

Town and County of Nantucket
ROADS AND RIGHT OF WAY COMMITTEE

Posted Meeting of
July 19, 2022, at 4:00 pm
Held live in 131 Pleasant Street, Conference Room A, and 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 4:01 pm. In attendance were Committee Members Rick Atherton, Ed Gillum, Bill Grieder, Allen Reinhard, and Lee Saperstein; there was a quorum at all times. All present responded to an attendance roll call. The meeting was recorded and can be viewed on the Town’s You Tube site (on Town’s main web page as “Watch Meetings Live”, select “Playlists” then look for “Roads and Right of Way”.):

<https://www.youtube.com/watch?v=CYT4nP0rsR0&list=TLPQMTYwODIwMjLLhcE4M10zoA&index=27>.

Supporters attending: Charles Douglas, NCTV 18 staff (left at 4:05 pm), TaKyra Netter and Will Dell’Erba, DPW staff.

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

C. Public Comments. Allen Reinhard said that the following comment from the Chair could have been done under “New Business” but he thought that public comment would also be a good place. He has learned from a Conservation Commission, ConComm, member, Ian Golding, that there is an application for repair of a wooden groin at 18 Washing Pond Road. This is a large property east of the public beach at the end of the road and is protected by a bulkhead. The groin extends into the water at right angles to the bulkhead. A 99-year Chapter 91 License was granted February 19, 1993. The Chapter 91 issue is that the groin crosses the intertidal land and is, therefore, to include stairways over the new structure. In his opinion, Allen Reinhard says that they will not be of any use because there were not stairs on the other side of the groin. The application is expected to be continued.

Allen Reinhard said that his concern is with access and Chapter 91 issues. Ian Golding will notify him when it is next to come before them. Allen Reinhard intended to inform the ConComm that our mission to protect access to the water suggests that we should have a role to play in this and similar applications. Ed Gillum asked if there had ever been access at high tide, which may be a point to investigate. Rick Atherton said that he has seen the packet and notes that it this is an application for a repair and not a new structure; the groins are pre-existing. There are several concerns to be resolved. One is whether or not the current lot and its structures are still entitled to protection and a Chapter 91 license as the conditions are different from what existed when the license was first issued. It was suggested that the Committee maintain a

watching brief. Bill Grieder thought that, if the application is returned to the ConComm, it could be a multi-meeting issue. He suggested that we follow up with Jeff Carlson, Director, Natural Resources, and staff support to the ConComm. [Action: Contact Jeff Carlson and tell him of our continuing interest in this and all Chapter 91 License applications.]

Public Comments: None.

D. Approval of the minutes of the meeting of June 21, 2022, was moved by Rick Atherton, seconded by Bill Grieder, and approved unanimously by roll-call vote.

2. If Available, Ken Beaugrand Update on Road, Sidewalk, and Takings Projects.

Ken Beaugrand was not in attendance. Allen Reinhard noted, with respect to road repairs, that the Lovers Lane project had received bids that are way over the original estimate and available funds, which means, at best, that it will be delayed. Bill Grieder asked about force main sewer project and what it would mean for street repaving. Lee Saperstein volunteered that he has learned that this project would not begin until the fall and that it might have a substantial impact on Island traffic. He also has learned that the leadership of the Department of Public Works, Sewers, and the Water Company meet regularly to coordinate projects so that disruption of any one street happens only once. For a more definitive picture we should get our new Transportation Planner, Patrick Reed, to attend a future meeting. [Action: Arrange for Patrick Reed to attend a meeting, either live or on Zoom.]

3. Annual Committee Reorganization, Election of Officers for FY2023.

Allen Reinhard reminded the committee that the July meeting is the beginning of the new fiscal year for Nantucket and, thus, the time to reorganize. Committee membership remains the same but it is time to appoint officers and he asked for nominations. Rick Atherton responded quickly and moved that we reverse the roles of Chair and Vice-Chair. Lee Saperstein added that some volunteer organizations include a past-chair role for the maintenance of continuity. Rick Atherton then moved to nominate Bill Grieder as Chair, Allen Reinhard as Vice Chair, and Lee Saperstein as secretary. There were no other nominations and the candidates indicated their willingness to serve. All present added their second, which made for a unanimous vote of approval. Bill Grieder said that he will rely on Allen Reinhard as we move forward. Allen Reinhard noted that he was happy to help, particularly with the extensive task of follow up with Town officials.

