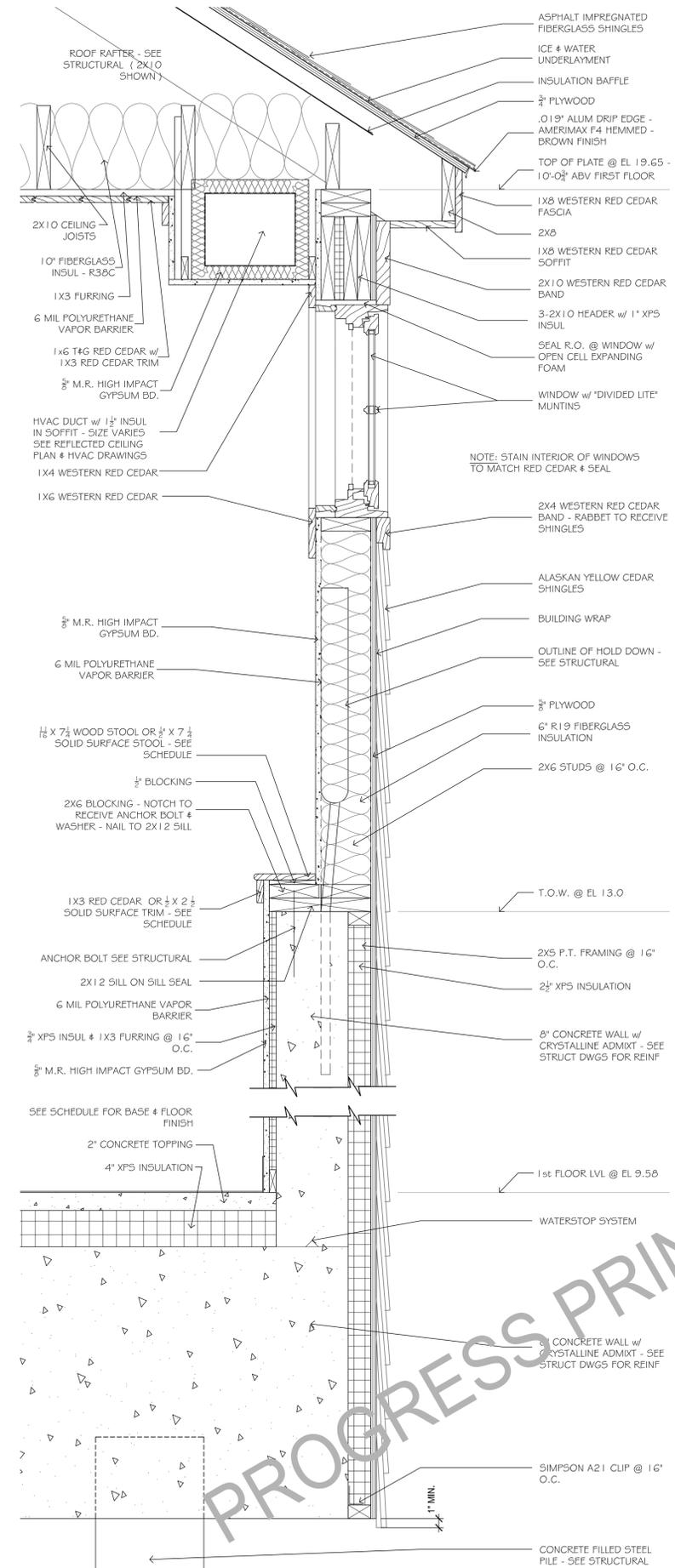
<b>SK</b>		Stephen Kelleher Architects, Inc. Fairhaven Center for Business 57 Alden Road Fairhaven, Massachusetts 02719 508-992-2007 Fax 992-2021
<b>Harbormaster Building</b> 34 Washington Street Nantucket, Massachusetts		
<b>Sections</b>		
Drawn By:	PQ	<b>A-3.0</b>
Checked:	SLK	
Date:	02.25.2020	
Scale:	1/4" = 1'-0"	



**1 SECTION 5**  
1/4" = 1'-0"



**2 SECTION 6**  
1/4" = 1'-0"



**4 TYPICAL WALL SECTION**  
1-1/2" = 1'-0"

PROGRESS PRINT

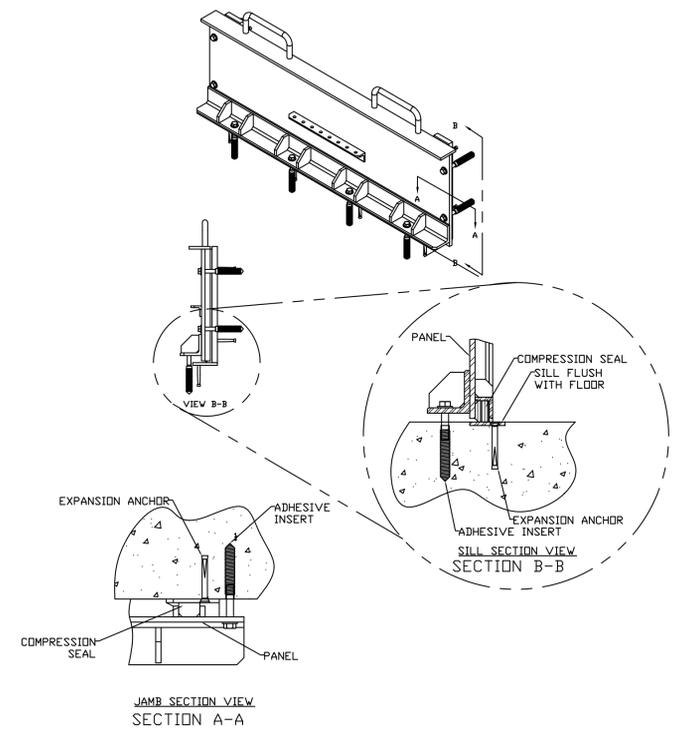
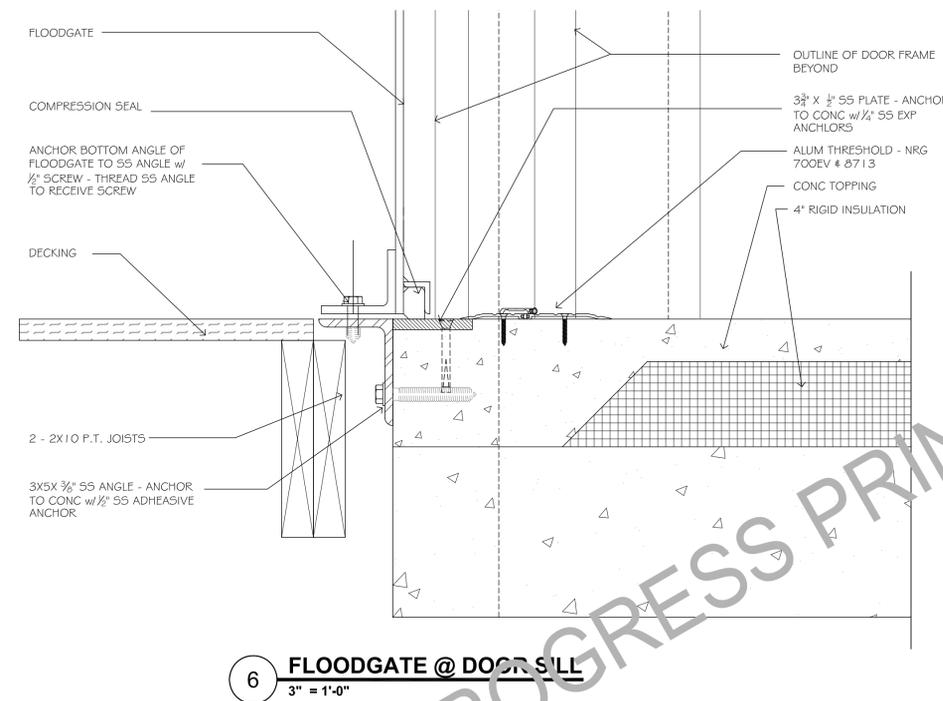
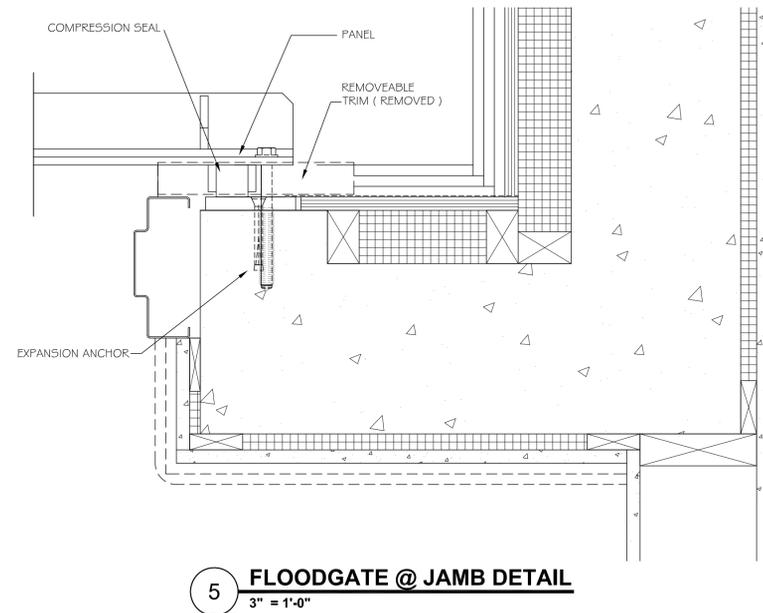
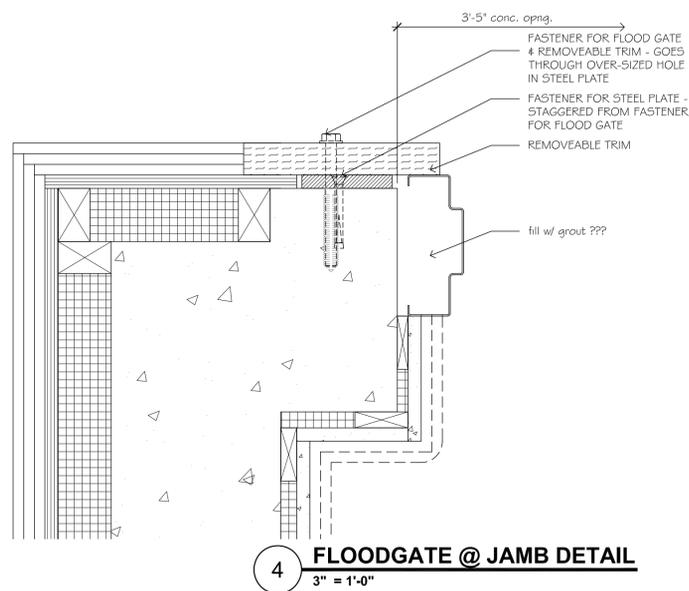
**SK** Stephen Kelleher Architects, Inc.  
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Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**Sections**

Drawn By:	PQ
Checked:	SLK
Date:	02.25.2020
Scale:	1/4" = 1'-0"

**A-3.1**



**3 MFGR'S FLOODGATE DETAILS**  
NTS

PROGRESS PRINT



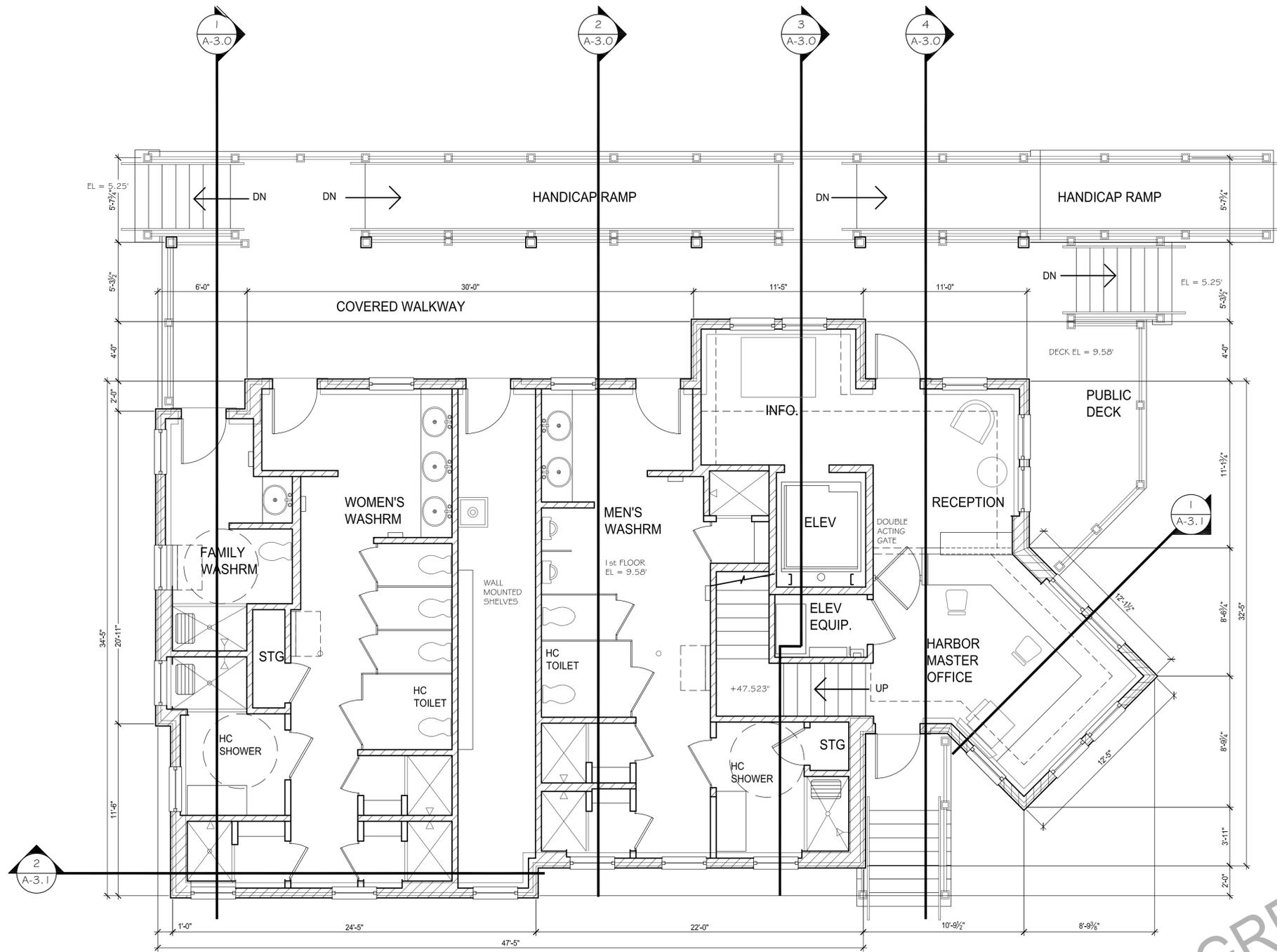
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Fairhaven, Massachusetts 02719  
508-992-2007 Fax 992-2021

**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

**Details**

Drawn By: PQ  
Checked: SLK  
Date: 02.25.2020  
Scale: AS NOTED

**A-5.1**



ALL DIMENSIONS TO FACE OF STUD, FACE OF CONCRETE, CENTERLINE OF POST OR COLUMN OR TO OUTSIDE OF DECK

PROGRESS PRINT



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 Fairhaven, Massachusetts 02719  
 508-992-2007 Fax 992-2021

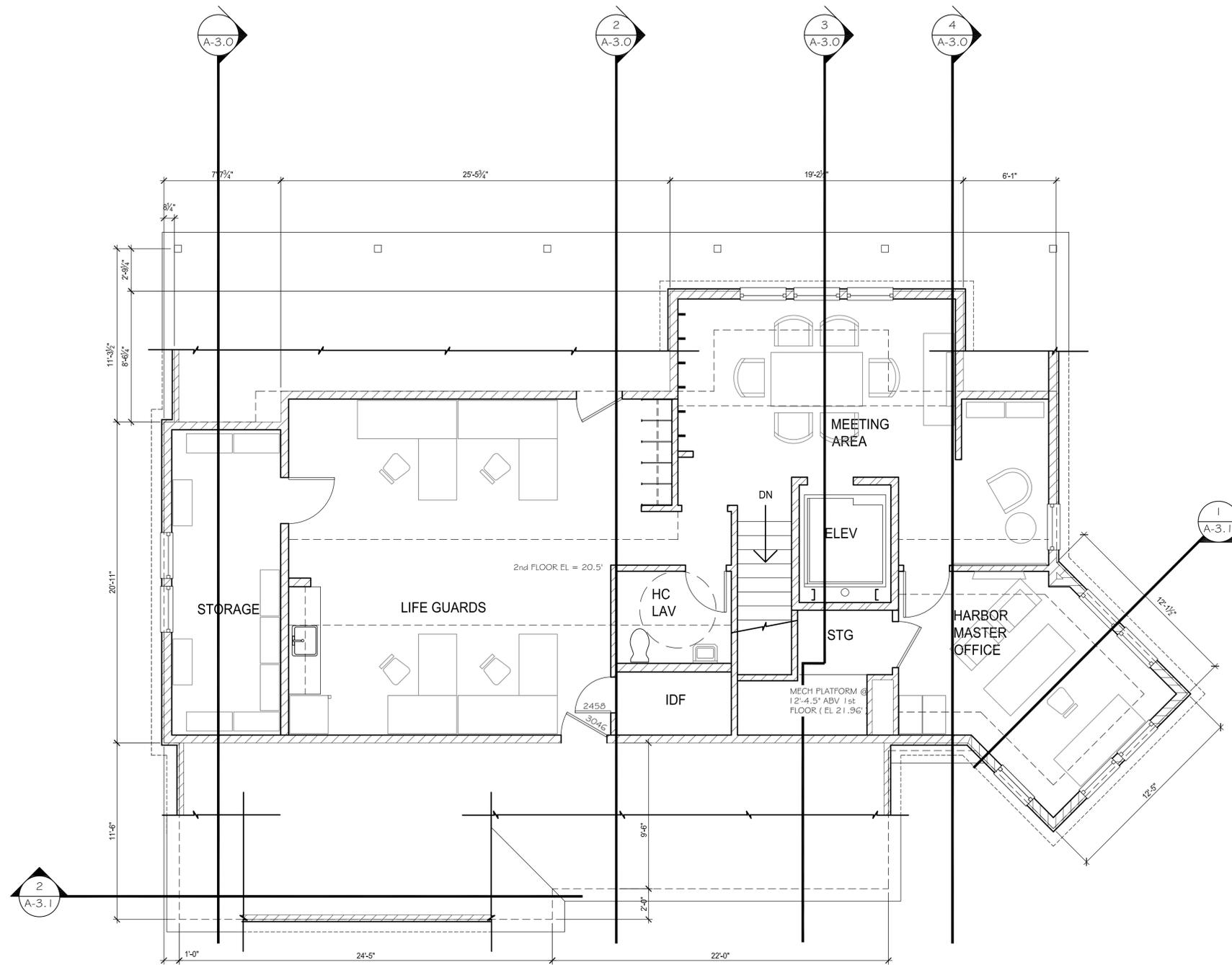
**Harbormaster Building**  
 34 Washington Street  
 Nantucket, Massachusetts

**First Floor Furniture Plan**

Drawn By:	PQ
Checked:	SLK
Date:	02.25.2020
Scale:	1/4" = 1'-0"

**I-1.0**

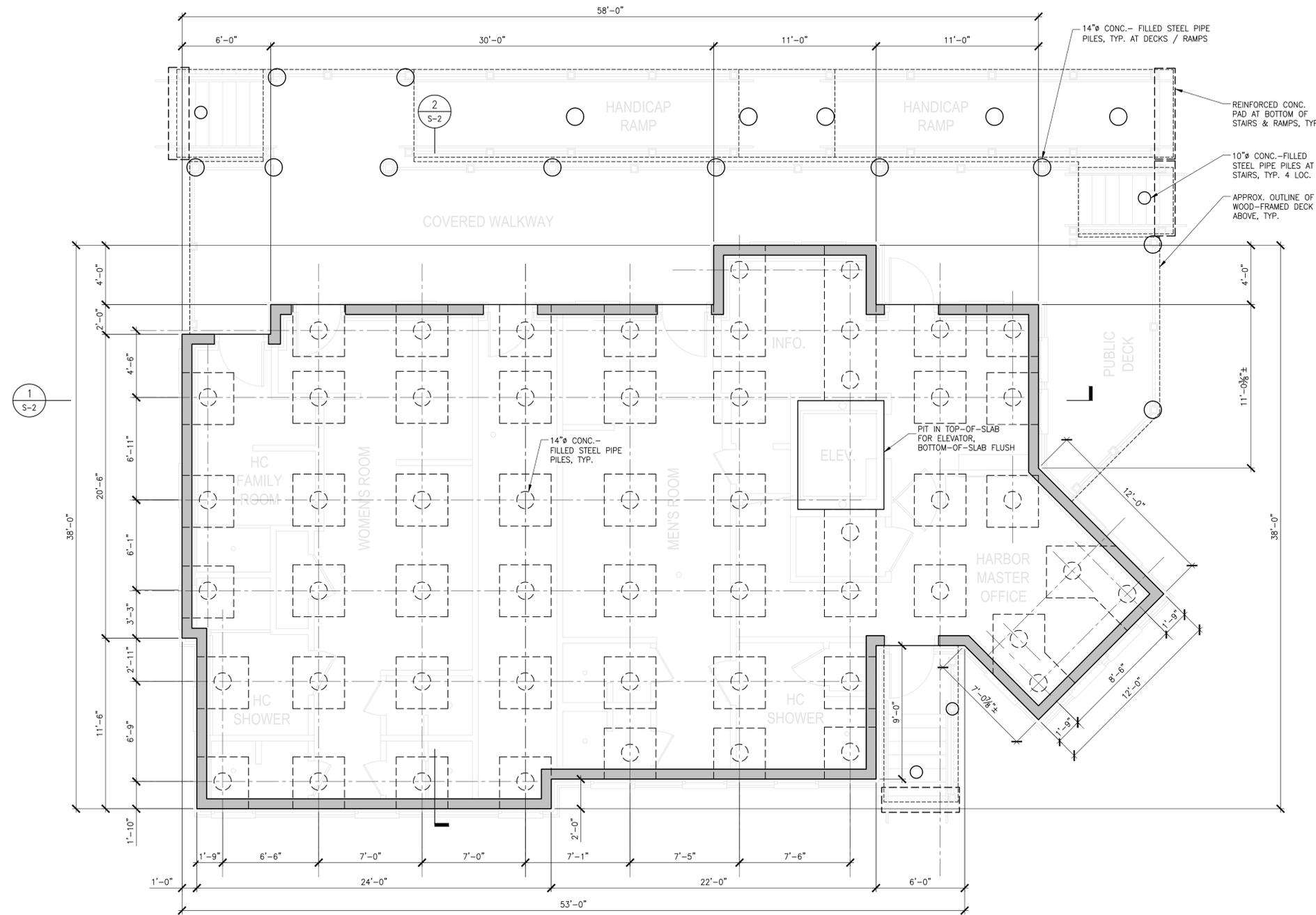




PROGRESS PRINT



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<b>Harbormaster Building</b> 34 Washington Street Nantucket, Massachusetts		
<b>Second Floor Furniture Plan</b>		
Drawn By: PQ Checked: SLK Date: 02.25.2020 Scale: 1/4" = 1'-0"	<b>I-1.1</b>	



PILE QUANTITIES:  
 70 - 14" STEEL PILES  
 4 - 10" STEEL PILES

FOUNDATION / PILE CAP LOCATION PLAN  
 1/4" = 1'-0"

**NOT FOR CONSTRUCTION**

**TES** TRIPI ENGINEERING SERVICES, LLC  
 433 MAIN STREET, SUITE 4  
 HUDSON, MASSACHUSETTS 01749  
 www.triengineering.com ■ 781-287-0077

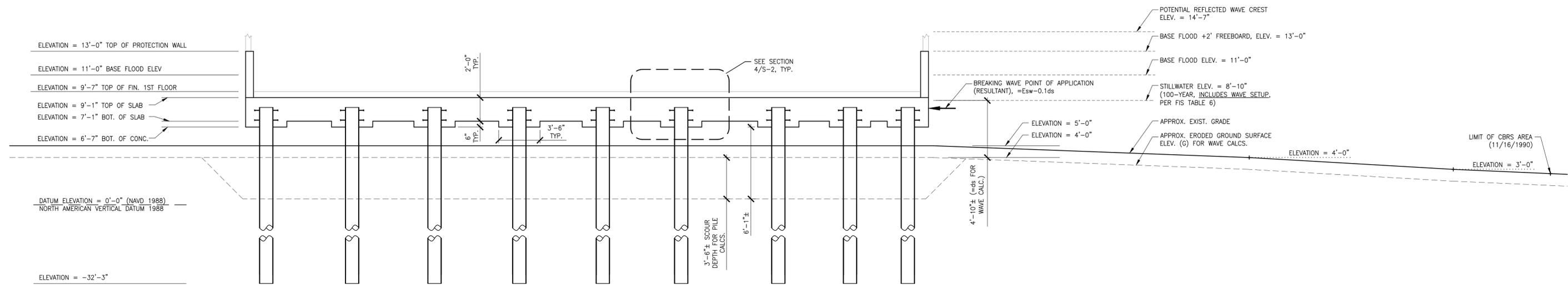
**SK** Stephen Kelleher Architects, Inc.  
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 Fairhaven, Massachusetts 02719  
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**Harbormaster Building**  
 34 Washington Street  
 Nantucket, Massachusetts

