

SELECT BOARD

Minutes of the Meeting of April 13, 2021. The meeting took place via remote participation using Zoom pursuant to Governor Baker's March 12, 2020 Order regarding the Open Meeting Law (attached). Members of the Board present were Dawn Hill Holdgate (Chair), Jason Bridges, Matt Fee, Kristie Ferrantella and Melissa Murphy. Also present from Town staff were Town Manager C. Elizabeth Gibson; Coastal Resilience Coordinator Vincent Murphy; Special Projects Manager Chuck Larson; Real Estate Specialist Ken Beaugrand; Historic Preservation Planner Holly Backus; Public Health Director Roberto Santamaria; Police Chief William Pittman, Planning Director Andrew Vorce, Natural Resource Director Jeff Carlson, DEI Director Kimal McCarthy. Representatives from Arcadis Design and Consultancy were also present as well as members of the Coastal Resilience Advisory Committee.

Chair Holdgate called the meeting to order at 4:00 PM and read a prepared statement as to how the meeting would be conducted via remote participation and the ground rules for any discussion and called roll Board members and staff present.

I. WORKSHOP MEETING WITH COASTAL RESILIENCE ADVISORY COMMITTEE AND TOWN STAFF WITH ARCADIS REGARDING BAXTER ROAD ENGINEERING FEASIBILITY ASSESSMENT.

Ms. Mary Longacre, Chair of the Coastal Resilience Advisory Committee (CRAC) called the Committee's meeting to order at 4:03 pm.

Kate Edwards of Arcadis introduced the other Arcadis Team members present: Dr. Keren Bolter, Dr. Irene Watts, Ryan Brong and Jennifer Lachmayr and gave a brief overview of the firm. She reviewed points of discussion for the meeting and the meeting goals as shown in a presentation in the Board's packet. She noted this is the third meeting in a series of meetings about Baxter Road designed to solicit stakeholder and community input. Dr. Bolter reviewed "ground rules" for the meeting, relating to listening, contributing and participating. She introduced an on-line polling tool that she displayed on the screen. She reviewed historic sea levels; sea level rise projections for Nantucket Mean Higher High Water (MHHW). She reviewed factors that connect sea level rise to erosion. Ms. Edwards provided a project overview as to what Arcadis is doing for the Town for Baxter Road long-term planning. Ms. Edwards introduced a poll for participants to suggest names for this project. She reviewed a proposed mission statement for the project and asked if anyone had specific feedback. Some discussion followed, as to what "adapt" means. There was general consensus in support of the mission statement. Ms. Edwards reviewed a "resource list" of reports, letters, research articles and the like relating to Baxter Road and the Siasconset Beach Preservation Fund (SBPF) erosion control project and asked that participants review it and ensure that it is complete, by next week. Dr. Bolter reviewed the outcome of surveys that have been conducted with the other groups, noting that various concerns have been expressed, and reviewed them. Dr. Watts displayed a variety of maps and photos and reviewed the specific characteristics and environmental impacts of the Baxter Road area with respect to the beach, dunes and bluff. She reviewed a timeline of storm and mitigation events impacting Baxter Road from 2010 to the present. She provided an overview of the current erosion control project, including what it is, a timeline and what it was intended to do. She also gave an overview of coastal erosion data before and after installation of the current project, as well as FEMA Coastal Erosion Hazard maps, showing current and future coastal erosion hazard areas. She reviewed data from post-storm surveys which indicate performance of the erosion control project. Dr. Bolter continued reviewing images from "Google Maps" of the area and pointing out changes to the shoreline and specific properties. Dr. Watts reviewed four alternatives currently under review as to addressing erosion at Baxter Road: bluff stabilization, sand nourishment/vegetation management; retreat property and/or relocate road and utilities, no action. She also spoke about best management practices for homeowners to

reduce erosion. She discussed and explained the criteria being developed to assess the alternatives. Additional polls were conducted as to alternatives. Some discussion followed as to historic structures along the road. Dr. Bolter discussed what to consider when working to reach consensus, including identifying and evaluating risks and consequences. Mr. Ian Golding stated he is finding this process very interesting and very helpful. Ms. Edwards suggested a participant or two of this group be part of a separate group with other stakeholders to determine "problem statements". Mr. Golding volunteered. Some discussion followed as to sand movement in the area and its impact on erosion, accretion and the Sesachacha Pond opening. Some discussion followed as to the potential for "off-shore reefs" and/or similar measures and whether such measures should be explored. Mr. Murphy asked if the Select Board members had any specific questions or comments, this being a Select Board-sponsored project. Mr. Bridges commented that he appreciates hearing about the process and feels it's a positive way to move forward. Ms. Edwards noted that there will most likely need to be compromises along the way.

Mr. Bridges left the meeting at 5:23 PM.

Ms. Edwards noted that the Select Board will be getting an update on the project at its meeting tomorrow evening and said that more details as to alternatives will be forthcoming and welcomed comments as to any improvements to the process. Ms. Longacre spoke about the geological history of the area, some discussion followed. Discussion also followed about climate change measurements; and, measurable and observed storm impacts over the last fifty years or so.

Chair Holdgate and Ms. Murphy left the meeting at 5:30 PM and the quorum was lost. The meeting continued as a CRAC meeting.

II. ADJOURNMENT

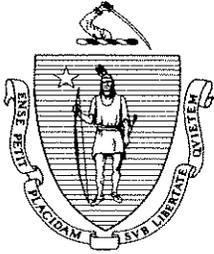
Quorum lost at 5:30 pm.

Approved the 5th day of May 2021.

**SELECT BOARD
APRIL 13, 2021 – 4:00 PM
REMOTE PARTICIPATION VIA ZOOM
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- I. Arcadis agenda; Scope of Work; Arcadis Baxter Road Feasibility Assessment and Solutions presentation



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

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

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

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

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

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

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

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

NOW THEREFORE, I hereby order the following:

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

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

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

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

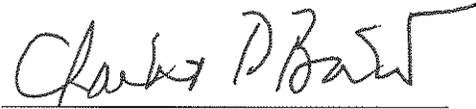
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

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

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

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

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

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

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts