



UPDATED MEETING POSTING

Original Posting Date Dec 12, 2023 __

Original Posting Number T 1096 __

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

RECEIVED

2023 DEC 12 AM 09:37
NANTUCKET TOWN CLERK
Posting Number:T 1098

Committee/Board/s | Finance Committee

Day, Date, and Time | Thursday, December 14, 2023 @ 4:00pm

Location / Address | **REMOTE PARTICIPATION VIA ZOOM**
The meeting will be aired at a later time on the Town's Government TV
YouTube Channel <https://www.youtube.com/channel/UC-sgxA1fdoxteLNzRAUHIxA>

Signature of Chair or Authorized Person | Susan M. Carmel

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

UPDATED AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/81401632203?pwd=QXd0aXE1M0JLY3JlNGRzOG4zOE1kdz09>

Meeting ID: 814 0163 2203

Passcode: 510333

1. Call to Order
2. Approval of Agenda
3. Public Comment
4. Public Hearing on Citizen Warrant Articles
5. Discussion of Citizen Warrant Articles
6. Committee Reports
7. Date of Next Meeting – Monday, January 8, 2024 @ 4:00 PM (hybrid)
8. Other Business
9. Adjournment

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

	Lead Petitioner	Article Description	Comment
A.	Mimi Huber	Zoning Map Change – R-40 to CN – 1 Evergreen Way and 21 Airport Road	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
B.	Susan Ottison	Zoning Map Change – R-10 to CN – 3 Cobble Court	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
C.	Patricia Halsted	Real Estate Acquisition: Unnamed Way (Surfside)	This article is not in proper form but may be cured by motion. The petition did not provide a sufficient description of the parcel or a plan. The Assessors Map provided is not sufficient, but NP&EDC located a plan that may be used in the motion. This article is the acquisition portion of a Yard Sale transaction.
D.	Patricia Halsted	Real Estate Conveyance: Unnamed Way (Surfside)	Approved as to form, subject to comments on Article C. This article is the conveyance portion of a Yard Sale transaction.
E.	Meghan Glowacki	No Town funds to be used re: Surfside Crossing development	A majority vote in favor would be nonbinding. If the Affordable Housing Trust already has funds available for a proper purpose, no Town Meeting vote is required. If the AHT is approved for additional bonding authority, that vote would be

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

			effective even if this article receives a majority vote in favor.
F.	Meghan Glowacki	Charter Change – Department Heads report to Town Manager	This article is in proper legal form. It seeks to <u>authorize</u> the Select Board to request a special act of the General Court to amend Sections 4.2, 4.4 and 4.5 of the Town Charter.
G.	Rebecca McCrensky	Amend Chapter 58 of Town Code – Car Rental Agencies	The subject matter of this proposed bylaw is generally valid, but not presented in proper form for insertion into Chapter 58 (changes are presented in outline form); this could be remedied by motion. Recommend deleting reference to “unpurchased” medallions and replace with “unissued.” Recommend making licenses inactive for two years subject to cancellation after hearing, not “automatically returned.” Provision reserving certain licenses to residents would be analyzed by Attorney General on “equal protection” basis but appears valid.
H.	Anne Kuszpa	Zoning Bylaw Amendment – Middle Income Inclusionary Housing	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
I.	Cliff Williams	Authorize Select Board to appoint Madaket Landfill Committee	Approved as to legal form. This article would be nonbinding if approved; expression of voter support for an advisory committee on landfill issues.

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

J.	Cliff Williams	Request for Town Assistance with Evictions	This proposes a nonbinding vote. Any dispute between an owner of residential property and a tenant is a private legal matter. Providing Town funds or resources to benefit an individual in such circumstances would likely violate the Anti-Aid Amendment (MA Constitution, Articles of Amendment, Art. CIII).
K.	Leah Hill	Adopt M.G.L. 175M – State Family and Medical Leave Statute	This article is in proper legal form; adopting c.175M would require a majority vote. Even if adopted, however, implementing the benefits pursuant to the statute would require negotiation with unions and with nonunion employees. An appropriation of funds would be required to implement the benefits if the statute is adopted.
L.	Emily Molden	Zoning Bylaw Amendment – Chapter 139-13(C), prohibit pools/hot tubs in Moorland Management District	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
M.	Michael Kopko	General Bylaw Amendment – Chapter 123, Short-Term Rentals	This article is in proper legal form, adding text to Chapter 123. Approval will require a majority vote.
N.	Robert Sarkisian	Bylaw Amendment – Sewer District Map Change – 62 and 64 Sankaty Road	This would add two parcels on Sankaty Road to the sewer district. The article is approved as to form. Unless the Select Board recommends this article, a two-thirds vote will be required for passage.

