NP&EDC

NANTUCKET PLANNING AND ECONOMIC DEVELOPMENT COMMISSION

Nantucket Planning & Economic Development Commission APPROVED Minutes
Remote Participation via Zoom Webinar
July 17, 2023 @ 5:00PM

Commissioners: Chair Mary Longacre, Vice-Chair Barry Rector, Nat Lowell, Bert Johnson, Seth Engelbourg, Dave Iverson, Kristie Ferrantella, Wendy Hudson, and Dawn Hill Holdgate

Staff: Leslie Snell, Director of Planning, Megan Trudel, Senior Planner, and Michael Burns, Transportation Program Manager

I. Call to order:

Chair Longacre called the meeting to order at 5:00pm.

Chair Longacre read a prepared statement in accordance with Governor Baker's March 21, 2020, order regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

II. Establishment of quorum:

In Attendance:

Commissioners:
Chair Mary Longacre Aye
Seth Engelbourg Aye
Kristie Ferrantella (arrived late)
Dawn Hill Holdgate Aye
Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
John Trudel (arrived late)

Staff:
Leslie Snell, Deputy Director of Planning Aye
Michael Burns, Transportation Program Manager
Billy Saad, Land Use Specialist
Raissah Koume, Regional Planning Coordinator, MassDOT
Janelle Austin, KP Law

III. Approval of agenda:

Chair Longacre mentioned that some items on the agenda would be introduced with further clarification but the agenda itself was not changing. Chair Longacre asked if there were any comments or questions about the agenda.

Motion/Vote: Mr. Iverson made a motion to approve the agenda and the motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Vote taken by Roll Call:

Seth Engelbourg Aye
Dawn Hill Holdgate Aye
Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
Chair Mary Longacre Aye

IV. Public Comments:

No public comment was made.

V. Minutes:

A. June 26, 2023

June 26th minutes have not been distributed to all members so it will be postponed to the next meeting.

VI. Action/Discussion:

A. Election of Officers:

1. **Chair (currently Mary Longacre)**
2. **Vice-Chair (currently Barry Rector)**

The Chair of the Planning Board was called to serve as Chair Pro temp for the Planning and Economic Development Commission. Mr. Iverson was appointed to this role.

Motion/Vote: Mr. Lowell made a motion to keep the current officers with Mary Longacre as Chair and Barry Rector as Vice-Chair for 2024. The motion was duly seconded by Mr. Johnson and the motion was carried unanimously.

Vote taken by Roll Call:

Nat Lowell Aye
Bert Johnson Aye
Joe Topham Aye
Dawn Hill Holdgate Aye
Seth Engelbourg Aye
Vice-Chair Barry Rector Aye
Wendy Hudson Aye
Dave Iverson Aye

Chair Pro temp Iverson turned the meeting back over to the new Chair Mary Longacre.

It was mentioned that Kristie Ferrantella had joined the meeting but missed the election vote.

B. Committee Appointments:

1. **Contract Review Committee of Human Services (currently Bert Johnson)**
2. **Capital Program Committee (currently Barry Rector)**
3. **Nantucket Affordable Housing Trust (currently Dave Iverson)**
4. **By-law Committee (currently Mary Longacre, Barry Rector, and Nat Lowell)**
5. **Rural Advisory Policy Committee (currently Wendy Hudson)**
6. **Bike and Pedestrian Advisory Committee (currently Joseph Topham)**

Chair Longacre affirming committee appointments. Questions were raised whether these individuals were willing to continue in their roles and if there were other individuals interested in joining the committees. The current members expressed their willingness to continue.

Motion/Vote: Mr. Lowell moved to accept the reappointment of the current members. The motion was duly seconded by Mr. Topham and the motion was carried unanimously.

Vote taken by Roll Call:
Seth Engelbourg Aye
Kristie Ferrantella Aye
Dawn Hill Holdgate Aye
Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
Chair Mary Longacre Aye

C. Acceptance of Membership Appointments

1. **County Commission (Dawn Hill Holdgate)**
2. **Conservation Commission (TBD)**
3. **Nantucket Housing Authority (TBD)**

Chair Longacre moved on to the acceptance of membership appointments. Ms. Holdgate was appointed by County Commissioners to continue as their representative to the NP&EDC. The Conservation Commission had not yet appointed a new representative, Seth Engelberg continued in that role until the seat was filled. The Nantucket Housing Authority had not met yet after July 1st to appoint a new representative, Bert Johnson continued in that capacity.

Motion/Vote: Vice-Chair Rector moved to accept the appointment of Ms. Holdgate. The motion was duly seconded by Mr. Iverson and the motion carried unanimously.

Vote taken by Roll Call:
Seth Engelbourg Aye
Kristie Ferrantella Aye
Dawn Hill Holdgate Aye
Wendy Hudson Aye

Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
Chair Mary Longacre Aye

D. Open Meeting Law complaint from Meghan (Perry) Glowacki, dated June 19, 2023: acknowledgment of the Open Meeting Law complaint against the Nantucket Planning and Economic Development Commission, discussion and response to same; votes may be taken.

