

SELECT BOARD

Minutes of the Meeting of May 24, 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 Dawn Holdgate, Thomas Dixon, Matt Fee, Dr. Malcolm MacNab and Brooke Mohr.

I. CALL TO ORDER

Vice Chair Holdgate called the meeting to order at 5:31 PM, following the Pledge of Allegiance.

II. ELECTION OF OFFICERS

Vice Chair Holdgate opened nominations for Chair. Ms. Mohr nominated Ms. Holdgate as Chair; Mr. Dixon seconded. Mr. Fee nominated Ms. Mohr as Chair, stating he would like to be Vice Chair. All in favor for Ms. Holdgate as Chair, so voted. Chair Holdgate opened the nominations for vice chair. Dr. MacNab nominated Mr. Fee as Vice Chair; Mr. Dixon seconded. Chair Holdgate nominated Ms. Mohr as Vice Chair; Mr. Dixon seconded. Dr. MacNab and Mr. Fee voted for Mr. Fee; Chair Holdgate, Mr. Dixon and Ms. Mohr voted for Ms. Mohr. Ms. Mohr was elected as Vice Chair.

III. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

IV. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the announcements:

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

2. Memorial Day Parade to be Held Sunday, May 28, 2023 at 1:00 PM, Leaving from American Legion at 21 Washington Street.

3. Town Offices will be Closed on Monday, May 29, 2023 in Observance of Memorial Day.

4. No Select Board Meeting on Wednesday, May 31, 2023 (5th Wednesday).

5. Announce Applications Received for Agricultural Commission, Airport Commission, Board of Health, Capital Program Committee, Cemetery Commission, Coastal Resiliency Advisory Committee, Conservation Commission, Contract Review Committee (Human Services), Council for Human Services, Council on Aging, Cultural Council, Finance Committee, Harbor and Shellfish Advisory Board, Historic District Commission Associate, Nantucket Affordable Housing Trust, Nantucket Historical Commission, Planning Board Alternate, Real Estate Assessment Committee, Roads and Right-of-Way Committee, Scholarship Committee, Steamship Authority Port Council, Tree Advisory Committee, Zoning Board of Appeals, Zoning Board of Appeals Alternate. Operations Administrator Erika Mooney read the names of applicants so far, as follows:

Agricultural Commission: Jacob Tinkhauser

Airport Commission: Anthony G. Bouscaren, incumbent; Robert F. Currie; Arthur D. Gasbarro, incumbent

Board of Health: Ann Smith; Maureen Marcklinger; Meredith Lepore, incumbent

Capital Program Committee: Howard Matz; Christy Kickham, incumbent

Cemetery Commission: Scott D. McIver, incumbent; it was noted that incumbent Allen Reinhard submitted an application but after the deadline

Coastal Resiliency Advisory Committee (at-large member): Doug Rose, new applicant

Conservation Commission: Tim Braine; C. Marshall Beale, incumbent; Ashley Erisman, incumbent; Bertram "Bo" Wilson; Marcia J. Browne, MD

Contract Review Committee (Human Services): Linda Williams, incumbent

Council for Human Services: no applicants

Council on Aging: Anthony "Rocky" Fox, incumbent; Mary Anne Easley, incumbent

Cultural Council: Michael Kopko, incumbent; Emma Young, incumbent

Finance Committee: Howard Matz; Joseph H. Wright; Joseph W. Plandowski; Rob Giacchetti; Denice Kronau, incumbent; Joanna Roche, incumbent

Harbor and Shellfish Advisory Board: it was noted that James Sjolund submitted an application but after the deadline

Historic District Commission Associate: Howard Matz; Joseph Robert Paul; Jesse Dutra, incumbent

Nantucket Affordable Housing Trust: David Gray; Meg Browsers, incumbent

Nantucket Historical Commission: Rita Carr; Linda Williams; George Butterworth; Ethan McMorrow; Joe Bedell

Planning Board Alternate: Howard Matz; Stephen Welch, incumbent

Real Estate Assessment Committee: no applicants

Roads and Right-of-Way Committee: Lee W. Saperstein, incumbent; Nathaniel Lowell, incumbent; Phil Smith, incumbent

Scholarship Committee: Anthony "Rocky" Fox; Melissa MacVicar; Jana Starr Duarte, incumbent

Steamship Authority Port Council: Nathaniel E. Lowell, incumbent

Tree Advisory Committee: no applicants

Zoning Board of Appeals: Joe Marcklinger; it was noted that incumbent Lisa Botticelli submitted an application but after the deadline

Zoning Board of Appeals Alternate: Mark W. Poor, incumbent

6. Select Board Announcements/Comments. Chair Holdgate noted that at the Planning and Economic Development Commission meeting this past Monday, it was announced that Planning Director Andrew Vorce will be retiring as of June 30, 2023; and that Deputy Director Leslie Snell will be appointed the Planning Director.

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

There were no follow-up comments.

