

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Jason Bridges
Matt Fee
Kristie L. Ferrantella
Melissa Murphy



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD MARCH 10, 2021 - 5:00 PM REMOTE PARTICIPATION VIA ZOOM WEBINAR PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020 ORDER REGARDING OPEN MEETING LAW NANTUCKET, MASSACHUSETTS

YOU TUBE LINK:

https://youtu.be/YuKmbPSY_jw

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.

IV. COVID-19 WEEKLY UPDATE

1. Public Comment.
2. Report(s) from Public Health Director:
 - COVID-19 Case Metrics, Including Massachusetts COVID-19 Community-Level Data Map
 - COVID-19 Testing
 - Stop the Spread Testing Program
 - Vaccine Distribution Plan Update
 - COVID19 Task Force: Weekly Report
 - Economic Task Force Update
 - State/Local Re-opening Plan/Guidance Update
 - Board of Health Orders
 - Other
 - Select Board Comments/Questions

V. PUBLIC COMMENT* FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of June 3, 2020 at 6:00 PM; November 4, 2020 at 5:00 PM; March 3, 2021 at 5:00 PM; March 4, 2021 at 9:00 AM.
2. Approval of Payroll Warrants for March 7, 2021.
3. Approval of Treasury Warrants for March 10, 2021.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Request for Approval to Submit Local Action Unit Application to State Department of Housing and Community Development (DHCD) for 31 Fairgrounds Road Development.

IX. PUBLIC HEARINGS

1. Nantucket Sewer Commission: Public Hearing to Consider Amendments to Nantucket Town and Siasconset Sewer Districts Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 83, 84, 85, 86, 87, 88 and 89 of the 2021 Annual Town Meeting.

X. TOWN MANAGER'S REPORT

1. Traffic Safety Work Group Recommendations:
 - a) Extend yellow no-parking line adjacent to Land Bank Codfish Park Playground on Gully Road to allow sight lines to be maintained for people exiting the playground.
 - b) Designate no parking on south side of Macy Road, Madaket to allow for emergency vehicles and residents to pass through.
 - c) Install stop sign on Coffin Street at intersection of West Sankaty Road making three-way stop.
 - d) Curb cut at 3 West Chester Street, resulting in elimination of less than one on-street parking space and creation of two off-street parking spaces.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Various 2021 Annual Town Meeting/Election Warrant Articles/Ballot Questions, Including but not Limited to:
 - Article 23 (Appropriation for Affordable Housing Trust Fund - \$475,000)
 - Article 24 (Appropriation for Affordable Housing Trust Fund - \$7,500,000)
 - Article 38 (Affordable and Year-round Housing Stabilization Fund)
 - Article 97 (Home Rule Petition: Allocate Portion of Land Bank Real Estate Transfer Fee to Support Year-round Housing)
2. Committee Reports.

XII. ADJOURNMENT

**Identified on Agenda Protocol Sheet*

SELECT BOARD AGENDA PROTOCOL:

Roberts Rules: The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action, if any. Except in emergencies, the Board will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Board to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with state and federal free speech laws:

- The agenda for regular Select Board meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Board to take up first. This time is reserved for speakers to address the Board on matters that are not related to any other Agenda item. If a speaker wishes to address the Board on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.
- All speakers are encouraged to present their remarks in a respectful manner.
- All remarks will be addressed through the Chair of the meeting.
- The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests. Verbal comments may also be curtailed if they exceed three (3) minutes and to the extent they exceed the scope of the Board's authority.

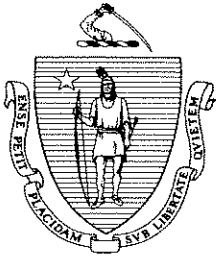
Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of constitutional free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

New Business: For topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of the information presented. The Board will hear any staff input and then deliberate on a course of action.

Select Board Report and Comment: Individual Board Members may have matters to bring to the attention of the Board during a meeting. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Board meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.

Approved on February 17, 2021



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

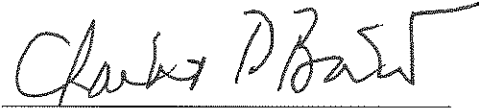
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 8:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive, flowing style. The first name "Charles" is written in a larger, more prominent script, followed by "D." and "Baker". The signature is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Agenda Item Summary

Agenda Item #	VIII. 1.
Date	3/10/2021

Staff

Tucker Holland, Municipal Housing Director

Subject

Request for approval of Local Action Unit application in conjunction with the planned development to serve members of the year-round community at 31 Fairgrounds Road (22 units of income-restricted rental housing) in order that these units count on our Subsidized Housing Inventory ("SHI") list and toward certification of our Housing Production Plan ("HPP").

Executive Summary

The Board recently approved the Affordable Housing Trust's \$10.350 million funding -- \$3.6 million in grant and \$6.750 million in loan -- to Housing Nantucket for a collaborative project with local developer Billy Cassidy to construct and manage a 22-unit mixed income rental development at 31 Fairgrounds Road. In addition to providing safe, suitable, stable, affordable housing to year-rounders at a variety of income levels, these units are also required to be SHI-eligible. They also can potentially count toward certification of our HPP and our next period of Safe Harbor under the recent progress provision with respect to Chapter 40B. The Local Action Unit program is the method by which the Department of Housing and Community Development ("DHCD") would recognize the units as SHI-eligible and add them toward our 10% count.

Staff Recommendation

Approve the submission of the LAU application.

Background/Discussion

This action is in furtherance of one of the Board's principal strategic goals under Housing -- the ongoing maintenance of Safe Harbor. In conjunction with Housing Nantucket and Mr. Cassidy, we plan to submit the LAU application for 31 Fairgrounds on 3/12/2021 -- 91 days in advance of the expiration of our current period of Safe Harbor. Concurrently, our local Habitat for Humanity is planning to submit, under the Local Initiative Program, the three units it is developing at Benjamin drive. Collectively, this is 25 units. With our approved HPP (2016), in order to receive one year of Safe Harbor, Nantucket needs to create 24 units of SHI-eligible housing in the year it is requesting certification.

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

In furtherance of the development of affordable / year-round housing.



Board/Commission Recommendation

N/A

Public Outreach

N/A

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

Strategic Plan – Housing

Attachments

- 1) LAU application (forthcoming on Monday 3/8/2021)



LOCAL INITIATIVE PROGRAM APPLICATION FOR LOCAL ACTION UNITS

Introduction

The Local Initiative Program (LIP) is a state housing initiative administered by the Department of Housing and Community Development (DHCD) to encourage communities to produce affordable housing for low- and moderate-income households.

The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the area median income. LIP-approved units are entered into the subsidized housing inventory (SHI) pursuant to Chapter 40B.

Local Action Units (LAUs) are created through local municipal action *other than comprehensive permits*; for example, through special permits, inclusionary zoning, conveyance of public land, utilization of Community Preservation Act (CPA) funds, etc.

DHCD shall certify units submitted as LAUs if they met the requirements of 760 CMR 56.00 and the LIP Guidelines, which are part of the Comprehensive Permit Guidelines and can be found on the **DHCD website** at www.mass.gov/dhcd.