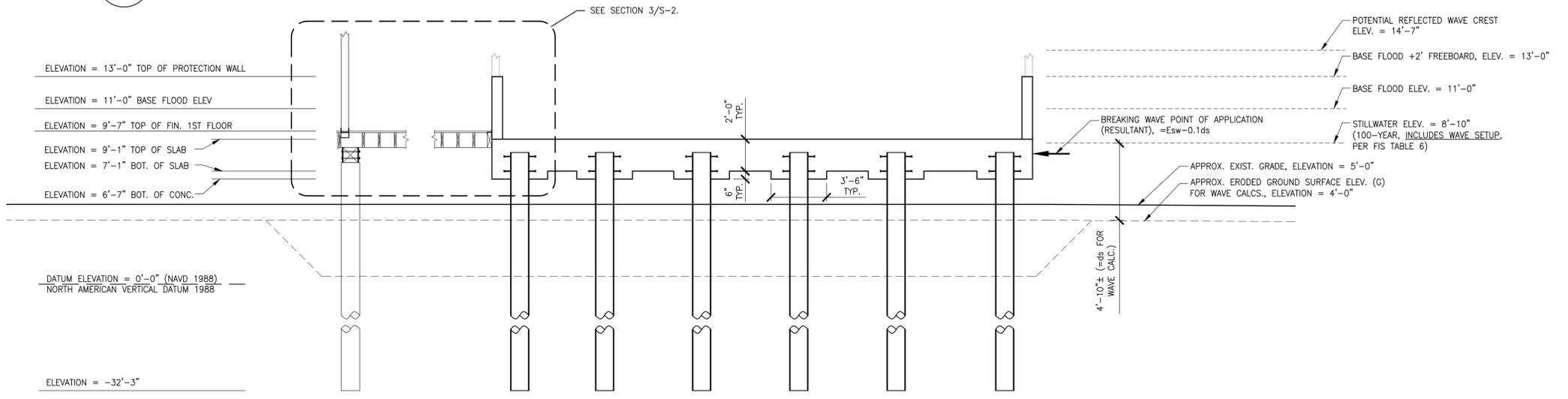
FOUNDATIONS / PILE LOCATION

Drawn By: SB / JMT  
 Checked: JMT  
 Date: 12 / 04 / 2019  
 Scale: AS NOTED

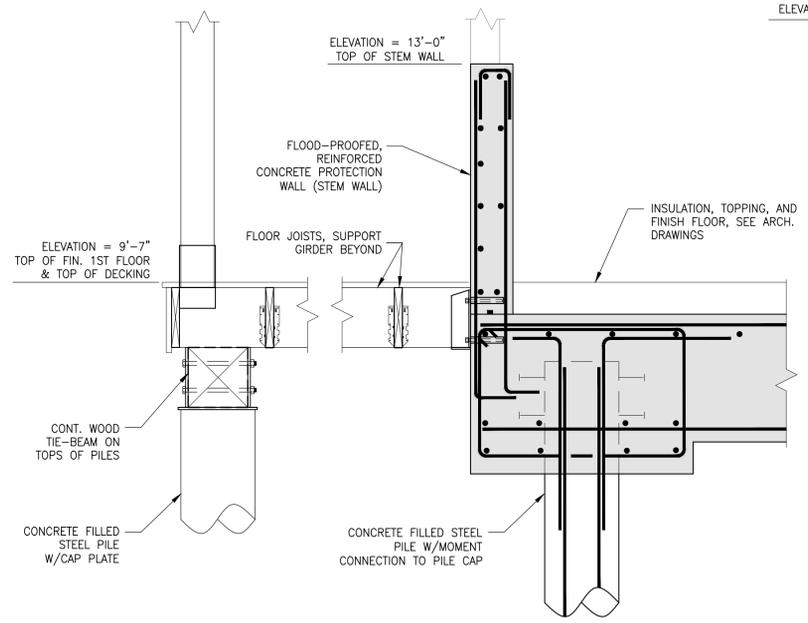
**S-1**



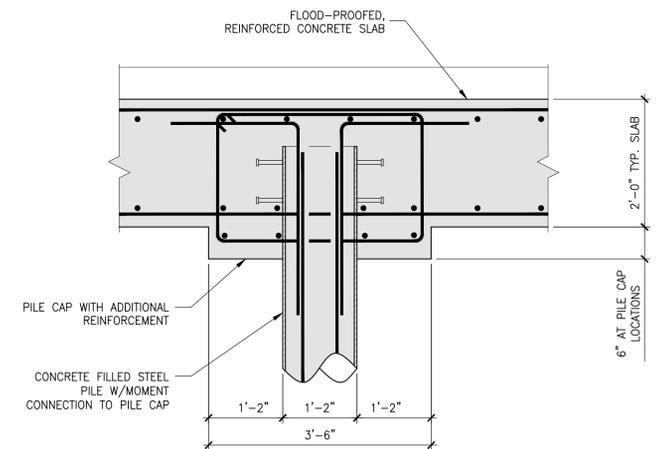
1 LONGITUDINAL SECTION  
SCALE: 1/4" = 1'-0"



2 TRANSVERSE SECTION  
SCALE: 1/4" = 1'-0"



3 SECTION THROUGH DECK FLOOR FRAMING  
SCALE: NO SCALE



4 TYPICAL PILE CAP DETAIL  
SCALE: NO SCALE

**NOT FOR  
CONSTRUCTION**

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433 MAIN STREET, SUITE 4  
HUDSON, MASSACHUSETTS 01749  
www.tripiengineering.com 781-287-0077

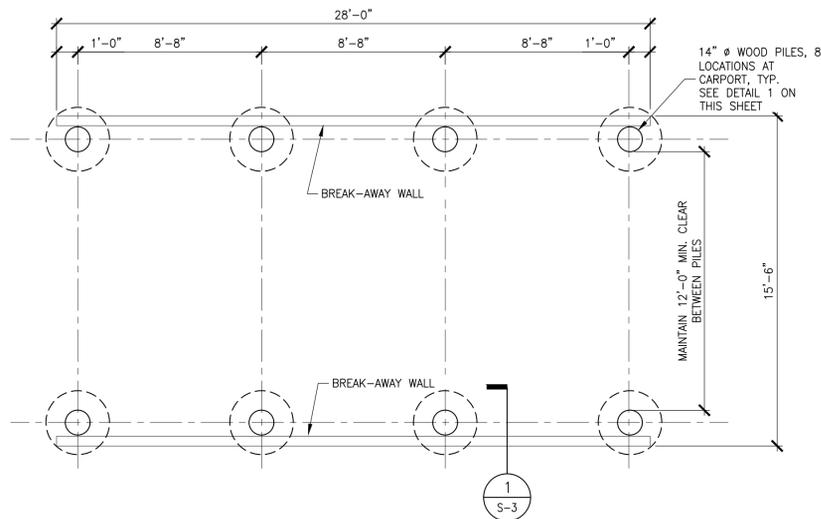
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**Harbormaster Building**  
34 Washington Street  
Nantucket, Massachusetts

FOUNDATIONS / PILE LOCATION

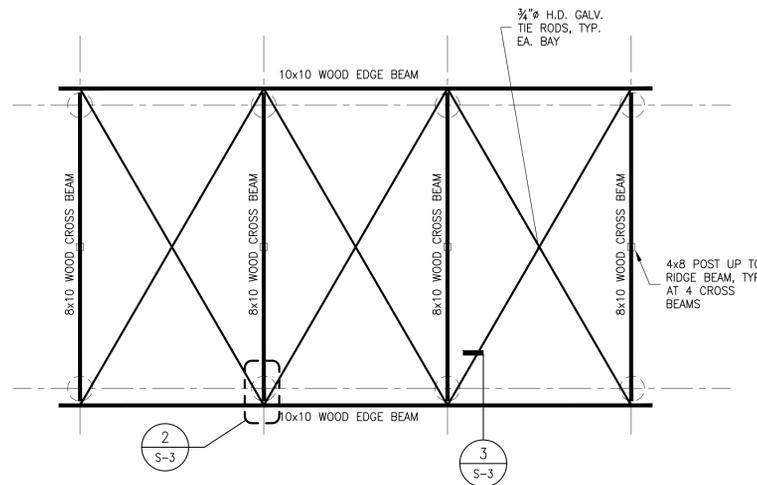
Drawn By: SB / JMT  
Checked: JMT  
Date: 12 / 04 / 2019  
Scale: AS NOTED

**S-2**



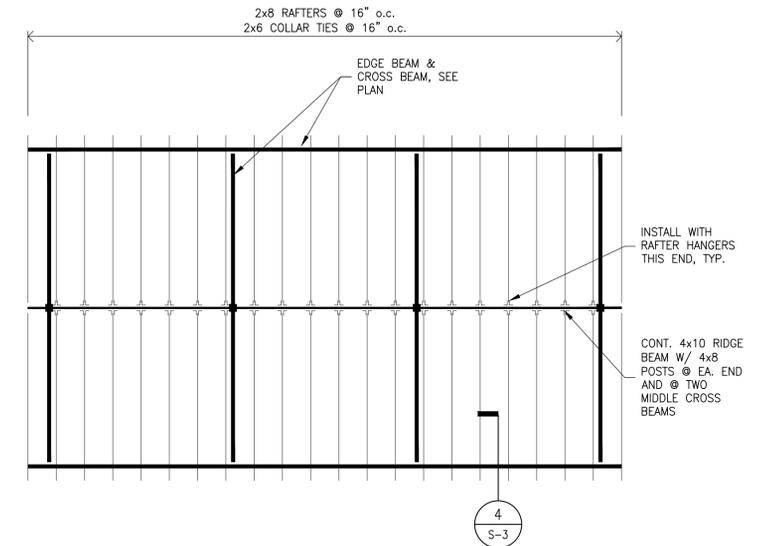
CARPORT PILE LOCATION PLAN

1/4" = 1'-0"



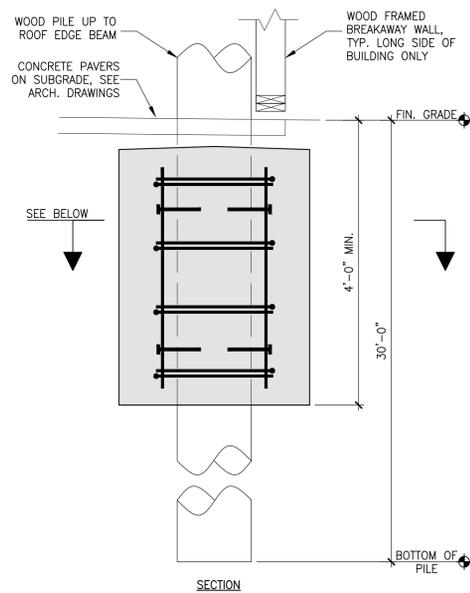
ROOF FRAMING BEAMS

1/4" = 1'-0"

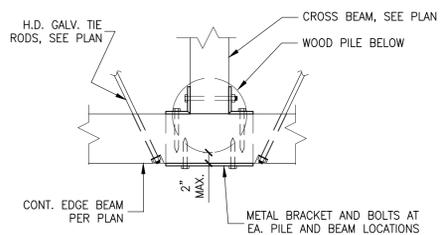


ROOF FRAMING PLAN

1/4" = 1'-0"

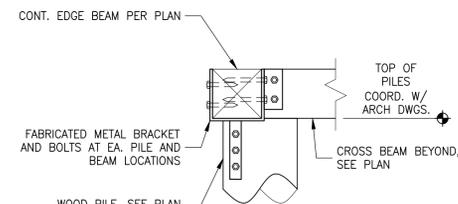


SECTION



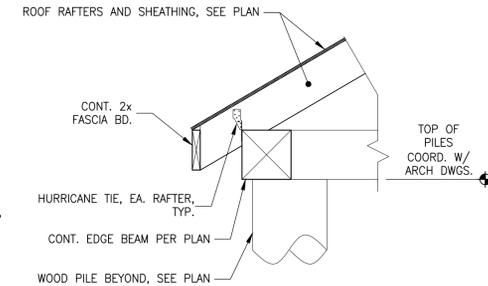
2 PLAN DETAIL

S-3 SCALE : NO SCALE



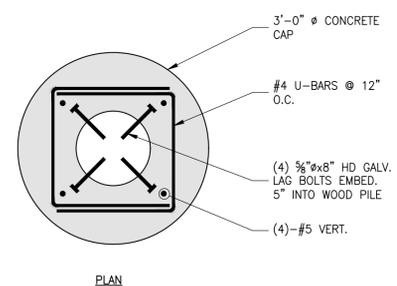
3 BEAM TO PILE CONNECTION

S-3 SCALE : NO SCALE



4 TYPICAL RAFTER BEARING DETAIL

S-3 SCALE : NO SCALE



PLAN

1 PILE DETAIL

S-3 SCALE : NO SCALE

NOT FOR CONSTRUCTION

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Harbormaster Building  
34 Washington Street  
Nantucket, Massachusetts

CARPORT PLANS AND DETAILS

Drawn By: SB / JMT  
Checked: JMT  
Date: 12 / 05 / 2019  
Scale: AS NOTED

S-3

## 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)*

**FINANCE COMMITTEE MOTION:** Moved that Six Hundred Fifty Thousand Dollars (\$650,000) be raised and appropriated from the Fiscal Year 2021 tax levy and other general revenues of the Town for the Town Manager to expend to fund grants for the following health and human services, private not-for-profit agencies to provide for the health, safety and welfare of the inhabitants of the Town of Nantucket, provided that the Town Manager with the approval of the Board of Selectmen, execute grant agreements with the respective agencies for Fiscal Year 2021, which contracts shall stipulate mutually agreed upon terms and conditions:

<i>AGENCY</i>	<i>AMOUNT</i>
A Safe Place	\$55,000.00
Alliance for Substance Abuse Prevention (ASAP)	\$44,200.00
Elder Services of Cape Cod & Islands	\$20,000.00
Health Imperatives	\$75,000.00
Fairwinds	\$116,397.87
Martha's Vineyard Community Services	\$18,000.00
South Coastal Legal Services	\$4,500.00
Interfaith Council (Rental, Fuel & Food Pantry)	\$70,000.00
Nantucket Cottage Hospital	\$211,123.33
Small Friends	\$15,000.00
Artists Association	\$18,200.00
Cape Mediation	\$2,578.80
<i>TOTAL</i>	<i>\$650,000.00</i>

## **CONTRACT REVIEW COMMITTEE**

**MARCH 1<sup>st</sup> 2020**

### **REPORT AND RECOMMENDATIONS:**

#### **FY 2021 HUMAN SERVICES GRANT AGREEMENTS**

This presents the independent report and recommendations of the Contract Review Committee (CRC) regarding the placement on the Town Warrant of Proposed Awards of Town Human Services Grant Agreements for FY2021. This report is submitted to the Finance Committee and the Select Board as required by Chapter 12 Section 6 of the Code of the Town of Nantucket.

In support of our recommendations, the CRC also forwards the following attachments:

- WBUR 2/19/2020] <https://www.wbur.org/news/2020/02/19/real-estate-fee-nantucket-housing-shortage-seasonal-workers> [Attachment A]
- Commonwealth of Massachusetts Dept. of Public Health Opioid-Related Deaths among Massachusetts Residents 8/19 [Attachment B]
- Inquirer and Mirror: Island cost of living tops \$100,000 11/21/19 [Attachment C]
- Commonwealth of Massachusetts Dept. of Early Education 2/10/2020 Providers List [Attachment D]
- Commonwealth of Massachusetts School and District Profiles Enrollment Data 2/10/20 2019-2020 [Attachment E]
- Commonwealth of Massachusetts School and District Enrollment by Race/Ethnicity 2019-2020[Attachment F]
- Cape Cod Times Addressing the Health Needs of the Whole Person. 11/25/19 [Attachment G]
- US Census Bureau 3/1/2020 Nantucket Town, Nantucket County, MA [Attachment H]
- Town of Nantucket Street List [Attachment I]
- Massachusetts Dept. of Education Non- Public-School report 2/12/2020[Attachment J]
- Secretary of the Commonwealth of Massachusetts Nantucket County 2010 Official count and latest estimates [Attachment K]
- Massachusetts Dept. of Public Health number of Opioid –Related Overdose Deaths, All Intentions by County, Massachusetts residents 2000-2016[Attachment L]

- Commonwealth of MA Dept. of Education selected population report 3/01/2020[Attachment M]
- Town of Nantucket Town Clerk Births2019 [Attachment N]
- Cape Cod Times : Independent living costly for Cape seniors 19 [Attachment O]
- CDC <https://www.cdc.gov/drugoverdose/data/analysis.html> [attachment P]
- Commonwealth of Massachusetts voter registration enrollment breakdown [Attachment Q]
- Mass Dept. Of Public Health MA Prescription Monitoring Program County [Attachment R]  
<https://search.mass.gov/?q=dept%2Bof%2Bhealth%2Bprescription%2Bmonitoring%2B>
- Commonwealth of Massachusetts <https://www.mass.gov/topics/opioid-overdose-prevention> [Attachment S]
- Washington Post <https://www.washingtonpost.com/health/2020/02/28/opioid-deaths/> [Attachment U]
- Council for Human Services 2010 “Back to Basics” Report [Attachment V]
- Town of Nantucket Count of Residents by Ward and Precinct 2/14/2019[Attachment W]
- YMCA Modeling Healthy Habits Changing Lifestyles [Attachment X]
- RTOR Org. 7/12/2018<https://www.rtor.org/2018/07/10/benefits-of-art-therapy/> [Y]
- Thrive Global 8/12/2019<https://thriveglobal.com/stories/great-mental-health-benefits-of-art/> [Attachment Z]
- Nantucket Data Platform Cost of Living Calculator Community Comparison 2/29/2020[Attachment AA]

Note: do to the size of some of the above attachments; they may be available only in hardcopy by request.

## **SUMMARY**

The CRC appreciates the recognition of Town Management in the need to increase the allocation of funding for Human Service Grants this fiscal year. We acknowledge the keen effort of the Finance Director in finding the sources to make these funds available. The strength of the allocation of the additional funds confirms for all the support that all town management has in human service providers in the community in which we live. The CRC continues to infer that the indicator for this funding can be

identified by the changing demographics, population, economy and the increase it puts on human service providers as well as public health and safety.

For FY2021 the CRC received 12 grant applications with requests totaling \$913,404.80 an increase of 25.510 % From FY2020. The first two years of this decade have seen grant requests increase 88.445% from FY 2019 requests. The CRC acknowledges that the substantial funding of Human Service Grants is unique to the Town of Nantucket. The CRC supports this year's increase in the Human Services Grant budget and has the necessary and pertinent documentation to support the present increase. We welcome Town Management in a discussion of our findings.

The CRC has done their due diligence and deliberated carefully in crafting these recommendations for FY2021's allocation of grant monies to the private nonprofits providing human services. In doing so, the public purpose to be served can be identified.

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Nantucket. If we were to take the 9,235 registered voters on Nantucket, the 1876 students enrolled in all three schools servicing school age children, the Massachusetts EEC statistics showing 218 children enrolled in early childhood programs, and factor in the 548 children in alternative care these totals alone reach 11,877 which exceeds the Current US Census Bureau's estimate. Town Clerks use an adage formulation that for every registered voter there is a non-registered resident using this formulation and Nantucket's registered voter population of 9,235 would imply the islands total resident population exceeds 18,470. This would place the total population 63.06% over the current US census.

The Town of Nantucket Town Clerk registered 140 births for 2019 identifying the parents respectfully as 53.57% of Foreign Nationality, 15.71% as US and Foreign Nationality and 30% registering as US nationality. The Massachusetts Department of Education Public School report shows that we have remained at a 7% increase in student population over the last five years. The Massachusetts Department of Education of enrollment by race and gender over the last five years shows there's been a marked change in our schools' demographic makeup. Caucasian students have declined by 24.07%, Hispanic students have increased by 56.25%, African-American students have declined by 40%, multi race students have declined by 33% and Asian students have declined by 40%. A corresponding report provided by the Massachusetts Department of Education Select Population Data shows an increase in the economically disadvantaged of 46.01% over the same time period. When further reviewing the reports by the MDE Select Population Data in reference to the Cape and Islands, the district of Nantucket has the highest population of Hispanic students. Accordingly the MDE Selected Population Data shows that for 2019-2020 Nantucket Public Schools identify 37.1% of the students as First language not English, the next highest School on the Cape and islands is Provincetown with 26.7%. Nantucket has 16.0% of students in ESL and falls second to Provincetown that has 23.7%. The forerunner for future enrollments in our school district can be found in the registered births from 2015 through 2019. The continued demographic changes in our school District and island population can be projected by the Town of Nantucket birth records.

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provided 5,633.5 hours of direct services. Fairwinds Counseling Center provided services to 196 clients through the sliding scale fee services; these can be one or two stopgap days or other ongoing treatment. Most startling is that A Safe Place had 23 youth in the Children Witness to Violence program in the month of January.

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The above data continues to highlight the challenges in all aspects of island services, whether public or private. Significantly the Cost of Living Data highlights why there is such a need for so many of these services and the financial strains made on the private non-profits and local public services. This brings forth the significance of the diverse and partially unremunerated population, subsequently reducing formulaic allotments of State and Federal Human Services support by agencies: Social Security, Department of Transitional Assistance, WIC, and the Department of Public Health. There continues to be a limited amount of access to State and Federal Human Services support for walk-in help. This exemplifies the importance of the advocacy of the local service providers in their continued effort to gain access to such support and grant funding.

The geographical isolation of our community continues to place a challenge on providing diverse human services to the island population. In all avenues of basic human needs, Healthcare Advocacy, including substance abuse, mental health, geriatric, reproductive, pediatric, oncology and general health concerns continue to be one of the islands greatest needs. Supportive programs for all sectors of our community which provide education, nutrition in a safe environment are a continued responsibility. The need for affordable year round housing is at a crucial time in our island history, if we are to continue to provide the basic needs of the island population. Access to programs that provide legal representation either through advocacy mediation or legal counsel for families, and individuals facing domestic violence, housing issues, government services, or immigration are vital. Notably the CRC has had a new non duplicating Human Services Grant applicant for each of the last three years. These applications have been in Housing, Mental Health and Law.

The Nantucket community as a whole is tasked with a unique responsibility of preserving the future of our Island community, a community which values all the uniquely rich and diverse Individuals who call this home.

**Request:**

The CRC respectfully requests that the Select Board adopt the funding recommendation set forth below and that the Finance Committee is your positive recommendation on these allocations with an article 9 of the town warrant.

**CRC FY 2021 Article 9 Funding Recommendations**

	<b>Agency</b>	<b>FY 2019 Award</b>	<b>FY 2020 Award</b>	<b>FY 2021 Request</b>	<b>FY 2021 CRC Recommendation</b>
<b>1</b>	<b>A Safe Place</b>	<b>\$50,000</b>	<b>\$10,000</b>	<b>\$55,000</b>	<b>\$55,000</b>
<b>2</b>	<b>Alliance for Substance Abuse Prevention</b>	<b>\$23,600</b>	<b>\$24,755</b>	<b>\$44,200</b>	<b>\$44,200</b>
<b>3</b>	<b>Elder Services of Cape Cod</b>	<b>\$16,000</b>	<b>\$18,000</b>	<b>\$20,000</b>	<b>\$20,000</b>

4	<b>Health Imperatives</b>	<b>\$50,000</b>	<b>\$60,460</b>	<b>\$75,000</b>	<b>\$75,000</b>
5	<b>Fairwinds</b>	<b>\$103,950</b>	<b>\$113,950</b>	<b>\$242,000</b>	<b>\$116,391.87</b>
6	<b>MV Community Services</b>	<b>\$16,000</b>	<b>\$18,000</b>	<b>\$18,000</b>	<b>\$18,000</b>
7	<b>South Coastal Legal Services</b>	<b>\$4,500</b>	<b>\$4,500</b>	<b>\$4,500</b>	<b>\$4,500</b>
8	<b>Interfaith Council (Rental, Fuel &amp; Food Pantry)</b>	<b>\$70,000</b>	<b>\$70,000</b>	<b>\$75,000</b>	<b>\$70,000</b>
9	<b>NCH Social Services</b>	<b>\$103,950</b>	<b>\$113,950</b>	<b>\$373,926</b> <b>*\$211,123.33</b>	<b>\$211,123.33</b>
10	<b>Small Friends</b>	<b>\$10,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>
11	<b>Artist Association</b>	<b>0</b>	<b>0</b>	<b>\$18,200</b>	<b>\$18,200</b>
12	<b>Cape Mediation</b>		<b>\$1,365</b>	<b>\$2578.80</b>	<b>\$2578.50</b>
	<b>Totals</b>	<b>\$450,000</b>	<b>\$450,000</b>	<b>\$913,404.80</b> <b>*\$780,602.13</b>	<b>\$650,000</b>

**\* amended application.**

**Contract monitoring;**

The CRC now meets to go over all quarterly reports submitted by Grant recipients. Quarterly reports are then sent as approved to the Human Service Director before being submitted for allocation of funding.

Adherences to the previous year grants will play a vital role in the application process and allocation of the grant funding.

In FY2021 contracts the CRC will add provisions to help better monitor the providers. Any additional recommendations will be made on all individual contracts.

**Additional comments;**

The CRC believes it is time for a roundtable discussion with important players in the direction of healthcare advocacy, ambulatory services, substance abuse prevention

and recovery programs, and mental health. The CRC values the services provided by the human service providers on the island, we also understand the Town is a significant stakeholder in many of the grant programs. We believe with a more open roundtable dialogue we can help enhance a greater collaboration within the human service providers which will enhance the programs being delivered to the Island community. As we look forward into this next decade we also understand the financial restraints going forward for our community. Applicants have been notified that the availability of funds in future years is uncertain. Through better collaboration there can be more State and Federal funding available to help support some of these crucial programs. We would welcome the beginning of these discussions as soon as possible.

The CRC would also like to recognize Elder Services of Cape Cod, Health Imperatives, A Safe Place, Alliance for Substance Abuse Prevention and Martha's Vineyard Community Services, for their continued exemplary efforts within not only financial restraints but also physical restraints to provide outstanding human service programs.

## **CONTRACT REVIEW COMMITTEE**

**MARCH 1<sup>st</sup> 2020**

### **REPORT AND RECOMMENDATIONS:**

#### **FY 2021 HUMAN SERVICES GRANT AGREEMENTS**

This presents the independent report and recommendations of the Contract Review Committee (CRC) regarding the placement on the Town Warrant of Proposed Awards of Town Human Services Grant Agreements for FY2021. This report is submitted to the Finance Committee and the Select Board as required by Chapter 12 Section 6 of the Code of the Town of Nantucket.

In support of our recommendations, the CRC also forwards the following attachments:

- Wbur 2/19/2020] <https://www.wbur.org/news/2020/02/19/real-estate-fee-nantucket-housing-shortage-seasonal-workers> [Attachment A]
- Commonwealth of Massachusetts Dept. of Public health Opioid-Related Deaths among Massachusetts Residence 8/19 [Attachment B]
- Inquirer and Mirror Island cost of living tops \$100,000 11/21/19 [Attachment C]
- Commonwealth of MA Dept. of Early Education 2/10/2020 Providers List [Attachment D]
- Commonwealth of Massachusetts School and District Profiles Enrollment Data 2/10/20 2019-2020" [Attachment E]
- Commonwealth of Massachusetts School and District Enrollment by Race/Ethintidty 2019-2020[Attachment F]
- Cape Cod Times Addressing the Health Needs of the Whole Person. 11/25/19 [Attachment G]
- US Census Bureau 3/1/2020 Nantucket Town, Nantucket County, MA [Attachment H]
- Town of Nantucket Street List [Attachment I]
- Mass. Dept. of Education Non- Public-School report 2/12/2020[Attachment J]
- Secretary of the CommonWealth of Massachusetts Nantucket County 2010 Official count and latest estimates [Attachment K]
- Mass. Dept. of Public Health number of Opioid –Related Overdose Deaths, All Intents by County, Ma residents 2000-2016[Attachment L]
- Commonwealth of MA Dept. of Education selected population report 3/01/2020[Attachment M]

- Town of Nantucket town clerk BIRTHS 2019 [Attachment N]
- Cape Cod Times : Independent living costly for Cape seniors19 [Attachment O]
- CDC <https://www.cdc.gov/drugoverdose/data/analysis.html>ttachment P]
- Commonwealth of Mass voter registration enrollment breakdown [Attachment Q]
- Mass Dept. Of Public Health MA Prescription Monitoring Program County [Attachment R]  
<https://search.mass.gov/?q=dept%2Bof%2Bhealth%2Bprescription%2Bmonitoring%2B>
- Commonwealth of Mass. <https://www.mass.gov/topics/opioid-overdose-prevention>  
[Attachment S]
- Washington Post <https://www.washingtonpost.com/health/2020/02/28/opioid-deaths/>  
[Attachment U]
- Council for Human Services 2010 “Back to Basics” Report [Attachment V]
- Town of Nantucket Count of Residents by Ward and Precinct 2/14/2019[Attachment W]
- YMCA Modeling Healthy Habits Changing Lifestyles [Attachment X]
- RTOR Org. 7/12/2018<https://www.rtor.org/2018/07/10/benefits-of-art-therapy/> [Y]
- Thrive Global 8/12/2019<https://thriveglobal.com/stories/great-mental-health-benefits-of-art/>  
[Attachment Z]
- Nantucket Data Platform Cost of Living Calculator Community Comparison  
2/29/2020[Attachment AA]

Note: due to the size of some of the above attachments; they may be available in hardcopy by request.

