

## **SELECT BOARD**

Minutes of Meeting of October 19, 2022. 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 Jason Bridges, Matt Fee, Brooke Mohr and Dawn Holdgate. Melissa Murphy was not present.

### I. CALL TO ORDER

Chair Bridges called the meeting to order at 5:44 PM, following a meeting of the Nantucket Regional Transit Authority.

### 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. Saturday, May 6, 2023 Annual Town Meeting:

- Warrant Opens for Citizen Warrant Article Submittals September 29, 2022 through November 14, 2022 at 4:00 PM.

3. Select Board Announcements/Comments. No comments.

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

No comments.

### V. PUBLIC COMMENT

Diane Coombs spoke on house moves and the importance of saving houses. Megan Perry thanked the Board for appealing the state Housing Appeals Committee decision regarding the Surfside Crossing 40B housing development. Burton Balkind spoke on a letter he wrote to the Board on October 5, 2022 regarding the Baxter Road erosion control project.

### VI. NEW BUSINESS

There was no new business.

### VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Ms. Holdgate moved approval of items VII 1-3; seconded by Ms. Mohr; so voted 4-0.

1. Approval of Minutes of October 12, 2022 at 5:30 PM.

2. Approval of Payroll Warrants for October 16, 2022.

3. Approval of Treasury Warrants for October 19, 2022.

4. Approval of Pending Contracts for October 19, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson explained that the line painting

contract for DPW with K5 Corporation due to internal miscommunication is actually for a contract not to exceed \$250,000 not \$1 million. Mr. Fee moved approval of the pending contracts as presented, with the revision Ms. Gibson indicated; seconded by Ms. Holdgate; so voted 4-0.

#### VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Zoning Board of Appeals: Resignation. Ms. Holdgate moved to accept the resignation of Ed Toole with regret and thanks for his service to the Town; seconded by Mr. Fee; so voted 4-0.

2. Tree Removal Denial "Appeal" to Board of Public Works: 14 West Creek Road. Chair Bridges noted that while this is not a public hearing, it will be handled in the same way as a Historic District Commission appeal would be handled. Karsten Reinemo, the appellant, spoke on his appeal and explained the history of his ownership of the property. He offered to mitigate the removal of the trees. Tree Warden David Champoux spoke on the status of the trees in question. He stated that the trees are Town trees and should not be removed. He suggested downsizing the property at the site. He also provided a history of the trees at the subject property and noted that approximately three years ago, there was still a viable chance to relocate the trees but now they have become quite large. Mr. Reinemo spoke on his efforts, which have not been successful, to find a new location for the trees. He said downsizing the project is not desired and asserted that it would make the project "unbuildable". Some discussion followed as to whether or not one of the trees could be removed. Mr. Fee spoke in favor of saving the tree at the corner of the lot and mitigating the other one, commenting that mid-island is the appropriate location for dense housing/buildings. Mr. Champoux said that moving the tree(s) is entirely viable for survivability. He suggested moving them to Town property across the street. Ms. Mohr asked if these are definitively Town trees. Mr. Champoux responded affirmatively. Ms. Holdgate concurred with Mr. Fee, suggesting Mr. Reinemo donate new trees to plans somewhere else. Some discussion followed as to where to relocate one or both of the trees. Mr. Champoux acknowledged that moving them much of a distance could be problematic due to their size. Mary Longacre said she was on the Tree Advisory Committee when those trees were planted and that the idea at the time was to establish a tree canopy along the roadway in that location. She said a lot of thought was given to the placement of the trees and it is important to understand the history of their placement. Discussion followed as to which tree would be better one to remove. Ms. Mohr said she is inclined to keep the trees where they are. Discussion continued as to the relocation of the trees. Chair Bridges said he is in favor of relocating them across the street. Ms. Gibson said she has not heard of this possibility before and there would need to be review of that possibility due to other issues with the Town property. Discussion continued. Ms. Holdgate and Chair Bridges commented on the changing priorities in the mid-island. Ms. Holdgate moved to allow removal of one tree, of Mr. Reinemo's choice; and, to plant two new trees at the lot; seconded by Mr. Fee. Mr. Champoux said the size of the replacement trees should be specified. Ms. Holdgate asked for a recommendation. Mr. Champoux suggested that there should be one tree per caliper inch, he estimated the trees to be removed are approximately each 14 caliper inches, so 14 trees. Ms. Mohr asked about location. Some discussion followed. Mr. Reinemo indicated agreement with the motion. Ms. Mohr said she would feel more comfortable with more trees, such as five, to mitigate these, to be planted elsewhere, as determined by the Tree Advisory Committee. Mr. Champoux suggested more than five trees. Ms. Holdgate suggested taking down one tree, planting two new Elm trees on the current property, with eight trees to be planted elsewhere. Mr. Champoux said that the caliper size should be specified. Some discussion followed. Ms. Holdgate moved amend the motion, to specify that the two replacement trees on the property are to be 4-5 caliper inch shade trees (not Elm trees), the other eight trees to be planted elsewhere would be Elms; seconded by Mr. Fee. Mr. Champoux noted that Elm trees cannot be cut outside of December 1 – April due to Dutch Elm disease control measures. Mr. Reinemo indicated agreement with the amended motion, and he commented on private property rights. Attorney

