

Draft Minutes
NP&EDC Meeting
Monday, September 19, 2022, 5:00pm
Remote Participation via Zoom Webinar

A video recording of the meeting may be view using the link below:

<https://www.youtube.com/watch?v=KYDXMIzj01w>

Call to Order:

Chairman Lowell called the meeting to order at 5:01pm.

Establishment of Quorum:

In attendance:

Commission:

Mary Longacre, Chair
Barry Rector, Vice Chair
Nat Lowell
Seth Engelbourg
Joseph Topham
Wendy Hudson
Dawn Holdgate
John Trudel (*arrived 5:04*)
David Iverson (*arrived 5:06*)

Staff:

Andrew Vorce, Director of Planning
Leslie Snell, Deputy Director of Planning
Patrick Reed, Transportation Program Manager
Holly Backus, Preservation Planner
Billy Saad, Land Use Specialist
Raissah Kouame, MassDOT

Approval of Agenda:

Nat Lowell moved to approve the agenda. The motion was duly seconded by Barry Rector, and the motion carried **UNANIMOUSLY**.

Response to 8/22/22 Public Commens:

Chair Longacre prepared and read a letter in response to public comments made at the 8/22/22 NP&EDC meeting, attached to the minutes. Nat Lowell moved to accept the letter as written. The motion was duly seconded by Barry Rector, and the motion carried **UNANIMOUSLY**.

Mr. Rector agreed with and commended the letter, but recommends a further discussion take place to address the relationship between PLUS, Town Administration, and HDC.

Mr. Trudel questioned if a motion was necessary to open this dialogue between town departments. Doesn't want to give the wrong impression as to the intent and purpose of the conversation.

Ms. Holdgate would like a motion to include recognition to work in conjunction with the requests

previously made by the Select Board to improve the process of HDC review.

Chair Longacre raised the question if a motion on this matter should be discussed and made more concise as to who is involved and what the desired outcome is.

Mr. Rector moved to request that the NP&EDC participate in the ongoing discussions between the HDC, Select Board, Town Council, Town Administration, regarding the future of the HDC services provided under the PLUS department. The motion was duly seconded by Joseph Topham. The **MOTION CARRIED** 8-1 with John Trudel dissenting.

Public Comments:

Hillary Rayport stated that she appreciated the feedback from the letter responding to public comment on 8/22/22 and will supply the documentation to support previous comments made, and feels public comment is the best way to express concerns to respective boards.

Action / Discussion Items:

Agency Appointment to Capital Program Committee

Barry Rector volunteered to be appointed. The Commission voted **UNANIMOUSLY** to appoint Mr. Rector as the commission's member on the Capital Program Committee.

Presentation-Martha's Vineyard Climate Action Plan

Liz Durkee, Climate Change Planner for Martha's Vineyard presented the recently released Martha's Vineyard Climate Action Plan to help the commission come up with a strategy for Nantucket. She presented the plan overview, goals, and implementation attached to the minutes.

Chair Longacre thanked Ms. Durkee for her report and to recognize the Select Board signing the proclamation for September as Climate Change Awareness Month for the third consecutive year.

Mr. Trudel had questions for Ms. Durkee regarding protection of waterways, ponds, food, and aquaculture – specifically banning of certain chemicals/fertilizers and sewer expansion.

Ms. Durkee emphasized the importance of pond water quality and Martha's Vineyard has several groups working on the issue while also acknowledging that there is more work to be done.

Mr. Engelbourg was looking for clarity of the process moving forward on a climate action plan. Stated that Sustainable Nantucket did compose a draft climate action plan in 2008, but does not believe it has been officially endorsed by the town. Questions if it makes more sense to encompass a climate action plan within the master plan or to create a separate climate action plan. The documents related to the Draft Sustainable Nantucket Climate Action Plan initiated in 2008 are attached to the minutes.

Mr. Lowell appreciated the presentation but questioned certain aspects as Nantucket (while similar to Marths' Vineyard) faces different challenges due to location.