To apply, a community must submit a complete, signed copy of this application to:

**Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114
Attention: Rieko Hayashi, Program Coordinator**

**Telephone: 617-573-1426
Email: rieko.hayashi@state.ma.us**

Community Support Narrative, Project Description and Documentation

Please provide a description of the project, including a summary of the project's history and the ways in which the community fulfilled the local action requirement.

This exciting project is a result of the recent approval of a grant and loan from the Nantucket Affordable Housing Trust to NHA Properties, Inc. d/b/a Housing Nantucket for the development of 22 year-round housing units at 31 Fairgrounds Road. This is an approximately 2-acre site with proximity to schools, employment, public transportation, Town sewer and water, and a wide variety of goods and services. This a collaboration between the Affordable Housing Trust, Housing Nantucket (project sponsor / owner and manager) and Billy Cassidy (builder / developer). It would not have been possible without the shared vision of the Coffin family, the prior owners of the site. The housing that is created will be subject to a permanent affordability restriction running to the benefit of the Town which will restrict six (6) units at 80% AMI or less with sixteen units (16) further restricted at 200% AMI or less. The project is initially planned to serve 80% AMI, 110% AMI and 150% AMI income levels.

The Nantucket Affordable Housing Trust is in the midst of deploying capital appropriated at the 2019 ATM (\$5MM Community Preservation Act bonding and \$20MM Neighborhood First) to assist in addressing the significant shortage of suitable, stable, affordable year-round housing and in furtherance of the Town's Subsidized Housing Inventory ("SHI") state-requirements. This exciting project is a true collaboration between the Affordable Housing Trust, Housing Nantucket, Mr. Cassidy, the Coffin family (prior owners of the property) and the Nantucket Land Bank (which will hold the conservation restriction as part of the flex development requirements). This 22-unit rental development has received Planning Board approval (Special Permit filed December 18, 2020) as a Flex Development and with the involvement of the Trust and Housing Nantucket will now serve year-round residents exclusively. This project involves \$10.350 million in capital with 100% of funding coming through the Affordable Housing Trust from a combination of CPA and Neighborhood First bonding. \$3.6 million was requested by Housing Nantucket to be a grant for the land acquisition and \$6.75 million is structured as a loan at 0.5% interest over a 50-year term, with funds to be repaid to the Trust. The loan structure allows the future re-deployment of the capital to further extend the year-round housing contribution of the funding originally provided by the taxpayers.

With the granting of the Special Permit and the substantial local financial subsidy, we believe the Local Action requirements are fulfilled.

The project is intended to be completed and occupied within 18 months.

Signatures of Support for the Local Action Units Application

Chief Executive Officer:

defined as the mayor in a city and the board of selectmen in a town, unless some other municipal officer is designated to be the chief executive officer under the provisions of a local charter

Signature: _____

Print Name: ____Dawn Hill Holdgate____

Date: _____

Chair, Local Housing Partnership: (as applicable)

Signature: _____

Print Name: ____Brian Sullivan____

Date: _____

Municipal Contact Information

Chief Executive Officer

Name Dawn Hill Holdgate, Chair, Select Board
Address Town of Nantucket 16 Broad Street Nantucket, MA 02554
Phone 508-228-7255
Email dhillholdgate@nantucket-ma.gov

Town Administrator/Manager

Name C. Elizabeth Gibson
Address Town of Nantucket 16 Broad Street, Nantucket, MA 02554
Phone 508-228-7255
Email lgibson@nantucket-ma.gov

City/Town Planner (if any)

Name Andrew Vorce, Director of Planning and Land Use
Address Town of Nantucket PLUS Department
2 Fairgrounds Road Nantucket, MA 02554
Phone 508-228-7242
Email AVorce@nantucket-ma.gov

City/Town Counsel

Name Vicki Marsh, Kopelman and Paige, P.C.
Address 101 Arch Street, Boston, MA 02110
Phone (617) 556-0007
Email vmarsh@k-plaw.com

Chairman, Local Housing Partnership (if any)

Name Brian Sullivan, Chair, Affordable Housing Trust Fund
Address Town of Nantucket Planning and Land Use Department
2 Fairgrounds Road Nantucket, MA 02554
Phone 508-325-7587
Email sully@fishernantucket.com

Community Contact Person for this project

Name Tucker Holland, Housing Specialist
Address Town of Nantucket Planning and Land Use Department
2 Fairgrounds Road Nantucket, MA 02554
Phone 508-325-7587
Email tholland@nantucket-ma.gov

The Project

Developer

Name NHA Properties, Inc d/b/a Housing Nantucket
Address P.O. Box 3149
75 Old South Road
Nantucket, MA 02554
Phone 508-228-4422
Email anne@housingnantucket.org

Is your municipality utilizing any HOME or CDBG funding for this project? ☐ Yes ☒ No

Local tax rate per thousand \$3.63 for Fiscal Year 2021.

Site Characteristics

The site is located at 31 Fairgrounds Road, Map 67 Parcel 149. The property is 1.9 acres (+/- sq. ft.) in R10 zoning.

<u>Project Style</u>	<u>Total # of Units</u>	<u># of Units Proposed for LAU Certification</u>
Detached single-family house	n/a	n/a
Rowhouse/townhouse	n/a	n/a
Duplex	2	4
Multifamily house (3+ family)	n/a	n/a
Multifamily rental building	3	18
Other (specify)	n/a	n/a

Unit Composition

Type of Unit:	# of Units	# of BRs	# of Baths	Gross Square Feet	Livable Square Feet	Proposed Sales Prices/ Rents	Proposed Condo Fee
Rental							
Affordable:	2	1	1	900 sqft	+/- 750 sqft	\$1,483 / month	N/A
	3	2	1.5	1100-1150 sqft	+/- 950 sqft	\$1,653 / month	
	1	3	2	1400-1500 sqft	+/- 1250 sqft	\$1,853 / month	
Market:	6	1	1	900 sqft	+/- 750 sqft	\$1,761 / month	N/A
	9	2	1.5	1100-1150 sqft	+/- 950 sqft	\$2,023 / month	
	1	3	2	1400-1500 sqft	+/- 1250 sqft	\$2,733 / month	

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)
2. Long-Term Use Restrictions (request documents before submission):
 - For ownership projects**, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes and/or the model deed rider.
 - For rental projects**, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.
 - For HOME-funded projects**, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.
3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:
 - appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
 - mortgagee consents to the Regulatory Agreement
 - trustee certificates or authorization for signer(s) to execute all documents
4. For Condominium Projects Only: The Condominium master deed with schedule of undivided interest in the common areas in percentages set forth in the condominium master deed
5. For Rental Projects Only: A copy of the Local Housing Authority's current Utility Allowances
6. Massachusetts Environmental Policy Act (MEPA) environmental notification form (ENF) – for new construction only (request form before submission)
7. Affirmative Fair Marketing and Lottery Plan, including:
 - ads and flyers with HUD Equal Housing Opportunity logo
 - informational materials for lottery applicants
 - eligibility requirements
 - lottery application and financial forms
 - lottery and resident selection procedures
 - request for local preference and demonstration of need for the preference

- measures to ensure affirmative fair marketing, including outreach methods and venue list
- name of Lottery Agent with contact information

See Section III of the Comprehensive Permit Guidelines at www.mass.gov/dhcd and search for **LIP 40B Guidelines** for more information.

PLEASE CONTACT RIEKO HAYASHI OF OUR OFFICE AT 617-573-1426 IF YOU HAVE ANY QUESTIONS.



NANTUCKET
TOWN CLERK

2020 DEC 18 AM 10:23

Nantucket Planning Board

APPROVAL OF A SPECIAL PERMIT FOR A RESIDENTIAL FLEXIBLE DEVELOPMENT

Subdivision File #PLSUB-2020-06-00070
Special Permit #PLSP-2020-06-0052

Owner: Coffin Family Nominee Trust
Applicant: Fairgrounds Common, LLC

31 Fairgrounds Road
Nantucket Tax Assessor's Map 67, Parcel 149
Residential-10 (R-10) zoning district

Recorded as Book 1057, Page 80
Nantucket Registry of Deeds

December 14, 2020

PROPOSAL

The Nantucket Planning Board at its July 20, 2020, September 14, 2020, October 26, 2020, and November 23rd meetings, considered the application of Fairgrounds Common, LLC for a Flex-Development Special Permit pursuant to section 139-8A of the Nantucket Zoning Bylaw and an Approval Required Subdivision pursuant to the *Rules and Regulations Governing the Subdivision of Land*. The applicant is proposing a twelve (12) lot, eight (8) buildable lot subdivision on a 85,298+/- S.F tract of land located off of Fairgrounds Road. The site is located in the Residential-10 (R-10) zoning district, which requires for a Flex Development, a minimum tract area of two (2) acres, or 87,120 S.F., and a minimum open space of forty (40) percent of the site.

DESCRIPTION OF THE PROPOSED PROJECT

The applicant is proposing a twelve (12) lot, eight (8) buildable lot flex development subdivision with a total of twenty-two (22) units and thirty-eight (38) bedrooms. Six (6) of the eight (8) buildable lots (Lots 2/3/4/5/6/ and 7) will have a primary, secondary, and tertiary unit while the remaining two (2) lots (Lots 1 & 8) will have a primary and a secondary unit. Configuration of the structures will utilize a zero lot line approach on Lots 2/3/4/5/6/ and 7. The design is achieved by Section 139-2 the Bylaw that allows a duplex with a tertiary dwelling attached. The ground cover per lot will not exceed 50%. Lots 11 and 12 are designated open spaces and Lots 9 and 10 are dedicated roadway parcels.

Access and parking for the lots is provided by a combination of a roadway and common driveway in a "horse-shoe" configuration with one-way traffic flow and a width of twelve (12) feet. The entrance is on the north eastern portion of the site and the exit is on the south western portion of the site. Fifty (50) off-street parking spaces are provided.

The development will include the installation of subsurface utilities, storm water infiltration, drainage, water, and sewer service. Additionally, an interior sidewalk bordering the open-space and a NRTA bus stop will be installed.

The open space will be utilized for passive recreation, including but not limited to nature study, picnicking, and horseback riding; active recreation; bicycle paths and walking trails; and structure accessory to the use of the open space which may include, but are not limited to outbuildings associated with the passive recreational use, and gazebos.

BASIS OF THE FINDINGS

The Board's findings and decision were based on the following documents:

- An Application to the Planning Board for a Special Permit dated June 22, 2020;
- An Application for Approval of a Definitive Subdivision Plan dated June 22, 2020;
- Plans entitled "31 Fairgrounds Common, LLC", which include "Existing Conditions", "Definitive Plan", "Infrastructure Plan", "Fire Truck Swept Path Plan", "Landscape and Layout Plan", "Concept Plan Showing Approval Required Lots", and "Storm Water Management Operation and Maintenance Plan", prepared for Coffin Family Nominee Trust, Shirley Louise Coffin Spenser, Trustee by Nantucket Engineering & Survey, PC on June 22, 2020 and revised November 12, 2020;
- "Storm Water Report" with "Storm Water Analysis and Infrastructure Design" prepared by Nantucket Engineering & Survey, PC June 2020;
- A document entitled "Itemized List of Improvements to be Waived or Modified" prepared by Nantucket Engineering & Survey, PC on June 22, 2020;
- A traffic study entitled, "Proposed Multifamily Housing Site Access & Traffic Review" prepared for Fairgrounds Commons LLC by Bristol Traffic & Transportation Consulting LLC on May 11, 2020;
- Representation and testimony received in connection with the Sketch Plan discussed at the March 9, 2020 Planning Board meeting. Minutes from this meeting are on file with the Planning Board;
- Various written correspondence from members of the public and their representatives;
- Various response letters from Nantucket Engineering and Survey, PC;
- Various written correspondence with the Fire Department;
- Reports by Pesce Engineering and Associates, Inc, the Planning Board's consulting engineer, dated July 13, 2020 and September 7, 2020;
- Representation, and testimony received in connection with the public hearings held July 20, 2020, September 14, 2020, October 26, 2020, and November 23, 2020. Minutes of these meetings are on file with the Planning Board; and
- Other assorted documents that are on file with the Planning Board.

The Planning Board closed the public hearing on November 23, 2020.

FINDINGS

The Board makes the following findings:

- That as proposed, the Flex Development has satisfied all criteria of Site Plan Review pursuant to 139-23 of the Zoning Bylaw;
- That the Flex Development is in harmony with the purposes and intent of the Zoning Bylaw;
- That the Flex Development allows for a greater flexibility and creativity in the design of a residential development;
- That the Flex Development encourages a more efficient form of development that consumes

less open land through the utilization of zero lot-line lots and by placing the structures closer together;

- That the Flex Development reduces the infrastructure and site disturbance through the creation of a compact development, that would otherwise be created through a traditional AR Subdivision;
- That the Flex Development encourages the permanent preservation of open space;
- That the reduction in frontage reduces potential for site disturbance, as all lots are provided with adequate access through the common driveway;
- That allowing more than 1 bedroom per 1,400 S.F. as defined in Section 139-2 Tertiary Dwelling of the Zoning Bylaw is justified due to the reduction in the minimum lot size from 10,000 S.F. to 4,000 S.F. and that the total bedroom count for the entire project is significantly less than what would be allowed through a conventional subdivision (38 total bedrooms proposed, 49 allowed through conventional subdivision);
- That as proposed, all lots are provided with adequate access;
- That the reduction of the setbacks will not have an adverse impact on the neighborhood and it will promote the purpose and intent of the Bylaw;
- That the applicant has satisfied the design criteria as outlined in 139-8A(3)(b)[1-4] of the Bylaw;
- That the applicant has followed the adequate performance criteria as outlined in 139-8A(3)(c)[1-4] of the Bylaw;
- That the total building lots do not exceed 30% more than the number of building lots which could have been created through a conventional subdivision plan;
- That the proposed open space is of importance to the community, as it will be a source of Recreational activities; and
- That granting a reduction of the minimum tract of land from 87,120 SF to 85,928 SF for a flex development is more in keeping with the surrounding area and promotes a more efficient use of the land than a conventional subdivision.