Brian Riley of Town Counsel's office explained that the Town bylaw pertaining to Town trees remains valid and, referenced the public shade tree law. With regard to the motion as amended: so voted 4-0.

3. Community Preservation Committee (CPC): Request for Consideration as to Town Sponsorship (vs Citizen) of 2023 Annual Town Meeting Warrant Article(s) for CPC Recommendations. Ms. Gibson explained that the request is being made so that formatting or typographical changes can be more easily made to the CPC articles as needed; and, that the Select Board's concurrence is sought so that the CPC can submit its recommendations through the Board rather than the citizen article process. She added that the Board would not have the ability to change the substance of the article(s). Mr. Beaugrand concurred. Ms. Holdgate moved to included these as Town-sponsored articles; seconded by Ms. Mohr; so voted 4-0.

## IX. PUBLIC HEARINGS

1. Public Hearing to Consider Application for Change of Officers and Alteration of Premises of All-Alcoholic Beverages Club License for Sankaty Head Golf Club, Inc. dba The Sankaty Head Golf Club, Kimberly Matthews, Manager, for Premises Located at 100 Sankaty Road. Chair Bridges opened the hearing. Attorney Kevin Dale, representing Sankaty Golf Club explained the application, noting that the intent is to include the golf course in the licensed premises description and reviewed the state Alcoholic Beverages Control Commission rules regarding alcoholic beverages on golf courses. Licensing Administrator Amy Baxter noted none of the liquor licenses for golf clubs on the Island currently specify the golf courses and said this will be coming up over the next few months. Ms. Mohr asked about road crossings and whether or not a prohibition about alcoholic beverages crossing the road with patrons is an issue. Mr. Dale explained there is a procedure allowable through the ABCC that would address this. Mr. Fee asked about unintended consequences. Mr. Dale said he does not believe there are any and noted the presence of alcoholic beverages on the golf courses is a tradition. Ms. Mohr expressed concern about precedent. Ms. Baxter responded.

There being no further public comment, Ms. Holdgate moved to close the hearing; seconded by Ms. Mohr; so voted 4-0. Ms. Holdgate moved to approve the application; seconded by Ms. Mohr; so voted 4-0. Mr. Fee stated that he is concerned about setting a precedent.

2. Public Hearing to Consider Application for Change of Officers and Change of Classification from Seasonal to Annual All-Alcoholic Beverages Club License for Nantucket Yacht Club, Inc. dba Nantucket Yacht Club, Peter McEachern, Manager, for Premises Located at 1 South Beach Street. Chair Bridges opened the hearing. Licensing Administrator Amy Baxter reviewed the application. Ms. Holdgate recused from this matter and moved to the audience. Peter McEachern of the Nantucket Yacht Club spoke further on the application and explained the intent of the proposal.

There being no further public comment, Ms. Mohr moved to close the hearing; seconded by Mr. Fee; so voted 3-0. Ms. Mohr moved to approve the application; seconded by Mr. Fee; so voted 3-0.

Ms. Holdgate returned to the table and resumed her seat.

## X. TOWN MANAGER'S REPORT

1. Update on Baxter Road Alternate Access Planning. Ms. Gibson introduced the item, explaining that as a result of a 2021 report on Baxter Road, prepared by Arcadis, which recommended that long-term alternative access plans be developed, Arcadis was subsequently engaged to develop these plans. Town staff has been working with them and has also met with numerous abutters. She introduced Bill Casey of

Arcadis to provide the update. Mr. Casey reviewed the presentation contained in the Board's agenda packet, noting that he would focus on actions that have occurred since the last update to the Board on July 6, 2022. Mr. Fee asked about a third potential alternative access, referenced by Mr. Casey, that is being explored. Mr. Casey said that has come about as a result of abutter concerns. D. Anne Atherton asked if the third option is known; and questioned the timeline. Ms. Gibson and Coastal Resilience Coordinator Vincent Murphy responded to the questions. Ms. Atherton requested that the Board schedule a workshop meeting on this project.