Discussion – Monomoy Area Plan

Franci Neely, Leo Mullen and John Kitchener of the Monomoy Civic Association were present and thanked the commission and staff for allowing the residents to present the area plan. They highlighted the estimated 800 hours or 7 months residents contributed to gather data and create the plan as well as the experience and enlightenment of what the results produced.

Mr. Rector appreciated the time and effort the residents of Monomoy dedicated to creating the plan, but feels endorsing the plan immediately is too soon.

Mr. Iverson appreciated the time and effort it took to create the plan. Would like to see this accepted as a working draft.

Mr. Engelbourg stated that this is a living document and doesn't have a problem moving forward while recognizing that additional information and data is needed to finalize the document as well as following the proper procedure to adopt a plan.

Mr. Lowell asked for clarification on the process of adopting an area plan.

Director Vorce stated that area plans are a collaborative exercise between the neighborhoods and NP&EDC. This plan was a little different as the town did not have a staff member and commission member assigned to this project, which was explained earlier in the process. He thinks further recommended changes are necessary in this plan and the plan is not in its final form. There is need for a separation for broader issues with regards to the town versus the specific area discussions. Does not think the document is ready for public hearing and further discussion is necessary.

Mr. Trudel echoes Dave Iverson's proposal to accept as a working draft.

Mr. Engelbourg does not have a problem with accepting as a working draft, but would like to get specific notes to MCA on what is needed to bring the document closer to a final product.

Mr. Topham agrees that the document needs more work before endorsing and would like more time to discuss, review and finetune.

There was no motion.

Transportation Planner Update

Mr. Reed updated the NP&EDC on the following: loading zones/WPI partnership, grants, design priorities/TPM work program, Long Range Plan, UPWP amendments, and spot improvements.

Mr. Lowell expressed thanks for the work of Mr. Reed and keeping the committee up to date. Wants to further discussion on bike paths and what types of vehicles are allowed – motorized vs. manual power.

Mr. Topham spoke to the concerns raised by Mr. Lowell as a member of Bicycle Pedestrian Advisory Council. The council is discussing this issue and awaiting data from the transportation planner.

Mr. Engelbourg said it's important to consider micro mobility holistically. Sent a letter to the Select Board in one of their more recent discussions regarding micro mobility. Requests a future separate agenda item to focus on policy and procedure in order to properly plan micro mobility rules and regulation. Letter sent to select board is attached to minutes.

Chair Longacre asked Mr. Tophman if BPAC plans to bring the topic of micro mobility to the NP&EDC as a discussion item.

Mr. Topham confirmed that is the plan for BPAC.

Mr. Reed gave a quick update on the Statewide Long Range Plan last updated in 2014. Informed the commission of a survey open until 10/14/2022. Welcomes concerns and ideas regarding improvement of mobility on Nantucket and in the state as a whole.

Ms. Kouame reiterated that the survey is available and open to any resident of the state.

Other Committee Reports

Mr. Iverson gave an update on Affordable Housing Trust is developing RFP's for properties located at Amelia Drive and Orange Street.

Ms. Hudson informed the commission that Rural Policy Advisory Commission will be meeting in person 9/23/22 in Essex Ma for the first time.

Other Business

Adjournment

David Iverson moved to adjourn the September 19, 2022 NP&EDC meeting. The motion was duly seconded by John Trudel, and the motion carried **UNANIMOUSLY**.

The meeting adjourned at 6:40pm

Submitted by: Billy Saad

Statement: September 19, 2022

The current and immediate past officers (Longacre, Rector and Lowell) of the NP&EDC (the Commission) met with Andrew Vorce, Director of Planning (hereinafter the "Director"), to review public comments presented to the Commission at its meeting on August 22, 2022. The comments are summarized as requesting clarification of the timeline and reason for the disbanding of the HDC Advisory Boards, and an expression of support for reconstituting them since the HDC values their input to more efficiently process the applications before it. Our conclusion is that the Director validly sought and followed a legal opinion from Town Counsel and consulted with the Town Manager and HDC Chairman before notification was sent.

