

COUNTY COMMISSIONERS

Minutes of Meeting of November 29, 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 Commission present were Dr. Malcolm MacNab, Thomas Dixon, Matt Fee, Dawn Holdgate and Brooke Mohr.

I. CALL TO ORDER

Chair MacNab called the meeting to order at 5:52 PM following the Select Board meeting.

II. ANNOUNCEMENTS

1. The County Commission Meeting is Being Audio/Video Recorded.

III. PUBLIC COMMENT

There was no Public Comment.

IV. NEW BUSINESS

There was no New Business.

V. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of September 27, 2023 at 5:30 PM. Ms. Holdgate moved approval; seconded by Mr. Fee; all in favor, so voted

2. Approval of Payroll and Treasury Warrants for October and November 2023. Ms. Mohr moved approval; seconded by Mr. Fee; all in favor, so voted.

VI. OFFICIAL BUSINESS/CITIZEN REQUESTS

1. Planning Board: Request for County to Acquire Clay Street for Future Pedestrian and/or Vehicular Connection to Area Roads as Outlined in Condition 5 of Clay Street Subdivision Approval (Continued from September 27, 2023). Joseph Topham, Vice Chair of the Planning Board, asked the Board to approve the request. Attorney Vicki Marsh of Town Counsel's office reviewed an issue that arose at the September County meeting regarding whether or not bicycle or pedestrian ways are considered "roadways", explaining that they are not. Arthur Gasbarro commented on the request and suggested that the County acquire an easement rather than a fee taking. He referred to a fee taking as a "floating road". He asked about the applicability of the zoning bylaw with respect to the buildability of an adjacent lot and suggested the County obtain more detail about impacts and take no action tonight. Mr. Fee asked whether or not a roadway will be constructed. Planning Director Leslie Snell explained the details of the special permit condition and said that the County is requested to ask the property owner to grant a dedication of the property in question to the County, only, at this time. Some discussion followed as to the Planning Board decision. Ms. Marsh said that the Planning Board condition at play here expires December 6, 2023 and that if the County does not act, it will forfeit the opportunity to acquire the property at no cost. Mr. Fee questioned the details of the condition. Some discussion followed. Mr. Fee expressed concern about building any roads, now. Mr. Topham said that is not proposed right now and that much additional work would have to be done in the future in order for any roads to be constructed. Ms. Mohr moved approval; seconded by Ms. Holdgate; all in favor, so voted. It was agreed that the Planning Director will draft the letter to the property owner with Town Counsel assistance.

2. Request for Approval and Execution of Assent to Amended Complaint to Recognize 1979 Fee Taking of Burnell Street and Approve Registration of Subdivision Plan of Lot 3 as Shown on Land Court Plan No. 37271-A into Lots 23, 24 and 25 on Pending Land Court Plan No. 37271-E for 52 Burnell Street. Chair MacNab reviewed the request. Ms. Marsh recommended approval, noting that the documents are in order. Ms. Holdgate moved approval as requested; seconded by Mr. Fee. All in favor, so voted.

3. Request for Approval and Execution of Assent to Complaint to Recognize 1975 Order of Taking of Derrymore Road and Approve Registration of Subdivision Plan of Lot 10 as Shown on Land Court Plan No. 13199-H into Lots 147, 148 and 149 on Pending Land Court Plan No. 13199-35 for 78 Cliff Road. Chair MacNab introduced the request. Ms. Marsh recommended approval, noting that the documents are in order. Mr. Fee moved approval as requested; seconded by Ms. Holdgate. All in favor, so voted.

VII. COMMISSIONERS REPORTS/COMMENTS

Ms. Holdgate reported on a Nantucket Planning and Economic Development Commission meeting this week, indicating there was a good discussion about the NP&EDC membership.

VIII. ADJOURNMENT

Ms. Holdgate moved adjournment at 6:12 PM; seconded by Ms. Mohr; all in favor, so voted.

Approved the 31st day of January 2024.

**COUNTY COMMISSIONERS
NOVEMBER 29, 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:

- V. 1. Draft minutes of 9/27/2023
- VI. 1. 9/27/2023 AIS re: Clay St; Letter from Planning Board; Sketch Plans; Photos; Clay St Definitive Subdivision Approval; Letter from Edward Sheehy; Email from Town Counsel 10/20/2023; Updated letter from Erika Mooney
- VI. 2. Letter from Atty Richard Glidden re: Burnell St; Amended Land Court Complaint; Assent to Amended Complaint; Lot 3, Land Court Plan No. 37271-A; Pending Land Court Plan No. 37271-E; Order of Taking of Burnell St; Burnell St Taking Plans
- VI. 3. Email from Atty John Brescher re: Derrymore Rd; Assent to Complaint; Lot 10, Land Court Plan No. 13199-H; Pending Land Court Plan No. 13199-35; Order of Taking of Derrymore Rd; Derrymore Rd Taking Plan