VI. PUBLIC COMMENT

Dorothy Hertz said that Health Imperatives recently received a Women Infants and Children (WIC) grant and commented that the group was eligible due programs it was able to establish with funding provided by the Town through the Human Services Contract Review Committee (CRC). She said she wanted to give recognition to this group and that the funding has been “well worth it”, enabling it to secure these additional grant funds.

Megan Perry commented on a joint Select Board – Zoning Board of Appeals meeting that took place on May 23, 2023 and expressed concern about a recent Superior Court hearing involving the Surfside Crossing 40B project. Ms. Perry commented further on a recent gathering of various Town officials regarding the project. Ms. Perry spoke on a comment that a Select Board member made at the joint meeting regarding the Chapter 40B law being a tool for housing and expressed “extreme offense” at that comment and said that 40B is more like a “loaded gun”.

Steven Cohen said that affordable housing is a critical issue on the Island and took offense as to the way Ms. Perry characterized the Chapter 40B law.

VII. NEW BUSINESS

There was no new business.

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII 1 - 3; seconded by Ms. Mohr; all in favor, so voted.

1. Approval of Minutes of May 17, 2023 at 5:30 PM.

2. Approval of Treasury Warrants for May 24, 2023.

3. Approval of Pending Contracts for May 24, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Nantucket Community Sailing: Request for Consent to Sub-lease Premises at 12 Industry Road. Ms. Gibson introduced the item. Nantucket Community Sailing (NCS) Director Diana Brown explained the request, noting the sub-leasing would be solely for businesses in the marine trades. Ms. Brown elaborated on the community benefits provided by NCS and its programming. Mr. Fee commented on the value of the NCS programs to the community and moved approval; seconded by Ms. Mohr; all in favor, so voted.

2. Historic District Commission (HDC): Request for Extension of Sign Advisory Committee (SAC) Members' Terms until HDC Independent Review Process is Completed and HDC Provides Recommendation for Further Action. Preservation Planner Holly Backus reviewed the request. Chair Holdgate inquired as to the status of the independent review of the HDC. Ms. Backus explained. Some discussion followed. Mr. Fee said he does not agree that the HDC isn't empowered to retain the SAC on its own. He said he supports the term extensions. Dr. MacNab agreed. HDC Vice Chair Stephen Welch explained the previous advice from Town Counsel as to the SAC appointments, which was that the HDC is not empowered to appoint the SAC. Some discussion followed as to whether or not the HDC is seeking new applicants or extending the terms of the current applicants; and, depending on that, what the process would be for appointments. Ms. Mohr said she would be inclined to simply extend the terms of the current members until the completion of the HDC independent review. Some discussion followed. Ms. Mohr moved to extend the terms of the current members of the SAC until the HDC independent review is complete; and an alternate appointment process is established; seconded by Dr. MacNab; all in favor, so voted. Mr. Fee reiterated that he does not agree with the position that the HDC does not have the authority to establish the SAC.

3. Request for Acceptance of Grant of Easement from 14 Easy Street LLC, Sarah F. Alger and Richard P. Beaudette, Trustees of 14 Easy Street Condominiums Trust, Over a Portion of 14 Easy Street, Shown as "Proposed Public Access Easement Area = 722 s.f." on Plan Entitled "Easement Plan of Land in Nantucket, MA, Prepared for: 14 Easy Street Condominiums, #14A - #14D Easy Street," Dated November 16, 2021 and Prepared by Bracken Engineering, Inc. for Public Pedestrian Purposes. Attorney Vicki Marsh from Town Counsel's office reviewed the item and explained the terms of the easement. Mr. Fee asked about parking on the easement area. Some discussion followed. Dr. MacNab moved acceptance as requested; seconded by Mr. Fee; all in favor, so voted.

4. Request for Approval and Execution by Town of Complaint for Approval of Plan and Issuance of Certificate of Title for Approval of Subdivision Plan Identified as Land Court Plan No. 10937-30, for Property Located at 8 Chatham Road. Ms. Marsh reviewed the matter. Mr. Dixon moved acceptance as requested; seconded by Ms. Mohr; all in favor, so voted.

X. TOWN MANAGER'S REPORT

1. Annual Town Meeting/Annual Town Election Administrative Follow-up. Ms. Gibson reviewed the document in the Board's packet as to administrative follow-up activities from the annual town meeting and annual town election. Ms. Gibson explained how the approved home rule petitions are compiled and forwarded to the Town's state legislators and noted that she believes the Planning Commission may have recently voted to request that the Board not forward a particular home rule petition approved at Town Meeting by an unusually narrow margin. Mr. Fee and Dr. MacNab indicated they would not support such a request. Mr. Fee commented that he would like the Board to get updates on the playing fields on a regular basis leading up to the November special town meeting if the Board is going to potentially include the funding request contained in Article 15 from the annual town meeting which was defeated but the associated ballot question was approved, at yesterday's election. Chair Holdgate noted that on the day of the annual town meeting, a Saturday, many people who were at various events at the playing fields might have voted for the article if they had been able to attend town meeting. Dr. MacNab asked about the cumulative tax rate increase for all of the items approved at the ballot. Ms. Gibson responded. Mr. Fee commented that the increase is for residential properties not commercial and that it is higher for commercial. Chair Holdgate noted the Board could consider increasing the residential exemption. Mr. Fee noted that the Board could also consider lowering the commercial tax rate.