The Director is the Department Head of the Planning and Land Use Services (PLUS) department pursuant to an MOU signed by the NP&EDC and Select Board in 2012. This department oversees several "Town Administration" departments defined in an amendment to the Charter in 2002-3, which includes the HDC. The Director is required to consult with and report to the Town Manager regarding the oversight of these municipal functions.

The 2012 MOU between the NP&EDC and the Town specifies in the Scope of Services that

"The Director of Planning will be responsible for the Town's compliance with all applicable State and Federal regulations pertaining to the implementation of the duties contained herein."

The Director met with the Chair of the HDC and PLUS staff in June 2021 to discuss the potential lack of legal authorization for the HDC's Advisory Boards and whether they could continue in their existing form. The Director sought authorization from Town Administration to request a legal review and opinion. While the issue was being researched, the Advisory Boards continued to meet. When the opinion from Town Council was received on August 17th, 2022, stating (in part):

"I have reviewed the Charter and bylaws of the Town, the HDC Special Act, and Chapter 40C of the General Laws and I can find no legal authority for the creation of any advisory committees by the HDC. An elected body cannot delegate authority to non-elected standing committees without specific legislative authority...advisory committees do not have specific recognition in town bylaws and their function is indistinguishable from the HDC's review as an elected Commission. Retaining all or any of these, therefore, will require amending the enabling legislation. Until such time as the advisory committees are legally reconstituted, which may or may not occur, they should discontinue any meetings or deliberations."

the Director, in compliance with the responsibility outlined in the MOU, notified the Chair of the HDC via email (partial quote):

"Attached below is a memo from Town Counsel regarding the so-called advisory committees that the HDC has appointed and utilized in the past. As discussed, the opinion was generated responding to questions about their legal authority in the context of the process for reappointment. Periodically, questions have been raised among staff and applicants and investigating the history took some time."

The email is self explanatory and PLUS will no longer provide support for these committees. They should no longer meet and we will remove references to their participation. Committee members should

certainly be thanked for their service and the discontinuation of these committees is not directly related to any specific incident.”

The Director validly sought and followed a legal opinion from Town Counsel and consulted with the Town Manager and HDC Chairman before notification was sent. After receiving Town Counsel’s opinion, there was no other responsible course of action that would allow the HDC Advisory Committees to continue meeting officially. The Director’s actions are consistent with his defined responsibilities as department head, and the NP&EDC fully supports the Director’s actions in this matter.

The Director is responsible for the operations of the PLUS Department, including support for the HDC. Several PLUS employees provide support for the HDC, and additional staff time was allocated for HDC support after dissolution of the Advisory Boards. The hiring freeze declared by the Town in 2020, and regular personnel turnover and other absences, have affected the ability of the PLUS Department to perform all of its functions. The NP&EDC supports efforts toward finding ways to improve services provided across the Department, including support for the HDC, however those solutions should come from the HDC in consultation with the Director, not from the NP&EDC.

At meetings of the HDC on August 30th and September 6th, there was discussion of the HDC Advisory Boards that revealed that some members of the Advisory Boards were continuing to provide pre-review services independently; that they found some benefits to working without the official designation of being an Advisory Board; and they made some suggestions of ways in which their function could be improved. Additional discussion of how the HDC can improve application processing also occurred. At its meeting on September 7th, the Select Board voted to reinstate the Sign Advisory Council.

The NP&EDC sees these ongoing discussions as a positive outcome from a difficult situation and supports collaborative efforts between the HDC and PLUS to better manage the HDC’s work.