DECISION

The Planning Board is required to render a decision on the application based on Zoning Bylaw section 139-8A, which applies to flex development, and based on the *Rules and Regulations Governing the Subdivision of Land in Nantucket* (as amended through December 20, 1999)

The Nantucket Planning Board hereby **APPROVES** this proposal based on a 5-0 vote in favor of approval. Finding that the application of Fairgrounds Common, LLC, as modified by the following conditions, is in harmony with the general purpose and intent of the Nantucket Zoning Bylaw and the *Rules and Regulations Governing the Subdivision of Land* and hereby **APPROVES** a Special Permit for a Flex Development, based on a 5-0 vote in favor of approval, pursuant to section 139-8A of the Nantucket Zoning Bylaw.

The Board has determined the following regarding the requested waivers:

That the following waivers from the *Rules and Regulations Governing the Subdivision of Land* shall be granted:

- | | | |
|------|-------------------------|---|
| 3.01 | Zoning | WAIVER GRANTED – see condition 2 below; |
| 3.06 | One Dwelling per Lot | WAIVER GRANTED – three dwellings allowed per lot; |
| 4.03 | Streets (roadway width) | WAIVER GRANTED – the roadway width may be reduced to 12' for one-way traffic; |
| 4.10 | Guard Rails and Posts | |

rental properties, shall be established in the form of a corporation, nonprofit organization, or trust and endowed by the applicant for the maintenance of all roadways, drainage, utilities, landscaping, and wastewater treatment. The Association shall be initially endowed at the rate of \$1,000.00 per unit. Proof of payment into the fund shall be provided prior to the issuance of the first Certificate of Occupancy;

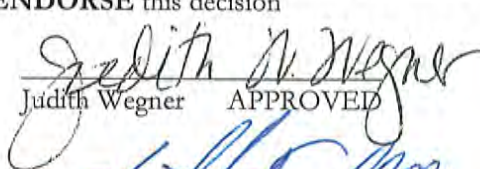
5. That should any of the lots be transferred out of common ownership, documentation regarding the conveyance of the roadway parcel to the Ownership Association shall be provided to the Planning Board in advance of any lot being transferred out of common ownership.
6. That preservation of the open space shall be required. A restriction defining the protection of the open space shall be enforceable by the Town or County of Nantucket and recorded at the Nantucket County Registry of Deeds or the Registry District of the Land Court;
7. That the open space shall be either owned by the Town or County of Nantucket; owned by the Nantucket Islands Land Bank; conveyed to an established nonprofit organization, a principle purpose of which is the conservation of open land; or subject to a permanent conservation restriction, as provided in MGL c. 184, §§ 31 through 33, and owned in common by a corporation or trust composed of the owners of lots within the development. A letter of intent to hold the conservation restriction from the prospective holder shall be required before a final plan is endorsed;
8. That the lots shall be prohibited from any further subdivision. However, minor lot line adjustments shall be permitted through the Approval Not Required (ANR) process;
9. That all lots be connected to municipal sewer and water;
10. That a minimum of 50 parking spaces as delineated on the site plan shall be provided, with each unit being designated specific parking space(s);
11. Signs shall be placed at each parking space to indicate to which unit the parking spaces are designated;
12. There shall be no more than twenty-two (22) units and no more than thirty-eight (38) bedrooms;
13. That each unit have separate and designated unfinished storage in the basement;
14. That minor site plan review for minimal changes and additions, such as zoning sheds, may occur without holding a public hearing;
15. That the Applicant agrees to construct a bus stop and seating area for Nantucket Regional Transit Authority along the roadway layout of Fairgrounds Road abutting the site at the Applicant's expense. This proposal shall be presented to NRTA and/or Town/Country of Nantucket prior to the issuance of the final Certificate of Occupancy. If the Town/Country of Nantucket and/or NRTA refuses the construction of the bus stop and seating area, the refusal shall not affect this decision;
16. That the Applicant construct a sidewalk within the roadway layout along Fairgrounds Road from the site to Trotter's Lane with a crosswalk at the intersection of Fairground's Road and Trotter's Lane to the bike-path at the Applicant's expense prior to the issuance of the final Certificate of Occupancy. If the Town/Country of Nantucket refuses the construction of the sidewalk and crosswalk, the refusal shall not affect this decision;

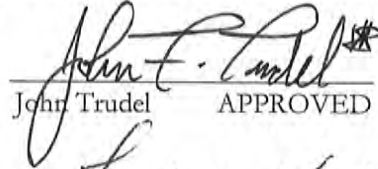
17. That if any units are to be utilized as rental units, a management plan must be submitted and approved by the Planning Board prior to the first Certificate of Occupancy. The Planning Board may review and approve such plan without holding a public hearing. Additionally, a maintenance contact must be kept on file with the Planning Board at all times;
18. A pre-construction meeting shall be scheduled with planning staff and conducted prior to any paving, utility, or other construction.
19. The following intensity regulations shall apply:
 - a. Ground Cover Ratio –50%
 - b. Front Setback –0
 - c. Side/Rear Setback – 0
 - d. Minimum Lot Size –4,000 S.F.
 - e. Frontage – 0

SIGNATURE PAGE TO FOLLOW

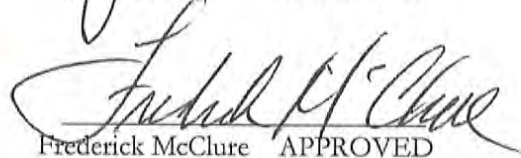
RECORD OF VOTE

On November 23, 2020 the Planning Board voted 5-0 to **APPROVE** the applications for an Approval Required Subdivision and Flex Development Special Permit and on December 14, 2020 the Planning Board voted 5-0 to **ENDORSE** this decision


Judith Wegner APPROVED


John Trudel APPROVED


Nathaniel Lowell APPROVED


Frederick McClure APPROVED

David Iverson APPROVED

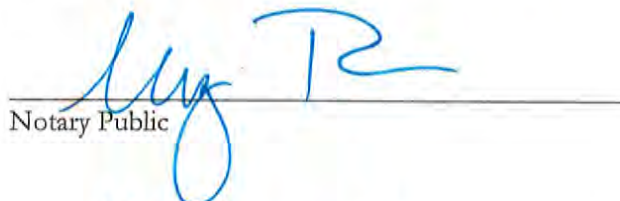
COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

December 18, 2020

On the 18th day of December, 2020, before me, the undersigned notary public,

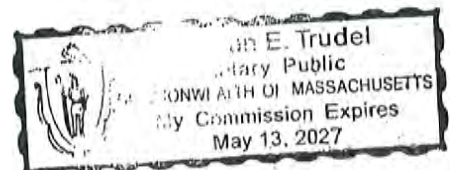
personally appeared Judith Wegner, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.