## **SUMMARY**

The CRC is appreciative for the recognition of Town Management in the need to increase the allocation of funding for Human Service Grants this fiscal year. We acknowledge the keen effort of the Finance Director in finding the sources to make these funds available. The allocation of the additional funds confirms for all the support that town management has in human service providers in the community we live in. The CRC continues to infer that the indicator for this funding can be identified by the changing demographics, population, economy and the increase it puts on human service providers as well as public health and safety.

For FY2021 the CRC received 12 grant applications request for \$913,404.80 an increase of 25.510 % From FY2020. The first two years of this decade have seen a

grant requests increase of 88.445% from FY 2019 requests. The CRC acknowledges that the substantial funding of Human Service Grants is unique to the Town of Nantucket. The CRC supports this year's increase in the Human Services Grant budget and has the necessary and pertinent documentation to support the present increase. We welcome Town management in a discussion of our Findings.

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**Request:**

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**CRC FY 2021 Article 9 Funding Recommendations**

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<b>2</b>	<b>Alliance for Substance Abuse Prevention</b>	<b>\$23,600</b>	<b>\$24,755</b>	<b>\$44,200</b>	<b>\$44,200</b>
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8	<b>Interfaith Council (Rental, Fuel &amp; Food Pantry)</b>	<b>\$70,000</b>	<b>\$70,000</b>	<b>\$75,000</b>	<b>\$70,000</b>
9	<b>NCH Social Services</b>	<b>\$103,950</b>	<b>\$113,950</b>	<b>\$373,926</b> <b>*\$211,123.33</b>	<b>\$211,123.33</b>
10	<b>Small Friends</b>	<b>\$10,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>
11	<b>Artist Association</b>	<b>0</b>	<b>0</b>	<b>\$18,200</b>	<b>\$18,200</b>
12	<b>Cape Mediation</b>		<b>\$1,365</b>	<b>\$2578.80</b>	<b>\$2578.50</b>
	<b>Totals</b>	<b>\$450,000</b>	<b>\$450,000</b>	<b>\$913,404.80</b> <b>*\$780,602.13</b>	<b>\$650,000</b>

**\* amended application.**

**Contract monitoring;**

The CRC now meets to go over all quarterly reports submitted by Grant recipients. Quarterly reports are then sent as approved to the Human Service Director before being submitted for allocation of funding.

Adherences to the previous year's grants will play a vital role in the application process and allocation of the grant funding.

In FY2021 contracts the CRC will add provisions to help better monitor the providers. Any additional recommendations will be made on all individual contracts.

**Additional comments;**

The CRC believes it is time for roundtable discussion with important players in the direction of healthcare advocacy, ambulatory services ,substance abuse prevention

and recovery programs and mental health. The CRC values the services provided by the human service providers on the island, we also understand the Town is a significant stakeholder in many of the grant programs. We believe with a more open roundtable dialogue we can help enhance a greater collaboration within the human service providers which will enhance the programs being delivered to the Island community. As we look forward into this next decade we also understand the financial restraints going forward for our community. Through better collaboration there can be more State and Federal funding available to help support some of these crucial programs. We would welcome the beginning of these discussions as soon as possible.

The CRC would also like to recognize Elder Services of Cape Cod, Health Imperatives, A Safe Place, Alliance for Substance Abuse Prevention and Martha's Vineyard Community Services, for their continued exemplary efforts within not only financial restraints but also physical restraints to provide outstanding human service programs.

DRAFT

## ***CONSENT AGENDA ITEMS FOR 3/4/2020 SELECT BOARD MEETING***

### **1. Gift Acceptances**

Recommend the acceptance of the following gifts to Town agencies:

- Health Department:
  - Gift of \$3,000 from the Nantucket Community Association to be used for summer internship program
  
- Natural Resources Department:
  - Gift of 150Hp Yamaha 4 Stroke Outboard Motor valued at \$10,000 from Kevin Martin

*Recommended Motion: To accept all gifts for their designated purposes, with thanks to the donors.*

Town Administration will ensure that letters of thanks are sent.



**NANTUCKET DEPARTMENT OF  
HEALTH & HUMAN SERVICES**  
3 EAST CHESTNUT STREET  
NANTUCKET, MASSACHUSETTS 02554  
Telephone 508.228.7200  
Tele fax 508.325.6117

**MEMORANDUM**

**DATE:** 2/28/2020  
**TO:** Select Board, Town of Nantucket  
**FROM:** Roberto Santamaría, Director, Town of Nantucket Health & Human Services  
**RE:** Nantucket Community Association Gift

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The Nantucket Health & Human Services department is requesting that the Select Board accept a gift of \$3,000.00 from the Nantucket Community Association. This gift will go to support the department's ongoing internship program. So far, the NCA funded has sponsored three local interns with interest in pursuing public health studies at the collegiate level, and has been of tremendous value to the Health & Human Services Department for the passed three years. We look forward to our continued partnership.

Respectfully Submitted,

Roberto J. Santamaria

**NANTUCKET COMMUNITY ASSOCIATION INC**

53-7013-2113

1072

PO BOX 274  
NANTUCKET, MA 02554

DATE Feb. 24, 2020

PAY TO THE  
ORDER OF

Nantucket Dept. of Health

\$ 3,000.00

Three thousand and 00/100

DOLLARS



Security Features  
Included  
Details on Back.



**Nantucket Bank**  
A division of Blue Hills Bank

MEMO

Summer Intern Program

Helene M. Weld MP

⑆ 211370134⑆

⑆ 800413⑆

1072

ENCLOSURE SAFETY PAPER

# TOWN OF NANTUCKET NATURAL RESOURCES DEPARTMENT

2 BATHING BEACH ROAD  
NANTUCKET, MA 02554

(508) 228-7230



Select Board  
16 Broad Street  
Nantucket, MA 02554

2/24/2020

Dear Board Members,

Natural Resources Department is requesting that the Select Board accept the following gift of a 150Hp Yamaha 4 Stroke Outboard Motor with a value of \$10,000 from Kevin Martin. The value was determined through the NADA guide retail value. This donation will be used to power a scallop boat dedicated to deployment of larval shellfish, seed management including proactive movement of seed from areas where they are at risk of stranding and deployment of spawning cages in effort to increase breeding productivity. The Natural Resources Department does not possess such a vessel and relies on volunteers.

The hull and trailer are being purchased for \$9,000 with monies that the Massachusetts Division of Marine Fisheries awarded the County for shellfish management purposes in the current fiscal year. This \$58,333 in funding was accepted by the County Commissioners in October of 2019. Identifying these at risk scallop areas and managing them proactively will help works towards fewer strandings and hopefully improved survival of these scallop populations. This vessel will be available for year round use to respond to seed strandings and other significant shellfish events as they occur.

The Natural Resources Team will be in attendance at the upcoming meeting of the Board to answer any questions that you have in regards to this gift and program. Thank you for your attention to this matter.

Sincerely,

Jeff Carlson,  
Town of Nantucket  
Natural Resources Director

## ADDITIONAL INFORMATION ON THE IMPORTANCE OF RAPID SEED STRANDING RESPONSE

Research has proven that bay scallops in terms of sensitivity are the most susceptible out of all the native shellfish to environmental stressors and potential strandings in shallow water and beach areas. Increasing harbor temperatures, harmful algae blooms, and hypoxia all reduce the ability of these fast-growing shellfish to survive and properly reproduce. Decreased eelgrass habitat is not providing the predation refuge that juvenile bay scallops once had to avoid being eaten at sizes below 25 mm. This same habitat provides the necessary structure to help prevent seed strandings as well. These habitat related issues are being seen in all locations where bay scallops are present.

In late 2019 the bay scallop fishery within Peconic Bay reported a catastrophic die-off of bay scallops for the fall 2019 commercial fishing season. Gov. Andrew Cuomo is requesting federal support to address the recent scallop die-off, which killed an estimated 90 to 100% of adult scallops between last spring and fall in local bays. In 2017 and 2018, bay scallop landings in the Peconic Bay Estuary exceeded 108,000 pounds, with a dockside value of \$1.6 million, according to the governor. Early season projections originally looked good, but by early fall, “the fishery collapsed.” This is an area where substantial funding and research went into bay scallop restoration initiatives and they were able to see a 32X increase in the bay scallop populations from 2008-2018. Now they are combatting the same issues that every other commercial shellfishery is having due to a changing environment. As they puzzle out the best strategy to restore what they worked so hard to regain, global temperatures rising, harmful algae blooms, and decreased habitats provide significant challenges to these efforts. Based on the success of the Peconic Bay program the Town of Nantucket has modeled significant portions of its bay scallop restoration program on these successes.

Nantucket’s bay scallop fishery has been slowly declining since the peak harvest in the mid 80’s with 100,000 bushels of bay scallop harvested down to less than 3,000 bushels in 2019. Like the Peconic Bay, we are at risk of losing our fishery given the environmental changes of the northeast coastline. The key to having a sustainable fishery is to have enough scallops in the water for spawn potential coupled with successful recruitment and survival for the fishery to continue and be more consistent. In fall of 2019, huge seed populations were identified in Nantucket Harbor through our harbor surveys. During the fall of 2019, almost 1500 bushels of scallop seed have been rescued by local scallopers and the Natural Resources Department and proactively moved to deeper locations within Nantucket Harbor. There is still a large population within Polpis Channel that should be moved. The proactive seed movements performed and managed by NRD staff specifically have not only returned the seed to deeper water but at calculated densities to mimic the Peconic Bay’s restoration guidelines to help with spawn potential in the fall.

The 2019 seed population is what will serve to produce the next years recruits. It has been vital to keep this population intact and make every effort possible to move this seed before spring sets in. In the past, we have relied solely on fishermen to relocate the seed with the priority being to just get it into deeper water. Given the large population of seed, the need to take it a step further and designate seed relocation areas and densities planted per square meter

will take us one step closer to optimizing our chances to obtain sustainability in the future. The seed populations are being identified earlier now due to an increase in NRD staff in the field and harbor research. This is an advantage on the seed management front because it gives NRD an opportunity to be even more proactive in moving seed before the recreational and commercial fishery even begin.

The seed management plan was developed as a goal of the Town of Nantucket Shellfish Management Plan in 2013 through funding from the Nantucket Shellfish Association. This plan addresses how to identify, locate, and respond to seed once they are stranding. We believe that we need to update the manual and include a section that details “proactive management” of vulnerable seed populations. Preventing strandings and the need to activate the community for highly laborious work seems to make sense given that the amount of seed strandings are only increasing each year. Seed strandings occur following increased sustained winds, full moon tides, and in the late fall to winter months when temperature fall to critical levels. Most commercial scallopers do not have their boats in the water until the end of October making seed movement prior to the start of commercial season nearly impossible. The boats that we have with NRD currently are set up for different jobs and research and do not lend themselves to safely moving seed scallops efficiently. We have staff that are able to help move seed during the times that commercial boats are not in the water. We would really be able to do a lot more for the bay scallop fishery seed management from a scientific side if we had an efficient way to contribute to what options already exists.

We believe that having a dedicated boat rigged up to tow 8 dredges with hydraulic pot haulers would be the best answer to deal with this new situation that is here to stay due to habitat loss. The safety of our staff is very important and boats that are not suited specifically for this purpose are ineffective and dangerous. We would use this boat to proactively move scallops seed, deploy spawn cages, and to make an advance seed movement plan in the event that we need help from the commercial fisherman. The timing is critical as we have a large population that still needs to be moved before the end of April.



## Agenda Item Summary

Agenda Item #	XI. 1.
Date	3/4/2020

### Staff

Nancy Holmes, Town Clerk

### Subject

Constable Appointment: John Stover

### Executive Summary

Pursuant to MGL Ch. 41, s. 91B (Appointment of Constable) routine three-year appointment which needs Select Board approval.

### Staff Recommendation

Submitted/Recommended by Town Clerk, Nancy Holmes

### Background/Discussion

n/a

Impact: Environmental  Fiscal  Community  Other

Needed to work at Elections/Town Meetings. Has been a Constable for many years.

### Board/Commission Recommendation

n/a

### Public Outreach

n/a

### Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

n/a

### Attachments

Appointment Letter: Stover; MGL Ch. 41, s. 91B



NANTUCKET  
TOWN CLERK

2020 FEB -5 PM 3:15

John Stover  
5 Liberty Street  
Nantucket, MA 02554

December 2019

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

Dear Select Board,

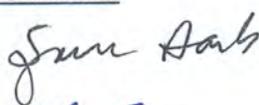
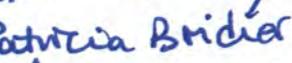
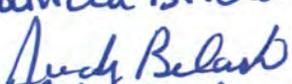
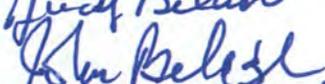
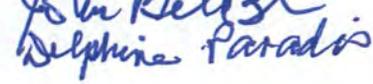
This letter serves to make request and application to be appointed as Constable for the Town of Nantucket. I would like to serve the Town of Nantucket in this capacity particularly for State and Local Elections.

The five signees below attest to my good moral character and fitness for this office.

Thank you for your consideration.

Sincerely,



<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>OCCUPATION</u>
1. Suzanne Damb		1 Slegline Dr.	Editor
2. MICHAEL WILSON		7 Converse St	ATTORNEY
3. Katy Mitchell		19 Hammock Pond Rd.	landscape Designer
4. Sarah VanDien		19 Old South Rd Unit 13	Gardener
5. Carol Pillion		16 Field Ave.	Teacher
6. Patricia Bridier		50 Vestal St.	Rest. Retailer
7. Judy Beland		6 Jarman St.	Retired Lawyer
8. John Beland		6 Forster St	Retired Lawyer
9. Delphine Paradis		40 Sherburne Commons	

**Part I** ADMINISTRATION OF THE  
GOVERNMENT

**Title** CITIES, TOWNS AND DISTRICTS  
**VII**

**Chapter** OFFICERS AND EMPLOYEES OF  
**41** CITIES, TOWNS AND DISTRICTS

**Section** APPOINTMENTS;  
**91B** QUALIFICATIONS; APPLICATION;  
INVESTIGATION

Section 91B. Constables shall not be appointed by mayors or selectmen under section ninety-one or ninety-one A except as hereinafter provided. A person desiring to be appointed as aforesaid shall make a written application therefor to the appointing authority stating his reasons for desiring such appointment and such information as may be reasonably required by said authority relative to his fitness for said office. Such application shall also contain a statement as to the moral character of the applicant signed by at least five reputable citizens of the city or town of his residence, one of whom shall be an attorney-at-law. The appointing authority shall also investigate the reputation and character of every applicant and his fitness for said office. The chief of police or other official having charge of the police shall upon request give the appointing authority all possible assistance in making such investigation. The office of constable shall be filled only by appointment of an applicant hereunder who is found by the appointing authority, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office.

# EVENT NOTIFICATION FORM

Date: 2/10/20

Ms. Mary-Joe Perry  
District Highway Director, District Five  
MassDOT, Highway Division  
1000 County Street  
Taunton, MA 02780

Dear Sir:

Please be advised that the Grantee(s) of this Event Nantucket Island Chamber of Commerce has notified the Board of Selectmen/City Council, Local Police Department, Local Fire Department and if applicable the State Police of its intention to conduct road work ~~parade~~ race/ride or other events impacting State Highways on Route(s) Auto Route M in or through the City/Town(s) of Nantucket (Milestone) benefiting Nantucket Island Chamber of Commerce

The Grantee(s) of this Event understands that it must give the Police and Fire Departments at least 48 hours notice before the commencement of the proposed event.

The Grantee(s) must supply a Traffic Management Plan when the roadway is occupied and for all detours associated with said events to this Department and to all officials listed below. The Grantee(s) must notify the local and/or state police to set up a detour of this area with appropriate signs and barricades. The local Fire Department must be notified of the detour to ensure that measures will be taken to minimize disruption to the Fire Department's emergency service during the event. The Grantee(s) must also notify local media (newspapers, radio) of this proposed event.

The following signatures are required prior to the issuance of the Permit.

## LOCAL POLICE DEPARTMENT

Signed: [Signature] 316

Title: Sergeant T

City/Town: Nantucket P.D.

## FIRE DEPARTMENT

Signed: [Signature]

Title: Fire Chief

City/Town: Nantucket

## BOARD OF SELECTMEN/CITY COUNCIL

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

City/Town: \_\_\_\_\_

## STATE POLICE DEPARTMENT

Signed: [Signature] #2704

Title: STATION COMMANDER (SERGEANT)

City/Town: SP NANTUCKET



Karmen Caylor  
Member Relations & Events Coordinator  
Nantucket Island Chamber of Commerce  
Zero Main Street, 2nd Floor  
Nantucket, MA 02554

February 3, 2020

Ms. Mary-Jo Perry  
District Highway Director, District Five  
MassDOT, Highway Division  
1000 County Street  
Taunton, MA 02780

RE: 2020 Event Notification to Access a Nantucket State Highway

Dear Ms. Perry,

The Town of Nantucket will be blocking Autoroute M in Siasconset, MA for a Nantucket Island Chamber of Commerce Parade to be held on Saturday, April 25, 2020. We have had this event for the past 45 years, so everyone on the island is very familiar with the process. The parade, comprised of antique motor vehicles, ends at the section of Milestone Road (Autoroute M) that will be closed. The section of road to be closed is approximately half a mile long. Only pedestrian traffic will be allowed, except for emergency vehicles. The Nantucket Police Department will have a minimum of eight officers present, the State Police will also have troopers on site.

I have attached an overview of the island, also sent last year, showing the route, as well as a close up map showing the detours and the last half mile of the road that will be blocked off.

If you have any questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink that reads 'Karmen Caylor'.

Karmen Caylor  
Member Relations & Events Coordinator  
[karmen@nantucketchamber.org](mailto:karmen@nantucketchamber.org)

## Hard-copy Application for Permit to Access State Highway

Customers are encouraged to visit the on-line access permitting system "SHAPS" at: <https://shaps.massdot.state.ma.us> to submit applications electronically. For those preferring the mail-in process, please complete and sign this form, including the attached Access Permit Submittal Checklist. Instructions for this page are located on page 2. Descriptions of the two types of access permits and related categories are located on page 6. MassDOT will make the final determination regarding Access Permit Application type and category.

1. Town/City: Nantucket
2. State Highway route number and/or name: Auto Route M
3. Locus/Property Address: Milestone / Sconsset Rd
4. Description of property and/or facility for which access is sought (attach additional sheets if necessary):  
N/A
5. Description of work to be performed within State Highway Layout (attach additional sheets if necessary):  
Parade - Saturday, April 25, 2020  
Sconsset Road section closed 8:30am - 4:00pm

Telecommunications (wireless or wireline) or Renewable Energy (Solar, Wind, etc) – Agreement Process and OREAD\* coordination required. (\*see pg 2 Instruction)

- |   |   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
|---|---|---|-----------------|---|-----------|---------------------|-----|---------------------|--------|------------------------------------|-----------|----------------------|------------|----------------------|------|-------------------------|--|------|------------|-----------------|-------|-----------|-------|-----|-------|--------|-------|-----------|-------|------------|-------|------|-------|
| <ol style="list-style-type: none"> <li>6. Dig Safe number: _____</li> <li>7. Applicant Information <sup>1</sup> (See footnote below.)           <table border="0" style="width: 100%;"> <tr> <td>Name</td> <td><u>Nantucket Island Chamber of Commerce</u></td> </tr> <tr> <td>Mailing Address</td> <td><u>Zero Main Street, 2nd Floor, Nantucket, MA 02554</u></td> </tr> <tr> <td>Telephone</td> <td><u>508.228.3643</u></td> </tr> <tr> <td>Fax</td> <td><u>508.325.4925</u></td> </tr> <tr> <td>E-Mail</td> <td><u>karmen@nantucketchamber.org</u></td> </tr> <tr> <td>Signature</td> <td><u>Karmen Caylor</u></td> </tr> <tr> <td>Print Name</td> <td><u>Karmen Caylor</u></td> </tr> <tr> <td>Date</td> <td><u>January 31, 2020</u></td> </tr> </table> </li> </ol> | Name  | <u>Nantucket Island Chamber of Commerce</u> | Mailing Address | <u>Zero Main Street, 2nd Floor, Nantucket, MA 02554</u> | Telephone | <u>508.228.3643</u> | Fax | <u>508.325.4925</u> | E-Mail | <u>karmen@nantucketchamber.org</u> | Signature | <u>Karmen Caylor</u> | Print Name | <u>Karmen Caylor</u> | Date | <u>January 31, 2020</u> | <ol style="list-style-type: none"> <li>8. Property Owner           <table border="0" style="width: 100%;"> <tr> <td>Name</td> <td><u>N/A</u></td> </tr> <tr> <td>Mailing address</td> <td>_____</td> </tr> <tr> <td>Telephone</td> <td>_____</td> </tr> <tr> <td>Fax</td> <td>_____</td> </tr> <tr> <td>E-Mail</td> <td>_____</td> </tr> <tr> <td>Signature</td> <td>_____</td> </tr> <tr> <td>Print Name</td> <td>_____</td> </tr> <tr> <td>Date</td> <td>_____</td> </tr> </table> </li> </ol> | Name | <u>N/A</u> | Mailing address | _____ | Telephone | _____ | Fax | _____ | E-Mail | _____ | Signature | _____ | Print Name | _____ | Date | _____ |
| Name  | <u>Nantucket Island Chamber of Commerce</u>             |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Mailing Address   | <u>Zero Main Street, 2nd Floor, Nantucket, MA 02554</u> |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Telephone   | <u>508.228.3643</u>                                     |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Fax   | <u>508.325.4925</u>                                     |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| E-Mail  | <u>karmen@nantucketchamber.org</u>                      |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Signature   | <u>Karmen Caylor</u>                                    |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Print Name  | <u>Karmen Caylor</u>                                    |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Date  | <u>January 31, 2020</u>                                 |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Name  | <u>N/A</u>  |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Mailing address   | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Telephone   | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Fax   | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| E-Mail  | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Signature   | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Print Name  | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |
| Date  | _____   |   |                 |   |           |                     |     |                     |        |                                    |           |                      |            |                      |      |                         |  |      |            |                 |       |           |       |     |       |        |       |           |       |            |       |      |       |

Return completed application, including Submittal Checklist, to the District Highway Director for your town/city. Refer to reverse side for appropriate address.

### For office use only. Do not write below this line.

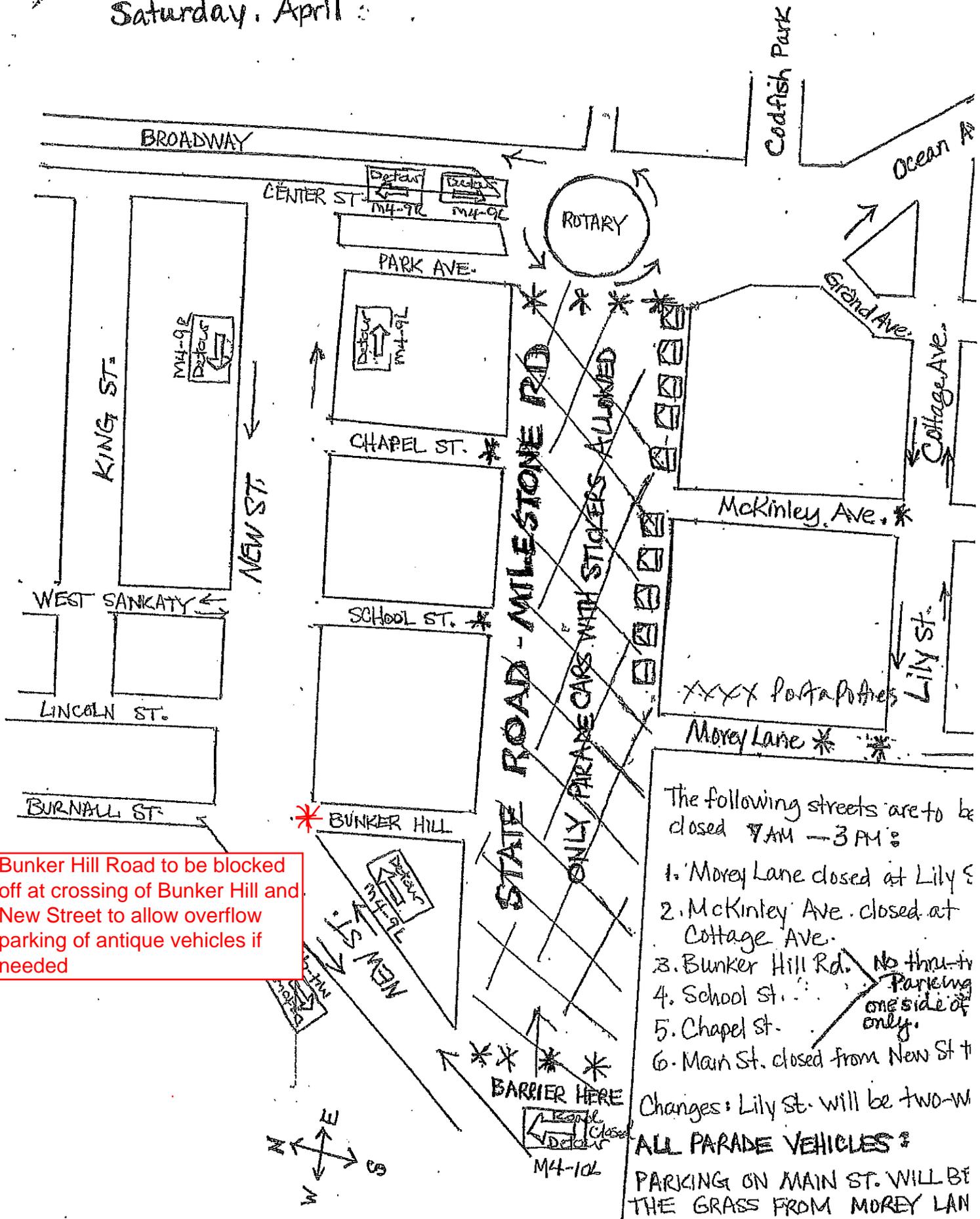
- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Application number: _____</li> <li>2. Date received: _____</li> <li>3. Fee amount (non-refundable) : _____</li> <li>4. Completeness Pre-Review date: _____</li> <li>5. MEPA required (yes or no): _____</li> <li>ENF-EOEEA Cert. # _____</li> <li>EIR-EOEEA Cert. # _____</li> <li>Other-EOEEA Cert. # _____</li> </ol> | <ol style="list-style-type: none"> <li>6. Section 61 Finding date: _____</li> <li>7. Mass. Historic Action (yes or no): _____</li> <li>8. Plans returned to DHD: _____</li> <li>9. Permit Type/Category: _____</li> <li>10. Application complete date: _____</li> <li>11. Permit written date: _____</li> <li>12. Permit issued date: _____</li> <li>13. Permit denied: _____</li> <li>14. Permit Recording date at Registry of Deeds _____</li> </ol> |
|---|--|

<sup>1</sup> If an agent is representing an Applicant, the application must include a notarized letter from the Applicant outlining the specified duties and responsibilities of the agent. Where work is proposed on a utility, the utility department must sign the application as the Applicant(s).