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

O.	John Fones	Amend Bylaw - Rescind Chapter 141, Stretch Energy Code	This article is in proper legal form. General rule for rescission of previously accepted statutes or similar state requirements is that at least three years have passed since acceptance (Stretch Energy Code accepted in 2019). If approved, this may impact the Town's designation as a "Green Community."
P.	Steven Cohen	General Bylaw Amendment – Revisions to Chapter 123 of Town Code, Short-Term Rentals	This article is in proper legal form, making revisions to Chapter 123. Approval will require a majority vote.
Q.	Steven Cohen	Zoning Bylaw Amendment – Revisions to Chapter 139 of Town Code to add regulation of Short- and Long-Term Rentals	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
R.	Irean Shreiber	Zoning Map Change – LUG-2 to R-20 – 25 Rugged Road	This article is not in proper form. It seeks to rezone a "portion" of a lot, but there is no metes and bounds description, no plan provided and no definite description ("not to exceed 30,000 sf"). Nonetheless, because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation; petitioner may be able to work with the Planning Board to resolve these issues. Passage of this article by Town Meeting will require a two-thirds vote.
S.	Anne Kuszpa	Zoning Map Change – R-5 to CN – 75B Old South Road	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

			public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
T.	Gail Holdgate	Independent Investigation re: 2018 Historic African Meeting House Incident	This article is approved as to form. It would be a nonbinding vote, as Town Meeting cannot compel Town officials to take certain action or expend funds. In addition, the article states that the “article sponsors” would oversee the requested independent investigation funded by town public funds; this would violate the Anti-Aid Amendment to the MA Constitution.
U.	Arthur Reade	Bylaw Amendment – Sewer District Map Change – 16 Rabbit Run Road	This would add a parcel on Rabbit Run Road to the sewer district. The article is approved as to form. Unless the Select Board recommends this article, a two-thirds vote will be required for passage.
V.	Arthur Reade	Real Estate Acquisition: Bank Avenue	Approved as to form, except (1) motion should refer to “Select Board” rather than “Board of Selectmen,” and (2) copy of recorded plan should be filed with Town Clerk [recorded plan was viewed online and is in proper form]. This article is the acquisition portion of a Yard Sale transaction.
W.	Arthur Reade	Real Estate Conveyance: Bank Avenue	Approved as to form. This article is the conveyance portion of a Yard Sale program transaction, same comments as Article V.
X.	Vallorie Oliver	Withdraw Town from “Good Neighbor Agreement” with Vineyard Wind, LLC	This article is approved as to form. It would be a nonbinding vote, as Town Meeting cannot compel Town Administration or Select Board to take certain actions within their jurisdiction.

TOWN OF NANTUCKET
2024 Annual Town Meeting
Citizen Warrant Article Submissions
Town Counsel Comments
December 1, 2023

Y.	Vallorie Oliver	Offshore Wind Power – Require Town Meeting Vote	This article is approved as to form. It would be a nonbinding vote, as Town Meeting cannot compel Town Administration or Select Board to take certain actions within their jurisdiction, or mandate a prior Town Meeting vote if not legally required.
Z.	Kenneth Gullicksen	Real Estate Acquisition: Portion of Hamblin Road	Approved as to form, except (1) motion should refer to “Select Board” rather than “Board of Selectmen,” and (2) copy of recorded plan should be filed with Town Clerk [recorded plan was viewed online and is in proper form). This article is the acquisition portion of a Yard Sale transaction.
AA.	Kenneth Gullickson	Real Estate Conveyance: Portion of Hamblin Road	Approved as to form. This article is the conveyance portion of a Yard Sale program transaction, same comments as Article Z.
BB.	Beth Jekanowski	Zoning Bylaw Change – Add “Greenhouse” to Definition of “Ground Cover in Chapter 139	This article is approved as to form; “greenhouse” already appears in definition of “outbuilding.” Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.
CC.	David Buckley	Zoning Map Change – LUG-2 to R-40 – 71 Hummock Pond Road	This article is approved as to form. Because this is a zoning amendment, the article should be referred to the Planning Board for the required public hearing, and a report and recommendation. Passage of this article by Town Meeting will require a two-thirds vote.

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