Notary Public

May 13, 2027

My Commission Expires





Housing Nantucket <housingnantucket@gmail.com>

Utility Allowance updates, please

Renee Ceely <admin@nantuckethousingauthority.org>
To: Anne Kuszpa <housingnantucket@gmail.com>

Thu, Mar 4, 2021 at 10:25 AM

Hi.

FEDERAL UNITS

1 BR: \$121 / mo.

2BR: \$151/mo.

3BR: \$151/ mo.

STATE (family) UNITS

2BR: \$500/annual

3BR: \$600/annual

4BR: \$700/annual

Plus monthly rent for family units who pay for utilities based on 27% of net adjusted gross household income (rather than 30%).

Renee

From: Anne Kuszpa <housingnantucket@gmail.com>
Sent: Wednesday, March 3, 2021 2:41 PM
To: Renee Ceely <admin@nantuckethousingauthority.org>
Subject: Utility Allowance updates, please

Hi Renee,

Hope all is well.

We're doing the Affirmative Fair Housing Marketing Plan for 31 Fairgrounds. Will you please help me update the Housing Authority's utility allowance figures? I have the following from August 2018:

1 bedroom: \$117 per month

2 bedroom: \$134 per month

3 bedroom: \$134 per month

Thank you!
Anne

~~~~~

Anne Kuszpa, Executive Director

Housing Nantucket

PO Box 3149

75 Old South Road

Nantucket, MA 02584

Main Line: 508-228-4422

[www.HousingNantucket.org](http://www.HousingNantucket.org)



*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

William Francis Galvin  
Secretary of the  
Commonwealth

February 22, 2021

TO WHOM IT MAY CONCERN:

I hereby certify that according to the records of this office

**NHA PROPERTIES, INC.**

is a domestic corporation organized on **January 1, 1994 (Chapter 180)**.

I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 180 section 26A, for revocation of the charter of said corporation; that the State Secretary has not received notice of dissolution of the corporation pursuant to Massachusetts General Laws, Chapter 180, Section 11, 11A, or 11B; that said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

Processed By IL

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 09 1998

NHA PROPERTIES INC  
3 NANTA DR  
NANTUCKET, MA 02554

Employer Identification Number:  
04-3247717  
DLN:  
17053180003028  
Contact Person:  
D. A. DOWNING  
Contact Telephone Number:  
(513) 241-5199  
Accounting Period Ending:  
December 31  
Form 990 Required:  
Yes  
Addendum Applies:  
Yes

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

Letter 947 (DO/CG)

NHA PROPERTIES INC

Donors may deduct contributions to you as provided in section 170 of the Code. Requests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so be sure your return is complete before you file it.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

MHA PROPERTIES INC

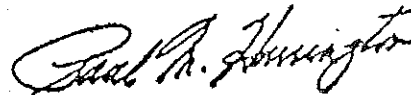
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



District Director

Enclosure(s):  
Addendum



Town of Nantucket Sewer Department  
**WASTEWATER MANAGEMENT**

David C Gray Sr  
Sewer Director  
81 S.Shore Rd  
Nantucket, Ma 02554

Town Direct 508-228-7200 Ext 7800  
Cell 401-413-8370  
[dgray@nantucket-ma.gov](mailto:dgray@nantucket-ma.gov)

03 03 2021

**ATM 21 SEWER ARTICLES REVIEW COVER SHEET**

The review group of Andrew Vorce, Roberto Santamaria and David Gray have met and discussed all the Articles in the ATM 20 warrant. Attached is the Maps, Review Sheet and Sewer Criteria check lists completed.

We are all in agreement with the reviews and recommendations provided with some conditions. We are happy to discuss any of the recommendations provided.

Sincerely,

Sewer Review Group

David C Gray Sr.  
Director of Sewer Department

Andrew Vorce  
Director of Planning

Roberto Santamaria  
Director of Health

## Chapter 396 of the Acts of 2008

### AN ACT AUTHORIZING THE ESTABLISHMENT OF THE NANTUCKET SEWER COMMISSION AND SEWER DISTRICTS IN THE TOWN OF NANTUCKET.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** The town of Nantucket, acting by and through the Nantucket sewer commission described in section 3, may lay out, plan, construct, maintain and operate a system or systems of common sewers for a part or whole of its territory, as may be from time to time defined and established by adoption by town meeting of one or more by-laws as a designated sewer district under the jurisdiction and control of the sewer commission, with such capacity limitations, connections, pumping stations, treatment plants and other works, as may be allocated in such by-law to such sewer district as required for a system or systems of sewage treatment and disposal, and may construct such sewers and related works in said sewer districts defined and established by by-law as may be necessary. No other sewers shall be constructed in any public roads or ways of the town which are not within the limits of such designated sewer districts and which are not under the control of the sewer commission.

**SECTION 2.** The town may make and maintain, within sewer districts defined and established as set forth in section 1 in any way therein where common sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way within such district.

**SECTION 3.** Notwithstanding the provisions of chapter 169 of the acts of 1965, the town may, at any town meeting, by a two-thirds vote, vote that the board of selectmen shall act as a Nantucket sewer commission, or that there shall be a separate Nantucket sewer commission, the members of which shall be appointed by the board of selectmen or elected by popular vote for 3 year terms. The number, constitution and the choice of elected or appointed commissioners of a separate sewer commission shall also be determined by a two-thirds vote of town meeting. If a separate Nantucket sewer commission is established by town meeting, any selectman shall be eligible to serve as a member thereof. Town meeting shall be authorized to change the method of establishment of the Nantucket sewer commission described herein without any limitation on the number of times such commission may be established or re-established as the case may be, by a two-thirds vote. Whenever the phrase "Nantucket sewer commissioners" appears in this act, such phrase shall include within its meaning either the board of selectmen acting as Nantucket sewer commissioners, or the separate appointed or elected Nantucket sewer commission.