# Annual Daffodil Car Parade and Tailgate Picnic Saturday, April :

## Scotset Map



Bunker Hill Road to be blocked off at crossing of Bunker Hill and New Street to allow overflow parking of antique vehicles if needed

The following streets are to be closed 7AM - 3PM :

1. Morey Lane closed at Lily St
2. McKinley Ave. closed at Cottage Ave.
3. Bunker Hill Rd. No thru-tr parking one side of only.
4. School St.
5. Chapel St.
6. Main St. closed from New St to

Changes: Lily St. will be two-way

**ALL PARADE VEHICLES:**  
PARKING ON MAIN ST. WILL BE THE GRASS FROM MOREY LAN



Select Board  
16 Broad Street  
Nantucket, MA 02554

February 3, 2020

### 2020 Daffodil Tailgate Picnic

The Nantucket Island Chamber of Commerce is applying for a Public Assembly Permit and request a one-day waiver of Chapter 54 Section 1C for our Annual Daffodil Tailgate Picnic, as we have done since 2010.

The Daffodil Tailgate Picnic is a free event that will take place on Saturday, April 25, 2020 from 12:30pm to 4:00pm in Siasconset, MA. We expect up to 1,000 people to be in attendance. To monitor the area we will have a minimum of two Chamber of Commerce staff and eight volunteer organizers that will be present from 12:00pm to 4:00pm. Along with eight to ten State and Local Police Officers to help monitor the area.

We know that a waiver has always been a part of the Public Assembly Permit, but we are still requesting to obtain permission from the Select Board to allow attendees to have an open container or be able to drink an alcoholic beverage on public land (closed off for this event from New Street to the Rotary in 'Sconset). While the Nantucket Island Chamber of Commerce maintains the position that it is generally illegal for alcohol to be consumed on a public roadway, we understand that alcohol is consumed during this particular festive Spring event, and it is our wish that attendees could partake in their celebrations without any worrisome ramifications. A suitable number of volunteers and Police Officers (State and Local) will be on duty in 'Sconset to monitor the crowd control. We fully intend to follow those same procedures this year.

Series of events as follows, the antique cars leave downtown Nantucket by following a Police motorcycle escort to the village of 'Sconset. Upon arriving in 'Sconset the cars are then instructed by Chamber staff to park on the right side of Milestone Road in the grass (vehicle's tailgates facing the road). Once the vehicles are parked, attendees set up their picnics to be judged in our Annual Tailgate Picnic Contest. This event runs until 3:00pm. However, the street remains closed until 4:00pm to give the participants ample time to clean-up and leave without being rushed by staff or volunteers.

Clean-up for this event will take place immediately following the event by the Chamber of Commerce staff and volunteers. We will continue our policy of giving out biodegradable trash bags, proved by ReMain, for people to separate their trash and recyclables.

Thank you,

A handwritten signature in black ink that reads 'Karmen Caylor'.

Karmen Caylor  
Member Relations and Events Coordinator

[karmen@nantucketchamber.org](mailto:karmen@nantucketchamber.org)

*Town of Nantucket, MA  
Monday, April 1, 2019*

## Chapter 54. Alcoholic Beverages

### Article I. Public Consumption

[Adopted 4-3-1979 ATM by Art. 80, approved 8-18-1979]

#### § 54-1. Prohibited acts.

[Amended 11-13-1990 STM by Art. 35, approved 3-19-1991]

- A. No person shall possess an open container of or drink alcoholic beverages, as defined by MGL c. 138, § 1, in, on or upon any public way or any way to which the public has access, including any person or persons in a motor vehicle in, on or upon any public way or any way to which the public has access.
- B. No person shall possess an open container of or drink alcoholic beverages, as defined by MGL c. 138, § 1, in, on or upon any private land or place without the consent of the owner or person in control of such land.
- C. No person shall possess an open container of or drink any alcoholic beverages, as defined by MGL c. 138, § 1, in, on or upon any public land or place without the consent or approval of the department or commission having authority over such land or place, which consent may be granted upon a showing of adequate insurance by the sponsors.

#### § 54-2. Arrest without warrant.

Any violator may be arrested by a police officer without a warrant.

#### § 54-3. Seizure of beverages.

All alcoholic beverages being used in violation of this article may be seized and held until final adjudication in court.

#### § 54-4. Violations and penalties.

A violation of this article shall be punishable by a fine not to exceed \$200.



-  Sponsor Daffodil Festival
-  Storefront Decorating Form
-  WAITLIST Parade Sign-Up

[Sign Up To Receive Daffodil Festival Updates!](#)

[Are You Hosting An Event On Daffodil? Click Here To Login To Your Member Portal to Submit To The Calendar Of Events!](#)



We love a good time, but we need to follow the law so we can have Daffodil Weekend for many more years to come! It is prohibited for 'Sconset picnic hosts to have bars open to the public or have alcohol sponsorships!

We want everyone to have a safe and fun Daffodil Weekend and we hope that everyone follows the laws around alcohol at this community and family friendly event. If you have any questions about what you can and can't do, email our events coordinator, Karmen at [Karmen@NantucketChamber.org](mailto:Karmen@NantucketChamber.org).



## Agenda Item Summary

<b>Agenda Item #</b>	VII. 1.
<b>Date</b>	03/04/2020

### Staff

Amy Baxter, Licensing Administrator  
Marina Dzvoniak, Events Coordinator

### Subject

Public Hearing to consider Public Assembly Permit Application for Nantucket Island Chamber of Commerce's 2020 Daffodil Festival Antique Car Parade and Sconset Tailgate Picnic to be held Saturday, April 25, 2020; expansion of the event to include additional street closures in Downtown and Sconset (see maps for street closures).

### Executive Summary

The Nantucket Island Chamber of Commerce's Daffodil Festival as celebration of springtime awakening on Nantucket Island has been held annually since 1978. Over the years, the demand for participation in Daffodil Festival Antique Car Parade has been growing. Presently, the number of registered antique vehicles participating in the parade is limited to 110. Chamber is requesting closure of North Union Street (from Main to Cambridge) and Federal Street (from Main to India) to allow participation of additional antique vehicles. NICC currently has a waiting list of over 20 vehicles with the majority of the list being Nantucket residents.

In accordance with Chapter 105, §8 of the Nantucket Town Code, all events with over 250 participants must be approved by the Select Board as a Public Assembly in addition to being approved by the Town Manager or his/her designee(s).

### Staff Recommendation

Event Plan and proposed changes have been reviewed by Fire, Police, Health, Public Works, and Culture & Tourism Departments. Fire, Police, NRTA, and DPW have no concerns about additional street closures of North Union (from Main to Cambridge) and Federal Street (from Main to India) for staging additional antique vehicles and no concerns about closure of Bunker Hill Road for overflow parking of antique vehicles in Sconset.

Staff recommendation is to approve Public Assembly Permit for Daffodil Festival Antique Car Parade and Sconset Tailgate Picnic with the following conditions:

- Adequate emergency medical personnel in attendance, as determined by the Fire Chief, shall be provided at applicant's expense;
- Adequate Police Details shall be provided at applicant's expense, safety and parking plan for the race must be reviewed by NPD;
- Neighborhood/Public communication is required prior to the event to mitigate issues, minimize impacts, and ensure affected neighbors and businesses are aware of the expansion of the event.



**Additional Conditions applied to Sconset Tailgate Picnic:**

- The number of Event Staff & Volunteers needs to be increased to improve overall management of the event. Designated Staff should be available to the Town/Public Safety personal at all times during the event;
- Develop volunteer coordination plan – identify volunteers’ roles and responsibilities to be performed during the event. Monitor the event volunteers to ensure that the necessary work is being completed;
- Be clear about the role of the Police Department and enhance communication throughout the event;
- A sufficient number of lavatories, including handicap-accessible lavatories, for persons reasonably expected to attend, as determined by the Health Inspector, shall be provided at applicant’s expense;
- All debris and litter remaining from the proposed event shall be removed by the event organizers and the area left clean, waste management plan is required;
- In accordance with Section 97-1(A) of the Town bylaws, commercial sale of merchandise, food, drinks, and other items on Public streets and sidewalks is prohibited;
- No alcohol sponsorships and no bars open to the public to be set up by Sconset picnic hosts.

**Background/Discussion**

N/A

**Impact: Environmental  Fiscal  Community  Other**

N/A

**Board/Commission Recommendation**

N/A

**Public Outreach**

2 weeks of legal notices in I & M

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

N/A

**Attachments**

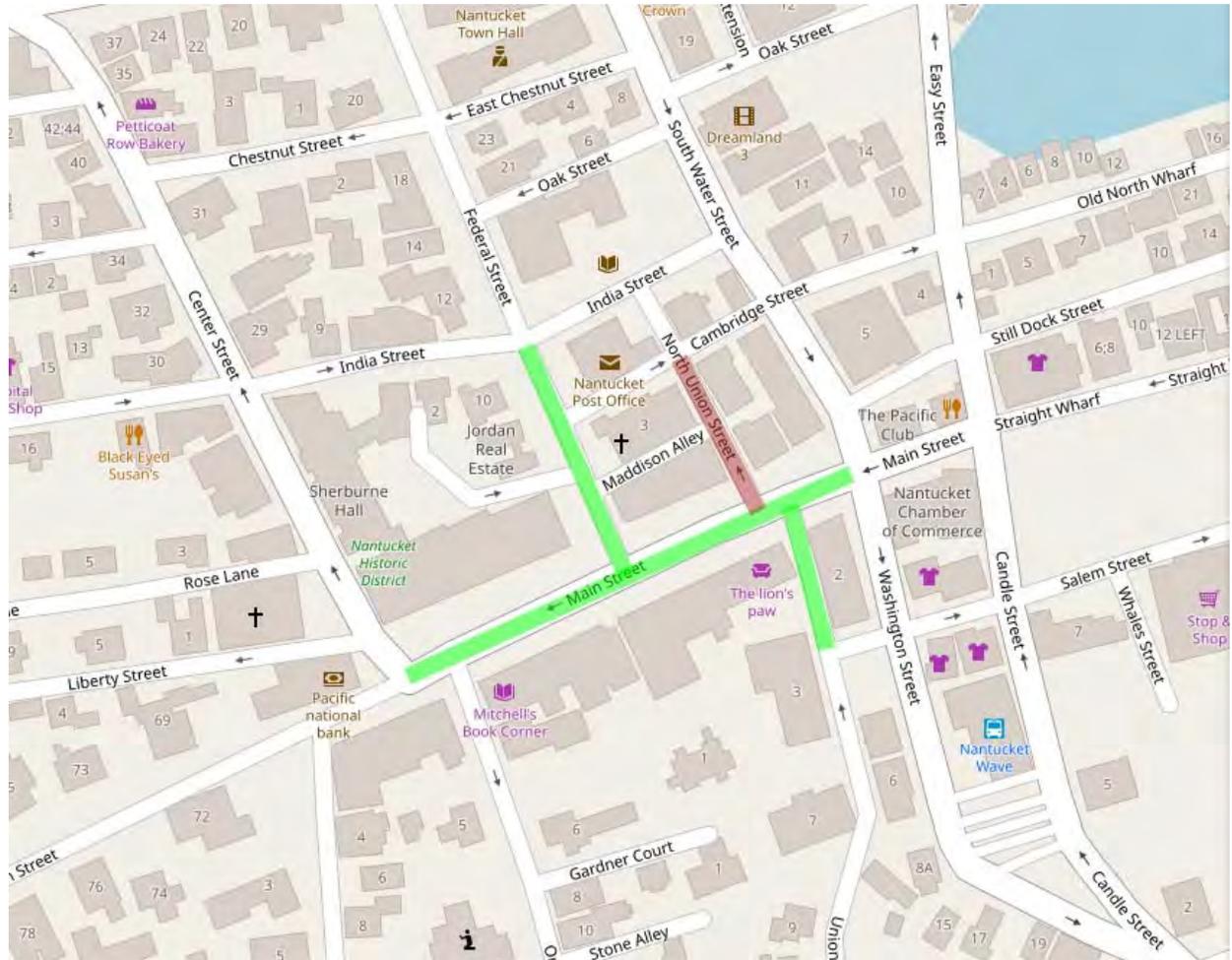
Maps for Downtown and Sconset Street Closures; Special Event Application for Daffodil Festival Antique Car Parade; Special Events Application for Sconset Tailgate Picnic; Town of Nantucket Event Permitting Policy.



DAFFODIL FESTIVAL DOWNTOWN STREET CLOSURES:  
Saturday, April 25, 2020

-  closed 6 AM – 1:00 PM
-  closed 6 AM – 1:00 PM  
(new street closure for 2020)

**Parade Route:** Car staging begins at 9:30 AM. Parade starts at 12:00 PM, following this route: right on Centre Street, right on Broad Street, right on South Water Street, and back up Main Street. Cars continue left on Orange Street and head out of town, around the rotary and out Milestone Road to 'Sconset. Cars park along the right.





Town of Nantucket
APPLICATION FOR BLOCKING OF STREET/SIDEWALK

JAN 28 2020

BY: .....

SECTION 1: (To be completed by Applicant)

Applicant's Name: Nantucket Island Chamber of Commerce Email: karmen@nantucketchamber.org

Applicant's Address: Zero Main Street, Nantucket, MA 01554 Phone: 508.228.1700 x5

Address of Blocking: Main Street, from Centre to S. Water St / Federal St (India St to Main St)
N. Union St (Cambridge St to Main St)

[X] Street Blocking [X] Total OR [ ] Partial
[ ] Sidewalk Blocking [ ] Total OR [ ] Partial

Date(s) of Blocking: Saturday, April 25, 2020 Time(s): 6:00am to 1:00pm

Purpose of Blocking: Daffodil Festival Antique Car Parade

[ ] Dumpster/container (not permitted in the Old Historic District from June 1 to September 30)
Pursuant to Section 200.15.1, "No Person shall park, store or deposit upon any Public Way of the Town a dumpster (so-called) or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without a permit from the Town.

(Fee: \$25.00/day - fee must be paid when obtaining final approval from Town Administration)

In consideration of permission to use the public area described above, the Applicant named above agrees to save and hold the Town of Nantucket, its agents, servants and employees, harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's employees, subcontractors and/or other persons.

This permission is limited to the portion of the premises and the activity herein described.

Applicant's Signature: Karmen Taylor Date: 1/29/20

SECTION 2: (To be completed by Town Departments only)

Police Detail Required? [X] Yes [ ] No Number of Officers Needed: \_\_\_\_\_

Nantucket Police Department (508-228-1212) [X] APPROVED [ ] DISAPPROVED

4 Fairgrounds Road Signature: [Signature] 386 Date: 2/13/20

Nantucket Fire Department (508-228-2323) [X] APPROVED [ ] DISAPPROVED

131 Pleasant Street Signature: [Signature] Date: 1/29/2020

Department of Public Works (508-228-7244) [X] APPROVED [ ] DISAPPROVED

188 Madaket Road Signature: [Signature] Date: 1/31/2020

NRTA (508-228-7025)  
20R South Water Street

APPROVED     DISAPPROVED

Signature: Cindy Clark Date: 1/31/20

**SECTION 3: (This permit is not valid without a signature from Town Administration)**

Town Administration  
16 Broad Street

This application is hereby     APPROVED     DISAPPROVED

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





Effective 7/13/01 Revised 5/19/18  
JAN 28 2020

Town of Nantucket  
APPLICATION FOR BLOCKING OF STREET/SIDEWALK

BY: .....

SECTION 1: (To be completed by Applicant)

Applicant's Name: Nantucket Island Chamber of Commerce Email: Karmen@nantucketchamber.org

Applicant's Address: Zero Main Street, Nantucket, MA 01954 Phone: 508-228-1700 X 5

Address of Blocking: Main Street in Siasconset, from New Street to Rotary

- Street Blocking       Total      OR       Partial
- Sidewalk Blocking       Total      OR       Partial

Date(s) of Blocking: Saturday, April 25, 2020 Time(s): 12:00pm - 4:00pm

Purpose of Blocking: 2020 Daffodil Festival Tailgate Picnic

Dumpster/container (not permitted in the Old Historic District from June 1 to September 30)  
 Pursuant to Section 200.15.1, "No Person shall park, store or deposit upon any Public Way of the Town a dumpster (so-called) or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without a permit from the Town.  
 (Fee: \$25.00/day - fee must be paid when obtaining final approval from Town Administration).

In consideration of permission to use the public area described above, the Applicant named above agrees to save and hold the Town of Nantucket, its agents, servants and employees, harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's employees, subcontractors and/or other persons.

This permission is limited to the portion of the premises and the activity herein described.

Applicant's Signature: Karmen Olyer Date: 1/29/20

SECTION 2: (To be completed by Town Departments only)

Police Detail Required?  Yes     No      Number of Officers Needed: \_\_\_\_\_

Nantucket Police Department (508-228-1212)  APPROVED     DISAPPROVED

4 Fairgrounds Road  
Signature: [Signature] Date: 2/13/20

Nantucket Fire Department (508-228-2323)  APPROVED     DISAPPROVED

131 Pleasant Street  
Signature: [Signature] Date: 1/29/2020

Department of Public Works (508-228-7244)  APPROVED     DISAPPROVED

188 Madaket Road  
Signature: [Signature] Date: 1/31/2020

NRTA (508-228-7025)  
20R South Water Street

APPROVED       DISAPPROVED

Signature: \_\_\_\_\_

*Cineley Clavin*

Date: \_\_\_\_\_

*1/30/20*

\*\*\*\*\*

**SECTION 3: (This permit is not valid without a signature from Town Administration)**

Town Administration  
16 Broad Street

This application is hereby       APPROVED       DISAPPROVED

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Notes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Subject:**

FW: Online Form Submittal: 2020 Special Event Permit Application

## 2020 Special Event Permit Application

*This form is not a permit. Please read this application in full. Completion of this application does not constitute an automatic approval and does not guarantee that a permit will be issued. Event organizers are encouraged not to issue any press releases, advertise, sell tickets, etc. until the necessary approvals and/or permits have been issued. Event organizers are encouraged to include maps, plans and any pertinent supporting documentation with this application. Any questions should be directed to the Office of Special Events.*

---

### APPLICANT INFORMATION - REQUIRED

---

First Name of Primary Contact	Karmen
Last Name of Primary Contact	Caylor
Address of Primary Contact	Zero Main Street
Company/Organization of Primary Contact (If Applicable)	Nantucket Chamber of Commerce
Town/City	Nantucket
State	MA
Zip	02554
Email Address	<a href="mailto:karmen@nantucketchamber.org">karmen@nantucketchamber.org</a>
Phone Number	508-228-1700
Cell Phone	501-281-5919
On-site Contact	Karmen Caylor
Cell Phone for On-site Contact	501-281-5919

---

Host Organization (If Different from Above)	NA
---	----

Host Type	Non-Profit
-----------	------------

Please Attach 501(c)(3) Documentation	<i>Field not completed.</i>
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---

**EVENT OVERVIEW - REQUIRED**

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Event Name	2020 Daffodil Festival Antique Car Parade
------------	---

Requested Location of Event	Main Street (from Centre Street to S. Water Street); Federal Street (from India St to Main Street) & N. Union Street (from Cambridge Street to Mani Street)
-----------------------------	---

Is this Event open to the public?	Yes
-----------------------------------	-----

Is there an admission / registration fee?	Yes
---	-----

Date of Event	4/25/2020
---------------	-----------

Start Time	9:00am
------------	--------

End Time	12:45pm
----------	---------

Rain Date	<i>Field not completed.</i>
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All events must comply with the 10:00 pm Noise Ordinance. Requests for extension past 10:00 pm must be approved by the Select Board

Set-up Date & Time	4/25/2020 7:00 AM
--------------------	-------------------

Tear-Down Date & Time	4/25/2020 1:00 PM
-----------------------	-------------------

MULTIPLE DATE EVENTS	<i>Field not completed.</i>
----------------------	-----------------------------

Full Schedule of Events	<i>Field not completed.</i>
-------------------------	-----------------------------

Est. # of Participants	1,000
------------------------	-------

Est. # of Staff	5 Staff, 7 Volunteers
-----------------	-----------------------

---

**Important Notice - Events Over 250**  
*Any event anticipating over 250 participants requires a Public Hearing at a regularly-scheduled Select Board meeting. Public Hearings must be noticed in the Inquirer and Mirror for two consecutive weeks prior to the hearing (at Applicant's expense). Public Hearings may be waived for recurring events. Events anticipating*

---

*under 250 participants may require a Public Hearing at Town Administration's discretion.*

---

Have You Held This Event On-Island Before?      Yes

---

If Yes, Where And When?      Past 45 years, since 1978

---

Description of Event (Attach additional documents below)      Festival of parade and car show

---

Event Description (optional)      *Field not completed.*

---

Course Map      *Field not completed.*

---

Event Layout/Diagram      *Field not completed.*

---

STEP 1: LOCATION - BEACH EVENTS ONLY

---

Details regarding allowable activities can be found here      [Click for Beach Allowable Activity List](#)

---

Select Town of Nantucket Beach      *Field not completed.*

---

Click Here For Beach Ownership Contacts for all Public Beaches      [Beach and Ownership Listing](#)

---

Beach Event Structures      *Field not completed.*

---

Beach and Endangered Species Protection  
*Safety of endangered species habitat and beach maintenance are prime concerns for any beach-related activity on the island. Nesting birds, erosion and endangered plants exist throughout the island. Natural Resource approval is required to make sure protection laws are not being violated and proper precautions are being taken.*

---

STEP 2: ALCOHOL

---

Will Alcohol Be Served?      No

---

Click Here For Temporary Pouring Permit Regulations for the State of Massachusetts:      [Temporary Pouring Permit Guidelines](#)

---

Alcohol To Be Served      *Field not completed.*

Source of Alcohol/Approved Distributor(s) NA

---

CLICK HERE FOR LIST OF AUTHORIZED SOURCES TO PURCHASE ALCOHOL: [AUTHORIZED SOURCES](#)

---

STEP 3: ENTERTAINMENT

---

Will There Be Entertainment? No

---

Will The Entertainment Be Amplified? No

---

Will The Entertainment Be Outside? No

---

Description of Entertainment Main Street (Centre St to S Water St), Federal Street (India St to Main St) & N Union St (Cambridge St to Main St)

---

STEP 4: STREET AND/OR SIDEWALK BLOCKING

---

Will Event Require Any Road Or Sidewalk To Be Blocked Or Closed? Street, Full Blocking

---

Address Of Blocking *Field not completed.*

---

Purpose Of Blocking: *Field not completed.*

---

STEP 5: TENTS

---

Will There Be A Tent Or Other Temporary Structure Erected? No

---

Date Tent/Structure To Be Installed *Field not completed.*

---

Describe Size/Type of Tent/Structure *Field not completed.*

---

Tent Company *Field not completed.*

---

STEP 6: FOOD

---

Will Food Be Served? No

---

Name of Caterer/Food Service Provider      NA

---

Attach Town of Nantucket Catering License (Optional)      *Field not completed.*

---

Food Service Providers Must Have A Current Catering License Issued By The Town Of Nantucket. If They Are Not Licensed On Nantucket, They Must Be Approved By The Health Department At Least 14 Days Prior To The Event. Any Event With More Than One (1) Caterer is Required to Apply for One-Day Food Permits for Each Food Service Provider Regardless of License.

---

# of Restrooms/Portable Toilets Provided      None

---

Name of Restroom / Portable Toilet Provider      NA

---

#### STEP 7: ZERO WASTE MANAGEMENT

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*Effective June 1, 2020, Nantucket's Single-Use Plastics Ban prohibits these single-use petroleum based plastic products from being commercially used, sold or distributed at special events: straws and drink stirrers, six-pack can and bottle flexible yokes, drinking cups and lids, non-compostable plates and eating utensils, drinking water in polyethylene terephthalate (PET or PETE) containers of 1 liter (34 ounces) or less, non-recyclable coffee pods.*

---

Please note, [Biodegradable Packaging Bylaw\(\\$ 125-2.1\)](#) biodegradable packaging is already required under Nantucket's 1990 Biodegradable Packaging Bylaw.

