

SELECT BOARD

Minutes of the Meeting of September 13, 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

Chair Holdgate 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.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the announcements:

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

2. 2023 Committee Vacancies – Round 3: Council on Aging, Cultural Council, Real Estate Assessment Committee, Tree Advisory Committee. Ms. Gibson reviewed the timeline for the remaining vacant committee seats available and urged members of the community to volunteer their time.

3. The Finance Committee will Hold a Public Hearing on Thursday, September 21, 2023 at 4:00 PM in the PSF Community Room at 4 Fairgrounds Road and via Remote Participation via Zoom Webinar Regarding November 7, 2023 Special Town Meeting Warrant Articles: <https://www.nantucket-ma.gov/DocumentCenter/View/45768/November-7-2023-Special-Town-Meeting-Warrant-as-Adopted-by-the-Select-Board>.

Police Chief William Pittman gave an update on the status of pending Hurricane Lee. He corrected an “alert” that went out from the Inquirer & Mirror moments ago regarding a “tropical storm warning”. Chief Pittman explained that the track of the Hurricane has been very difficult to determine by most weather experts and reviewed the potential tracks, severity, timing and what people should anticipate and be prepared for. He also reviewed preparations being made through the coordinated efforts of Town departments. He urged people not to bypass or remove any street barriers, emphasizing they are in place for a reason. He said the biggest risk from this storm is likely to be falling tree limbs, and cautioned people to avoid these if encountered. He said that National Grid will be sending extra crews for the weekend to assist with power outages if needed. He also urged people to secure any loose items on their property. He reviewed other safety precautions and provided resource information. Discussion followed as to potential cancellations, including the ferries.

Ms. Gibson acknowledged the Town employees who were recently honored by the Egan Maritime Institute and the Nantucket Cottage Hospital at the annual Lifesavers Recognition Day on September 11, 2023: David Tearse, Nantucket Lifeguard; Austin Pronovost, Nantucket Lifeguard; Anthony Bellabona, Nantucket Lifeguard; Fire Capt. Frank Hanlon; Firefighter David Angelastro; Firefighter Corey Ray; Firefighter Raymond McClure; and Dispatcher Era Kever.

4. Select Board Announcements/Comments.

Dr. MacNab asked about the status of the Police Chief search. Ms. Gibson noted that an update was provided in the Town Manager August e-newsletter and said that there are currently four finalists, an Assessment Center will be held shortly and a final selection is expected with a candidate to be put forward within the next 4-6 weeks.

Brooke Mohr said that an operational review of the HDC as approved several months ago, is underway.

Chair Holdgate spoke about scheduling a review of the Memorandum of Understanding with the Planning and Land Use Services Department, at a special meeting, soon.

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

There was no follow up.

V. PUBLIC COMMENT

There was no public comment.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of September 6, 2023 at 5:30 PM; September 7, 2023 at 9:00 AM. The minutes were tabled until the next meeting.

2. Approval of Treasury Warrants for September 13, 2023.

Ms. Mohr moved approval of the Treasury Warrants; seconded by Mr. Fee; all in favor, so voted.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Nantucket Land and Water Council: Request for Preliminary Review of Conservation Restriction to be Held by Nantucket Land Council, Inc. for Land Located at 120 Miacomet Road. Chair Holdgate explained that pursuant to the Board's Conservation Restriction and Preservation Restriction Policy, when a conservation restriction (CR) is submitted, it is preliminarily reviewed by the Select Board to give Members opportunity for comments before being sent to Town Counsel for review and an issuance of a report. Mr. Fee moved to send the CR for 120 Miacomet Road to Town Counsel review and issuance of a report; seconded by Ms. Mohr; all in favor, so voted.