**SECTION 4.** The Nantucket sewer commission, acting for and on behalf of the town of Nantucket, shall have charge of and shall be responsible for the policies, finances, and overall goals of the sewer system, but shall be subject to the charter of the town of Nantucket as to the administration and management of the systems operation and maintenance, and shall be responsible for the good order of all sewers, pipes, pumping stations, treatment and disposal works, and the like. The operations of the Nantucket sewer commission shall be governed by, and any staff or employees shall be considered part of town administration within the meaning of, the charter of the town of Nantucket unless changed or modified pursuant to said charter.

**SECTION 5.** The board of selectmen acting for and on behalf of the town of Nantucket, after being duly authorized to do so by town meeting, may take by eminent domain pursuant to chapter 79 of the General Laws or otherwise may, utilizing the procedures described in the charter of the town of

Nantucket acquire by purchase or gift any lands, rights of way, or easements, public or private, in the town necessary for accomplishing any purpose mentioned in this act and may construct such sewers under or over any state road, any bridge, pier, tidelands, boulevards or other public way, or within the location of any state land, without the necessity for any formal filings in the registry of deeds, and may enter upon and dig up any private land or any public land or public way, for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act.

**SECTION 6.** The financial operations of the sewer system shall be an Enterprise Fund within the meaning of section 53F1/2 of chapter 44 of the General Laws, except as modified herein, and any expenditure from such fund shall be only upon authorization of the Nantucket sewer commission. The town shall, by vote at town meeting, determine whether it shall pay the whole or a portion of the cost of said system or systems of sewerage and sewage disposal, and if a portion, what proportion. If the town votes to pay less than the whole cost, in providing for the payment of the remaining portion of the cost of said system or systems, the town, acting through the Nantucket sewer commission, may avail itself of any or all of the methods permitted by the General Laws; and the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments or the additional methods set forth in section 8, and as to liens therefor and to interest thereon, shall apply to assessments made pursuant to this act by the Nantucket sewer commission, except that interest shall be at the rate as may be established by the Nantucket sewer commission from time to time.

At the same meeting at which town meeting determines that any portion of the cost is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for.

The collector of taxes of said town shall certify the payment or payments of any such assessment or apportionments thereof to the sewer commission or to the selectmen acting as such, who shall preserve a record thereof.

**SECTION 7.** The revenues received by the fund described in section 6 of this act from sewer assessments, fees, charges, contributions from the town towards the costs of such sewer system as described in section 6, and the like as receipts or revenues, shall be applied to the payment of charges and expenses incident to the design, construction, maintenance, and operation of said system or systems of sewerage and sewage disposal or to the extensions thereof, to the payment of principal or interest upon bonds or notes issued for sewer purposes, or to the payment or redemption of such bonds or notes.

**SECTION 8.** The Nantucket sewer commission may, in its discretion, prescribe for the users of said sewer systems and disposal works such annual charges, connection fees, assessments, privilege fees, and the like, based on the benefits derived therefrom as such sewer commission may deem proper, subject however, to such by-laws as may be adopted by vote of the town, or as may be provided for in the General Laws. Notwithstanding any law to the contrary, the commission is authorized to impose and collect such charges, fees, or assessments prior to connection or operation of such system of sewers, and may enter into agreements for the payment thereof over such time as the sewer commission shall determine. In fixing the charges to be imposed for said system, the Nantucket sewer commission is authorized to make use of any fee, charge, assessment or betterment provided for by the General Laws and further may take into consideration all costs for ongoing removal of infiltration and inflow of non-wastewater into the system as part of the normal operating costs of the system; may include, in setting privilege fees, capital costs and interest charges applicable thereto; may impose late fees for unpaid billings; may assess a capacity utilization fee to new estates and properties added to a sewer district authorized by this act from outside a designated needs area in addition to any privilege fee; may charge betterments, special assessments, or any other charge to the estates and properties being served by collection system improvements and extensions to pay for all costs for sewer line extensions to serve

new connections, both within the sewer districts authorized by the act and in any areas added to such sewer district; and may impose such charges on properties within a sewer district authorized by the act whether or not such estates and properties are then connected to the sewer system.