Climate Action Plan

THE VINEYARD WAY

CONNECTED TO OUR PAST
COMMITTED TO OUR FUTURE

CLIMATE RESILIENCE



MARTHAS VINEYARD
COMMISSION

October 2021 – August 2022



Climate Action Plan

Planning for the Plan

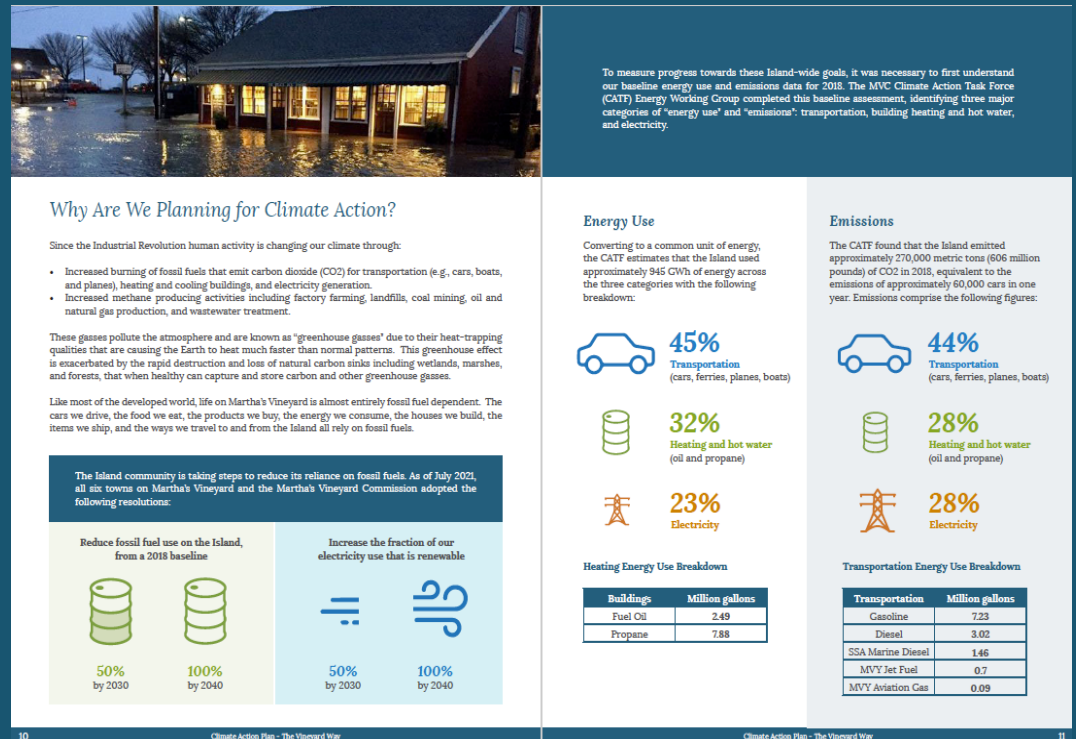
MVP Community Resilience
Building workshops

Martha's Vineyard Commission
established a Climate Action Task
Force

Task Force Climate Resilience
Committee applies for MVP Action
Grant to develop a Climate Action
Plan

Prep Work:

- 25 stakeholder meetings
- Town climate change booklets
- Climate change database
- Consultations with MVP



Decisions based on Prep Work

- Keep planning and grant funding as local as possible**
- Hired a local consultant (and \$ for specific outside expertise)**
- Focus on Six (interrelated) Thematic Areas**
- Paid liaison for each Thematic Working Group**
- Steering Committee (towns, liaisons, Tribe, NAACP, Brazilian rep)**
- Emphasize environmental justice and community engagement**

Plan Overview

- Land Acknowledgement
- Executive Summary
- What Motivates Us
 - MV Climate Emissions Baseline
 - Climate Hazards and Impacts
 - Climate and the Environment
 - Climate Equity
- Engaging our Community
- Timeline of Key MV Climate Milestones
- **Thematic Group Chapters**
- **Overarching Goals**
- **Moving Forward**
- Acknowledgements



CAP Details

15 Goals, 56 Objectives, 191 Actions

Lead organizations for each action

Measures of Success

Collaboration with towns, Tribe, NAACP, NGOs, businesses, etc.

