

Town and County of Nantucket
ROADS AND RIGHT OF WAY COMMITTEE

Posted Meeting of
October 18, 2022, at 4:00 pm
Held live in 131 Pleasant Street, Conference Room A, and by Zoom Videoconferencing

FINAL AND APPROVED MINUTES

1. Call to Order, Approval of the Agenda, Approval of Minutes, and Public Comments.

A. Chair Bill Grieder called the meeting to order at 4:02 pm. In attendance were Committee Members Rick Atherton, Nelson, “Snookie”, Eldridge, Ed Gillum, Bill Grieder, Nat Lowell, Allen Reinhard, Lee Saperstein, and Phil Smith (4:12 pm); also, TaKyra Netter from the DPW; there was a quorum at all times. All present responded to an attendance roll call. The meeting was recorded and can be viewed on the Town’s You Tube site (on Town’s main web page as “Watch Meetings Live”, select “Playlists” then look for “Roads and Right of Way”.): <https://youtu.be/8axB6sTX170>.

Absent: Rob Ranney.

B. Approval of the Agenda. The agenda was approved unanimously by acclamation.

C. Public Comments.

None.

D. Approval of the minutes of the meeting of September 29, 2022.

When Bill Grieder asked for a motion to approve the minutes of the August 16, 2022, meeting, Rick Atherton asked if we could have a modest editorial change, i.e., insertion of the reminder that the memorandum discussed in Item 4. Chapter 91, should be sent to the Town and the Select Board for their information before sending it to the DEP. There being no objection to the edit, Allen Reinhard moved approval, Snookie Eldridge seconded, and the committee voted unanimously by roll-call vote to approve them.

2. Ken Beaugrand: Update on Franklin Street and Stone Alley Takings.

Ken Beaugrand was unable to attend the meeting but did send a short note telling the status of each of these ways.

“Update to the committee:

1. As to Franklin Street, the Town's position is that we do not currently want to take this as a Town street, but that potential continues to be under our review.
2. As to Stone Alley we are reviewing all of the concerns as to safety with this project.

Neither of these are currently near the top of the list of the Real Estate office priority list.”

Nat Lowell asked Bill Grieder if the two of them had talked about these ways. Bill Grieder allowed as they had not spoken and that Ken Beaugrand's message was a response to comments in last month's minutes. Nat Lowell emphasized the historic nature of Stone Alley suggests strongly that it should be taken so as to have Town protection. He suggested that there was a need to discuss this importance with Ken Beaugrand.

3. Patrick Reed: Update on Road and Sidewalk Projects.

Patrick Reed, Transportation Planner, also was unable to attend but did send a short note as well on the status of projects on which he is working.

“Unfortunately, I can't make this meeting. As requested, here is a quick update on what I've been working on since our last meeting:

1. Support for Sparks/Williams/Pleasant Complete Streets Project – applied for grant with state to support DPW's project. Project is currently under design to improve sidewalks on Sparks/Williams/Pleasant per the town's previous prioritization plan. Note that the grant award, if awarded, would support improvements on Pleasant between Five Corners and the roundabout, the portion of Sparks between the Mid-Island roundabout and the Coffin rotary, and Williams Street.
2. Orange Street – Scoping path improvements for future design work on Orange Street between Goose Pond and West Creek Road.
3. Wauwinet Path - Working on a memorandum of agreement with FHWA on design work for a path facility along Wauwinet Road.”

Lee Saperstein mentioned that the Complete Streets Project was an initiative of the State to make streets available for all users including pedestrians and cyclists. He and Allen Reinhard had attended a seminar on Complete Streets so that the Committee could assist the then Transportation Planner in writing a proposal for Nantucket to become a Complete Streets community; the proposal was successful. Allen Reinhard indicated that he was pleased by the evidence of progress on the streets named by Patrick Reed.

Both Snookie Eldridge and Nat Lowell spoke about the need to maintain and widen, where possible, bike paths and road shoulders, if there is no separate bike path, to enhance their use and to keep them safe. Nat Lowell went on to say that, while he liked the potential for electric bicycles, he deplored their unsafe use on roads and sidewalks. Ed Gillum remarked that it was nice to learn from Patrick Reed's memorandum about a potential Wauwinet multi-use path; it is

worthy of committee support. Bill Grieder heard that there would be a warrant article at the next Annual Town Meeting on electric bicycle safety. Related to road safety, Nat Lowell said that the entire Island road network should have a “no passing” zone. Our roads are too narrow with too many bends for anyone to be able to pass safely.

4. Review Public Way Monument Locations Ready to Install.

Bill Grieder referred to his memorandum on the installation of the remaining public-way monuments (attached). Lee Saperstein suggested that the committee submit a work order to the DPW on installing these monuments. Bill Grieder could discuss with Stephen Arceneaux, Director, on how best to write the work order. Phil Smith added that, wherever possible, upright monuments should be used in preference to flush-mounted ones. It was pointed out by several committee members that flush ones were proposed in locations where uprights might impede vehicle movement. TaKyra Netter explained work orders and suggested that one order for all of the work would be best and DPW would figure out how best to fulfill it. Allen Reinhard agreed to double-check the number of unused stones in the DPW yard in case one or more new ones need to be ordered.