**SECTION 9.** The Nantucket sewer commission may, from time to time, adopt and prescribe rules and regulations for the means of connection of estates and buildings with sewers and for inspection of the materials, the construction, alteration, and use of all connections entering to such sewers, but not including the expansion of districts except as provided in sections 1 and 10, and may prescribe penalties, not exceeding \$300 for the violation of any such rule or regulation. Such rules and regulations shall be available for public review at the sewer commission's designated office during regular office hours. Any changes, deletions, additions or revisions to said rules and regulations deemed necessary by the Nantucket sewer commission from time to time, shall take full effect after a notice of change has been published at least once a week for 2 successive weeks in a newspaper of general circulation in the town of Nantucket, which notice shall detail where and when such revised rules and regulations may be viewed by the general public.

**SECTION 10.** Notwithstanding any provision of law to the contrary, owners of land not within the sewer districts defined and established pursuant to section 1 of this act shall not be permitted to connect to the town's sewer system except as is set forth in this act. The territory covered by said sewer districts may be amended from time to time by the board having charge of sewers, after a public hearing conducted to consider such amendment, upon approval of the department of environmental protection if otherwise required by law and upon enactment by town meeting of a by-law defining or establishing a new or expanded sewer district. In the event that the board having charge of sewers votes not to amend the territory of any sewer district in accordance with the foregoing sentence, the amendment may nevertheless be enacted in a form of a by-law upon a two-thirds vote of town meeting. Any by-law adopted pursuant to the authority granted to the town of Nantucket by this act may include authorization to the Nantucket sewer commission without a town meeting vote to add to the sewer districts created pursuant to this act properties located within "needs areas" as defined by Nantucket's Comprehensive Wastewater Management Plan prepared by Earth Tech dated March 2004, approved by the secretary of environmental affairs on May 14, 2004, with such conditions and limitations with respect to such authorization as such by-law may provide.

**SECTION 11.** Notwithstanding anything to the contrary contained herein, the board having charge of the maintenance and repair of sewers may at any time permit extensions, new connections or increases in flow to the sewer system, subject to capacity, to serve municipal buildings or public restrooms or other public service uses as defined by the municipality; provided, however, that such uses may include, but shall not be limited to, affordable housing constructed pursuant to chapters 40B and 40R of the General Laws, without thereby creating any entitlement on the part of any person to connect to such sewer system, and subject to capacity, in order of application, may permit or if in the public interest, may require, extensions, new connections or new flow to the sewer system within such districts.

**SECTION 12.** This act shall take effect as of July 1, 2008.

*Approved December 17, 2008*

---

**Return to:**

List of Laws passed in 2008 Session



## **TOWN OF NANTUCKET**

### **Criteria Checklist for Proposed Expansion of the Sewer District**

#### Checklist Preamble:

The purpose of this checklist is to implement the policy that access to centralized wastewater treatment systems should be evaluated based on objective criteria. The following principles support that policy:

1. The use of wastewater treatment facilities should be optimized to support environmental and public health goals, while also maintaining the traditional appearance of Nantucket's neighborhoods.
2. Private property development and use is managed through zoning, rather than access to public water and centralized wastewater treatment.
3. The following criteria will be used to evaluate applications to expand the sewer districts:
  - Is adequate WWTF capacity available?
  - Do on-site (septic) systems perform well and fit in the neighborhood?
  - Does the application comply with Master Planning and Zoning?
  - Is the proposed expansion a valuable addition to the existing sewer system?
  - Is the proposed expansion adequately funded?

Reviewers: Sewer Director David Gray, Health Director Roberto Santamaria, Director of Planning Andrew Vorce

## ARTICLE 83

### (Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map Changes)

To see if the Town will vote to amend Chapter 41 (Board of Sewer Commissioners), Section 41-3A (Town Sewer District) of the Code of the Town of Nantucket by taking the following actions:

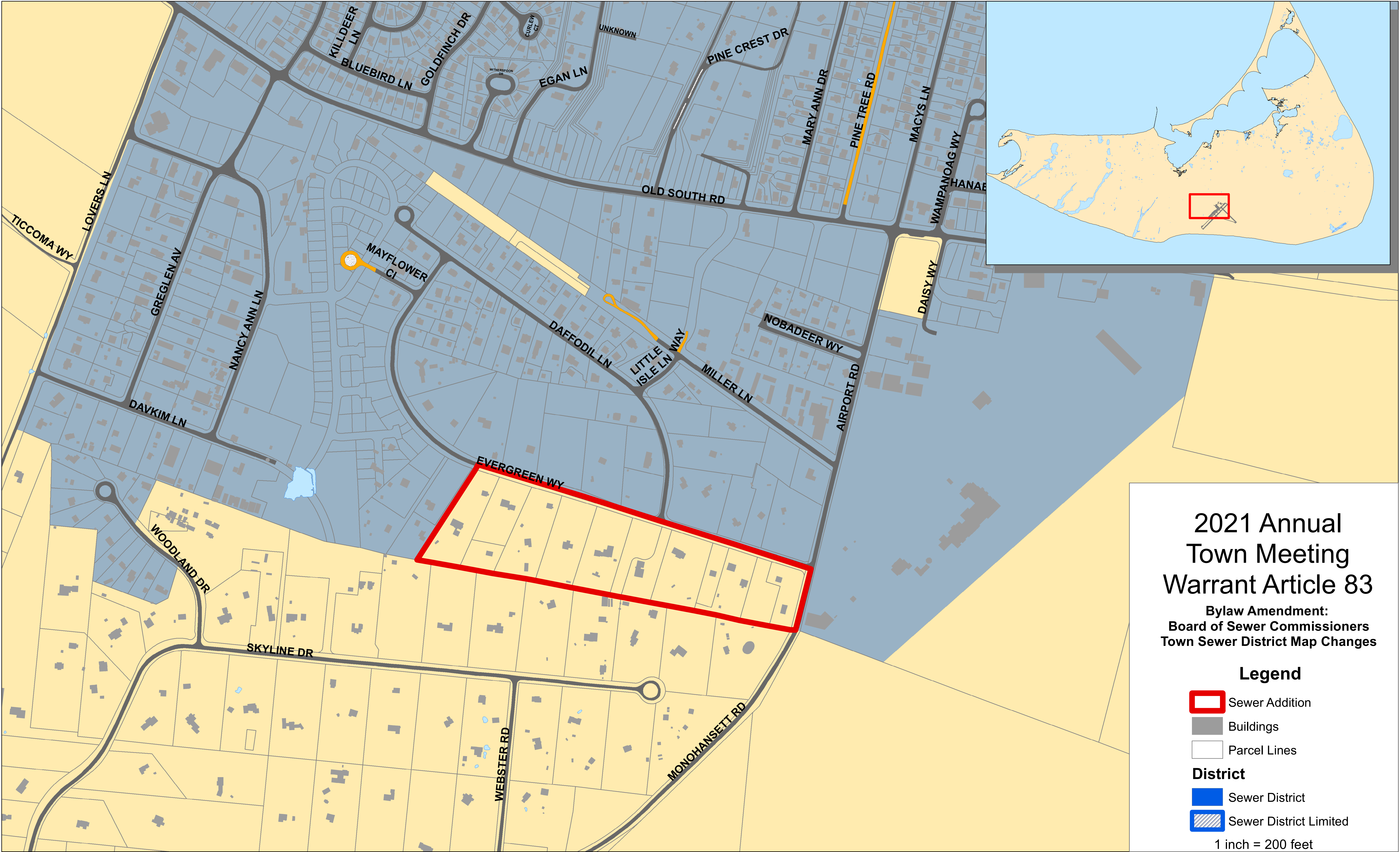
Add the following parcels to the Town Sewer District

| Map | Lot   | Number | Street           |
|-----|-------|--------|------------------|
| 68  | 700.1 | 2A     | Evergreen Way    |
| 68  | 701.1 | 4      | Evergreen Way    |
| 68  | 701.2 | 4A     | Evergreen Way    |
| 68  | 702   | 6      | Evergreen Way    |
| 68  | 703   | 8      | Evergreen Way    |
| 68  | 703.1 | 8 -    | Evergreen Way    |
| 68  | 704   | 10     | Evergreen Way    |
| 68  | 705   | 12     | Evergreen Way    |
| 68  | 706   | 14     | Evergreen Way    |
| 68  | 707   | 16     | Evergreen Way    |
| 68  | 707.1 | 16B    | Evergreen Way    |
| 68  | 708   | 18     | Evergreen Way    |
| 68  | 700   | 44     | Monohansett Road |

And to take any other action as may be related thereto. *(Select Board/Sewer Commissioners)*

**Sewer Review Committee: This area was included in the 2004 and 2014 CWMP flow calculations. The owners or agent of listed properties will be responsible to properly design and construct any sewer extension required to serve these lots and any lots line may pass for current and future capacities to TON Standards and Specifications that would discharge to the gravity main in Daffodil Way or Airport Road.**

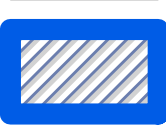
