

SELECT BOARD

Minutes of Meeting of February 1, 2023. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Dawn Holdgate, Dr. Malcolm MacNab and Brooke Mohr.

I. CALL TO ORDER

Chair Bridges called the meeting to order at 5:30 PM following the Pledge of Allegiance.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted, with item IX-1 moved to follow item III-5; and some minor changes to Pending Contracts which Operations Administrator Erika Mooney reviewed.

III. ANNOUNCEMENTS

Chair Bridges reviewed the following announcements.

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

2. Introduction of New Nantucket Regional Transit Authority Administrator. Chair Bridges introduced Gary Roberts, who started in the position two weeks ago. Mr. Roberts made some introductory comments and reviewed his prior work history.

3. Review of Applications for Appointments to Council on Aging:

Applicant Introduction and Appointments Scheduled for Wednesday, February 8, 2023, Pursuant to Select Board Committee Appointment Policy. It was noted that there are three vacancies and two current applicants: Erin Lynch and Abigail Camp.

4. Finance Committee Public Hearing Regarding 2023 Annual Town Meeting Warrant Articles to be Held Monday, February 6, 2023 at 4:00 PM in the Public Safety Facility Community Room at 4 Fairgrounds Road and by Remote Participation via Zoom Webinar.

5. Select Board Announcements/Comments. Ms. Mohr said that she is resigning from the Board of Health as the Select Board representative and said that Dr. MacNab has agreed to take on the role.

Chair Bridges said that an issue regarding the Surfside Crossing affordable housing project would be on the agenda next week, with respect to work that was done at the site last weekend.

Chair Bridges noted an issue with Diversity Equity and Inclusion (DEI) work and recent national news reporting that DEI work is "dividing people", commenting that it seems to be the opposite here on Nantucket, yet is disturbing to hear.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

No follow-up comments.

V. PUBLIC COMMENT

Andy Lowell asked if public comment would be allowed during an agenda item as to groundwater regulations. Chair Bridges responded affirmatively.

Megan Perry reviewed an email she received from Jesse Leddick, director of the State's Natural Heritage and Endangered Species Protection agency, today, regarding the Surfside Crossing site clearing issue noted by Chair Bridges earlier and expressed concern that there was an appeal period allowed to a permit issued to the developer in August, 2022 but no action was taken by the Town. She asked the Board to look into this.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Short-Term Rental Work Group: Update from Facilitator. Stacie Smith of the Consensus Building Institute (CBI), engaged by the Town to facilitate the group, provided an update as to the work group's activities, most recently a meeting the group held yesterday. She mentioned that the group is seeking a data analyst to help them. Dr. MacNab asked about the qualifications of such an analyst. Ms. Mohr said she has been consulted somewhat about this and invited Dr. MacNab to assist. Some discussion followed. John Kitchener, an at-large member of the work group, spoke "as an individual" and said that a lot of work the group needs to take on is about issues other than data. Kathy Baird, also a member of the work group, speaking as "an individual" spoke on the need to move the work group forward.

V. PUBLIC COMMENT (continued)

Nantucket Land Council Director Emily Molden concurred with Ms. Perry's earlier comments.

Rick Atherton concurred as well and suggested special counsel should be appointed to review this matter.

Bruce Perry agreed with Mr. Atherton.

Sarah Ellis commented on the Short-term Rental Work Group's work schedule. She also commented on Ms. Perry's earlier comments.

Ms. Perry commented on the Surfside Crossing issue again.

Charity Benz agreed with Ms. Perry.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES AND WARRANTS

Ms. Holdgate moved approval of items VII 1 – 2; seconded by Dr. MacNab; so voted 4 – 0 with Mr. Fee abstaining, noting that he was absent from the January 25th meeting.

1. Approval of Minutes of January 25, 2023 at 5:30 PM.

2. Approval of Treasury Warrants for February 1, 2023.

3. Approval of Pending Contracts for February 1, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

Mr. Fee moved approval of the pending contracts with the changes discussed earlier in the agenda; seconded by Ms. Holdgate; all in favor, so voted.