---

#### HOLD HARMLESS AGREEMENT

*In consideration of permission to use the public property, facility or services described herein, the Applicant agrees to save and hold the Town of Nantucket, its agents, servants, and employees harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's guests, employees, subcontractors, and/or other persons. The Applicant acknowledges that the permission to utilize the facilities is limited to the portion of the premises herein described (if applicable), and that the permission is valid only for the activity herein described. Notwithstanding the foregoing, this Hold Harmless Agreement shall be applicable to any claim asserted against the Town of Nantucket, its agents, servants, and employees, and for any loss incurred arising out of the Applicant's activity whether or not such claim or loss extends beyond the permitted type or locale of activity or occurs on a different date than specified. Commercial General Liability is required in the amount of \$1,000,000 CSL*

---

*(combined single limit) with the Town and County of Nantucket added as an additional insured.*

---

SIGNATURE OF  
APPLICANT

Karmen Caylor

---

Email not displaying correctly? [View it in your browser.](#)

**Subject:**

FW: Online Form Submittal: 2020 Special Event Permit Application

## 2020 Special Event Permit Application

*This form is not a permit. Please read this application in full. Completion of this application does not constitute an automatic approval and does not guarantee that a permit will be issued. Event organizers are encouraged not to issue any press releases, advertise, sell tickets, etc. until the necessary approvals and/or permits have been issued. Event organizers are encouraged to include maps, plans and any pertinent supporting documentation with this application. Any questions should be directed to the Office of Special Events.*

---

### APPLICANT INFORMATION - REQUIRED

---

First Name of Primary Contact	Karmen
Last Name of Primary Contact	Caylor
Address of Primary Contact	Zero Main Street
Company/Organization of Primary Contact (If Applicable)	Nantucket Chamber of Commerce
Town/City	Nantucket
State	MA
Zip	02554
Email Address	<a href="mailto:karmen@nantucketchamber.org">karmen@nantucketchamber.org</a>
Phone Number	508-228-1700
Cell Phone	501-281-5919
On-site Contact	Karmen Caylor
Cell Phone for On-site Contact	501-281-5919

---

Host Organization (If Different from Above) *Field not completed.*

---

Host Type Non-Profit

---

Please Attach 501(c)(3) Documentation *Field not completed.*

---

EVENT OVERVIEW - REQUIRED

---

Event Name 2020 Daffodil Festival Tailgate Picnic

---

Requested Location of Event Main Street in 'Sconset from New Street Rotary

---

Is this Event open to the public? Yes

---

Is there an admission / registration fee? No

---

Date of Event 4/25/2020

---

Start Time 12:30pm

---

End Time 4:00pm

---

Rain Date *Field not completed.*

---

All events must comply with the 10:00 pm Noise Ordinance. Requests for extension past 10:00 pm must be approved by the Select Board

---

Set-up Date & Time 4/25/2020 7:00 AM

---

Tear-Down Date & Time *Field not completed.*

---

MULTIPLE DATE EVENTS *Field not completed.*

---

Full Schedule of Events *Field not completed.*

---

Est. # of Participants 1,000

---

Est. # of Staff 6-10 including staff

---

Important Notice - Events Over 250  
*Any event anticipating over 250 participants requires a Public Hearing at a regularly-scheduled Select Board meeting. Public Hearings must be noticed in the Inquirer and Mirror for two consecutive weeks prior to the hearing (at Applicant's expense). Public Hearings may be waived for recurring events. Events anticipating under 250 participants may require a Public Hearing at Town Administration's discretion.*

---

Have You Held This Event On-Island Before?	Yes
If Yes, Where And When?	Past 45 years, since 1978
Description of Event (Attach additional documents below)	Cars lined up tailgating facing Milestone Road / Main Street in 'Sconset Village. Tailgate picnics are judged and ribbons are awarded.
Event Description (optional)	<i>Field not completed.</i>
Course Map	<i>Field not completed.</i>
Event Layout/Diagram	<i>Field not completed.</i>
STEP 1: LOCATION - BEACH EVENTS ONLY	
Details regarding allowable activities can be found here	<a href="#">Click for Beach Allowable Activity List</a>
Select Town of Nantucket Beach	<i>Field not completed.</i>
Click Here For Beach Ownership Contacts for all Public Beaches	<a href="#">Beach and Ownership Listing</a>
Beach Event Structures	<i>Field not completed.</i>
<p>Beach and Endangered Species Protection</p> <p><i>Safety of endangered species habitat and beach maintenance are prime concerns for any beach-related activity on the island. Nesting birds, erosion and endangered plants exist throughout the island. Natural Resource approval is required to make sure protection laws are not being violated and proper precautions are being taken.</i></p>	
STEP 2: ALCOHOL	
Will Alcohol Be Served?	No
Click Here For Temporary Pouring Permit Regulations for the State of Massachusetts:	<a href="#">Temporary Pouring Permit Guidelines</a>
Alcohol To Be Served	<i>Field not completed.</i>

Source of Alcohol/Approved Distributor(s) NA

---

CLICK HERE FOR LIST OF AUTHORIZED SOURCES TO PURCHASE ALCOHOL: [AUTHORIZED SOURCES](#)

---

STEP 3: ENTERTAINMENT

---

Will There Be Entertainment? No

---

Will The Entertainment Be Amplified? No

---

Will The Entertainment Be Outside? No

---

Description of Entertainment *Field not completed.*

---

STEP 4: STREET AND/OR SIDEWALK BLOCKING

---

Will Event Require Any Road Or Sidewalk To Be Blocked Or Closed? Street, Full Blocking

---

Address Of Blocking Main Street in 'Sconset from New Street to Rotary

---

Purpose Of Blocking: Tailgating and Picnics

---

STEP 5: TENTS

---

Will There Be A Tent Or Other Temporary Structure Erected? No

---

Date Tent/Structure To Be Installed *Field not completed.*

---

Describe Size/Type of Tent/Structure *Field not completed.*

---

Tent Company *Field not completed.*

---

STEP 6: FOOD

---

Will Food Be Served? No

---

Name of Caterer/Food Service Provider      NA

---

Attach Town of Nantucket Catering License (Optional)      *Field not completed.*

---

Food Service Providers Must Have A Current Catering License Issued By The Town Of Nantucket. If They Are Not Licensed On Nantucket, They Must Be Approved By The Health Department At Least 14 Days Prior To The Event. Any Event With More Than One (1) Caterer is Required to Apply for One-Day Food Permits for Each Food Service Provider Regardless of License.

---

# of Restrooms/Portable Toilets Provided      None

---

Name of Restroom / Portable Toilet Provider      NA

---

#### STEP 7: ZERO WASTE MANAGEMENT

---

*Effective June 1, 2020, Nantucket's Single-Use Plastics Ban prohibits these single-use petroleum based plastic products from being commercially used, sold or distributed at special events: straws and drink stirrers, six-pack can and bottle flexible yokes, drinking cups and lids, non-compostable plates and eating utensils, drinking water in polyethylene terephthalate (PET or PETE) containers of 1 liter (34 ounces) or less, non-recyclable coffee pods.*

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Please note, [Biodegradable Packaging Bylaw\(\\$ 125-2.1\)](#) biodegradable packaging is already required under Nantucket's 1990 Biodegradable Packaging Bylaw.

---

#### HOLD HARMLESS AGREEMENT

*In consideration of permission to use the public property, facility or services described herein, the Applicant agrees to save and hold the Town of Nantucket, its agents, servants, and employees harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's guests, employees, subcontractors, and/or other persons. The Applicant acknowledges that the permission to utilize the facilities is limited to the portion of the premises herein described (if applicable), and that the permission is valid only for the activity herein described. Notwithstanding the foregoing, this Hold Harmless Agreement shall be applicable to any claim asserted against the Town of Nantucket, its agents, servants, and employees, and for any loss incurred arising out of the Applicant's activity whether or not such claim or loss extends beyond the permitted type or locale of activity or occurs on a different date than specified. Commercial General Liability is required in the amount of \$1,000,000 CSL*

---

*(combined single limit) with the Town and County of Nantucket added as an additional insured.*

---

SIGNATURE OF  
APPLICANT

Karmen Caylor

---

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# TOWN OF NANTUCKET

## TOWN ADMINISTRATION

### Event Permitting Policy

*Effective date: January 1, 2015*

*Applicability: This policy applies to all events permitted by the Town of Nantucket on all property owned by the Town, including Public School property in accordance with Chapter 105, §5-13 of the Nantucket Town Code.*

#### *I. Purpose.*

It is the purpose of this policy to facilitate permitted events held on Town-owned property, so that such events can be best managed with available Town resources and to ensure the safety and well-being of the participants, the protection of public and private property, and minimize the impact on residents and visitors.

#### *II. Definitions.*

Town of Nantucket Code refers to any event held on public property as a “Special Event”. A Special Event is defined as an event of up to 250 participants sponsored by an individual, group and/or organization proposed to be held on any Town-owned property. Any Special Event with over 250 participants is considered a “Public Assembly” and has additional restrictions.

Special Events or Public Assemblies are events which may place a burden on Town resources, impact vehicle and pedestrian traffic, affect business activity, and potentially impact the safety of citizens and visitors. Examples of such events include but are not limited to events open to the public such as foot races, bike races, sporting events, festivals, concerts, celebrations, theatrical performances, block parties, or private events such as family gatherings, receptions, weddings, graduations and the like held on Town property, including beaches.

#### *III. Approval Process.*

The Town Manager or his/her designee(s) will determine whether or not an application to hold a Special Event or Public Assembly shall be approved. Per Chapter 105, §9 of the Nantucket Town Code, all event applicants must complete the appropriate permit application forms and pay the appropriate fees at least thirty (30) days before the date of the event in order to be considered. Applications and fees for Special Events not submitted thirty (30) days in advance may be

considered on a case-by-case basis, but approval is not guaranteed. Applications and fees for Public Assemblies (a Special Event with over 250 participants) not submitted thirty (30) days in advance will not be considered. All events must be approved annually via the permit application process; events are neither guaranteed year-to-year nor “grandfathered”.

In accordance with Chapter 105, §8 of the Nantucket Town Code, all events with over 250 participants must also be approved by the Board of Selectmen as a Public Assembly in addition to being approved by the Town Manager or his/her designee(s). This requirement adds additional time to the permitting process and it may not be possible to guarantee approval within the thirty (30) day minimum requirement. Proper planning is encouraged.

#### *IV. Application Denial and Appeal Process.*

The Town reserves the right to deny an application for a Special Event or a Public Assembly, or offer alterations to the proposed event to address Town concerns. Consideration will be given to what property is being used, the duration of the use, and any potential burden to Town operations or the public. Factors to be considered will include but not be limited to:

- Availability of limited Town resources such as Police, Fire, Marine and Public Works staff.
- Health and safety implications of the event.
- Size and scope of the event.
- Neighborhood concerns.
- Appropriate parking or transportation plan for the location.
- Other events or activities occurring on the island around the time of the proposed event.
- Impact of the event on the general public.
- The applicant's prior experience organizing an event on Nantucket or his/her apparent ability to execute the event.
- Frequency with which a recurring event is held.

Where possible, the Town also reserves the right to permit events for Nantucket-based organizations as a priority. Priority of use of Town-owned property:

1. Town or School-sponsored Events
2. Nantucket Charitable Organizations
3. Nantucket Residents
4. Nantucket For-Profit Organizations
5. Non-Resident Charitable Organizations
6. Non-Resident For-Profit Organizations

The Town of Nantucket’s Event Committee gives great consideration to the Event’s size, scope and community impact before they make their final recommendation for it to go forward. In the special case that the Event has not been approved, the Event Organizers do have the option of bringing it forward for a hearing with the Board of Selectmen.

#### *V. General Policies.*

- Events are permitted 7:00am-10:00pm unless special permission is given.

- No entertainment before 7:00am or after 10:00pm (or 7:30am or after 10:00pm between June 15<sup>th</sup> and September 15<sup>th</sup>) without an approved Noise Bylaw Waiver per Chapter 101, §1 of the Nantucket Town Code
- No entertainment without permitting approval through a Temporary Entertainment License.
- No alcohol without special permitting approval through a One Day Pouring License.
- Organizers are responsible for any damage or forfeit any security deposit payment in addition to being levied additional penalties.
- Organizers are responsible to clean public property after the event or forfeit any security deposit payment in addition to being levied additional penalties.
- If selling or providing food, users must receive authorization from the Health Department.
- If required, additional sanitary facilities must be provided at the user's expense.

End

# Town of Nantucket Police Department

William J. Pittman  
Chief of Police

Charles Gibson  
Deputy Chief of Police



4 Fairgrounds Road  
Nantucket, Massachusetts  
02554-2804

Telephone (508) 228-1212  
Facsimile (508) 228-7246  
[www.nantucket-ma.gov/police](http://www.nantucket-ma.gov/police)

January 29, 2020

Ms. Libby Gibson, Town Manager  
Town of Nantucket  
16 Broad Street  
Nantucket, MA 02554

Re: Suggested Changes to the Parking Regulations

Dear Ms. Gibson,

As requested I have drafted several suggested changes to the parking regulations. The language in suggested change #1 has been reviewed by Town Counsel already. These changes to the regulations are being proposed so that the Town can implement the goals of the Select Board to implement a paid parking program. The Parking Management Program being recommended by the work group provides the opportunity to accomplish several objectives that facilitate the eventual implementation of the goal.

- Enhanced enforcement and data collection by utilizing hand held LPR devices.
- Implementation of a Parking Management Program that will immediately support the parking program in several ways too include:
  1. e-permitting
  2. on-line ticket processing
  3. on-line appeals process
  4. on-line report function that provides data on tickets issued, fines collected, inventory utilization, etc.
- Eventual integration of the goals paid parking objectives by utilizing cell phone-based apps and stand-alone kiosks which utilize license plate data for paid parking.

Attached are the suggested changes need to the parking regulations to implement these goals by the summer of 2020. Please let me know if you have any questions.

Best Regards,

*William J. Pittman*

William J. Pittman  
Chief of Police

cc: G. Tivnan  
J. Schulte

Attachment: Suggested parking regulation changes.

## Select Board Strategic Transportation Goal #1 - PARKING REGULATIONS UPDATE

As part of the process of implementing the Strategic Goals of the Select Board, specifically, Transportation Goal #1, the following changes are recommended to the *Town of Nantucket Parking Rules and Regulations*. Changes 1, 2 & 3 are necessary to implement the Parking Management Program that is being recommended to the Select Board. Changes 4 & 5 are being recommended by the Police Department to make management to the parking programs more efficient.

**CHANGE #1: NECESSARY TO IMPLEMENT A PAID PARKING PROGRAM.** Amend Section 200.6 (PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES) by adding the following language hi-lighted in red. This language is recommended in order to grant Town Administration the authority required to implement a Paid Parking Program:

### Section 200.6 PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES

200.6.1 No Changes

200.6.2 No Changes

200.6.3 No Changes

200.6.4 The Select Board is hereby authorized to establish a Paid Parking Plan in the Core District as set forth in these Regulations.

200.6.4.1 The Town Manager, with the approval of the Select Board, may procure paid parking stations, software programs, and such other equipment and services that are determined necessary to implement the Paid Parking Plan. The location of paid parking stations shall be approved by the Select Board.

200.6.4.2 Whenever any vehicle shall be parked in a parking space owned or controlled by the Town in the Core District, the owner or operator of said vehicle shall, subject to the grace period set forth in 200.6.4.3, deposit in a paid parking station the required coins or currency of the United States, or credit card, for a maximum legal parking period or part thereof, both as indicated on the paid parking station. In the alternative, the owner or operator may pay the required parking fee utilizing a payment app provided by the Town to pay the required fee.

- 200.6.4.3 Vehicles parking in the Core District shall not be required to pay the parking fee for the first        minutes of parking.
- 200.6.4.4 Any motor vehicle owned and bearing indicia of ownership by the Town of Nantucket or federal or state government, or handicap placards shall not be required to deposit any fee.
- 200.6.4.5 Operators of commercial motor vehicles may park in a parking space without depositing any fee in accordance with any provision of the Town Code regarding commercial vehicle loading and unloading.
- 200.6.4.6 A Parking Fee Schedule shall be published by the Select Board prior to the commencement of operation of the Paid Parking Program.
- 200.6.4.7 Each paid parking station or parking app shall indicate the days and hours of operation, duration of permitted parking, and the proper fee as set forth in the Parking Fee Schedule.
- 200.6.4.8 It shall be unlawful for any unauthorized person to tamper with, break, injure or destroy any pay station or to deposit or cause to deposit into said pay station any slugs, devices, metallic substance or other substitute for the payment required.

**CHANGE #2 REQUIRED TO INCREASE THE FINES FOR OVERTIME PARKING VIOLATIONS IN THE CORE DISTRICT.** The Town was granted the authority by special legislation to raise the fines for some parking offenses in the Town of Nantucket to a maximum of \$50. Although this authority was signed into law back in 2003 the Town only raised certain fines at that time leaving the fine for overtime parking at \$25 per violation. It is believed that by raising the fine for overtime parking to the maximum allowed by the Special Legislation, this will discourage those who are willing to pay a fine for parking. We also added the relevant sections from the paid parking authorization to the schedule of fines for failure to pay the appropriate rate as required and for damaging or utilizing a slug in the parking meters. These changes will only apply to the Core District or where paid parking is designated. This change is accomplished by amending Appendix J (SCHEDULE OF FINES) of the regulations by adding Sub-Section E as follows:

**APPENDIX J  
SCHEDULE OF FINES**

A. The maximum non-criminal penalty shall be three hundred dollars (\$300.00) for any violation of sections:

200.2.1	200.2.2	200.2.3	200.3.1	200.3.2	200.8.1
200.8.2	200.8.4	200.15.1	200.15.2	200.16.5	

B. The maximum non-criminal penalty shall be one hundred dollars (\$100.00) for any violation of sections:

200.4.7	200.4.17	200.4.20	200.4.21	200.4.22	200.9.1
200.22.1	200.22.2	200.22.3	200.22.4	200.23.1	

C. The maximum non-criminal penalty shall be fifty dollars (\$50.00) for any violation of sections:

200.3.3	200.4.1	200.4.2	200.4.3	200.4.4	200.4.5
200.4.6	200.4.8	200.4.9	200.4.10	200.4.11	200.4.12
200.4.13	200.4.14	200.4.15	200.4.16	200.4.18	200.4.23
200.4.24	200.4.25	200.4.26	200.5.1	200.5.2	200.6.1
200.6.2	200.6.4.2	200.6.4.8	200.7.1	200.7.2	200.10.1
200.11.1	200.13.1	200.13.2	200.13.3	200.13.4	200.14.1
200.14.2	200.19.1	200.21.0	200.21.1	200.21.2	200.21.3
200.21.4	200.21.5	200.21.6	200.21.7	200.21.8	200.21.9
200.21.10	200.21.11	200.21.12	200.21.13	200.21.14	200.21.15
200.21.16	200.21.17	200.21.18	200.21.19	200.21.20	200.21.21
200.21.22	200.21.23	200.21.24	200.21.25		

D. The maximum non-criminal penalty shall be twenty-five dollars (\$25.00) for any violation of sections:

200.4.19	200.4.27	200.12.1	200.12.5	200.12.6	200.12.7
----------	----------	----------	----------	----------	----------

E. The maximum non-criminal penalty shall be fifty dollars (\$50.00) for any violation that occurs in the Core District as defined in Section 200.1 of these regulations in sections:

200.12.5	200.12.6	200.12.7
----------	----------	----------

**CHANGE #3 NECESSARY TO IMPLEMENT AN E-PERMITTING PROGRAM. This change will allow us to take advantage of the e-permitting function available in the Parking Management Software. The use of digital permits will replace many of the visible paper permits or stickers. This change will require the insertion of language specific to digital permits and subsequent renumbering of the following sections.**

200.16.2 Proper Display of permits.

200.16.2.1 Permits shall be either digital permits, adhesive stickers or placards at the discretion of the permitting agency. Said permits shall be properly displayed as follows:

200.16.2.1.1 In the case of a digital permit, no other permit(s) (adhesive sticker or placard) will be required to be displayed along with a valid digital permit.

200.16.2.1.2 Adhesive Stickers shall be inscribed with the license plate number of the so-permitted Vehicle and shall be affixed to the left rear bumper of the Vehicle so as to be easily seen.

200.16.2.2 1.3 Placard Permits shall be inscribed with the license plate number of the so-permitted Vehicle or the name of the business or organization to which the permit is issued. Any conditions imposed on the use of the permit by the permit issuing authority shall be clearly indicated on the permit. Said permits shall be clearly displayed on the dashboard of the Vehicle above the speedometer while it is parked in the area requiring a permit **or hung from the rear-view mirror in the case of a hanging placard.** Copies of placard permits shall not be considered valid.

**CHANGE #4 THIS CHANGE IS NECESSARY TO ESTABLISH THE ABILITY TO CREATE NEIGHBORHOOD-BASED PARKING DISTRICTS. This change will allow the Select Board to make modifications to the Residential Parking District that are neighborhood specific rather than all encompassing. These changes will also modify the notice requirements for amendments to the parking district map by eliminating the requirement to provide notice via certified mail to abutters.**

Section 200.6 PARKING PROHIBITIONS AND RESTRICTIONS IN CERTAIN PLACES

200.6.3 Establishment of parking districts; map

For purposes of these regulations, ~~there are hereby established three parking districts, the~~ **Select Board may from time to time establish parking districts, which shall show each designated parking district** ~~are shown~~ on a map entitled "Nantucket Parking Districts Map," **with the date adopted** ~~dated May 21, 2014~~, as amended, attached hereto and on file in the office of the Town Clerk. The Nantucket Parking Districts Map, together with all explanatory matter thereon, is hereby made a part of these regulations as Appendix L. ~~The three parking districts shown on the map include a Resident Parking Permit District, a Core Parking District and a Commercial Parking District.~~

#### 200.6.3.1 Amendments to map

- A. Authority. The Select Board has the authority to amend the Parking Districts Map by its own initiative or after having been presented with a petition including 51% of the owners of property located on the street or streets seeking to be added to or deleted from a parking district. **Parking Districts shall be contiguous and be of a minimum size of at least 10,000 square feet.**
- B. Public Hearing. In order to adopt such an amendment to the map, the Select Board shall hold a public hearing after having published a notice of the hearing in the newspaper of general circulation in the Town at least 21 days in advance of the hearing, ~~and, after having notified, by certified mail, all record owners of property abutting the named street or streets by advising said abutters as to the time, date, place and subject of the public hearing.~~
- C. Required findings. In order to adopt an amendment to the Parking Districts Map, the Select Board shall make the following findings as part of its decision:
- ~~(1) That the street is directly connected to a street which is already part of a district.~~
  - (2) (1) That, in the case of creation of or additions to the any parking district Resident Parking Permit District, the street(s) in question are is used regularly for parking by a significant numbers of persons who do not live in the immediate neighborhood, which causes a parking hardship for those living on the street during the summer. , and;**
  - (3) (2) That The adoption of the amendment will further the purposes of the goals established by the Select Board as they relate to parking and the control of traffic and transportation.**

- D. Notice to residents affected. In amendments involving changes to ~~a the Resident Parking Permit District~~, at least 15 days prior to becoming effective, ~~notice shall be sent to each owner of property abutting the street or streets so affected,~~ **notice shall be given to each owner of property abutting the street or streets so affected by publication in the newspaper of record**, stating the occupants of that household are required to obtain a permit for each vehicle parking in excess of the posted time limit in the designated district and notifying the resident of the date that parking restrictions will become effective.

**CHANGE #5 THIS CHANGES THE WAY PARKING PERMITS FOR GUESTS OF GUEST HOUSES AND HOTELS ARE HANDLED.** This change will make guests of guest houses or hotels located in the downtown area eligible for Temporary Residential Parking Permits issued under Section 200.16.1.6 rather than the current practice of selling a placard(s) to the guest house or hotel. The current regulation limits the number of permits for each eligible establishment based on off-street parking availability at the establishment. This will allow the Town to collect data on the use of these permits and have contact information for vehicles issued such permits. This change is accomplished by deleting Section 200.16.1.6 (Guest House and Hotel Parking Permits) and modifying Section 200.16.1.7 (Temporary Residential Parking Permit).

200.16 PARKING PERMITS

200.16.1 No Changes

200.16.1.1 No Changes

200.16.1.2 No Changes

200.16.1.3 No Changes

200.16.1.4 No Changes

200.16.1.5 No Changes

~~200.16.1.6 Guest House and Hotel Parking Permit: Licensed guesthouses and hotels located in the Core District or Residential Parking District may be issued, upon application by the owner or their agent and the payment of a fee of \$100 per permit, a fixed number of reusable, transferable Parking permit placards. Permit placards shall be issued at the rate of one placard for each three (3) guest rooms, less the number of off-street Parking spaces owned or leased by the guesthouse or hotel. Each placard~~

shall be numbered and shall bear the name of the establishment. Placards shall be displayed on the dashboard of the guest Vehicle above the speedometer while it is parked in the Residential Parking Permit District. Permit placards issued to the guesthouses and hotels shall only be considered valid when properly displayed in a Vehicle owned or rented by a guest of the establishment and shall not be deemed valid when improperly displayed or displayed in Vehicles of employees or others not temporarily residing in the guesthouse or hotel. Replacement of lost or stolen guesthouse or hotel placards shall be granted upon payment of a replacement fee of \$10 per placard and upon the reporting of the number of the placard so lost or stolen. [Fee established by the Board of Selectmen on January 21, 2009, effective February 13, 2009]

200.16.1.7 **6** Temporary Licensed Contractor Parking Permit: Licensed Contractors who are engaged in work within the Core District or the Residential Parking District and require the use of their Vehicle to perform said work may be issued a temporary parking permit by the Town; provided that a fee of \$10 per day has been paid to the Town. [Fee established by the Select Board on October 22, 2014, effective October 30, 2014]

200.16.1.8 **7** Temporary Residential Parking Permit: Operators of rented Vehicles who own or rent dwellings which front on streets included in the Residential Parking District or the Core District, and owners of vehicles who rent or hold a short term lease for dwellings which front on streets included in the Residential Parking District, and guests of Licensed Guest Houses and Hotels located in the Core District or a Residential Parking District may be issued a Temporary Residential Parking Permit for a period of time indicated on the Permit; provided that a fee of \$10 per day has been paid to the Town; the applicant shows satisfactory proof that they own or rent and reside in a dwelling which fronts on a Public Way in one of the districts during the period between June 1 and September 30 of the year for which they are seeking a temporary permit by using a tax bill, an executed lease 90 day or less short-term, or other acceptable documentation as proof; and a valid vehicle rental/lease agreement or a valid registration card for the Vehicle to be permitted is shown. [Fee established by the Select Board on October 22, 2014, effective October 30, 2014]

200.16.1.9 **8** Long Term Parking Permit: Owners of vehicles ~~that~~ who desire to park a vehicle for longer than 7 days, may make application providing such information as the Town requires, for a permit to allow for the long-term parking of a vehicle within a Municipal Parking Lot where such long-term parking is permitted. The fee for this permit shall be \$10.00 per day commencing upon the eighth day that the vehicle is permitted to park, (no charge for days 1 thru 7). A long-term parking permit shall not be valid beyond 30 days.