Janelle Austin from KP Law was present to guide the discussion. The Commissioners discussed the complaint and acknowledged receiving it. Attorney Austin stated that a draft response had been prepared for the Commissioner’s consideration and offered to answer any questions that the Commissioners have. The Commissioners discussed primarily the response to the Open Meeting Law complaint and the legal arguments related to its timeliness and jurisdiction. There were no questions or concerns from the Commissioners. Attorney Austin stated that if the Commissioners approved the draft response she would finalize and issue it on their behalf.

Motion/Vote: Ms. Holdgate moved to approve the draft response that has been prepared. The motion was duly seconded by Vice-Chair Rector and the motion was carried unanimously.

Vote taken by Roll Call:
Seth Engelbourg Aye
Kristie Ferrantella Aye
Dawn Hill Holdgate Aye
Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
Chair Mary Longacre Aye

E. Area Plan Guidelines Review and Acceptance :
Mr. Rector thanked Attorney Austin for her previous assistance and inquired if the response to the open meeting law complaint needed to be made public. Attorney Austing stated that it was subject to public records law but did not need to be publicized. Chair Longacre explained the reasons for discussing this item, is the need for consistency in the guidelines provided for different area plans. Chair Longacre asked Mr. Vorce’s for some guidelines. He started writing some guidelines to which she and Mr. Rector added to them based on their experience of various area plans and committees. The draft guidelines were discussed for review for consideration by the Commissioners.

Motion/Vote: Vice-Chair Rector moved to accept the draft guidelines as is and get a second and enter discussion.

Discussion: There was a brief discussion whether the corrections are retroactive. Questions were raised about the changes. Ms. Hudson expressed her desire to see the final version before approval. She stated that she might abstain from voting until she has a chance to review the final version and acknowledges that she may not be fully familiar with the flow of the discussion. Vice-Chair Rector stated that the guidelines should be approved as submitted, considering the changes to be administrative rather than substantial. He feels that there is no need for further delay or another draft. Mrs. Snell confirms that this is a final draft and that the Commissioners can accept the changes discussed. There were some Commissioners ready to approve the guidelines as submitted with the changes discussed as administrative rather than substantial. Some Commissioners expressed uncertainty about the procedure and whether a public hearing is required. Mr. Lowell suggested sending an email with corrections or additions. Mrs. Snell suggested continuing the discussion until the question of a required public hearing is clarified and with that being on the table discontinued and see if need to schedule a public hearing or not. If a public hearing is not required, the Commissioners can accept at a future meeting. Chair Longacre asked Vice-Chair Rector if he would like to withdraw or modify his motion. Vice-Chair Rector withdrew his motion unaware regarding the public acceptance or review of a process that had come up during the discussion and agrees with Mrs. Snell to hold the discussion for another month.

Vice-Rector o fficially withdr ew his motion . The Commissioners will proceed with the modified document that will have the suggestions made during the discussion. There will be research as to what the next steps will be.

F. Monomoy Area Plan Process Discussion :

Once the guidelines are finalized and approved the Commissioners will need to decide how to apply these guidelines to ongoing area plans. There were questions if minutes are available from the Monomoy area plan workgroup. Minutes were asked, however, were not provided. Ms. Hudson suggests moving the process forward for the work that has been done. Mathew Westfall, a member of the Monomoy Area Workgroup thanked the commission for the opportunity to participate. He stated that two letters were submitted. One letter was regarding the guidelines and the other letter was providing an outline and timeline of the Monomoy area plan process. He briefly explains the goal of the plan, which was to capture the voice of Monomoy, create a vision to contribute to the NP&EDC and future Town Master planning process. Important to note that this plan is non-binding and not a statutory document. However, it reflects the concerns and views of the community, including issues related to the harbor, aquifer, dark skies, and other island related matters. Mr. Westfall mentioned the minutes that detailed records were kept throughout the process, however not intended for public dissemination which caused some discomfort amongst participants. Mr. Westfall wanted input from the Commissioners to find a way to create an acceptable plan that addresses their concerns. Mr. Engelbourg agreed with Mr. Westfall and suggested that the focus should be on evaluating the submission made by the Monomoy Work Group rather than changing the process. Mr Engelbourg stated that the commission should consider whether the plan that is submitted is sufficient or needs additional information. Ms. Hudson expressed her agreement with Mr. Engelbourg comments. She appreciates the effort that went into the plan. Vice-Chair Rector expressed his frustration and concern about the Monomoy area plan. He stated that a year's worth of time had allowed the dialogue to change significantly. He encouraged the Commissioners to read the plan carefully before adopting it. Vice-Chair Rector stated that trying to be respectful however he pointed out issues related to transparency, expressing disappointment that the Monomoy Work Group chose not to share the minutes and sensitive information to understand what transacted during that time, raises questions about their partnership with the commission. He also expressed concerns about potential litigation that the Commission might be dragged into if they adopt the plan. He felt that the Commission had not received the answers they needed to make an informed decision. Vice-Chair Rector expressed disappointment at the lack of dialogue with Mr. Westfall and felt that there should have been more communication to address concerns. Mr. Iverson is in favor with Mr. Engelborg and moving forward with the plan and resolving any issues rather than holding the Work Group to new standards. Mr. Topham addressed concerns about the minutes of the Monomoy Area plan. Mr. Topham offered to work with the group to provide the minutes. Mr. Topham felt that having access to the minutes the Commissioners will have a more complete understanding of the process. Chair Longacre thanked Mr. Westfall for his participation and expressed regret for having to move forward from this discussion due to time constraint and other agenda items that need to get through tonight.