2. Nantucket Preservation Trust: Request for Preliminary Review of Historic Preservation Restriction to be Held by Nantucket Preservation Trust, Inc. for Property Located at 23-25 Fair Street. Chair Holdgate explained that similar to the previous item, pursuant to the Board's Conservation Restriction and Preservation Restriction Policy, when a preservation restriction (RR) is submitted, it is preliminarily reviewed by the Select Board to give Members opportunity for comments before being sent to Town Counsel for review and an issuance of a report. Dr. MacNab moved to send the PR for 23-25 Fair Street to Town Counsel review and issuance of a report; seconded by Mr. Fee; all in favor, so voted.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider an Application for Public Assembly Permit for Nantucket Island Fair to be Held Sunday, September 24, 2023 at Children's Beach, 15 Harbor View Way. Chair Holdgate opened the hearing. Licensing Administrator Amy Baxter reviewed the permit application, which was prompted by the proposed move of the Island Fair from Tom Nevers Park to Children's Beach. Discussion followed as to the particulars of the event.

There being no further public comment, Ms. Mohr moved to close the hearing; seconded by Mr. Fee; all in favor, so voted.

Ms. Mohr moved approval of the public assembly permit for the Island Fair to be held at Children's Beach as presented; seconded by Mr. Dixon; all in favor, so voted.

2. Nantucket Sewer Commission: Public Hearing to Consider Amendments to the Nantucket Town and Siasconset Sewer Districts Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 18, 19 and 20 of the November 7, 2023 Special Town Meeting. Chair Holdgate opened the hearing. Ms. Gibson explained the purpose of the hearing, noting that it relates to provisions in the Nantucket Sewer Act. Sewer Director David Gray reviewed staff reports and recommendations for each of the three sewer articles. Mr. Fee suggested adding a criteria relative to coastal resiliency to the check list used to evaluate the articles. Linda Williams spoke in favor of Article 18 and responded to letters of opposition in the Board's packet. Margaret van Deusen questioned the need for Article 18, noting that there is no water quality issue. She urged the Board to vote against the Article and spoke in favor of waiting for coastal resiliency recommendations. Chair Holdgate explained that these articles are on the November 7th Special Town Meeting warrant, cannot be removed and that the Board's role is currently limited to whether or not to endorse the articles. George Hubbs asked how much it would cost the Town to install a sewer system for Codfish Park. Some discussion followed with Ms. Gibson and Mr. Fee responding, indicating there have been betterments for certain projects and taxpayer funding for others. Mr. Hubbs urged the Board to vote against Article 18. Drew Seevers spoke against the article, concurring with Ms. Van Deusen. He expressed concern as to potential costs of the extension to property owners who "do not want it". Joseph Arvay spoke against Article 18. Ann Gardner agreed with Mr. Arvay, spoke against the article and expressed concern over the unknowns of construction impacts in a fragile area. Lynn Filipski, former President of the Sconset Civic Association (SCA) stated that the SCA has taken a vote opposing the article. She spoke on the construction impact concerns as well. Karel Greenberg, current President of the SCA spoke further on the SCA's vote and urged the Board to vote against the article. Nicole Terrapelli spoke against the warrant article.

There being no further public comment; Ms. Mohr moved to close the hearing; seconded by Mr. Dixon; all in favor, so voted. Ms. Mohr commented that there is no current plan to install sewer in Codfish Park, at all.

Mr. Dixon moved to approve the recommendations on each article, to endorse Articles 19 and 20 and not to endorse Article 18; seconded by Mr. Fee; all in favor, so voted.

X. TOWN MANAGER'S REPORT

1. Update Regarding Short-Term Rental Registration Vendor. Finance Director Brian Turbitt reviewed the status of demonstrations of two vendors that are under review. Ms. Mohr asked if there is an understanding that many of the Island's short-term rentals are not on digital platforms. Mr. Turbitt responded affirmatively. Some discussion followed as to the intricacies and complexities of short-term rental bookings and rental durations by party; and, concerns about the Town's ability or the vendor's ability to manage and track the rentals. Some discussion also followed as to enforcement.