VIII. CONSENT ITEMS

1. Gift Acceptances: Affordable Housing Trust; Fire Department; Planning and Land Use Services. Ms. Mohr read the list of gifts to be accepted and moved to accept all gifts for their designated purposes, with thanks to the donors; seconded by Mr. Fee; all in favor, so voted.

X. TOWN MANAGER'S REPORT

1. Re-review of Draft Surface Water and Ground Water Protection Regulations (follow-up from July 13, 2022 Public Hearing). Ms. Gibson introduced Health Director Roberto Santamaria to review the agenda item. Mr. Santamaria explained that these regulations were before the Board at a public hearing in July, that hearing was continued to September for some clarifications and the September hearing was never held due to other priorities taking over. Andy Lowell, speaking on behalf of the Shellfish and Harbor Advisory Board, spoke in favor of the regulations and asked if additional items could be added. Natural Resources Director Jeff Carlson spoke on these regulations and said that future regulations will likely address Mr. Lowell's concerns. Dr. MacNab said he supports the regulations and asked about enforcement, noting that fertilizer regulation enforcement seems insufficient. Ms. Gibson said that Mr. Carlson will be presenting a water quality plan to the Board next week, in accordance with its Strategic Plan; and, that Natural Resources and Health have indicated they have the resources to address this, noting that the fertilizer regulation enforcement stems from a different issue than sufficient staff resources. Ms. Mohr and Mr. Fee asked about the fines. Mr. Santamaria responded. Mr. Fee asked about best management practices for pool discharge, including for salt water and chlorine water pools. Mr. Santamaria responded. Ms. Mohr asked about mapping storm water connections. Some discussion followed. It was agreed to schedule a public hearing for these regulations as soon as the necessary advertising can be accomplished.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Review and Vote to Revise Language of Senate Bills No. 3066 (Ames Avenue) and No. 3067 (Altar Rock Road) as Requested by Senator Cyr. Ms. Gibson reviewed the proposed language changes and noted these are requested by Senate Counsel and non-substantive. Ms. Holdgate moved to revise the language as requested and as presented in the Board's agenda packet; seconded by Dr. MacNab, all in favor, so voted.

2. Review/Schedule Fall 2023 Special Town Meeting. Ms. Gibson reviewed the information in the Board's packet on this matter. Ms. Holdgate moved to schedule a special town meeting on November 7, 2023; seconded by Ms. Mohr, all in favor, so voted. Ms. Gibson said that a timeline will be brought before the Board soon.

3. Committee Reports. Ms. Mohr commented on pending housing transfer fee legislation, based on a discussion she had earlier in the week with Representative Fernandes and Senator Cyr and that it will require public support. Mr. Fee said that he and Dr. MacNab met with the legislators as well about this. He said he also spoke with them about beach access, private road discontinuances and a pending home rule petition to ban fertilizer use. Mr. Fee reported on a recent Coastal Resilience Advisory Committee meeting at which Baxter Road was an agenda item. He said that his impression is that some people are afraid to speak up about what should be done there. Ms. Mohr said the Town should focus on consensus-building

models of decision making. Mr. Fee agreed. Chair Bridges reviewed agenda items for the Board's next meeting.

XII. ADJOURNMENT

Ms. Holdgate moved adjournment at 6:40 PM; seconded by Dr. MacNab; all in favor, so voted.

Approved the 8th day of February 2023.

**SELECT BOARD
FEBRUARY 1, 2023 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 3. Council on Aging membership & applicant list; COA applications; COA appointment timeline
- VII. 1. Draft minutes of 1/25/2023
- VII. 3. Pending Contracts spreadsheet
- VIII. 1. Gift summary & recommended motion; Affordable Housing Trust gift letter; Fire Dept gift letter; PLUS gift letter
- X. 1. AIS re: proposed Surface Water & Ground Water Protection Regulations; Proposed Surface Water & Ground Water Protection Regulations as of 8/22/2022; Portion of 7/13/2022 minutes
- XI. 1. AIS re: S.3066 & S.3067 Bills; Senate Bill No. 3066; Senate Bill No. 3067
- XI. 2. Proposed Fall 2023 Special Town Meeting date