G. Transportation Program Manager Update :

1. Update of the Long-Range Transportation Plan (LRTP) – presentation of draft content and request to approve 21-day public review period

Mr. Burns provided an overview of the long-range transportation plan development, survey results and priorities that would need to be better incorporated into the Work Group plan goals. There was discussion on the allocation of funding and priorities for transportation projects. Mr. Burns provided a detailed overview of the action plan and recommendations for public transportation and freight improvements. There was mention that a private partnership could play a role in funding projects and individuals or organizations making anonymous donations to support specific projects.

Motion/Vote: Mr. Johnson made a motion to authorize a public review period for the 2024 long-range transportation plan to take place between July 28, 2023, and August 21, 2023, with a public meeting scheduled for August 21, 2023 at 5PM. The motion was duly seconded by Ms. Holdgate and the motion was carried unanimously.

Vote taken by Roll Call:
Seth Engelbourg Aye
Kristie Ferrantella Aye
Dawn Hill Holdgate Aye
Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
John Trudel Aye
Chair Mary Longacre Aye

H. Ongoing Discussion – Enabling Legislation :

1. Initial discussion of potential objectives

Chair Longacre introduced the ongoing discussion of enabling legislation and presented potential objectives for the Commission's consideration. These objectives were categorized into various groups. Chair Longacre stated that this is a starting point and wants to hear input from the Commissioners. There was a suggestion of leaving the documents as is with the possibility of making amendments in the future as necessary. There was a question raised whether these objectives would be included in the official submission to the State or reserved for internal use. It was stated that the objectives were intended for internal use and would not be part of the official submission to the State. Mr. Lowell suggested adding a new objective related to monitoring trends that affect the economy. Vice-Chair Rector suggested taking more time to review the objectives thoroughly before finalizing. Ms. Holdgate expressed agreement with the Vice-Chair Rector's suggestion to provide the public with more time to review the presented objectives and potentially offer input. She mentioned that there were no attendees at the meeting. Ms. Holdgate indicated that she will be logging out of the meeting. Chair Longacre noted that Ms. Hudson had to leave the meeting at 6:50pm. Chair Longacre stated that the agenda item was meant for an initial discussion and not the intent to adopt. She agreed that they should allow more time for review and that they could revisit the objectives at a later meeting once everyone has had a chance to thoroughly review them. Mr. Johnson requested that staff send out the document with the objectives so the commissioners can review and make comments.

I. Other Committee updates/reports :
There were no updates or reports from other committees.

J. Bicycle and Pedestrian Advisory Committee update :
Mr. Burns provided an update from the Bicycle and Pedestrian Advisory Committee regarding a memorandum recommending regulations for Nantucket pedicab operations. Mr. Burns stated that the Select Board had already acted upon this matter. There were no further comments or questions from the Commissioners.

VII. Other Business:

A. Next Meeting Monday, August 21, 2023 at 5pm*, via Zoom*

VIII. <u>Adjournment of Open Session:</u>

A motion was made to adjourn at 7:13PM the open session and enter executive session.

Motion/Vote: Mr. Johnson moved to adjourn the open session and to enter into executive session and not return to open session with the purpose of number seven to comply with or act under the authority of any general special law or Federal grant and aid requirement as specified in the agenda and review the executive session meeting minutes from previous dates specifically February 23, 2023, and March 20, 2023. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

<u>Vote taken by Roll Call:</u>
Seth Engelbourg Aye
Kristie Ferrantella Aye
Dawn Hill Holdgate Aye

Wendy Hudson Aye
Dave Iverson Aye
Bert Johnson Aye
Nat Lowell Aye
Vice-Chair Barry Rector Aye
Joe Topham Aye
John Trudel Aye
Chair Mary Longacre Aye

The Commissioners moved to another link provided for the executive session.

IX. Executive Session (not to return to open session) G.L. c. 30A, Section 21(a) - Purpose 7- to comply with, or act under the authority of any general or special law or federal grant in aid requirement, the Open Meeting Law, G.L. c. 30A, Section 22(f),(g) to approve and review the executive session meeting minutes from the following dates February 23, 2023 and March 20, 2023; votes may be taken .

Zoom Link:
https://us06web.zoom.us/j/82522611453?pwd=bHlITnZha0dKZzlTUmI3VGlodzZRQT09

Respectively submitted by: Catherine Ancero