200.16.1.10 ~~9~~ Courtesy Vehicle Permit: Where Stopping, Standing or Parking is not otherwise prohibited, permits may be, upon application, issued or reinstated to owners or operators of Courtesy Vehicles subject to the following:

- Vehicle must be properly commercially registered and inspected in Massachusetts;
- Vehicle must be well maintained and in good condition;
- Vehicle must be clean inside and outside and be well-painted;
- Vehicle must have all wheels covered with hubcaps;

The annual fee, (January 1 through December 31) for a Courtesy Vehicle Permit shall be \$100.00. Permits so issued shall be displayed pursuant to Section 200.16.2.2. If the permit is lost or suspended pursuant to Section 200.16.6, a replacement/reinstatement fee of \$50.00 shall apply. [Fee established by the Select Board on February 17, 2016]

200.16.1.11 ~~10~~ Live-Aboard Parking Permit: Owners of Vehicles who live full-time aboard a vessel moored on a Town licensed mooring shall be eligible for up to three “Live-Aboard” Parking Permits under this section. Provided that: a fee of \$50 for the first vehicle, \$100 for the second vehicle and \$200 for the third vehicle has been paid to the Town; the applicant shows satisfactory proof that he or she lives full-time on a vessel moored within the Nantucket Harbor anchorage for a minimum of ten consecutive weeks and that the vessel is properly documented by the U.S. Coast Guard or properly registered by the Commonwealth of Massachusetts and tied to a permitted mooring during the period between June 1 and September 30 of the year for which they are seeking a permit and, that a valid motor vehicle registration is shown for each vehicle. The Signature of the Harbor Master is required to verify proof of full-time live-aboard status. Said permit is valid only for the Municipal Parking Lot at 37 Washington Street [Fee established by the Select Board on June 22, 2016, effective June 22, 2016]

**DRAFT MOTIONS AS OF 022120**

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF NANTUCKET  
2020 ANNUAL TOWN MEETING**

**INSERT PHOTO**

**Saturday, April 4, 2020 - 9:00 AM  
Nantucket High School  
Mary P. Walker Auditorium**

**Town of Nantucket  
16 Broad Street  
Nantucket, MA 02554  
(508) 228-7255  
[www.nantucket-ma.gov](http://www.nantucket-ma.gov)**

**SELECT BOARD**

**Dawn E. Hill Holdgate, Chair  
Rita Higgins, Vice Chair  
Jason M. Bridges  
Matthew G. Fee  
Kristie Ferrantella**

**FINANCE COMMITTEE**

**Denice Kronau, Chair  
Stephen Maury, Vice Chair  
Christopher Glowacki  
Joseph T. Grause, Jr.  
George Harrington  
Peter A. McEachern  
Joanna Roche  
Peter N. Schaeffer  
Jill Vieth**

**PLANNING BOARD**

**Judith Wegner, Chair  
John F. Trudel III, Vice Chair  
David Iverson  
Nathaniel Lowell  
Frederick "Fritz" McClure**

**MODERATOR**

**Sarah F. Alger**

## AMERICANS WITH DISABILITIES ACT NOTICE

The Town of Nantucket advises applicants, participants and the public that it does not discriminate on the basis of disability in, admission to, access to, treatment or employment in its programs, services and activities. The Town of Nantucket will provide auxiliary aids and services to access programs upon request. Inquiries, requests and complaints should be directed to the Town Manager, 16 Broad Street, Nantucket, MA 02554, (508) 228-7255.

**IF YOU NEED A LARGE PRINT  
VERSION OF THIS DOCUMENT,  
PLEASE CONTACT THE  
TOWN MANAGER'S OFFICE AT  
(508) 228-7255**

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2020 ANNUAL TOWN MEETING**

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**TOWN OF NANTUCKET  
2020 ANNUAL TOWN MEETING**

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**NOTES:**

1. **PETITION ARTICLES HAVE BEEN PRINTED AS SUBMITTED BY THE PETITIONERS AND MAY CONTAIN TYPOGRAPHICAL AND OTHER ERRORS**
2. **UNLESS OTHERWISE NOTED UNDER THE FINANCE COMMITTEE MOTION, ALL VOTES NEEDED FOR PASSAGE OF ARTICLES IS A SIMPLE MAJORITY.**

**DRAFT**

**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)*

**FINANCE COMMITTEE MOTION:** Moved that the reports of various departments and committees as are printed in the Fiscal Year 2019 Annual Town Report or as may come before this meeting be accepted and filed with the permanent records of the Town.

**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)*

**FINANCE COMMITTEE MOTION:** Moved that the revolving funds listed below be hereby authorized to continue during Fiscal Year 2021 as follows:

<i>FUND</i>	<i>REVENUE SOURCE</i>	<i>AUTHORITY TO SPEND</i>	<i>USE OF FUND</i>	<i>SPENDING LIMIT</i>
Beach Improvement	Beach Permit Sticker sales	Town Manager with approval of Select Board	In accordance with c. 56 § 7A of Town Code, including endangered species monitor program; beach patrols/monitors; beach use education/information	\$350,000

<i>FUND</i>	<i>REVENUE SOURCE</i>	<i>AUTHORITY TO SPEND</i>	<i>USE OF FUND</i>	<i>SPENDING LIMIT</i>
Community Recreation Programming	Sports programs fees	Town Manager	Operation and maintenance of town owned recreational facilities, Town-owned athletic fields, courts and parks for recreational, organized sports, sports camps and playing field activities.	\$100,000
Tennis Court	Tennis Fees	Town Manager	Operation and maintenance of tennis court facility	\$ 1
Conservation Fund	Conservation Commission application fees	Town Manager with approval of Conservation Commission	Consulting services in connection with professional review of applications	\$35,000
Septic System Inspections	Septic system application fees	Town Manager with approval of Board of Health	Contractor services in connection with septic system inspections; costs associated septic system inspection related training and portion of salaries for staff in connection with septic system duties and responsibilities, together with the proportionate costs of fringe benefits associated with the salaries so paid	\$85,000
Seasonal Food Service Inspections	Food service permit fees	Town Manager with approval of Board of Health	Seasonal food service inspections; costs associated with seasonal food service inspection training and public awareness materials. Salaries for staff in connection with food service inspections.	\$78,000
Lifeguard Housing	Rental payments	Town Manager with approval of Select Board	Defrayment of maintenance/upkeep of lifeguard housing facilities	\$67,500
Road Repairs	Road opening fees, funds received for Town roadway projects	Town Manager with approval of Select Board	Repairs to Town roads as needed due to road openings	\$100,000
Public Works Housing	Rental payments	Town Manager with approval of Select Board	Defrayment of maintenance/upkeep of public works housing facilities	\$75,000
Low Beach Housing	Rental payments	Town Manager with approval of Select Board	Defrayment of maintenance/upkeep of Low Beach housing facilities	\$67,500
Solar Rebate Program*	Operational Adder from the energy aggregation program	Town Manager with approval of Select Board	Rebates for residential solar programs	\$100,000
Airport Aviation Fuel	Fees and receipts received in connection with sale of aviation fuel	Airport Commission	Purchase of aviation fuel and maintenance of the Airport fuel tank farm	\$5,200,000

*\*Subject to a proposed bylaw amendment under Article 71*

**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)*

**FINANCE COMMITTEE MOTION: Moved that Five Hundred Thousand Dollars (\$500,000) be raised and appropriated from the Fiscal Year 2021 tax levy and other general revenues of the Town to establish a reserve fund for Fiscal Year 2021 pursuant to Chapter 40, section 6 of the General Laws.**

**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:

*Schedule A -- Miscellaneous Compensation Schedule*

Abatement Advisory Committee (yearly per member)	\$600.00
Americans with Disabilities Act Facilitator (hourly)	15.00
Building, Plumbing, Wiring Inspector, Assistants (hourly)	Up to \$75.00
Certified Nurse's Aide/Our Island Home (Per Diem - hourly)	<del>20.00</del> 22.00
Dietician/Our Island Home (hourly)	41.00
Dispatcher (Per Diem - hourly)	30.00
Election Warden (hourly)	20.00
Election Worker (hourly)	15.00
Exercise Instructors/Senior Center (hourly)	Up to \$40.00
EMT, Call (hourly)	<del>15.00</del> 20.00
Fire Captain, Call (yearly)	150.00
Fire Fighter, Call (hourly)	<del>15.00</del> 20.00
Fire Lieutenant, Call (yearly)	125.00
Fire Chief, Second Deputy (yearly)	5,000.00
Fire Chief, Third Deputy (yearly)	5,000.00
Licensed Practical Nurse/Our Island Home (Per Diem - hourly)	<del>26.00</del> 28.00

Our Island Home Ancillary (Per Diem - hourly)	20.00
Paramedic, Certified (Per Diem - hourly)	30.00
Registered Nurse/Our Island Home (Per Diem - hourly)	<del>37.00</del> 38.00
Registrar of Voters (yearly)	600.00
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 of pay
Veterans' Agent (hourly)	16.00

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

Compensation Level	Start	Second Season	Third Season	Fourth Season
A-Hourly*	<del>\$15.50</del> \$16.00	<del>\$16.50</del> \$17.00	<del>\$17.50</del> \$18.00	<del>\$19.00</del> \$19.50
B-Hourly*	<del>\$16.50</del> \$17.00	<del>\$17.50</del> \$18.00	<del>\$18.50</del> \$19.00	<del>19.50</del> \$20.00
C-Hourly*	<del>\$17.50</del> \$18.00	<del>\$18.50</del> \$19.00	<del>\$19.50</del> \$20.00	<del>\$20.50</del> \$21.00
D-Hourly*	<del>\$19.50</del> \$20.00	<del>\$20.00</del> \$20.50	<del>\$20.50</del> \$21.00	<del>\$21.00</del> \$21.50

\*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
Select Member, Chair	\$5,000/per year
Select Members	\$3,500/per year
Town Clerk	<del>\$103,649</del> \$105,722

\*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)

**FINANCE COMMITTEE MOTION:** Moved that the following schedules be adopted:

***Schedule A – Miscellaneous Compensation Schedule***

Abatement Advisory Committee (yearly per member)	\$600.00
Americans with Disabilities Act Facilitator (hourly)	15.00
Building, Plumbing, Wiring Inspector, Assistants (hourly)	Up to \$75.00
Certified Nurse’s Aide/Our Island Home (Per Diem - hourly)	22.00
Dietician/Our Island Home (hourly)	41.00
Dispatcher (Per Diem - hourly)	30.00
Election Warden (hourly)	20.00
Election Worker (hourly)	15.00
Exercise Instructors/Senior Center (hourly)	Up to \$40.00
EMT, Call (hourly)	20.00
Fire Captain, Call (yearly)	150.00
Fire Fighter, Call (hourly)	20.00
Fire Lieutenant, Call (yearly)	125.00
Fire Chief, Second Deputy (yearly)	5,000.00
Fire Chief, Third Deputy (yearly)	5,000.00
Licensed Practical Nurse/Our Island Home (Per Diem - hourly)	28.00
Our Island Home Ancillary (Per Diem - hourly)	20.00
Paramedic, Certified (Per Diem - hourly)	30.00
Registered Nurse/Our Island Home (Per Diem - hourly)	38.00
Registrar of Voters (yearly)	600.00
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 of pay
Veterans' Agent (hourly)	16.00

***Schedule B - Seasonal Employee Compensation Schedule***

*(Spring, Summer, Fall, Winter/Effective April 1, 2020 - April 1, 2021)*

Compensation Level	Start	Second Season	Third Season	Fourth Season
A-Hourly*	\$16.00	\$17.00	\$18.00	\$19.50
B-Hourly*	\$17.00	\$18.00	\$19.00	\$20.00
C-Hourly*	\$18.00	\$19.00	\$20.00	\$21.00
D-Hourly*	\$20.00	\$20.50	\$21.00	\$21.50

**\*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\****

<b>Moderator</b>	<b>\$175 per year</b>
<b>Selectman, Chair</b>	<b>\$5,000/per year</b>
<b>Selectmen</b>	<b>\$3,500/per year</b>
<b>Town Clerk</b>	<b>\$105,722</b>

**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)*

**FINANCE COMMITTEE MOTION: Moved that Six Hundred Fifty Thousand Dollars (\$650,000) be raised and appropriated from the Fiscal Year 2021 tax levy and other general revenues of the Town for the Town Manager to expend to fund grants for the following health and human services, private not-for-profit agencies to provide for the health, safety and welfare of the inhabitants of the Town of Nantucket, provided that the Town Manager with the approval of the Board of Selectmen, execute grant agreements with the respective agencies for Fiscal Year 2021, which contracts shall stipulate mutually agreed upon terms and conditions:**

<i>AGENCY</i>	<i>AMOUNT</i>
A Safe Place	\$55,000.00
Alliance for Substance Abuse Prevention (ASAP)	\$44,200.00
Elder Services of Cape Cod & Islands	\$20,000.00
Health Imperatives	\$75,000.00
Fairwinds	\$116,397.87
Martha's Vineyard Community Services	\$18,000.00
South Coastal Legal Services	\$4,500.00
Interfaith Council (Rental, Fuel & Food Pantry)	\$70,000.00
Nantucket Cottage Hospital	\$211,123.33
Small Friends	\$15,000.00
Artists Association	\$18,200.00
Cape Mediation	\$2,578.80
<b>TOTAL</b>	<b>\$650,000.00</b>

**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)*

**FINANCE COMMITTEE MOTION:** Moved that the following amounts be appropriated for the following capital outlay expenditures, with all such expenditures to be made by the Town Manager with the approval of the Select Board; except the School expenditures to be made by the School Superintendent with the approval of the School Committee; and further that the Town Manager with the approval of the Select Board or School Superintendent with the approval of the School Committee as the case may be, is authorized to sell, convey, trade-in or otherwise dispose of equipment being replaced as follows:

<i>DEPARTMENT</i>	<i>ITEM</i>	<i>FUNDING SOURCE(S)</i>	<i>AMOUNT</i>
<i>Public Works/Facilities</i>	Costs associated with municipal facility roof, siding and window repairs and replacements	Transfer \$150,000 from Free Cash into the treasury of the Town	<i>\$150,000</i>
<i>Public Works/Facilities</i>	Costs associated with Americans with Disabilities Act (ADA) accessibility upgrades	Transfer \$50,000 from Free Cash into the treasury of the Town	<i>\$50,000</i>
<i>Public</i>	Costs associated with	Transfer \$150,000 from Free Cash into the	<i>\$150,000</i>

<i>Works/Facilities</i>	municipal facility utility system repairs and improvements	treasury of the Town	
<i>Public Works/Facilities</i>	Costs associated with municipal facility bathroom repairs and improvements	Transfer \$250,000 from Free Cash into the treasury of the Town	<i>\$250,000</i>
<i>Public Works/Facilities</i>	Costs associated with municipal building general renovations	Transfer \$150,000 from Free Cash into the treasury of the Town	<i>\$150,000</i>
<i>Public Works/Facilities</i>	Costs associated with municipal facility lighting repairs and improvements	Transfer \$50,000 from Free Cash into the treasury of the Town	<i>\$50,000</i>
<i>Public Works/Facilities</i>	Costs associated with municipal facility equipment replacement	Transfer \$100,000 from Free Cash into the treasury of the Town	<i>\$100,000</i>
<i>Public Works/Facilities</i>	Costs associated with municipal facility site paving improvements	Transfer \$250,000 from Free Cash into the treasury of the Town	<i>\$250,000</i>
<i>Public Works/Facilities</i>	Costs associated with development of Town-wide facilities master plan	Transfer \$346,000 from Article 10 of 2015 Annual Town Meeting (New Municipal Office Building Design)	<i>\$346,000</i>
<i>Public Works</i>	Costs associated with CCTV phased stormwater system evaluation	Raise and appropriate \$266,552 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$266,552</i>
<i>Public Works</i>	Purchase of replacement six-wheel dump truck and accessories	Raise and appropriate \$180,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$180,000</i>
<i>Public Works</i>	Purchase of replacement Ford F-350 and accessories	Raise and appropriate \$60,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$60,000</i>
<i>Public Works</i>	Purchase of replacement street sweeper and accessories	Raise and appropriate \$250,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$250,000</i>
<i>Public Works</i>	Purchase of replacements for two Ford Rangers and	Raise and appropriate \$90,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the	<i>\$90,000</i>

	accessories	appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	
<i>Public Works/ Transportation</i>	Costs associated with phased sidewalk improvement program	Authorize the Treasurer, with the approval of the Select Board, to borrow \$1,030,000 under and pursuant to G.L. c. 44, sec. 7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor, Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	<i>\$1,030,000</i>
<i>Public Works/ Transportation</i>	Costs associated with Island-wide road improvements and maintenance	Transfer \$1,000,000 from Free Cash into the treasury of the Town	<i>\$1,000,000</i>
<i>Public Works/ Transportation</i>	Costs associated with the maintenance and repair of Island-wide multi-use paths	Transfer \$250,000 from Free Cash into the treasury of the Town	<i>\$250,000</i>
<i>Public Works/ Transportation</i>	Costs associated with cobblestone street improvements and maintenance	Transfer \$250,000 from Free Cash into the treasury of the Town	<i>\$250,000</i>
<i>Public Works/ Transportation</i>	Costs associated with professional services, including engineering, design, permitting, and construction for repairs to the 'Sconset Footbridge	Transfer \$100,000 from Free Cash into the treasury of the Town	<i>\$100,000</i>
<i>Public Works/ Transportation</i>	Costs associated with installation of permanent traffic data collection stations	Transfer \$116,000 from Free Cash into the treasury of the Town	<i>\$116,000</i>
<i>School</i>	Costs associated with the campus-wide improvement plan	Transfer \$750,000 from Free Cash into the treasury of the Town	<i>\$750,000</i>
<i>School</i>	Costs associated with the replacement and/or repair of technology infrastructure and related equipment	Transfer \$150,000 from Free Cash into the treasury of the Town	<i>\$150,000</i>
<i>School</i>	Costs associated with the replacement of the boiler at the High School	Transfer \$300,000 from Free Cash into the treasury of the Town	<i>\$300,000</i>
<i>School</i>	Costs associated with campus-wide building improvements	Transfer \$300,000 from Free Cash into the treasury of the Town	<i>\$300,000</i>

<i>School</i>	Costs associated with replacement of Bobcat	Raise and appropriate \$65,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$65,000</i>
<i>Fire</i>	Costs associated with the purchase of Advanced Life Support program equipment	Transfer \$100,000 from the Ambulance Reserve Fund	<i>\$100,000</i>
<i>Fire</i>	Purchase of replacement self-contained breathing apparatus air packs (SCBAs)	Raise and appropriate \$101,160 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$101,160</i>
<i>Information Systems</i>	Costs associated with replacement and/or repair of network infrastructure and related equipment	Transfer \$100,000 from Free Cash into the treasury of the Town	<i>\$100,000</i>
<i>Information Systems</i>	Costs associated with server virtualization and related equipment	Transfer \$75,000 from Free Cash into the treasury of the Town	<i>\$75,000</i>
<i>Information Systems</i>	Costs associated with replacement of Town computers and printers	Transfer \$62,800 from Free Cash into the treasury of the Town	<i>\$62,800</i>
<i>Police</i>	Costs associated with repairs and improvements at Loran barracks housing, including sewer connection	Transfer \$500,000 from Free Cash into the treasury of the Town	<i>\$500,000</i>
<i>Police/Marine</i>	Costs associated with purchase of second pump-out boat	Raise and appropriate \$150,000 from Fiscal Year 2021 tax levy and other general revenues of the Town; provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with G.L. c. 59, sec. 21C(m)	<i>\$150,000</i>
<i>Town Administration</i>	Costs associated with island-wide underground wiring feasibility study	Transfer \$500,000 from Free Cash into the treasury of the Town	<i>\$500,000</i>
<i>Town Administration</i>	Costs associated with Town-wide municipal building and facility security measures	Transfer \$100,000 from Free Cash into the treasury of the Town	<i>\$100,000</i>
<i>Town Administration</i>	Costs associated with Town-wide municipal document management	Transfer \$250,000 from Free Cash into the treasury of the Town	<i>\$250,000</i>
<b>TOTAL</b>			<b><i>\$8,592,512</i></b>

And, to meet this appropriation that Five Million Nine Hundred Fifty-three Thousand Eight Hundred Dollars (\$5,953,800) be transferred from Free Cash in the Treasury of the Town so specified; that Three Hundred Forty-six Thousand Dollars (\$346,000) be transferred from Article 10 of the 2015 Annual Town Meeting; that One Hundred Thousand Dollars (\$100,000) be transferred from the Ambulance Reserve Fund; that One Million One Hundred Sixty-two Thousand Seven Hundred Twelve Dollars (\$1,162,712) be raised and appropriated from the FY 2021 tax levy, provided that the appropriation shall be contingent on the passage of a Proposition 2½ capital outlay exclusion by the voters of the Town in accordance with General Laws Ch. 59, sec. 21C(m); and that the Treasurer, with the approval of the Select Board be authorized to borrow One Million Thirty Thousand Dollars (\$1,030,000) under and pursuant to General Laws Ch. 44, sec. 7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor.

All of these sources totaling Eight Million Five Hundred Ninety-two Thousand Five Hundred Twelve Dollars (\$8,592,512).

#### 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)*

**FINANCE COMMITTEE MOTION:** Moved to appropriate the sum of One Million One Hundred Fifty-four Thousand One Hundred Five Dollars (\$1,154,105) 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; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow the sum of One Million One Hundred Fifty-four Thousand One Hundred Five Dollars (\$1,154,105) pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

*Quantum of vote required for passage of the motion is 2/3*

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved to appropriate the sum of Three Million Two Hundred Seventy-two Thousand Eight Hundred Ninety-two Dollars (\$3,272,892) 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; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow the sum of Three Million Two Hundred Seventy-two Thousand Eight Hundred Ninety-two Dollars (\$3,272,892) pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

*Quantum of vote required for passage of the motion is 2/3*

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved to appropriate the sum of Three Million Seven Hundred Twenty-one Thousand Two Hundred Dollars (\$3,721,200) 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; that to meet this appropriation, the Treasurer with the approval of the Select Board is hereby authorized to borrow the sum of Three Million Seven Hundred Twenty-one Thousand Two Hundred Dollars (\$3,721,200) pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

*Quantum of vote required for passage of the motion is 2/3*

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved to appropriate the sum of Three Million Three Hundred Thousand Dollars (\$3,300,000) 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; that to meet this appropriation, the Treasurer with the approval of the Select Board, is hereby authorized to borrow the sum of Three Million Three Hundred Thousand Dollars (\$3,300,000) pursuant to General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue bonds and notes of the Town therefor; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion

vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

*Quantum of vote required for passage of the motion is 2/3*

**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)*

**FINANCE COMMITTEE MOTION:** Moved that the following capital expenditures be appropriated for the Enterprise Fund departments with the Airport appropriations to be expended through the Airport Commission; the Sewer Enterprise, Solid Waste Enterprise and Our Island Home Enterprise Fund appropriations to be expended by the Town Manager with the approval of the Select Board /Board of Public Works/Sewer Commissioners; the Siasconset Water appropriation to be expended through the Siasconset Water Commission; and the Wannacommet Water appropriations to be expended through the Nantucket Water Commission:

DEPARTMENT	ITEM	FUNDING SOURCE(S)	AMOUNT
Solid Waste	Costs associated with Materials Recovery Facility improvements and repairs	Raise and appropriate \$468,000 from the Fiscal Year 2021 Tax Levy and other general revenues of the Town.	\$468,000

Solid Waste	Costs associated with Materials Recovery Facility new sorting station and conveyors	Raise and appropriate \$565,750 from the Fiscal Year 2021 Tax Levy and other general revenues of the town; and transfer \$24,250 from Free Cash into the treasury of the Town.	\$590,000
<i>Subtotal of Solid Waste Enterprise Fund</i>			<i>\$1,058,000</i>
Airport	Supplemental funding to Article 20 of the 2018 Annual Town Meeting for costs associated with security system upgrades	Authorize the Treasurer, with the approval of the Select Board to borrow \$4,030,250 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$4,030,250
Airport	Costs associated with Airport maintenance and equipment	Authorize the Treasurer, with the approval of the Select Board to borrow \$188,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$188,000

Airport	Costs associated with the direct digital control system for terminal geothermal	Authorize the Treasurer, with the approval of the Select Board to borrow \$206,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$206,000
Airport	Supplemental funding to Article 20 of the 2019 Annual Town Meeting for costs associated with rehabilitation of the Airport fuel tank farm	Authorize the Treasurer, with the approval of the Select Board to borrow \$500,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and transfer \$558,000 from Certified Retained Earnings in the Airport Enterprise Fund.	\$1,058,600
Airport	Costs associated with groundwater soil investigation	Transfer \$250,000 from Certified Retained Earnings in the Airport Enterprise Fund.	\$250,000

Airport	Costs associated with the replacement of equipment for general Airport operations and Airport Rescue and Firefighting operations	Authorize the Treasurer, with the approval of the Select Board to borrow \$250,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L.c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$250,000
<i>Subtotal of Airport Enterprise Fund</i>			<i>\$5,982,850</i>
Wannacomet Water	Costs associated with water main replacement(s)	Authorize the Treasurer, with the approval of the Select Board to borrow \$1,104,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Wannacomet Water Enterprise Fund revenues, state or federal grants, and other available funds of the Wannacomet Water Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$1,104,000
<i>Subtotal of Wannacomet Water Enterprise Fund</i>			<i>\$1,104,000</i>

Sewer	Costs associated with 108-120 Baxter Road sewer design and construction	Authorize the Treasurer, with the approval of the Select Board to borrow \$2,000,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$2,000,000
Sewer	Costs associated with Airport Road pump station upgrades	Authorize the Treasurer, with the approval of the Select Board to borrow \$1,000,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L.c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$1,000,000
Sewer	Costs associated with the Aurora Way pump station upgrades	Transfer \$55,000 from Certified Retained Earnings in the Sewer Enterprise Fund	\$55,000
Sewer	Costs associated with sewer design and construction in Siasconset	Transfer \$350,000 from Certified Retained Earnings in the Sewer Enterprise Fund	\$350,000

Commented [LG2]: Should we indicate that this is intended to be repaid – ultimately – thru betterments per the Agreement with those property owners? John? Does the Agreement include sewer?

Sewer	Costs associated with South Shore Road sewer design and construction	Authorize the Treasurer, with the approval of the Select Board to borrow \$1,500,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$1,500,000
Sewer	Costs associated with South Valley pump station upgrades	Authorize the Treasurer, with the approval of the Select Board to borrow \$846,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.	\$846,000

Sewer	Costs associated with Surfside area sewer improvements	<p>Authorize the Treasurer, with the approval of the Select Board to borrow \$2,000,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority for such purpose, including without limitation all costs thereof as defined in G.L. c. 29C, section 1 and to issue bonds and notes of the Town therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Select Board is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.</p>	\$2,000,000
Sewer	Costs associated with Surfside Wastewater Treatment Facility membrane upgrades	<p>Authorize the Treasurer, with the approval of the Select Board to borrow \$4,000,000 pursuant to G.L. c. 44, section 7 or 8 or any other enabling authority and to issue bonds and notes therefor, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Sewer Enterprise Fund revenues, state or federal grants, and other available funds of the Sewer Enterprise Fund. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.</p>	\$4,000,000
Sewer	Costs associated with upgrading Surfside	<p>Transfer \$125,000 from Certified Retained Earnings in the Sewer Enterprise Fund.</p>	\$125,000

	Wastewater Treatment Facility laboratory		
		<i>Subtotal of Sewer Enterprise Fund</i>	<i>\$11,876,000</i>
<b>Total of all Enterprise Funds</b>			<b>\$20,020,850</b>

*Quantum of vote required for passage of the motion is 2/3*

**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 91 section 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)*

**FINANCE COMMITTEE MOTION: Moved that Three Hundred Sixty-seven Thousand Dollars (\$367,000) be appropriated from the Waterways Improvement Fund for the purpose of (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.**

**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)*

**FINANCE COMMITTEE MOTION:** Moved that Seven Hundred Eighteen Thousand Dollars (\$718,000) be appropriated from the Ambulance Reserve Fund for the purpose of purchasing 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 Chief, subject to the approval of the Town Manager.

