

Town and County of Nantucket  
**ROADS AND RIGHT OF WAY COMMITTEE**

Posted Meeting of 16 March 2021  
Held by Zoom Videoconferencing

**FINAL AND APPROVED MINUTES**

**1. Call to Order, Approval of the Agenda, Approval of Minutes, and Public Comments.**

A. Chair Allen Reinhard called the meeting to order at 4:03 pm. In attendance were Rick Atherton, Nelson (Snookie) Eldridge, Leslie Forbes, Ed Gillum, Bill Grieder, Nat Lowell, Allen Reinhard, Lee Saperstein, and Phil Smith; there was a quorum at all times. All responded to an attendance roll call. The meeting was recorded and can be viewed on You Tube.

Guest: Mary Longacre, Chair, Coastal Resilience Advisory Committee.

B. Approval of the Agenda. The agenda was approved unanimously by acclamation.

C. Public Comments.

None

D. Minutes. Approval of the minutes from February 16, 2021, was moved by Bill Grieder and seconded by Snookie Eldridge. Phil Smith asked if Milk Street, as printed on page 3, or Milk Street Extension was the correct street name. It was determined that the simple "Milk Street" shows up on the Town's GIS system. Thence an unanimous vote, by roll call, approved the minutes

**2. Chapter 91 Civic League Forum March 24 at 3:30 pm by Zoom**

Allen Reinhard reminded committee members that the Nantucket Civic League was hosting a public forum, to be presented by Zoom (address to be posted soon), on Chapter 91 of the Massachusetts General Laws, MGL, "The Public Waterfront Act," commonly called the Waterways Act. He gave an overview of the forum's outline, including introduction to the licensing provisions of the Act, details of the operations of the licensing authority, and question and answer periods. He explained that the forum's purpose was to inform Nantucketers about the act and its substantial impact on waterfront properties as well as the public's access to the waterfront.

Rick Atherton said that he had been in contact with Steve McKenna of the State's Coastal Zone Management Office and that he was an easy person to contact ([stephen.mckenna@mass.gov](mailto:stephen.mckenna@mass.gov) (508) 375-6856). Steve McKenna will talk about the relationship between the Chapter 91 and the Harbor Action Plan. In addition, Carlos Fragata of the Chapter 91 office

([carlos.fragata@state.ma.us](mailto:carlos.fragata@state.ma.us), (508) 946-2700 X-2873 will give an overview of the Chapter 91 process. Rick Atherton hopes that Carlos Fragata will tell us whom he contacts when he sends official mail to Nantucket. He also hopes that there will be information on how to determine properties with a license as well as those that will need a license. Allen Reinhard agreed that these were good questions and proposed that we generate a list of committee-based questions. Ed Gillum wants to learn more about the length of the term of a license and the process of renewal including notification of the need for a renewal. He also wondered about the impact of a failure to renew. Lee Saperstein wants to know if there is any chance for Nantucket to be granted “Primacy,” otherwise known as delegation of authority. Bill Grieder suggested that, in light of the potential for our questions to exceed the time available, we send the list of questions to Charlie Stott and Peter Morrison, co-Presidents of the Civic League, in advance. Leslie Forbes asked for contact information for the State officials. She asked also if they had examples of best practices for education of the public on Chapter 91 including that done in other water-front communities. She said that we should ask about enforcement. Is it done by the State or locally?

### **3. Installation and Location of Additional Public Way Monuments and Definitive Public/Private Way Map Update.**

Allen Reinhard explained that this agenda item had two related parts: an update to monument locations and an update to creating a definitive ownership, public versus private, list for ways on Nantucket. With respect to the latter, he noted that the ownership map on the Town’s GIS website was woefully out of date. Several committee members noted sources of street information. Lee Saperstein said that the Nantucket Fire Department kept an accurate and up-to-date street list to enable them to respond accurately to fire calls. It does not, however, have street ownership information on it. Leslie Forbes asked if this list is publicly available; while not known, an answer will be sought from the NFD. Bill Grieder noted that the Town Clerk is scanning paper records of street ownership but did not know status or proposed public access. [Action: Allen Reinhard will contact Fire Chief, Town Clerk, and DPW Director to find out what is available on street ownership. Phil Smith volunteered to help.]

