

COUNTY COMMISSIONERS

Minutes of the Meeting of January 30, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Commission present were Jason Bridges, Matt Fee, Rita Higgins and James R. Kelly. Dawn E. Hill Holdgate was absent.

I. CALL TO ORDER

Chair Higgins called the meeting to order at 8:10 PM following a meeting of the Select Board.

II. ANNOUNCEMENTS

1. Chair Higgins announced that the County Commission meeting is being video/audio recorded, in accordance with the requirements of the Open Meeting Law.

III. PUBLIC COMMENT

None.

IV. NEW BUSINESS

None.

V. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of December 19, 2018 at 6:00 PM. Mr. Kelly moved to approve the minutes of December 19, 2018 at 6:00 PM; Mr. Bridges seconded. So voted 4-0.

2. Approval of Payroll and Treasury Warrants for January 2019. Mr. Kelly moved to approve the payroll and treasury warrants for January 2019; Mr. Bridges seconded. So voted 4-0.

VI. PUBLIC HEARINGS

1. Public Hearing to Consider the Taking of Permanent Sidewalk and Roadway Easements, as Authorized by MGL Chapter 79: a) A Permanent Sidewalk Easement over 20 Straight Wharf, Shown as Lot 1 on Land Court Plan No. 10222-B, and Shown as "Easement #1, Proposed Sidewalk Easement Area – 211 S.F.±," on Plan Entitled "Easement Plan in Nantucket, Mass. Prepared for the Town of Nantucket, Map 42.3.1, Parcel 86," Prepared by Bracken Engineering, Inc., Dated October 8, 2018, for Purposes of Construction, Maintenance, Repair and Replacement of the Sidewalk and for Access Over Said Sidewalk; b) A Permanent Roadway Easement over Straight Wharf, Shown as Lot 20 on Land Court Plan No. 10222-E, and Shown as "Easement #2, Proposed Roadway Easement Area – 619 S.F. ±," on Plan Entitled "Easement Plan in Nantucket, Mass. Prepared for the Town of Nantucket, Map 42.3.1, Parcel 86," Prepared by Bracken Engineering, Inc., Dated October 8, 2018, for all Roadway Purposes Including but not Limited to Passage, Installation and Maintenance of Sewers, Drainage and other Public Utilities. Chair Higgins opened the public hearing for items a and b. Attorney Sarah Alger, representing Bernard Chiu, owner of 20 Straight Wharf, spoke in opposition to the proposed taking and commented on her disappointment on how the taking process has occurred. She added that she has requested a copy of the appraisal and it was not given, but she did receive a verbal damage award number which is "not even close" to acceptable. DPW Director Robert McNeil said he met with Mr. Chui following the June 2018 meeting and said he seemed eager to finish the sidewalk widening project. Mr. McNeil spoke in favor of the taking. Ms. Higgins asked how to proceed with the request for the appraisal and damage awards. Attorney Vicki Marsh of Town Counsel's office said she recommends a continuance of the public hearing, so damage awards can be discussed further between the parties. She suggested Attorney Alger submit an award amount that would satisfy her client. Attorney Marsh said that the proposed taking is for a valid

public purpose for roadway services and sidewalk improvements. Mr. Bridges said he feels the community benefit and public purpose outweighs any other issues. Chair Higgins stated she is in favor of continuing the public hearing to improve the process and transparency. Mr. Vorce noted that appraisals are typically not public documents in any taking process, adding that the offer made is in excess of the appraisal. Mr. Kelly moved to continue the public hearing to March 27, 2019; Mr. Fee seconded. So voted 4-0.

VII. OFFICIAL BUSINESS

1. Ratification of Approval of Memorandum of Agreement with Richmond Great Point Development, LLC Regarding Workforce Rental and Homeownership Development Projects and Municipal Road Improvements. Mr. Kelly moved to ratify the approval of the Memorandum of Agreement with Richmond as presented; Mr. Bridges seconded. So voted 4-0.

VIII. COMMISSIONERS REPORTS/COMMENTS

None.

IX. ADJOURNMENT

The meeting was unanimously adjourned at 8:26 PM.

Approved the 20th day of February, 2019.

*COUNTY COMMISSIONERS
JANUARY 30, 2019 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS*

List of documents used at the meeting:

- V. 1. Draft minutes of December 19, 2018 at 6:00 PM
- VI. 1. Order of Taking by Eminent Domain for Straight Wharf Sidewalk and Roadway Easements; easement plan; County minutes of June 27, 2018, re: Straight Wharf
- VII. 1. 2019 Memorandum of Agreement between Richmond and Town/County