2. Update on Parking Commission Establishment. Ms. Gibson reviewed that following intermittent Board discussions over the past three years about the establishment of a Parking Commission, most recently at the Board's September 28, 2022 meeting at which a potential paid parking program was discussed and at which the Board indicated that prior to any further determination as to a paid parking program, that a Parking Commission or Advisory Committee be established and a Parking Coordinator be hired to take on parking related matters, she met with Town Counsel to review what it would take to establish such a group. She turned to Town Counsel John Giorgio. Mr. Giorgio reviewed a memo he prepared on this matter which is in the Board's packet. Mr. Fee spoke in favor of a group separate from the Board to take on parking. He suggested establishing a group through a regulation, as is indicated as an option in Mr. Giorgio's memo. Some discussion followed as to the options. Chair Bridges asked about capacity of Town staff to develop such a group without a Parking Coordinator. Ms. Mohr suggested an advisory committee to start with and perhaps it doesn't necessarily convene until a Parking Coordinator has been hired. Ms. Gibson concurred. Some discussion followed. Mr. Fee said the appointments will have to be made carefully. Ms. Mohr said the group should be charged with finding a way forward to paid parking. Some discussion followed as to the role of the group, as related to the Traffic Safety Work Group, Transportation Planner and others. Mr. Fee spoke on the history of parking-related discussions by the Board. Ms. Mohr suggested "task 1" of a parking advisory group should be, how to best implement paid parking and other tasks can be added later. Discussion continued. It was generally agreed that Town Administration will come back with a "mission statement" for a parking advisory committee, the first task of which will be to develop a recommendation as to how to implement paid parking; with other tasks to be assigned.

3. FY 2023 First Quarter Budget Reports: General Fund; Our Island Home Enterprise Fund; Solid Waste Enterprise Fund. Ms. Gibson introduced the following, to review the first quarter budget reports:

Finance Director Brian Turbitt/General Fund and Solid Waste Enterprise Fund. Mr. Turbitt reviewed the materials contained in the Board's packet for both funds. He noted that concerns about a national recession are being raised by various financial agencies and those are being monitored.

Our Island Home Administrator Peter Holden and Our Island Home operations and administrative consultant Robert Eisenstein/Our Island Home (OIH). Both reviewed the OIH information as contained in the Board's packet. It was pointed out that professional services is higher than desired because it is being used to supplement services that would typically be handled by employees, such as nursing. Mr. Holden noted that food costs and medical supply costs are increasing. Mr. Holden complimented the staff of Our Island Home for their hard work.

## XI. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Mr. Fee noted a joint meeting with Vineyard Select Boards yesterday and said it was interesting, the turnout was over 100 and hopefully it will happen again. Other Board members

concurrent. Mr. Fee commented on the difficulty he has had getting a COVID vaccine. It was agreed to seek an update on this at the next Board meeting.

XII. ADJOURNMENT

At 7:46 PM, Ms. Mohr moved adjournment; seconded by Ms. Holdgate; so voted 4-0.

Approved the 26<sup>th</sup> day of October 2022.

**SELECT BOARD  
OCTOBER 19, 2022 – 5:30 PM  
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD  
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR  
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- VII. 1. Draft minutes of 10/12/2022
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. Toole Resignation from ZBA; ZBA membership
- VIII. 2. AIS re: Tree Hearing re: 14 West Creek Rd; Email thread between Reinemo and DPW requesting appeal; Memo from Tree Advisory Committee; Background information on trees at 14 West Creek Rd; 8/18/2022 Tree Advisory Committee tree hearing minutes; S. 132-2 of Town Code - Town Tree Designation; Letters of opposition (2)
- IX. 1. AIS re: Sankaty Head Golf Club; ABCC application; Aerial GIS maps (2)
- IX. 2. Nantucket Yacht Club; ABCC application
- X. 1. Arcadis presentation re: Baxter Rd alternative access planning
- X. 2. Parking Commission update
- X. 3. FY 2023 Q1 Budget Reports - General Fund; Our Island Home; Solid Waste