2. Monthly Town Management Report. Ms. Gibson reviewed the report contained in the Board's agenda packet.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Town Council Study Committee Membership and Other Details. Ms. Gibson introduced the item and said there are a few things the Board should determine with respect to this Committee which was endorsed by the 2023 annual town meeting in the vote on Article 81, including number of members, and whether the Board wants to specify any particular representatives from other groups to be part of the Committee, such as potentially a member of the Advisory Committee of Non-voting Taxpayers. Ms. Gibson stated that she recommends this process not be a "rush" job and that changing a municipality's form of government requires careful consideration and significant public outreach; she recommended engagement of a professional facilitator familiar with the subject matter; and suggested a number of 7 members and no more than 9. Curtis Barnes commented that the committee should have 10 members and should get going as soon as possible so that summer residents can be involved. Ms. Mohr disagreed and stated that summer is not the right time for year-round residents to be able to attend meetings. She said she leans toward constituting the Committee toward the end of summer, and the engagement of a facilitator with an "aggressive timeline". She added that what the town gains and also loses with a change of government needs to be thoroughly evaluated. She said she believes this is a multi-year project, noting it would be a huge change, it needs to be done well and to "dig deep" into the community for input. She agreed with 7-9 members, noting 7 would be more "nimble"; and that the members all be at-large members, no one designated. Dr. MacNab said there are "talented people" on the island who could facilitate this at a reasonable rate. He said a "non-voting member" of the committee could also facilitate it. Ms. Mooney reviewed the committee appointment process and noted it takes time due to the public outreach and other requirements. Mr. Dixon said the volume of information based on his experience with the Short-term Rental Work Group is significant and has to be managed, noting it is a "big endeavor". He said he would be hesitant to put that burden onto Town staff. Chair Holdgate said she does not have a concern about spending Board Strategic Plan funds on a facilitator such as who has been engaged for the Short-term Rental group. She agreed with a 7-9 number of members. She suggested a current or former Select Board and/or Finance Committee member for experience with the current system. She supported the idea of including a non-voting taxpayer. She said remote meetings would allow for anyone off-island to attend. Dr. MacNab agreed the first step is to get a facilitator on board. He agreed with 7-9 members. Mr. Fee said he's not sure someone from the community can be the facilitator, noting it needs to be someone with subject matter expertise. Dr. MacNab disagreed. Mr. Barnes commented on use of the Massachusetts Municipal Association for resources. It was generally agreed that Ms. Gibson will work on engaging a facilitator and proceed with the committee appointment process.

2. Committee Reports. Ms. Mohr commented on an upcoming Affordable Housing Trust meeting to discuss formation of a work group to help come up with deed restriction purchase proposals related to opportunities to keep properties in year-round ownership. Mr. Fee reported on a Coastal Resiliency Advisory Committee meeting this week, which focused on Baxter Road. Mr. Fee noted that last week's Select Board meeting was a nice "going away" for former member Jason Bridges who did not seek re-election. Chair Holdgate reminded the public about a long-range transportation planning survey currently available. Ms. Mohr noted that survey is available in 3 languages as is a current Steamship Authority strategic plan survey. Ms. Mohr said as the community becomes aware of surveys it can become routine and a good way to gather public input. Mr. Fee said he would like to add to a Board agenda a review of the Planning and Land Use Services

Memorandum of Agreement. Some brief discussion followed on this. Dr. MacNab requested a copy of the agreement.

Chair Holdgate extended congratulations to Mr. Dixon and Dr. MacNab for yesterday's election results.

XII. ADJOURNMENT

Mr. Dixon moved adjournment at 6:49 PM; seconded by Dr. MacNab; all in favor, so voted.

Approved the 7th day of June 2023.

**SELECT BOARD
MAY 24, 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:

- IV. 2. Letter from American Legion re: Memorial Day Parade
- IV. 5. 2023 Annual Committee Applicants list; Applications
- VIII. 1. Draft minutes of 5/17/2023
- VII. 3. Pending Contracts spreadsheet
- IX. 1. AIS re: Nantucket Community Sailing sub-lease; Consent by the Town of sub-lease of 12 Industry Road; Letter from Nantucket Community Sailing; GIS map of premises; email from Town Counsel
- IX. 2. AIS re: HDC – SAC; Memo from HDC; email from Holly Backus re: SAC membership; Portion of Select Board minutes of 9/7/2022
- IX. 3. AIS re: 14 Easy Street Grant of Easement; Grant of Easement; Acceptance of Easement; Easement Plan
- IX.. 4. AIS re: 8 Chatham Rd; Assent; Subdivision Plan – Land Court Plan No. 10937-30; Order of Taking by Eminent Domain of Portions of Sandwich Rd; Sandwich Rd Taking Plan; Certificate of Title for 8 Chatham Rd
- XI. 1. Article 81 - Town Council Form of Government