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved that Two Hundred Twenty-Five Thousand Dollars (\$225,000) be appropriated from the Ferry Embarkation Fee Fund for the purposes of public safety protection, emergency services, and any other purpose allowed by applicable law.

#### **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)*

**FINANCE COMMITTEE MOTION: Moved that One Hundred Seventy Thousand Two Hundred One Dollars (\$170,201) be raised and appropriated from the Fiscal Year 2021 tax levy and other general revenues of the Town to fund the Fiscal Year 2021 county assessment.**

**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.

*(Select Board/County Commissioners)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

**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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

**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)*

**FINANCE COMMITTEE MOTION: Moved that Five Hundred Thousand Dollars (\$500,000) be appropriated from the Fiscal Year 2021 tax levy and other general revenues of the Town to be deposited by the Treasurer into the Other Post-Employment Benefits Trust Fund.**

**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)*

**FINANCE COMMITTEE MOTION: Moved that Twenty-five Thousand Dollars (\$25,000) be transferred from the Overlay Surplus Account 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.**

**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)*

**FINANCE COMMITTEE MOTION: Moved that One Hundred Thousand Dollars (\$100,000) be transferred from Certified Retained Earnings of the Airport to be deposited into the Special Purpose Stabilization Fund for Airport Employee Accrued Liabilities.**

**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)*

**FINANCE COMMITTEE MOTION: Moved that Five Hundred Thousand Dollars (\$500,000) be transferred from Certified Free Cash in the Treasury of the Town to the Special Purpose Stabilization Fund for Town Employee Accrued Liabilities.**

#### **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)*

**FINANCE COMMITTEE MOTION: Moved that the Town's acceptance of G.L. c. 40, Section 5B previously adopted pursuant to Article 30 of the 2018 Annual Town Meeting, is hereby amended 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”.

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved that One Hundred Fifty Thousand Dollars (\$150,000) be transferred from Certified Free Cash in the Treasury of the Town 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.

### 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)*

**FINANCE COMMITTEE MOTION:** Moved that the Nantucket Islands Land Bank Commission be hereby authorized to pledge the full faith and credit of the Town of Nantucket pursuant to section 4 and 4B of Chapter 669 of the Acts of 1983, as amended, to secure the principal and interest on not to exceed \$25,000,000 bonds or notes to be issued by the Nantucket Islands Land Bank to (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, (b) to refund all or a portion of the outstanding amounts of any prior Land Bank borrowings, and (c) to fund any debt service reserve or reserves that may be required in connection with such financing; provided however that, such pledge shall not issue unless or until a memorandum of understanding is executed by and between the Select Board of the Town of Nantucket and Land Bank Commission regarding such terms and conditions that will memorialize

the intent that the principal and interest obligations be paid in the first instance from Land Bank revenues, that will operate towards minimizing the likelihood that a certification pursuant to Section 4C of the Land Bank Act would be issued to the Town of Nantucket, that will provide for the eventual reimbursement of the Town should the Town be required to pay any amounts pursuant to the pledge, that will further implement Section 4C of the Act as agreed by the Select Board and the Land Bank Commission, together with such other terms as the Select Board and the Land Bank Commission shall determine; and, provided further that the amount of such bonds or notes of the Land Bank guaranteed by the Town pursuant to this vote shall be in addition to amounts of Land Bank indebtedness that the Town has previously agreed to guarantee.

**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.

FROM	TO	AMOUNT
Article 26 ATM 2011 Town of Nantucket Nobadeer Field Complex	Fiscal year 2020 Community Preservation Committee Community Open Space reserved fund balance	\$436.95
Article 26 ATM 2011 Town of Nantucket Skate Park	Fiscal year 2020 Community Preservation Committee Community Open Space reserved fund balance	\$539.98
Article 28 ATM 2012 Town of Nantucket Nobadeer field complex	Fiscal year 2020 Community Preservation Committee Community Open Space Reserved Fund balance	\$519.27
Article 30 ATM 2017 Town of Nantucket Nobadeer field complex	Fiscal year 2020 Community Preservation Committee Community Open Space Reserved Fund balance	\$199.22
<b>Total Transfers to Community Open Space Reserved Fund Balance</b>		<b>\$1,695.42</b>
Article ATM 2017 South Church Preservation Fund	Fiscal Year 2020 Community Preservation Committee Community Historic Preservation reserved fund balance	\$38,375.36
<b>Total Transfers to Community Historic Preservation Reserved fund balance</b>		<b>\$38,375.36</b>
<b>Total transfers back to Community Preservation Reserved Fund</b>		<b>\$40,070.78</b>

Balances	
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*(Kenneth Beaugrand, et al)*

**FINANCE COMMITTEE MOTION:** Moved that the unspent remainder of projects in prior years as listed below be transferred between the various accounts as follows:

FROM	TO	AMOUNT
Article 26 ATM 2011 Town of Nantucket Nobadeer Field Complex	Fiscal year 2020 Community Preservation Committee Community Open Space reserved fund balance	\$436.95
Article 26 ATM 2011 Town of Nantucket Skate Park	Fiscal year 2020 Community Preservation Committee Community Open Space reserved fund balance	\$539.98
Article 28 ATM 2012 Town of Nantucket Nobadeer field complex	Fiscal year 2020 Community Preservation Committee Community Open Space Reserved Fund balance	\$519.27
Article 30 ATM 2017 Town of Nantucket Nobadeer field complex	Fiscal year 2020 Community Preservation Committee Community Open Space Reserved Fund balance	\$199.22
<b>Total Transfers to Community Open Space Reserved Fund Balance</b>		<b>\$1,695.42</b>
Article ATM 2017 South Church Preservation Fund	Fiscal Year 2020 Community Preservation Committee Community Historic Preservation reserved fund balance	\$38,375.36
<b>Total Transfers to Community Historic Preservation Reserved fund balance</b>		<b>\$38,375.36</b>
<b>Total transfers back to Community Preservation Reserved Fund Balances</b>		<b>\$40,070.78</b>

**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.

<b>Purpose</b>	<b>Amount</b>
<b>Historic Preservation</b>	
<b>St. Paul's Church in Nantucket</b> Restoration and preservation of the East and North walls	\$218,700
<b>Nantucket Preservation Trust</b> Historic streetscapes preservation and rehabilitation in Conjunction with the University of Florida Preservation Institute Nantucket	\$46,000
<b>Nantucket Maria Mitchell Association</b> Restoration of the exterior of the observatory on Vestal Street	\$319,000
<b>Nantucket Atheneum</b> Fourth phase, conservation of the last of the historic paintings	\$24,000
<b>First Congregational Church</b> Summer church, North, South and West façade restoration	\$384,000
<b>South Church Preservation Fund</b> Restore the exterior painting on the front and tower, including scaffolding and carpentry restoration	\$220,000
<b>Town of Nantucket, Assessors Office</b> Phase 1 of three-year project to restore the Town's assessing Records	\$121,000
<b>Nantucket Historical Association</b> Restoration of the internal integrity of the Thomas Macy warehouse, providing ADA access and including "wet floor proofing" to address potential sea level rise	\$308,400
<b>Landmark House- Nantucket Community Service Inc.</b> To restore the roof on the Landmark House and Grossman wing	\$96,000
<b>Sub-total</b>	<b>\$1,737,100</b>
<b>\$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.</b>	
<b>Community Housing</b>	
<b>Nantucket Affordable Housing Trust Fund</b> For closing cost assistance for newly developed 800% AMI home ownership units in the Richmond development	\$150,000
<b>Nantucket Interfaith Council</b> Nantucket rental assistance program, housing and rental	

assistance to low and moderate-income Nantucket working families	\$170,000
<b>Town of Nantucket</b> 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
<b>Town of Nantucket</b> 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
<b>Sub-total</b>	<b>\$782,000</b>
<b>\$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.</b>	
<b>Open Space Conservation/Recreation</b>	
<b>Town of Nantucket</b> 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 Road.	\$125,000
<b>Nantucket Platform Tennis Association</b> Lighting for the previously funded newly created pickle ball courts	\$81,000
<b>Linda Loring Foundation</b> Increasing accessibility to comply with the ADA guidelines for parking and existing trails areas	\$32,850
<b>Sustainable Nantucket Community Farm Institute, phase 4</b> Funds for extension of farm electrical system and infrastructure Upgrades other than for pump	\$81,427
<b>Sub-total</b>	<b>\$320,277</b>
<b>\$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.</b>	
<b>Administrative</b>	

<b>Community Preservation Committee</b>	
Administrative and operating expenses	\$125,000
<b>Sub-total</b>	<b>\$125,000</b>
<b>All of the funds to be used in this category are from the Community Preservation surcharge, interest and the State matching funds.</b>	
<b>TOTAL</b>	<b>\$2,964,377</b>
<b>All amounts to be appropriated from the following sources:</b>	
<b>SOURCES</b>	<b>AMOUNT</b>
Raised and appropriated from FY 2018 Community Preservation Surcharge	\$2,388,000
From State matching funds for FY 2018, to be received in 2019	\$400,000
From Interest	\$22,000
From Designated Reserves for Historic Preservation	\$18,625
From designated reserves for Open Space	\$20,000
From Undesignated Reserves	\$115,752
<b>Total Revenues</b>	<b>\$2,964,377</b>
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)*

**FINANCE COMMITTEE MOTION:** Moved that the following sums be appropriated or reserved for later appropriation from the Community Preservation Fund Fiscal Year 2021 revenues or other available funds as indicated herein, 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

Fiscal Year 2021 community preservation purposes as set forth herein, with each item considered a separate appropriation to be spent by the Community Preservation Committee, as shown below with any strikeouts indicating deletions from the Community Preservation Committee article and any highlighted text indicated additions/modifications:

Purpose	Amount
<b>Historic Preservation</b>	
St. Paul's Church in Nantucket Restoration and preservation of the east and north walls	\$218,700
Nantucket Preservation Trust Historic streetscapes preservation and rehabilitation in conjunction with the University of Florida Preservation Institute Nantucket	\$46,000
Nantucket Maria Mitchell Association Restoration of the exterior of the observatory on Vestal Street	\$319,000
Nantucket Atheneum Fourth phase, conservation of the last of the historic paintings	\$24,000
First Congregational Church Summer church, north, south and west façade restoration	\$384,000
South Church Preservation Fund Restore the exterior painting on the front and tower, including scaffolding and carpentry restoration	\$220,000
Town of Nantucket, Assessors Office Phase 1 of three-year project to restore the Town's Assessing Records	\$121,000
Nantucket Historical Association Restoration of the internal integrity of the Thomas Macy warehouse, providing ADA access and including "wet floor proofing" to address potential sea level rise	\$308,400
Landmark House- Nantucket Community Service Inc. To restore the roof on the Landmark House and Grossman wing	\$96,000
<b>Sub-total</b>	<b>\$1,737,100</b>
<b>\$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.</b>	
<b>Community Housing</b>	

Nantucket Affordable Housing Trust Fund For closing cost assistance for newly developed 80% AMI home ownership units in the Richmond development	\$150,000
Nantucket Interfaith Council Nantucket rental assistance program (housing and rental assistance to low and moderate-income Nantucket working families)	\$170,000
Town of Nantucket Funds to pay the interest and principal of the bond authorized at the 2015 Annual Town Meeting for the balance of the infrastructure at the Sachem's Path affordable housing complex	\$112,000
Town of Nantucket Funds to pay the interest and principal of the bond authorized at the 2019 Annual 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
<b>Sub-total</b>	<b>\$782,000</b>
\$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.	
<b>Open Space Conservation/Recreation</b>	
Town of Nantucket Funds to pay the interest and principal of the bond authorized at the 2012 Annual Town Meeting for the creation of an artificial turf playing field at Nobadeer Farm Road	\$125,000
Nantucket Platform Tennis Association Lighting for the previously funded newly created pickle ball courts	\$81,000
Linda Loring Foundation Increasing accessibility to comply with the ADA guidelines for parking and existing trails areas	\$32,850
Sustainable Nantucket Community Farm Institute Phase 4 funds for extension of farm electrical system and infrastructure upgrades other than for pump	\$81,427
<b>Sub-total</b>	<b>\$320,277</b>

<b>\$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.</b>	
<b>Administrative</b>	
Community Preservation Committee Administrative and operating expenses	<b>\$125,000</b>
<b>Sub-total</b>	<b>\$125,000</b>
<b>All of the funds to be used in this category are from the Community Preservation surcharge, interest and the State matching funds.</b>	
<b>TOTAL</b>	<b>\$2,964,377</b>
<b>All amounts to be appropriated from the following sources:</b>	
<b>SOURCES</b>	<b>AMOUNT</b>
Raised and appropriated from FY 2021 Community Preservation Surcharge	<b>\$2,388,000</b>
From State matching funds for FY 2020, to be received in 2021	<b>\$400,000</b>
From Interest	<b>\$22,000</b>
From Designated Reserves for Historic Preservation	<b>\$18,625</b>
From designated reserves for Open Space	<b>\$20,000</b>
From Undesignated Reserves	<b>\$115,752</b>
<b>Total Revenues</b>	<b>\$2,964,377</b>
<p>For fiscal year 2021 Community Preservation Purposes with each item considered a separate appropriation to be spent by the Community Preservation Committee.</p> <p>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.</p>	

**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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**FINANCE COMMITTEE COMMENT: At the request of Fairwinds' leadership, the Finance Committee voted not to adopt this article. The monies requested in this article were received by Fairwinds from another source. The Finance Committee fully supports the Town's financial commitment to social services on the island via the annual Health and Human Services funding allocations and notes that Fairwinds is recommended for a funding allocation in the Motion to Article 9.**

**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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**FINANCE COMMITTEE COMMENT: The Article sponsor supports the Finance Committee motion as monies requested in the Article are recommended for a funding allocation in the Motion to Article 9.**

**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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**FINANCE COMMITTEE COMMENT:** The Finance Committee appreciates Mr. Williams' suggestion of innovative technologies that potentially could address the island's solid waste needs. The Town is encouraged to explore all available options as it prepares for the end of its current waste management contract in 2025, including suggestions from the community.

However, the Finance Committee voted not to adopt this Article for several significant reasons:

- An investment of this scale (over \$13 million) is normally reviewed by Town Administration, appropriate departments, including Finance, and the Capital Program Committee before being presented at Town Meeting.
- The current waste management contract does not expire until 2025 and does not permit the Town to utilize alternate waste disposal technologies.
- It is unclear whether or not the proposed technology is compatible with current state law.

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

**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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**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:

MAP	LOT	NUMBER	STREET
66	19.1	2	Appleton Road
66	19.2	4	Appleton Road
66	477	12	Appleton Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 39 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)*

**PLANNING BOARD MOTION: Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:**

MAP	LOT	NUMBER	STREET
66	19.1	2	Appleton Road

66	19.2	4	Appleton Road
66	477	12	Appleton Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 39 RC-2 to R-5" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
67	14.9	10.5	Bartlett Road
67	666	10	Bartlett Road
67	14.8	8	Bartlett Road
67	14.1	8	Bartlett Road
67	484	6	Bartlett Road
67	665	1	Boynton Lane
67	664	3	Boynton Lane
67	117.9	8	Boynton Lane
67	117.8	6	Boynton Lane
67	117.7	4	Boynton Lane
67	117.4	2	Boynton Lane

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 40 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

MAP	LOT	NUMBER	STREET
67	14.9	10.5	Bartlett Road
67	666	10	Bartlett Road
67	14.8	8	Bartlett Road
67	14.1	8	Bartlett Road
67	484	6	Bartlett Road
67	665	1	Boynton Lane

67	664	3	Boynton Lane
67	117.9	8	Boynton Lane
67	117.8	6	Boynton Lane
67	117.7	4	Boynton Lane
67	117.4	2	Boynton Lane

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 40 RC-2 to R-5" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
67	223.5	65½	Surfside Road
67	223.3	4	Miacomet Avenue
67	223.4	6	Miacomet Avenue
67	223.6	8	Miacomet Avenue
67	223.1	8A	Miacomet Avenue
67	223.9	10A	Miacomet Avenue
67	871	10B	Miacomet Avenue
67	215	11	Miacomet Avenue
67	216	9	Miacomet Avenue
67	881	9B	Miacomet Avenue
67	217	7	Miacomet Avenue
67	210.4	5	Miacomet Avenue
67	210.5	3	Miacomet Avenue

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 41 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Residential 5 (R-5) district:

MAP	LOT	NUMBER	STREET
-----	-----	--------	--------

67	223.5	65½	Surfside Road
67	223.3	4	Miacomet Avenue
67	223.4	6	Miacomet Avenue
67	223.6	8	Miacomet Avenue
67	223.1	8A	Miacomet Avenue
67	223.9	10A	Miacomet Avenue
67	871	10B	Miacomet Avenue
67	215	11	Miacomet Avenue
67	216	9	Miacomet Avenue
67	881	9B	Miacomet Avenue
67	217	7	Miacomet Avenue
67	210.4	5	Miacomet Avenue
67	210.5	3	Miacomet Avenue

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 41 RC-2 to R-5" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
67	14.3	2	Bartlett Road
67	990	2R	Bartlett Road
67	14	4½	Bartlett Road
67	844	4	Bartlett Road
67	116	12	Bartlett Road
67	115.1	12½	Bartlett Road
67	114.1	16½	Bartlett Road
67	114	16	Bartlett Road
67	486	1	Thirty Acres Lane
67	14.2	7	Boynton Lane
67	485	11	Boynton Lane
67	117.5	12	Boynton Lane
67	554	16A	Boynton Lane
67	14.7	17	Boynton Lane
67	14.6	19	Boynton Lane

67	117.1	18	Boynton Lane
67	117	20	Boynton Lane
67	14.5	21	Boynton Lane
67	14.4	45	Surfside Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 42 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Neighborhood Commercial (CN) district:

MAP	LOT	NUMBER	STREET
67	14.3	2	Bartlett Road
67	990	2R	Bartlett Road
67	14	4½	Bartlett Road
67	844	4	Bartlett Road
67	116	12	Bartlett Road
67	115.1	12½	Bartlett Road
67	114.1	16½	Bartlett Road
67	114	16	Bartlett Road
67	486	1	Thirty Acres Lane
67	14.2	7	Boynton Lane
67	485	11	Boynton Lane
67	117.5	12	Boynton Lane
67	554	16A	Boynton Lane
67	14.7	17	Boynton Lane
67	14.6	19	Boynton Lane
67	117.1	18	Boynton Lane
67	117	20	Boynton Lane
67	14.5	21	Boynton Lane
67	14.4	45	Surfside Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 42 RC-2 to CN" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
66	476	8	Appleton Road
66	437	10	Appleton Road
66	19	32	Bartlett Road
67	110	30	Bartlett Road
67	111	28½	Bartlett Road
67	478	28	Bartlett Road
67	901	26	Bartlett Road
67	900	26½	Bartlett Road
67	425.5	24	Bartlett Road
67	902	1	Perry Lane
67	903	3	Perry Lane
67	112.3	5	Perry Lane
67	112.4	7	Perry Lane
67	112.5	9	Perry Lane
67	112.6	11	Perry Lane
67	112.1	12	Perry Lane
67	425.1	10	Perry Lane
67	425.2	8	Perry Lane
67	425.3	6	Perry Lane
67	425.4	4	Perry Lane

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 43 RC-2 to CTEC" 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial 2 (RC-2) district in the Commercial Trade Entrepreneurship and Craft (CTEC) district:

MAP	LOT	NUMBER	STREET
67	476	8	Appleton Road
66	437	10	Appleton Road
66	19	32	Bartlett Road
67	110	30	Bartlett Road
67	111	28½	Bartlett Road

67	478	28	Bartlett Road
67	901	26	Bartlett Road
67	900	26½	Bartlett Road
67	425.5	24	Bartlett Road
67	902	1	Perry Lane
67	903	3	Perry Lane
67	112.3	5	Perry Lane
67	112.4	7	Perry Lane
67	112.5	9	Perry Lane
67	112.6	11	Perry Lane
67	112.1	12	Perry Lane
67	425.1	10	Perry Lane
67	425.2	8	Perry Lane
67	425.3	6	Perry Lane
67	425.4	4	Perry Lane

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 43 RC-2 to CTEC" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
68	4	33	Old South Road
67	50	24	Ticcoma Way

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 44 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket be amended as follows:

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

MAP	LOT	NUMBER	STREET
68	4	33	Old South Road (a portion of)
67	50	24	Ticcoma Way

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

MAP	LOT	NUMBER	STREET
68	4	33	Old South Road (a portion of)

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 44 RC-2 to R-5 and/or CN" dated January 2020.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
42.2.3	42	77	Washington Street
42.2.3	20	80B	Washington Street
42.2.3	20.2	80C	Washington Street
42.2.3	20.3	80D	Washington Street
42.2.3	20.4	80E	Washington Street
42.2.3	20.5	80F	Washington Street
42.2.3	20.6	80G	Washington Street
42.2.3	20.7	80H	Washington Street
42.2.3	25	81	Washington Street
42.2.3	24	81	Washington Street
42.2.3	23	83	Washington Street
55.1.4	81	89	Washington Street
55.1.4	109	89A	Washington Street
55.1.4	110	89B	Washington Street
55.1.4	111	89C	Washington Street
55.1.4	112	89D	Washington Street
42.2.3	21	90	Washington Street

55.1.4	5	91	Washington Street
42.2.3	22	92	Washington Street
55.1.4	7	95	Washington Street
55.1.4	8	96	Washington Street
55.1.4	6.1	97	Washington Street
55.1.4	6	97	Washington Street
55.1.4	37	103	Washington Street
55.1.4	36	11	Salt Marsh Way
55.1.4	35	9B	Salt Marsh Way
55.1.4	69	70	Union Street
55.1.4	66	64	Union Street
55.1.4	64	58	Union Street
55.1.4	33	56	Union Street
55.1.4	32	54	Union Street
55.1.4	3	52	Union Street
55.1.4	4	2	Francis Street

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 45 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential Commercial (RC) district in the Commercial Neighborhood (CN) district:

MAP	LOT	NUMBER	STREET
<del>42.2.3</del>	<del>42</del>	<del>77</del>	<del>Washington Street</del>
42.2.3	20	80B	Washington Street
42.2.3	20.2	80C	Washington Street
42.2.3	20.3	80D	Washington Street
42.2.3	20.4	80E	Washington Street
42.2.3	20.5	80F	Washington Street
42.2.3	20.6	80G	Washington Street
42.2.3	20.7	80H	Washington Street
42.2.3	25	81	Washington Street
42.2.3	24	81	Washington Street
42.2.3	23	83	Washington Street
55.1.4	81	89	Washington Street
55.1.4	109	89A	Washington Street
55.1.4	110	89B	Washington Street
55.1.4	111	89C	Washington Street

55.1.4	112	89D	Washington Street
42.2.3	21	90	Washington Street
55.1.4	5	91	Washington Street
42.2.3	22	92	Washington Street
55.1.4	7	95	Washington Street
55.1.4	8	96	Washington Street
55.1.4	6.1	97	Washington Street
55.1.4	6	97	Washington Street
55.1.4	37	103	Washington Street
55.1.4	36	11	Salt Marsh Way
55.1.4	35	9B	Salt Marsh Way
55.1.4	69	70	Union Street
55.1.4	66	64	Union Street
55.1.4	64	58	Union Street
55.1.4	33	56	Union Street
55.1.4	32	54	Union Street
55.1.4	3	52	Union Street
55.1.4	4	2	Francis Street

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 45 RC to CN" dated January 2020.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
73.2.4	7	1	Bank Street
73.2.4	8	5	Bank Street
73.1.3	27	7	Bank Street
73.1.3	69	8	Bank Street
73.1.3	67	11	Bank Street
73.1.3	68	13	Bank Street
73.1.3	62	15	Bank Street

73.1.3	60	19	Bank Street
73.1.3	57	21	Bank Street
73.1.3	55	23	Bank Street
73.1.3	51	25	Bank Street
73.1.3	50	27	Bank Street
73.1.3	49	29	Bank Street
73.1.3	52	23R	Bank Street
73.1.3	23	7	Beach Street
73.1.3	24	9	Beach Street
73.2.4	10	10	Beach Street
73.1.3	25	11	Beach Street
73.1.3	26	15	Beach Street
73.2.4	37	1	Broadway
73.2.4	38	3	Broadway
73.2.4	4	5	Broadway
73.1.3	29	7	Broadway
73.1.3	72	8	Broadway
73.1.3	45	10	Broadway
73.1.3	71	11	Broadway
73.1.3	100	13	Broadway
73.1.3	113	15	Broadway
73.1.3	112	17	Broadway
73.1.3	111	19	Broadway
73.1.3	110	21	Broadway
73.1.3	109	23	Broadway
73.1.3	108	25	Broadway
73.1.3	91	27	Broadway
73.2.4	40	8	Codfish Park Road
73.2.4	39	10	Codfish Park Road
73.2.4	9	12	Codfish Park Road
73.2.4	11	16	Codfish Park Road
73.1.3	66	24	Codfish Park Road
73.1.3	65	26	Codfish Park Road
73.1.3	56	30	Codfish Park Road
73.1.3	54	32	Codfish Park Road
73.1.3	53	34	Codfish Park Road
73.1.3	47	36	Codfish Park Road
73.2.4	44.1	3	Elbow Lane
73.2.4	43	5	Elbow Lane

73.2.4	41	7	Elbow Lane
73.1.3	64	7	Fawcett Way
73.2.4	5	5	Front Street
73.1.3	28	7	Front Street
73.1.3	70	9	Front Street
73.1.3	99	11	Front Street
73.1.3	98	13	Front Street
73.1.3	97	15	Front Street
73.1.3	95	19	Front Street
73.1.3	94	21	Front Street
73.1.3	92	23	Front Street
73.1.3	93	23	Front Street
73.2.4	44.3	3	Gully Road
73.2.4	44.2	5	Gully Road
73.2.4	45	9	Gully Road
73.1.3	58	7	Jackson Street
73.1.3	61	8	Jackson Street
73.1.3	61.1	8	Jackson Street #1
73.1.3	61.2	6	Jackson Street #2
73.1.3	7	3	N Gully Road
73.1.3	48	8	N Gully Road
73.1.3	119	10	N Gully Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 46 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.