2. Review of 2024 Annual Town Meeting and Annual Town Election Timeline. Ms. Gibson reviewed the proposed timeline for the 2024 Annual Town Meeting and Annual Town Election. Ms. Mohr moved to endorse the timeline as presented; seconded by Mr. Dixon; all in favor, so voted.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Formation of Town Council Study Committee. Ms. Gibson explained her research to date on securing a potential facilitator for the Committee, as the Board requested after the 2023 annual town meeting. Chair Holdgate asked the Board how it would like to handle appointment of the Committee, and when. Dr. MacNab suggested forming the Committee and letting it determine what it needs, rather than the Board doing that. He added that he does not really believe a facilitator is needed at all. Curtis Barnes said that many

“well qualified people” have applied for the Committee and hopes that it could get established. Chair Holdgate expressed support for securing a facilitator. Mr. Fee said the “key” is that the Committee members need to work together and agrees that then perhaps members could be involved in the selection process of a facilitator. Dr. MacNab said the Committee could advise on a facilitator. Chair Holdgate noted that the membership of the Committee should be determined by the Board. Ms. Mohr commented on the need to determine a process for how it will deliberate and conduct its work. She agreed that the Committee could be involved in the selection of a facilitator. Chair Holdgate suggested 9 members of the Committee. Mr. Dixon commented on the need for alternates and reviewed his recent experience on the Short-term Rental Work Group. He endorsed the need for a facilitator and agreed with the need to determine a process as articulated by Ms. Mohr. Tucker Holland commented on his membership on a prior Government Study Committee. He expressed support for a membership of 9, with alternates. Linda Williams agreed with Mr. Holland and agreed that a tremendous amount of outreach is necessary. She spoke in favor of a representative town meeting. The Board discussed the composition of the Committee. Mr. Barnes suggested that a Finance Committee member and a Select Board member be “ex officio” members. Mr. Dixon said he would volunteer to be the Select Board representative and Dr. MacNab said he would agree to be the alternate Select Board representative. Discussion followed as to continuing to advertise for more applicants. It was agreed to advertise for an additional two weeks and make appointments at the Board’s meeting on October 4th.

2. Discussion Regarding Cultural Heritage Partners’ Opinion-Editorial Regarding Balancing Wind Energy and Cultural Heritage Preservation. Greg Werkheiser and Will Cook of Cultural Heritage Partners provided an overview of the draft op-ed. Mr. Werkheiser commented on the purpose of the op-ed being that the public get accurate, clear, factual information as to off-shore wind farm proposals. He suggested that if the Board has any comments on the draft, that these be provided as soon as possible and that if in the next 48 hours or so, there are no comments, that the draft be finalized and submitted to local newspapers and perhaps other social media outlets. Mr. Fee asked about including a point in the op-ed that the Town’s position is that the off-shore wind farms not be able to be seen from Nantucket. He added that information should be made available to the public as to what agencies citizens may provide comments. Mr. Werkheiser agreed and said he will work that into the document. Mr. Fee moved to issue the document within the next 48 hours, with any comments the Board members might have; and, to generally support communications from Town staff when corrections might be needed to be issued for accuracy; seconded by Ms. Mohr; all in favor, so voted.

3. Committee Reports. There were no committee reports.

XII. ADJOURNMENT

Mr. Fee moved adjournment at 7:24 PM; seconded by Mr. Dixon; all in favor, so voted.

Approved the 20th day of September 2023.

**SELECT BOARD
SEPTEMBER 13, 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. 2. Round 3 Committee Vacancies Timeline; Round 3 Committee Vacancies ad
- VIII. 1. AIS re: CR for 120 Miacomet Rd; CR/PR Policy; Cover letter from Sarah F. Alger, P.C.; Draft CR for 120 Miacomet Rd; Deed; GIS map
- VIII. 2. AIS re: HPR for 23-25 Fair St; CR/PR Policy; Cover letter from Nantucket Preservation Trust; Draft HPR for 23-25 Fair St; Letter from Mass Historical Commission; Deed; GIS map
- IX. 1. AIS re: Nantucket Island Fair Public Assembly Permit; Info on Fair; Email thread re: Island Fair; Special Event Permit Application; Email thread with Brant Point Assn
- IX. 2. Public hearing notice for Sewer Articles; Sewer Act; Article 18; Article 18 map; Article 18 Report; Letters of opposition; Article 19; Article 19 map; Article 19 Report; Article 20; Article 20 map; Article 20 Report
- X. 2. DRAFT 2024 ATM/ATE Timeline
- XI. 1. Town Council Study Committee purpose (Article 81 of 2023 ATM)
- XI. 2. DRAFT Op-Ed re: Balancing Wind Energy & Cultural Heritage Preservation