With respect to the monuments, Allen Reinhard said that this project has been underway for years and that a listing of ways is on the Committee’s website: <https://www.nantucket-ma.gov/DocumentCenter/View/1097/Master-Chart-Locations-of-Public-Way-Markers?bidId=>. In light of recent takings of ways, particularly those to the water, we should consider identifying unmarked ways and installing monuments at them. He noted that we have both upright and flush monuments stored in the parking area behind 2 Fairgrounds Road. He and Lee Saperstein will confer and identify unmarked ways as well as those that have a marker but are not yet on the master list. The ways from Hulbert Avenue to the Harbor are among these. [Action: Allen Reinhard and Lee Saperstein will bring the list of marked ways up to date and identify ways that need to be marked and report back to the committee.]

### **4. Potential Takings List: Consideration of Winn Street and Friendship Lane Dirt Portion.**

Allen Reinhard referred to the committee's earlier discussion of taking Winn Street and Friendship Lane/Somerset Road. While these two ways are on the potential takings list, it may be appropriate to alert the Select Board that these two ways should have high priority. Somerset Road goes southward from its intersection with Hummock Pond Road down to Somerset Lane. As it passes the Prospect Hill Cemetery Extension, the road surface is unpaved and deteriorates. In addition, Somerset Lane turns right orthogonally and then left again to proceed to its intersection with Somerset Lane and Raceway Drive whence it proceeds as a paved road. After an initial unpaved portion, Friendship Lane proceeds as a paved way to Bartlett Road. It is the committee's understanding that the Somerset/Friendship intersection has drainage problems and that the unpaved portion of Somerset is in need of repair through paving. Lee Saperstein pointed out that new real-estate developments and on and just off Bartlett Road may increase the need for an alternate route to Town, such as would be provided by an improved Bartlett Road. Nat Lowell added that the proposed Marsh Hawk Lane development plus a small subdivision proposed by the Stanton family just north of the Cemetery Extension would also add traffic to Somerset Road.

With respect to Winn Street, the committee members were in agreement that the private portion needs to be taken so as to provide the needed link in a bicycle and pedestrian way between Milk Street and the Madaket Road. Allen Reinhard then added that DPW recommendations on takings are important and that he would like to talk with Rob McNeil, Director before taking any action on this matter. Lee Saperstein reminded the committee that this was an important issue on which we should take action as soon as we can. [Action: Allen Reinhard to talk with Rob McNeil about DPW recommendations on these road takings, The item will be returned to the next agenda.]

## **5. Old, New, and Other Business, and Member Comments,**

There was none so the Chair moved to the next item, which was adjournment.

## **6. Adjourn.**

**Adjourn:** The meeting was adjourned at 5:17 pm by motion from Snookie Eldridge, second by Nat Lowell, and unanimous roll-call vote in favor. The next meeting will be held at 4:00 pm on **Tuesday, April 20, 2021.**

Lee W. Saperstein, Secretary \_\_\_\_\_ Date \_\_\_\_\_

## **Roads and Right of Way Outstanding Projects List:**

### **Public Way Monument Project: (Lee & Allen & Snookie)**

- Install remaining monuments at 'Sconset Footpath, Hulbert Ave.
- Update file of existing monuments

- Move monuments at Westchester St. Ext. & Crooked Lane

**Sidewalk Projects: (Allen)**

- Prospect St. (bike path to Upper Vestal St.) and on to Madaket bike path
- Cliff Rd. Coffin Park to bike path at Sherburne Tpk.
- Pleasant St. Gardner Perry Lane to Williams St.
- Follow implementation of downtown sidewalk improvements
- Bike/Pedestrian connection from Surfside to Hummock Pond to Madaket paths

**Harbor Walk Project: (Rick)**

- Identify route and identify sections needing constructed walkway
- Concept drawings of construction required
- List permits and approvals needed and process to obtain
- Funding

**Chapter 91 Monitor Project: (Leslie & Lee)**

- Define goals for project
- Make local license information available on line
- Chapter 91 licenses along route for the Harbor Walk
- Locate other locations on Nantucket and Madaket Harbors requiring licenses

**Nantucket Greenway and Trail System Project: (Allen and Lee)**

- Nantucket Central Rail Road trail
- Map existing island trail and footpath systems and identify missing links
- How should maps and information be shared?