4. Projects and Goals For FY23: Beach Access Map, Chapter 91 Project, Goals and Next Steps.

Bill Grieder, newly elected chair, took over the meeting. He noted that the Beach Access Map project was in the hands of Phil Smith. He asked that we consider the next steps for this map. Allen Reinhard noted that the physical nature of the map was unclear to him. Lee Saperstein said that with today's digital platforms there were many alternatives to a paper map, not the least

of which would be additional layers on the Town's GIS map. It was agreed to ask Nathan Porter, GIS Coordinator, what we need to do next.

Bill Grieder then noted that Chapter 91 issues were brought to the committee by Rick Atherton. Both of them spoke of the need to receive copies of Chapter 91 material, both applications and licenses, so that we may offer advice on access issues. The committee has asked for this information in the past. What do we need to do now asked Bill Grieder: submit a formal memorandum of request? He offered to write, primarily to the ConComm through its chair and with a copy to Jeff Carlson, and secondarily to the Town Administration by adding a copy to Erika Mooney. Ed Gillum pointed out that the committee's long-term interest in the Harbor Walk meant that there are many properties along it for which we would like to have Chap 91 information. Lee Saperstein mentioned that in the previous day's Summer Forum, Town Manager Gibson reported on potential plans under development by a consultant for a new Our Island Home and a senior center to go in the existing site. Ed Gillum suggested that we get input from the consultants. [Action: Contact Jeff Carlson to ask that copies of Chapter 91 material be sent regularly to this committee. Ask Town Management if it is possible to learn more about the consultant's report on Our Island Home.]

Bill Grieder then said that he would like to amend the projects list so that it can direct future committee activities. Certainly, he would like to update the public-way monuments list and work with DPW to maintain -- brush cut -- existing ones. Lee Saperstein said that he would send him a copy of the most recent list. He also said that the DPW had offered previously to install any new ones.

Ed Gillum reminded the committee that we were going to list aggressively obstructions and encroachments, so as to work with the DPW and the Encroachment Committee. Rick Atherton noted that we had, earlier, agreed to send observations of dangerous and severe encroachments to the Chair; he said that we should renew this effort and notes to Bill Grieder. In turn, he will ask Ken Beaugrand to tell us about the status of the Encroachment Committee. Lee Saperstein found the Town's Encroachment Policy and projected it onto the screen: go to <https://nantucket-ma.gov/202/Policies-Regulations> and click on Encroachment Policy.

5. Charlie Polachi: Park and Recreation Projects and Public Access.

Will Dell'Erba was introduced as the DPW liaison and *ex officio* committee member. He said that he was new to the DPW job and wants to familiarize himself on issues such as Chap 91. He has been on Island for some time and worked previously as an arborist with a private company. While his current job is not directed at trees, he remains very interested in them. Lee Saperstein asked about the Tree Advisory Committee's interest in the Town purchasing a stump grinder and he reported that the DPW is buying one.

6. Future Meetings: In Person or Via Zoom. Location Options.

With respect to future meetings, Bill Grieder asked for opinions on which format would work best. He likes hybrid meetings and now that the State has extended the waiver of that section of the Open Meeting Law to March 31, he suggested that this is what we should schedule. Rick Atherton agreed as long as the meeting is recorded. All agreed and future meetings will be held live but with a Zoom link circulated among the committee members.

7. Old, New, and Other Business, and Member Comments,

Lee Saperstein reminded everyone that we should have Patrick Reed attend as soon as possible. There were no other items of business.

8. Adjourn.

A move to adjourn was made by Rick Atherton, seconded by Allen Reinhard and approved unanimously. Adjournment came at 5:17pm. The next meeting is at **4:00 pm on August 16, 2022**, and will be in 131 Pleasant Street with optional Zoom attendance.

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., and other locations.
- Update file of existing monuments.
- Move monuments at Westchester St. Ext. & Crooked Lane.

Sidewalk Projects: (Lee & Allen).

- Prospect St. (sidewalk 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.
- Lovers Lane Bike path and road reconstruction: follow progress.
- Follow implementation of downtown sidewalk improvements.
- Bike/Pedestrian connection from Surfside to Hummock Pond to Madaket paths.

Chapter 91 Monitor Project: (Lee, Rick, Phil).

- Make local license information available online.
- Harbor Walk Project, list of permits and approvals, Identify route.
- Chapter 91 licenses along route for the Harbor Walk.
- Locate other locations on waterfronts requiring licenses.

Nantucket Greenway and Trail System Project: (Allen, Lee).

- Nantucket Central Railroad trail map of route.
- Island Trail Map with all walking trails.