Allen Reinhard said that Moe Moore, Deputy DPW Director, had told him that a homeowner around 45 Baxter Road had moved the footpath to accommodate landscaping. Inasmuch as the footpath is on Town property, this would be an encroachment. Allen Reinhard said that he would inspect the path in this location and report back to the committee.

5. Harbor Plan Update Committee Discussion.

To begin discussion of the Harbor Plan, Bill Grieder showed a photograph (attached) of Francis Street Beach with the waterfront obscured completely by the lessee’s rental water craft. Several committee members recalled that the boats were normally laid out against the property line. Bill Grieder will ask the Harbor Master to whom he should talk about this blockage. Also, Charles Polachi, newly appointed Manager of Parks and Recreation, may be able to help.

Bill Grieder then moved to the new effort to update the Town’s Harbor Plan and referenced a memorandum by Jeff Carlson, Natural Resources Director, in which related committees are invited to nominate members to participate in the

“Email from Jeff Carlson to possible Harbor Plan Update Committee members.

Good afternoon,

As you may or may not know the Town has been in the process of updating the Nantucket and Madaket Harbors Action Plan. At the Select Board meeting on Wednesday the Board approved the required committee structure for the plan update committee. Please find a memo attached (also attached to these minutes) describing the committee. The make up from the 2009 plan is mostly unchanged with a couple of additions as recommended by our consultant and Massachusetts Coastal Zone Management. As the chairs

for your respective committee or organizational directors I am respectfully requesting that your board or committee designate a representative by the end of October. If you have any questions feel free to ask and thank you all in advance. Have a nice weekend.”

Allen Reinhard remarked strongly that the committee should be involved in the Harbor Plan. Lee Saperstein noted that there had been an exchange of liaison members in the previous Harbor Plan Implementation Committee; he had gone to HPIC and Carl Sjolund had attended Roads and Right of Way Committee meetings. Phil Smith reminded the committee that our mission is for public access to the water; that mission, which includes efforts on Chapter 91, means that we should ask to be a part of the new committee. Nat Lowell moved that we ask to become a member of the new Harbor Plan committee; it was seconded by Ed Gillum and approved unanimously.

8. Old, New, and Other Business, and Member Comments.

Phil Smith said that he had read an article in the Boston Globe about Harvard’s use of the Charles River waterfront for its historic boat house. Apparently, plans to re-build the structure caused an environmental group to invoke Chapter 91 as to why they should not be allowed exclusive use of this land. A reference to the article is included here.

“An environmental group wants to make Harvard allow public access to its boathouse docks. The university is pushing back.

The Charles River Watershed Association says the college’s exclusive use of two swaths of waterfront property needs to end.

By [Spencer Buell](#) Globe Staff, Updated October 14, 2022, 5:18 p.m.”

9. Adjourn.

A move to adjourn was made by Snookie Eldridge, seconded by Nat Lowell, and approved unanimously. Adjournment came at 5:00 pm. The next meeting is at **4:00 pm on November 15, 2022**, and will be in 131 Pleasant Street with optional Zoom attendance.

Lee W. Saperstein, Secretary _____ Date _____

Roads & ROW Ongoing Projects List:

Public Way Monument Project: (Lee & Allen & Snookie)

Install remaining monuments at Sconset Footpath, Hulbert Ave., and other locations

- Need scheduling with DPW

Update file of existing monuments

- In progress

Move monuments at Westchester St. Ext. & Crooked Lane

- Need to coordinate with Land Bank

Sidewalk Projects: (Lee & Allen)

Prospect St. (sidewalk to Upper Vestal St.) to Madaket bike path

- Referred to Transportation Planner

Cliff Rd. Coffin Park to bike path at Sherburne Tpk.

- Request sent to Selectboard to add to future sidewalk list.

Pleasant St. Gardner Perry Lane to Williams St.

- Referred to Transportation Planner

Lovers Lane Bike path/ road reconstruction

- Bids received over budget – need additional funding

Follow implementation of downtown sidewalk improvements

- Updates provided by DPW representative to RROW

Bike/Pedestrian connection from Surfside to Hummock Pond to Madaket paths

- Land takings completed – needs Town Meeting funding

Chapter 91 Monitor Project: (Lee, Rick, Phil)

- GIS department head Nathan Porter working to make available online

Harbor Walk Project, list of permits and approvals.