*(Select Board for Planning Board)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Sconset Residential 1 (SR-1) district in the Sconset Old Historic (SOH) district:

MAP	LOT	NUMBER	STREET
73.2.4	7	1	Bank Street
73.2.4	8	5	Bank Street
73.1.3	27	7	Bank Street
73.1.3	69	8	Bank Street
73.1.3	67	11	Bank Street
73.1.3	68	13	Bank Street

73.1.3	62	15	Bank Street
73.1.3	60	19	Bank Street
73.1.3	57	21	Bank Street
73.1.3	55	23	Bank Street
73.1.3	51	25	Bank Street
73.1.3	50	27	Bank Street
73.1.3	49	29	Bank Street
73.1.3	52	23R	Bank Street
73.1.3	23	7	Beach Street
73.1.3	24	9	Beach Street
73.2.4	10	10	Beach Street
73.1.3	25	11	Beach Street
73.1.3	26	15	Beach Street
73.2.4	37	1	Broadway
73.2.4	38	3	Broadway
73.2.4	4	5	Broadway
73.1.3	29	7	Broadway
73.1.3	72	8	Broadway
73.1.3	45	10	Broadway
73.1.3	71	11	Broadway
73.1.3	100	13	Broadway
73.1.3	113	15	Broadway
73.1.3	112	17	Broadway
73.1.3	111	19	Broadway
73.1.3	110	21	Broadway
73.1.3	109	23	Broadway
73.1.3	108	25	Broadway
73.1.3	91	27	Broadway
73.2.4	40	8	Codfish Park Road
73.2.4	39	10	Codfish Park Road
73.2.4	9	12	Codfish Park Road
73.2.4	11	16	Codfish Park Road
73.1.3	66	24	Codfish Park Road
73.1.3	65	26	Codfish Park Road
73.1.3	56	30	Codfish Park Road
73.1.3	54	32	Codfish Park Road
73.1.3	53	34	Codfish Park Road
73.1.3	47	36	Codfish Park Road
73.2.4	44.1	3	Elbow Lane

73.2.4	43	5	Elbow Lane
73.2.4	41	7	Elbow Lane
73.1.3	64	7	Fawcett Way
73.2.4	5	5	Front Street
73.1.3	28	7	Front Street
73.1.3	70	9	Front Street
73.1.3	99	11	Front Street
73.1.3	98	13	Front Street
73.1.3	97	15	Front Street
73.1.3	95	19	Front Street
73.1.3	94	21	Front Street
73.1.3	92	23	Front Street
73.1.3	93	23	Front Street
73.2.4	44.3	3	Gully Road
73.2.4	44.2	5	Gully Road
73.2.4	45	9	Gully Road
73.1.3	58	7	Jackson Street
73.1.3	61	8	Jackson Street
73.1.3	61.1	8	Jackson Street #1
73.1.3	61.2	6	Jackson Street #2
73.1.3	7	3	N Gully Road
73.1.3	48	8	N Gully Road
73.1.3	119	10	N Gully Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 46 SR-1 to SOH" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**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:

MAP	LOT	NUMBER	STREET
67	57	1	Bayberry Lane
67	74	2	Bayberry Lane
67	59	3	Bayberry Lane

67	58	4	Bayberry Lane
67	60	5	Bayberry Lane
67	73	6	Bayberry Lane
67	61	7	Bayberry Lane
67	72	8	Bayberry Lane
67	62	9	Bayberry Lane
67	71	10	Bayberry Lane
67	63	11	Bayberry Lane
67	70	12	Bayberry Lane
67	64	13	Bayberry Lane
67	69	14	Bayberry Lane
67	65	15	Bayberry Lane
67	68	16	Bayberry Lane
67	66	17	Bayberry Lane
67	67	18	Bayberry Lane
As altered by ANR Plan #8298, as may be amended			
67	915	30	Rugged Road

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 47 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)*

**PLANNING BOARD MOTION: Moved to take no action on the Article.**

**PLANNING BOARD COMMENT:** The Planning Board presented this Article based on comments received by property owners during a public hearing for a proposed special permit that resulted in the creation of one additional lot between Bayberry Lane and Rugged Road. At that time, property owners in the neighborhood suggested that they would prefer to maintain the existing character of the properties, rather than take advantage of additional ground cover and lot division potential available in the R-20 zoning district. Subsequently, other property owners filed preliminary plans or special permit applications to divide their property and one owner requested to have their property removed from the Article. Based on those considerations, the Board determined that this proposal would not have the result anticipated when the Article was drafted and would instead create zoning nonconformities where they do not currently exist.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

#### 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.

2. Amend section 7A (use chart) by replacing "A" with "A with lot  $\geq$  7,500 sq ft" in the "Swimming pool - residential" row in the R-1/SR-1 and R-5/R-5L columns.

Or, to take any other action related thereto.

*(Select Board for Planning Board)*

**PLANNING BOARD MOTION:** Moved that Chapter 139 (Zoning) of the Code of the Town of Nantucket, is hereby amended 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.

2. Amend section 7A (use chart) by replacing "A" with "A with lot  $\geq$  7,500 sq ft" in the "Swimming pool - residential" row in the R-1/SR-1 and R-5/R-5L columns.

**PLANNING BOARD COMMENT:** Impact of residential swimming pools have been an ongoing topic of discussion. Concerns have been expressed related to adding more structures that contribute to stormwater runoff, environmental issues related to draining water from residential swimming pools, noise and light impacts to neighbors, and other impacts that may degrade Nantucket's historic character. Other considerations include reducing the potential for an estate-like development pattern that detracts from traditional neighborhoods, and ultimately housing that is attainable for year-round households.

**FINANCE COMMITTEE COMMENT:** The Committee does not support the Planning Board Motion.

#### 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 subject to 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)*

**PLANNING BOARD MOTION:** Moved that Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 16, is hereby amended 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 subject to~~ 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.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

#### **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)*

**PLANNING BOARD MOTION:** Moved that Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 20.1B, is hereby amended 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 "Old Historic Districts" as shown on the map entitled "Old Historic Districts", dated February 11, 2020, as may be amended from time to time by the HDC.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

#### 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;
- [4] Give interested parties an opportunity to acquire reusable 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.
  - [3] The demolition delay period set forth in Subsection **A(1)(f)** below has expired.
- (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 A request 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)*

**PLANNING BOARD MOTION:** Moved that Chapter 139 (Zoning) of the Code of the Town of Nantucket, Section 26, is hereby amended 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;
  - [4] Give interested parties an opportunity to acquire reusable residential structures.
- (b) Buildings subject to demolition delay. All residential structures are subject to review by the Building Commissioner, Local Inspector, 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.
  - [3] The demolition delay period set forth in Subsection A(1)(f) below has expired.
- (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~~ A request 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.

**PLANNING BOARD COMMENT:** The changes proposed in this Article provide non-substantive updates to the existing bylaw, including changes to reflect the appropriate building code officials and current practices.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

## 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 § 139-11JH 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)*

**PLANNING BOARD MOTION:** Moved that Chapter 139 (Zoning) of the Code of the Town of Nantucket and the Zoning Map, are hereby amended 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 § 139-11JH 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 52 R-40 to R-20" dated October 2019.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

#### 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)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following properties currently located in the Residential-5 (R-5) district in the Commercial Trade Entrepreneurship and Craft (CTEC) district:

Map	Parcel	Number	Street
68	444	14	Mary Ann Drive
68	445	16	Mary Ann Drive
68	446	18	Mary Ann Drive

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 53 R-5 to CTEC" dated January 2020.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

#### 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:

Map	Parcel	Number	Street
55	260	3	Cobble Court

All as shown on the attached map.

Or to take any other action related thereto.

*(Susan C. Ottison, et al)*

**PLANNING BOARD MOTION:** Moved that the Zoning Map of the Town of Nantucket is hereby amended by placing the following property currently located in the Residential 10 (R-10) district in the Commercial Neighborhood (CN) district:

Map	Parcel	Number	Street
55	260	3	Cobble Court

As shown on a map entitled "2020 Annual Town Meeting Warrant Article 54 R-10 to CN" dated January 2020.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

**ARTICLE 55**

**(Zoning Map Change: VR to VN - Polpis Road and Chatham Road)**

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

Map	Lot	Number	Street
54	128/188	2	Polpis Road
54	187	4	Polpis Road
54	186	11	Chatham Road
54	125	13	Chatham Road
54	124	10	Polpis Road
54	183	12	Polpis Road
54	181	16	Polpis Road
54	180	18	Polpis Road

- 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)*

**PLANNING BOARD MOTION: Moved to take no action on the Article.**

**FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.**

**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:

Map	Lot	Number	Street
67	166	25	Rugged Road

- 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)*

**PLANNING BOARD MOTION: Moved to take no action on the Article.**

**FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.**

**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:

Map	Lot	Number	Street
76	4.1	2	Driscoll Way
76	4.2	6	Driscoll Way
76	4.3	10	Driscoll Way

- 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)*

**PLANNING BOARD MOTION: Moved to take no action on the Article.**

**FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.**

**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:

	Zoning District	Maximum Height
Country Overlay District	SR-1, SOH, SR-10, SR-20, LUG-1, LUG-2, LUG-3, MMD, VN, VTEC, VR	30
Town Overlay District	R-1, ROH, R-5, R-10, R-20, R-40, CDT, CN, CTEC, CI, RC, RC-2, LC	30

Town Overlay District	CMI	40 30
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Or to take any other action related thereto.

*(Vallorie Oliver, et al)*

**PLANNING BOARD MOTION:** Moved to take no action on the Article.

**PLANNING BOARD COMMENT:** The 40-foot structure height limitation was approved by voters at the 2016 Annual Town Meeting in a series of articles affecting the mid-island. The intent of the increase in the CMI district, which comprises only 0.1% of the island's total land area and is primarily limited to the area known as mid-island, was to allow for more design flexibility and more usable interior space within three stories to accommodate additional housing. Mixed commercial use with a variety of housing options has been encouraged in the CMI district through the adoption of numerous bylaw changes over the past decade, including the allowance of Workforce Rental Housing in an effort to add to our Subsidized Housing Inventory. The 2009 Master Plan, which was unanimously approved by Town Meeting, provides direction to remove a one-size-fits-all approach to zoning requirements and we note that there is no historical context for 30 feet. Perhaps the most important factor to consider is that regardless of the maximum height allowed through zoning, the elected Historic District Commissioners have full authority during their design review to require a height lower than 40 feet if they find it would be more appropriate.

**FINANCE COMMITTEE COMMENT:** The Committee supports the Planning Board Motion.

Commented [LG3]: Yes?

**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)*

**PLANNING BOARD MOTION: Moved to take no action on the Article.**

**FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.**

#### **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**

**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 that the Planning Board finds that doing so will not have an adverse impact on the rural nature 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)*

**PLANNING BOARD MOTION: Moved not to adopt the Article.**

**PLANNING BOARD COMMENT: Although the Board applauds the effort of the proponent to creatively draft another affordable housing option, this particular approach is too far reaching and is inconsistent with the Town and Country Overlay District concept that has consistently been supported by voters. If implemented, this bylaw**

would encourage additional development where services and infrastructure are not available. The intent of the proponent was to apply this concept to lots within the Tom Nevers neighborhood, however, the concept extended well beyond the intended area and is inconsistent with the 2007 Tom Nevers Area Plan. We note that Town Counsel and the Moderator have determined this article to be a Repetitive Petition of a prior article that was not adopted at the 2019 Annual Town Meeting; therefore, it cannot be considered by Town Meeting voters based on our motion to take no action.

**FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.**

Commented [LG4]: Yes?

#### 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 sea 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)*

**PLANNING BOARD MOTION:** Moved not to adopt the Article.

**PLANNING BOARD COMMENT:** The Board acknowledges that the intent of this article may have merit, however, significantly more discussion is needed to develop this concept. Requiring such a waiver as a prerequisite to the issuance of a building permit may not be the most appropriate approach. Input from various town departments as well as boards/committees/commissions who are involved with coastal issues should occur before this type of concept is adopted.

**FINANCE COMMITTEE MOTION:**

Commented [LG5]: Not sure

## 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)*

**FINANCE COMMITTEE MOTION:**

Commented [LG6]: Need

**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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**FINANCE COMMITTEE COMMENT: Town Counsel has advised that this Article is not legally enforceable.**

**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)*

**FINANCE COMMITTEE MOTION:** Moved to take no action on the Article.

**FINANCE COMMITTEE COMMENT:** The Finance Committee notes that the FY 2021 General Fund budget includes funding for a new position of Construction Supervisor in the DPW budget. When this position is filled, its responsibilities will include tracking and enforcing compliance with existing regulations, and potentially expanding or adopting new regulations, including any associated fees.

**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)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

**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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board be requested to seek the prior approval of Town Meeting before implementing paid on-street parking.

**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)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

**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)*

**FINANCE COMMITTEE MOTION:**

Commented [LG7]: Need

#### **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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

**FINANCE COMMITTEE COMMENT:** The Finance Committee does not support the intent of this article which is to direct the Select Board to develop a program to gather data on Heavy Commercial Vehicle activity within the downtown core district. However, the Committee supports the Article sponsor's commitment to gathering data for the purpose of sharing such data with the Town of Nantucket and the public in order to improve commercial vehicle operations for the benefit of downtown business owners, residents and visitors.

#### **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)*

**FINANCE COMMITTEE MOTION:** Moved that the Town Code is hereby amended so as 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 Town 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.

**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

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND
<del>Solar Rebate Program</del> Municipal Aggregation Operational Adder	Operational Adder from the energy aggregation program	Town Manager with approval of <del>Board of Selectmen</del> Select Board	Rebates for residential solar energy systems and other uses authorized by the Town's Municipal Aggregation Plan

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 19 (Finances), Article XIII (Revolving Accounts) of the Code of the Town of Nantucket is hereby amended 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

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND
<del>Solar Rebate Program</del> Municipal Aggregation Operational Adder	Operational Adder from the energy aggregation program	Town Manager with approval of <del>Board of Selectmen</del> Select Board	Rebates for residential solar energy systems and other uses authorized by the Town's Municipal Aggregation Plan

**ARTICLE 72**

**(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~~ Use by 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.

.....

**§ ~~124A~~ 125A-2. Sale, distribution and commercial use of petroleum-based single-use plastic products.**

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 ~~non-compostable~~ 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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 124A (Single-Use Plastics) of the Code of the Town of Nantucket is hereby amended 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):*

**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~~ Use by 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.

.....

§ 124A ~~125A~~-2. Sale, distribution and commercial use of petroleum-based single-use plastic products.

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.

**ARTICLE 73**

**(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 (CO<sub>2</sub>), 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.

Commercially 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 be 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)”;
- 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, moisture, 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 contains 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 “sparkling water”, “tonics”, “soda water”, “club soda”, “tonic water”, “seltzer” “pop” and the like. (source: Wikipedia and The Free Dictionary)

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 Towns 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 ~~each register~~ 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)*

*NOTE: Due to formatting restrictions, the references to "underlined italic blue" are shown in underlined italic black text.*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

## ARTICLE 74

### (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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

## ARTICLE 75

### (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.

### **§57-15. Severability.**

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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 57 (Bicycles and Mopeds) of the Code of the Town of Nantucket is hereby amended by adding the following new Article: *(NOTE: 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):*

#### **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 Town of Nantucket, 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 Town of Nantucket, 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.

**§57-15. Severability.**

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.

**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 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.

**§57-18. Severability.**

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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 57 (Bicycles and Mopeds) of the Code of the Town of Nantucket is hereby amended by adding the following new Article: *(NOTE: 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):*

**Article V  
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.

**§57-18. Severability.**

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.

**ARTICLE 77**

**(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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 97 (Merchandise and Wares, Display of) of the Code of the Town of Nantucket is hereby amended 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.

- B. 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.

#### ARTICLE 78

##### (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 star gazing, if necessary using private-public funding.

Or to take any other action related thereto.

*(Linda Williams, et al)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

#### ARTICLE 79

##### (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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**FINANCE COMMITTEE COMMENT: The Finance Committee is concerned about the undocumented and unverified assertions by the Article sponsor.**

**ARTICLE 80  
(Bylaw Amendment: Capital Projects)**

Protection of citizens of Nantucket from unwanted capital projects:

§\_1. 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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**ARTICLE 81  
(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)*

FINANCE COMMITTEE MOTION: Moved that a new section is hereby added to the Code of the Town of Nantucket Chapter 46 (Town Property, Conveyance of) as follows:

**§46-6. 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.**

**ARTICLE 82**

**(Bylaw Amendment: Board of Sewer Commissioners/Siasconset Sewer District Map Change - 320R Milestone Road)**

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:

MAP	LOT	NUMBER	STREET
73	55	320R	Milestone Road

Or to take any other action related thereto.

*(Select Board acting as the Board of Sewer Commissioners)*

FINANCE COMMITTEE MOTION: Moved that Chapter 41 (Board of Sewer Commissioners), section 41-3B (Siasconset Sewer District) of the Code of the Town of Nantucket is hereby amended by adding the following parcel to the Siasconset Sewer District:

MAP	LOT	NUMBER	STREET
73	55	320R	Milestone Road

**NOTE: At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners, voted to add the parcel referenced in the Article to the Town Sewer District. Further, prior to any sewer extension being undertaken the owner(s) of the**

**property must comply with any and all conditions of the Town, including but not limited to payment for engineering, construction, condition assessment and capacity analysis of the current and potential upgrade of the force main and/or sewer line to which this property would be connected. NEEDS TC REVIEW**

#### ARTICLE 83

**(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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

**NOTE: At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners voted not to add the parcel referenced in the Article to the Town Sewer District. If a positive Motion were to be brought forward at Town Meeting, a two-thirds vote would be required from Town Meeting in order for the Article to be adopted; and if so adopted, prior to any sewer extension being undertaken the owner(s) of the property must comply with any and all conditions of the Town, including but not limited to payment for engineering, construction, condition assessment and capacity analysis of the current and potential upgrade of the force main and/or sewer line to which this property would be connected. NEEDS TC REVIEW**

Commented [LG8]: Include all this? Or?

#### ARTICLE 84

**(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)*

**FINANCE COMMITTEE MOTION: Moved not to adopt the Article.**

**NOTE: At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners voted not to add the parcel referenced in the Article to the Town Sewer**

**District. If a positive Motion were to be brought forward at Town Meeting, a two-thirds vote would be required from Town Meeting in order for the Article to be adopted.**

Commented [LG9]: Town Counsel: Add the language as shown in Article 83? Or?

#### ARTICLE 85

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket is hereby amended by adding the following parcel to the Town Sewer District:

MAP	LOT	NUMBER	STREET
68	455	11	Milestone Crossing

**NOTE:** At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners, voted to add the parcel referenced in the Article to the Town Sewer District. Further, prior to any sewer extension being undertaken the owner(s) of the property must comply with any and all conditions of the Town, including but not limited to payment for engineering, construction, condition assessment and capacity analysis of the current and potential upgrade of the force main and/or sewer line to which this property would be connected. **NEEDS TC REVIEW**

#### ARTICLE 86

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket is hereby amended by adding the following parcel to the Town Sewer District:

MAP	LOT	NUMBER	STREET
41	180	1	West Chester Street Extension

**NOTE: At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners, voted to add the parcel referenced in the Article to the Town Sewer District. Further, prior to any sewer extension being undertaken the owner(s) of the property must comply with any and all conditions of the Town, including but not limited to payment for engineering, construction, condition assessment and capacity analysis of the current and potential upgrade of the force main and/or sewer line to which this property would be connected. NEEDS TC REVIEW**

**ARTICLE 87**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes - Hummock Pond Road and Millbrook Road)**

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:

Map	Parcel	Number	Street
56		101	Hummock Pond Road
56		103	Hummock Pond Road
56		5	Millbrook Road

Or to take any other action related thereto.

*(Allen Reinhard, et al)*

**FINANCE COMMITTEE MOTION: Moved that Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket is hereby amended by adding the following parcel to the Town Sewer District:**

MAP	LOT	NUMBER	STREET
56		101	Hummock Pond Road
56		103	Hummock Pond Road
56		5	Millbrook Road

**NOTE: At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners, voted to add the parcel referenced in the Article to the Town Sewer District. Further, prior to any sewer extension being undertaken the owner(s) of the property must comply with any and all conditions of the Town, including but not limited to payment for engineering, construction, condition assessment and capacity analysis of**

**the current and potential upgrade of the force main and/or sewer line to which this property would be connected. NEEDS TC REVIEW**

**ARTICLE 88**

**(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:

Map	Parcel	Number	Street
80	54	16	Correia Lane
80	55	17	Correia Lane
80	56	15	Correia Lane
80	57	13	Correia Lane
80	58	9	Correia Lane
80	58.1	11	Correia Lane
80	59	12	Correia Lane
80	60	8	Correia Lane
80	61	4	Correia Lane
80	63	3	Correia Lane
80	326	3	Marylin Drive

Or to take any other action related thereto.

*(Linda Williams, et al)*

**FINANCE COMMITTEE MOTION:** Moved not to adopt the Article.

**NOTE:** *At its meeting on February 12, 2020, the Select Board acting as the Sewer Commissioners voted not to add the parcel referenced in the Article to the Town Sewer District. If a positive Motion were to be brought forward at Town Meeting, a two-thirds vote would be required from Town Meeting in order for the Article to be adopted.*

Commented [LG10]: Add the language as shown in Article 83? Or?

**ARTICLE 89**

**(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)*

**FINANCE COMMITTEE MOTION:** Moved that 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 is hereby accepted.

#### ARTICLE 90

**(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)*

**FINANCE COMMITTEE MOTION: Moved that 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 are hereby accepted.**

#### ARTICLE 91

**(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)*

**FINANCE COMMITTEE MOTION: Moved that the provisions of Massachusetts General Laws, Chapter 143, Section 3Z are hereby accepted.**

#### ARTICLE 92

**(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 Wannacommet 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 Wannacommet 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 Wannacommet 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.*

**FINANCE COMMITTEE MOTION:** Moved that the Town's representatives to the General Court are hereby requested to introduce legislation as set forth below; and, that the General Court, with the approval of the Select Board, make constructive changes in the text hereof as may be necessary or advisable to accomplish the intent of the legislation in order to secure its passage, as follows:

**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 Wannacommet 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 Wannacommet 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.

#### ARTICLE 93

##### (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 93" dated January 2020 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 93" dated January 2020 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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

#### **ARTICLE 94**

**(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)*

**FINANCE COMMITTEE MOTION: Moved that the Town's representatives to the General Court are hereby requested to introduce legislation as set forth below; and, that the General Court, with the approval of the Select Board, make constructive changes in the text hereof as may be necessary or advisable to accomplish the intent of the legislation in order to secure its passage, as follows:**

**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:

3. 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.

4. 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.

#### ARTICLE 95

##### (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 95" dated January 2020 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 95" dated January 2020 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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

#### **ARTICLE 96**

##### **(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)*

**FINANCE COMMITTEE MOTION: Moved that the Town's representatives to the General Court, are hereby authorized 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**

**(b) 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.

**(d) 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.**

**(e) 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.**

#### **ARTICLE 97**

##### **(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)*

**FINANCE COMMITTEE MOTION:** Moved to take no action on the Article.

**FINANCE COMMITTEE COMMENT:** The Finance Committee noted that the Legislature of the Commonwealth of Massachusetts is currently considering a bill (H.792) that would ban the use of this herbicide throughout the Commonwealth. The bill is currently under review by the Committee for the Environment, Natural Resources and Agriculture, which can bring to bear more significant input about this substance than the Town of Nantucket. Additionally, the Town needs to be judicious in the submission of Home Rule petitions to the Legislature. Hence, the conclusion was to Take No Action and let the State Legislature's process run its course on this issue.

**ARTICLE 98**  
**(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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

**ARTICLE 99**  
**(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 99 Acquisition of 24 Surfside Road" dated January 2020 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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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 99 Acquisition of 24 Surfside Road" dated January 2020 on file at the Office of the Town Clerk; and further to transfer Three Hundred Seventy Thousand Dollars (\$370,000) from the Proceeds from the Sale of Land Account, said funds to be transferred for the purpose of acquiring said parcel.

Commented [LG11]: FC to finalize 3/2

## ARTICLE 100

### (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 100 Conveyance of Industrial Land and Acquisition of 57 Surfside Road" dated January 2020 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION: Moved that the Select Board is hereby authorized 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.**

Commented [LG12]: FC finalize 3/2

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 100 Conveyance of Industrial Land and Acquisition of 57 Surfside Road" dated January 2020 and filed herewith at the Office of the Town Clerk.

## ARTICLE 101

### (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.

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 101 Acquisition of 114 Orange Street" dated January 2020 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

Commented [LG13]: FC finalize 3/2

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 101 Acquisition of 114 Orange Street" dated January 2020 and filed herewith at the Office of the Town Clerk.

#### ARTICLE 102

##### (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 102 Conveyance of 114 Orange Street," dated January 2020 and filed herewith at the office of the Town Clerk.

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

Commented [LG14]: FC finalize 3/2

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 102 Conveyance of 114 Orange Street," dated January 2020 and filed herewith at the office of the Town Clerk.

**ARTICLE 103**  
**(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 103 Acquisition of 64 North Liberty Street" dated January 2020 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION: Moved that the Select Board is hereby authorized 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.**

Commented [LG15]: FC finalize 3/2

All as shown on a map entitled "2020 Annual Town Meeting Warrant Article 103 Acquisition of 64 North Liberty Street" dated January 2020 and filed herewith at the Office of the Town Clerk.

**ARTICLE 104**

**(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 104 Acquisition of 1 Hatch Circle" dated January 2020 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

*(Select Board)*

**FINANCE COMMITTEE MOTION: Moved that the Select Board is hereby authorized to acquire by purchase, gift or eminent domain for public way, drainage, and/or general**

Commented [LG16]: FC finalize 3/2

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 104 Acquisition of 1 Hatch Circle" dated January 2020 and filed herewith at the Office of the Town Clerk.

#### ARTICLE 105

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 106

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 107

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 108

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 109

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 110

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 111

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 112

##### (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)*

**FINANCE COMMITTEE MOTION:** Moved that the Select Board is hereby authorized 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.

#### ARTICLE 113

##### (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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

#### ARTICLE 114

##### (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 withy 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.

**§57-21. Severability.**

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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

**ARTICLE 115**

**(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)*

**FINANCE COMMITTEE MOTION: Moved that Eight Hundred Forty-eight Thousand Two Hundred Eighty-eight Dollars (\$848,288) be appropriated 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.**

**ARTICLE 116**

**(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)*

**FINANCE COMMITTEE MOTION: Moved that Five Hundred Thousand Dollars (\$500,000) from Free Cash in the Treasury of the Town be deposited into the Stabilization Fund; and, that Five Hundred Thousand Dollars (\$500,000) from Free**

Cash in the Treasury of the Town be deposited into the Capital Projects Stabilization Fund.

**ARTICLE 117**

**(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)*

**FINANCE COMMITTEE MOTION: Moved to take no action on the Article.**

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