Timeline for each action

Co-benefits

Cost estimates

Barrier Box - CAP does not directly address affordable housing or development pressure

Implementation

6

Thematic Planning Areas

The plan encompasses six thematic planning areas that represent priorities previously identified by all six towns. Each area represents an important aspect of the community that needs to be addressed to reach our long-term sustainability and resilience goals.



Land Use, Natural Resources, and Biodiversity



Transportation, Infrastructure, and Waste



Public Health and Safety



Economic Resilience



Food Security



Energy Transformation

Community Engagement



Land Use, Natural Resources, and Biodiversity

Actions include

- discontinuing or managing development in vulnerable areas (e.g., flood zones)
- preservation of salt marshes for their many community values
- setting maximum disturbance limits for new development and standards for the use of native plantings
- protecting coastal pond water quality and our drinking water through increased collaboration and enhanced regulations.



Transportation, Infrastructure, and Waste



Actions include:

- planning for the protection or relocation of critical vulnerable roads that includes nature-based strategies
- collaboration with the Steamship Authority to build resilient port infrastructure
- assessing and addressing supply chain vulnerabilities
- reducing solid waste and increasing self sufficiency (food & construction waste)

Public Health and Safety

Actions include

- bilingual community outreach to the public and health care providers on health-related climate impacts and ways to reduce vulnerability (e.g., heat stress, wildfire, tick borne disease)
- regional database of vulnerable populations
- one or more regional emergency shelters stocked and staffed
- development of an Island-wide emergency preparedness, response and recovery plan
-
- implementation of the regional Community Wildfire Protection Plan.



Food Security

Actions include

- improving Northeast-based supply chains that minimize risk of disruptions
- developing standards for climate-friendly farming practices
- increase aquaculture production and local purchase of local seafood
- ensuring that a consistent food supply will be in place for the food insecure and during emergencies
- increasing access to lands for the Indigenous community;
- increased aquaculture production; and support for careers in commercial fishing.





Economic Resilience

Actions for a resilient economic future include:

- assessment of vulnerable businesses and options for new economic conditions (diversifying the economy)
- training residents for climate-related jobs
- assisting the transition of vulnerable businesses (fossil fuel-related businesses and those in at-risk locations)
- encouraging businesses to adopt resilient and sustainable practices
- Plan for a more diverse, sustainable local economy

Energy Transformation



Actions include:

- increasing efficient electric home heating, the use of electric vehicles, and solar energy
- increase participation for energy transition assistance to low-and-moderate income residents.
- microgrids and battery storage at critical facilities (working with emergency management)
- advocacy for the transition of ferries to electric power
- collaboration with Eversource for sufficient electric grid capacity
- towns develop plan for energy resilience with Island wide guidance
- Aid in implementation of stretch code with outreach and training

Overarching Goals:

- Joint vision
- Sustainable Funding
- Climate change jobs (grant writer, communications, town positions, etc.)

Implementation:

- MVC Climate Change Planner and Energy Planner oversee implementation
- CAP website updated to track implementation
- Steering Committee meets bi-monthly
- Thematic Working Groups meet twice a year
- Entire CAP team meets annually

Looking Ahead on Nantucket

- Completed Coastal Resilience Plan
- Completed Historic Preservation Plan

What are you considering:

A Climate Action Plan? A Master Plan? Both?

Master Plan: look at all Island issues through a climate change lens (including affordable housing, PFAS, pandemics, etc.)

Climate Action Plan: Develop Nantucket thematic areas; funding through MVP



THANK YOU FOR YOUR TIME

Any questions?

You can download the plan at:
www.thevineyardway.org

THE VINEYARD WAY

CONNECTED TO OUR PAST
COMMITTED TO OUR FUTURE



Draft Sustainable Nantucket Climate Action Plan:

Initial press release - <https://www.nantucket-ma.gov/Archive/ViewFile/Item/121>

Draft Plan - <https://www.mvcommission.org/sites/default/files/docs/Nantucket%20CAP.pdf>