- Plan presented to Select Board – ReMain Nantucket providing assistance

Identify Chapter 91 licenses along route for the Harbor Walk

- In progress

Locate other locations on waterfronts requiring licenses

- Request sent to ConCom to copy RROW on any received applications or notices

Nantucket Greenway and Trail System Project: (Allen, Lee)

Nantucket Central Railroad trail map of existing portions of route

- Locations identified at Easy Street, Washington Street extension, Naushop development and Bayberry Commons to Surfside

Island Trail Map with all walking trails

- In progress

Monuments Ready to Install

Memorandum from Bill Grieder.

Hulbert Avenue

- Henry Street needs an upright (1) monument.
- James Street may not need to be marked but if it does, it will take a flush (1) one in the middle of the easement.
- Johnson Street needs a replacement flush (2) monument.
- Willard Street needs an upright (2).

Baxter Road

(a utility pipe along Baxter may be a water main, take care on where to dig)

- Nosegay Lane has a flush monument at the footpath but needs an upright (3) at Baxter Road, probably by the signpost.
- Rosaly Lane needs a flush (3) monument by the footpath and an upright (4) by Baxter Road on the north side of the driveway (Joan Porter garage).
- Emily Lane is marked with flush monuments at either end of the way
- Anne's Lane also has no monuments and could use flush (5, 6) ones at either end.
- 65 Baxter Road has a flush monument at either end of the way to the footpath.

Tom Nevers

(Two private ways)

- 65 Wanoma Way - deeded way to Tom Nevers Pond.
- 63 Wanoma Way - Private way to the water.

Summary:

- Uprights: 4
- Flush monuments: 6



Photo taken by Bill Grieder of rental water craft on Francis Street Beach blocking the way to the water.

TOWN OF NANTUCKET NATURAL RESOURCES DEPARTMENT

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MEMO

9/30/2022

From: Jeff Carlson, Natural Resources Director

Re: Harbor Plan Update Committee

The Municipal Harbor Planning Regulations (301 CMR 23.00 et seq.) establish a voluntary process under which cities and towns may develop and submit Municipal Harbor Plans to the EEA Secretary for approval. These plans serve to promote and implement a community's planning vision for their waterfront and to inform and guide state agency decisions necessary to implement such a vision. Specifically, approved Municipal Harbor Plans provide licensing guidance to DEP in making decisions pursuant to MGL Chapter 91 (c. 91) and the Waterways Regulations (310 CMR 9.00 et seq.). Approved harbor plans may establish alternative numerical and dimensional requirements (e.g., substitute provisions) to the requirements specified by the Waterways Regulations as well as specify provisions that amplify any of the discretionary requirements of these regulations.

The Town is currently in the initial stages of updating the state approved 2009 Nantucket and Madaket Harbors Action Plan with our contractor UMASS Boston's Urban Harbors Institute. As we are working on the Town's Notice to Proceed with Massachusetts Coastal Zone Management it requires the formation of a Plan Update Committee. The Select Board has adopted the below as the makeup for this committee. It has an expanded membership from the 2009 committee to include current initiatives of the Town. The Natural Resources Department as the staff liaison for this update working with Mass Coastal Zone Management and Urban Harbors Committee is proposing the following mission statement

Proposed 2022 Committee Mission Statement:

The mission of the Nantucket and Madaket Harbors Action Plan Update Committee is to update the existing plan to reflect our changing community incorporating diversity, population growth, and new challenges that our island waterways are currently experiencing. The plan will continue its focus on the improvement of equitable public access to the harbors, to foster traditional and new water dependent uses, protect natural resources, improve harbor water quality, restoration of aquatic and shoreline habitats, improve fisheries while preserving cultures and traditions for all residents. The plan will integrate coastal resiliency principles, promote adaptation to sea-level rise and

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changing coastal conditions. The committee will also seek to integrate existing goals and objectives from other relevant plans adopted by the Select Board and other Town agencies impacting the harbors.

Committee Members:

2009 Committee - actual	2022 Committee - adopted
Harbor & Shellfish Advisory Board	Harbor & Shellfish Advisory Board
Nantucket Marine Trades Assoc.	Nantucket Marine Trades Assoc. – if active or similar organization
NP&EDC	NP&EDC
ConCom	ConCom
Marine & Coastal Resources Department	Nantucket Islands Land Bank
At-Large	Coastal Resiliency Advisory Committee
At-Large	At-Large
	At-Large
	At-Large

Currently it is anticipated for the committee to meet monthly, and the update is anticipated to take about one year. The day and time of meetings is not yet set and will be determined at the first meeting of the committee. If you could provide the designated representative from your organization back to Jeff Carlson at jcarlson@nantucket-ma.gov by October 31, 2022 it would be appreciated. If there are questions or concerns, please contact me and I will be happy to address them.

Copies of the current Nantucket and Madaket Harbors Action Plan can be found at: <https://www.nantucket-ma.gov/DocumentCenter/View/10269/Nantucket-and-Madaket-Harbors-Action-Plan-PDF>

Thank you for your attention to this important plan update.