**Recommendation to add these parcels to the district.**



# 2021 Annual Town Meeting Warrant Article 83

Bylaw Amendment:  
Board of Sewer Commissioners  
Town Sewer District Map Changes

## Legend

-  Sewer Addition
-  Buildings
-  Parcel Lines
- District**
-  Sewer District
-  Sewer District Limited

1 inch = 200 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.  
  
The presence of information on this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:  
  
GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE #83 (Board of Sewer Commissioners)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change – 2, 4, 4A, 6, 8 8-, 10, 12, 14, 16, 16B, 18 Evergreen Way and 44 Monohanaset Rd)**

### **1. Capacity:**

- ☒ Yes ☐ No Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**The owners or agent of listed properties will be responsible to properly design and construct any sewer extension required to serve these lots and any lots line may pass for current and future capacities to TON Standards and Specifications that would discharge to the gravity main in Daffodil Way or Airport Road.**

- ☒ Yes ☐ No Is there adequate capacity in the WWTP? **This area was included in the 2004 and 2014 CWMP flow calculations**

### **2. Septic System Criteria:**

- ☐ Yes ☒ No Is the system hydraulically failed according to the Local Board of Health Regulations?
- ☐ Yes ☒ No Is the system technically failed according to the Local Board of Health Regulations?
- ☐ Yes ☒ No A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)
- ☐ Yes ☒ No Are soil structure/ground water elevations problematic?
- ☐ Yes ☒ No Is the existing or proposed septic system within 100 feet of a resource area?
- ☐ Yes ☒ No Is an alternative septic system is required?

### **3. Zoning and Land Use:**

- ☒ Yes ☐ No Does the property comply with the 2009 Master Plan?
- ☐ Yes ☒ No Is this an affordable housing project under Chapter 40B or 40R?
- ☐ Yes ☒ No Is the Lot size less than 40,000 sq ft?
- ☒ Yes ☐ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

#### 4. Sewer system:

- Yes ○ No Is the property location contiguous to the existing sewer district?
- Yes ○ No Does the number of properties which would be served by the extension exceed 5?
- Yes ○ No Does this sewer extension have potential for future extension of the sewer collection system?

#### 5. Financial:

- Yes ○ No Is the sewer being extended to the Town's specifications?
- Yes ○ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): \_\_\_\_**9**  
**sewer** \_\_\_\_

**Parcels are adjacent to existing town sewer districts. This area is also adjacent to the Airport.**

## ARTICLE 84

### (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 18 Evergreen Way)

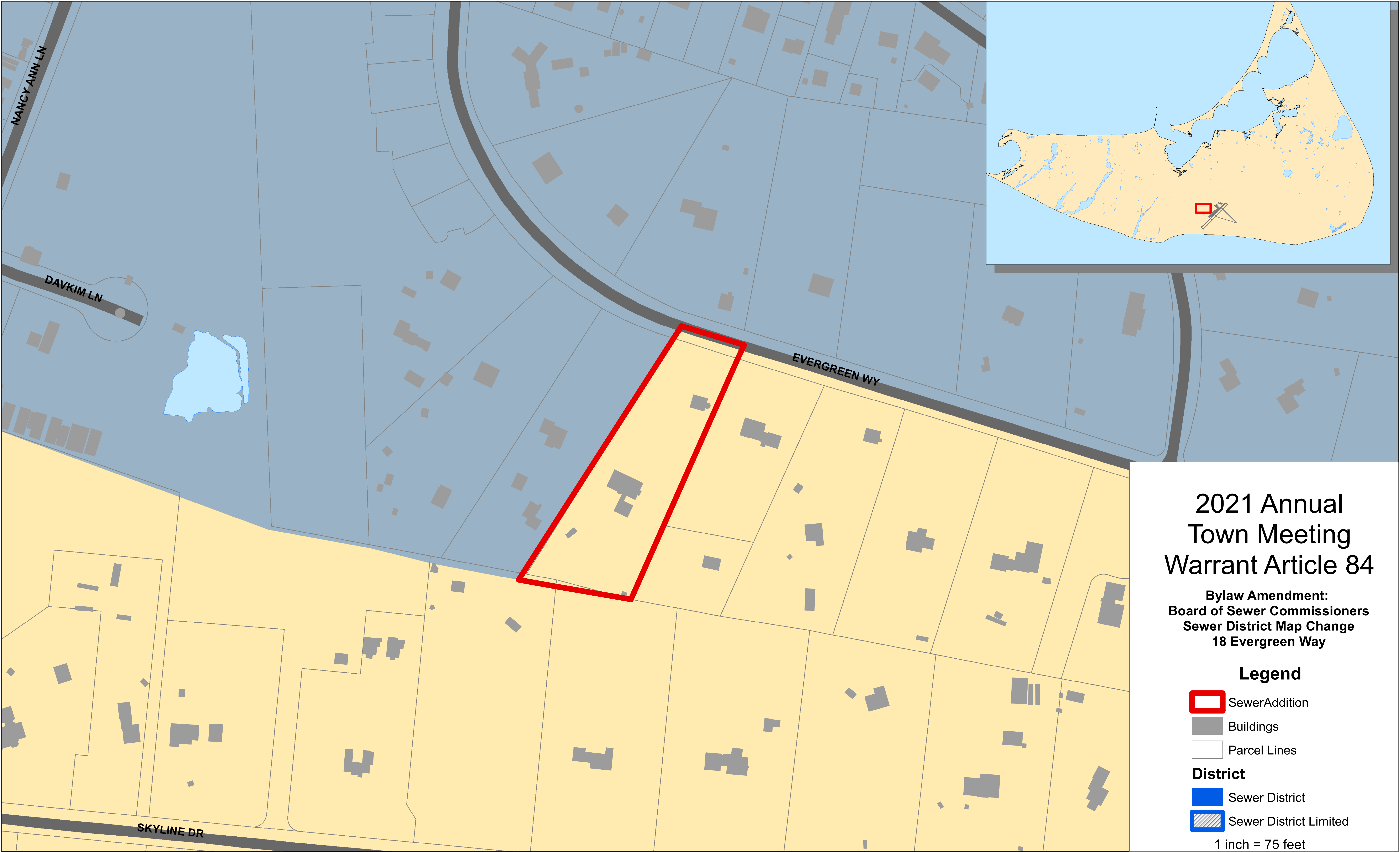
To see if the Town will vote to: Amend the core sewer district map to include 18 Evergreen Way identified as Nantucket Tax Assessor's Map-68, Parcel 708 which property currently abuts the existing sewer district

; or otherwise act thereon.

*(Brian Ryder, et al)*

**Sewer Review Committee: This area was included in the 2004 and 2014 CWMP flow calculations Recommend Adding to Sewer District. The owners or agent of this property will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications that would discharge to the gravity main in Evergreen Way or Airport Road.**

**Sewer Review Committee, Recommendation this parcel listed in this article by itself would not meet the threshold to be added to the district. This parcel is included in Article # 83 and would meet the threshold. This Article should not go forward as a stand alone.**



# 2021 Annual Town Meeting Warrant Article 84

**Bylaw Amendment:  
Board of Sewer Commissioners  
Sewer District Map Change  
18 Evergreen Way**

## Legend

- SewerAddition
- Buildings
- Parcel Lines
- District**
- Sewer District
- Sewer District Limited

1 inch = 75 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licensees must inquire of the relevant agency for applicable requirements. The presence of information on this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE #84 (Ryder)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change – 18 Evergreen Way)**

### **6. Capacity:**

- ☒ Yes ☐ No Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**The owners or agent of 18 Evergreen Way, will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications that would discharge to the gravity main in Evergreen Way.**

- ☒ Yes ☐ No Is there adequate capacity in the WWTP? **This area was included in the 2004 and 2014 CWMP flow calculations**

### **7. Septic System Criteria:**

- ☐ Yes ☒ No Is the system hydraulically failed according to the Local Board of Health Regulations?
- ☐ Yes ☒ No Is the system technically failed according to the Local Board of Health Regulations?
- ☐ Yes ☒ No A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)
- ☐ Yes ☒ No Are soil structure/ground water elevations problematic?
- ☐ Yes ☒ No Is the existing or proposed septic system within 100 feet of a resource area?
- ☐ Yes ☒ No Is an alternative septic system is required?

### **8. Zoning and Land Use:**

- ☒ Yes ☐ No Does the property comply with the 2009 Master Plan?
- ☐ Yes ☒ No Is this an affordable housing project under Chapter 40B or 40R?
- ☐ Yes ☒ No Is the Lot size less than 40,000 sq ft?
- ☒ Yes ☐ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

**9. Sewer system:**

- Yes ○ No Is the property location contiguous to the existing sewer district?
- Yes ○ No Does the number of properties which would be served by the extension exceed 5?
- Yes ○ No Does this sewer extension have potential for future extension of the sewer collection system?

**10. Financial:**

- Yes ○ No Is the sewer being extended to the Town's specifications?
- Yes ○ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation):   **9**  

**Parcel is adjacent to existing town sewer districts. This area is also adjacent to the Airport.**

## ARTICLE 85

(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 154R Cliff Road)

### *Carried Over from 2020 Annual Town Meeting*

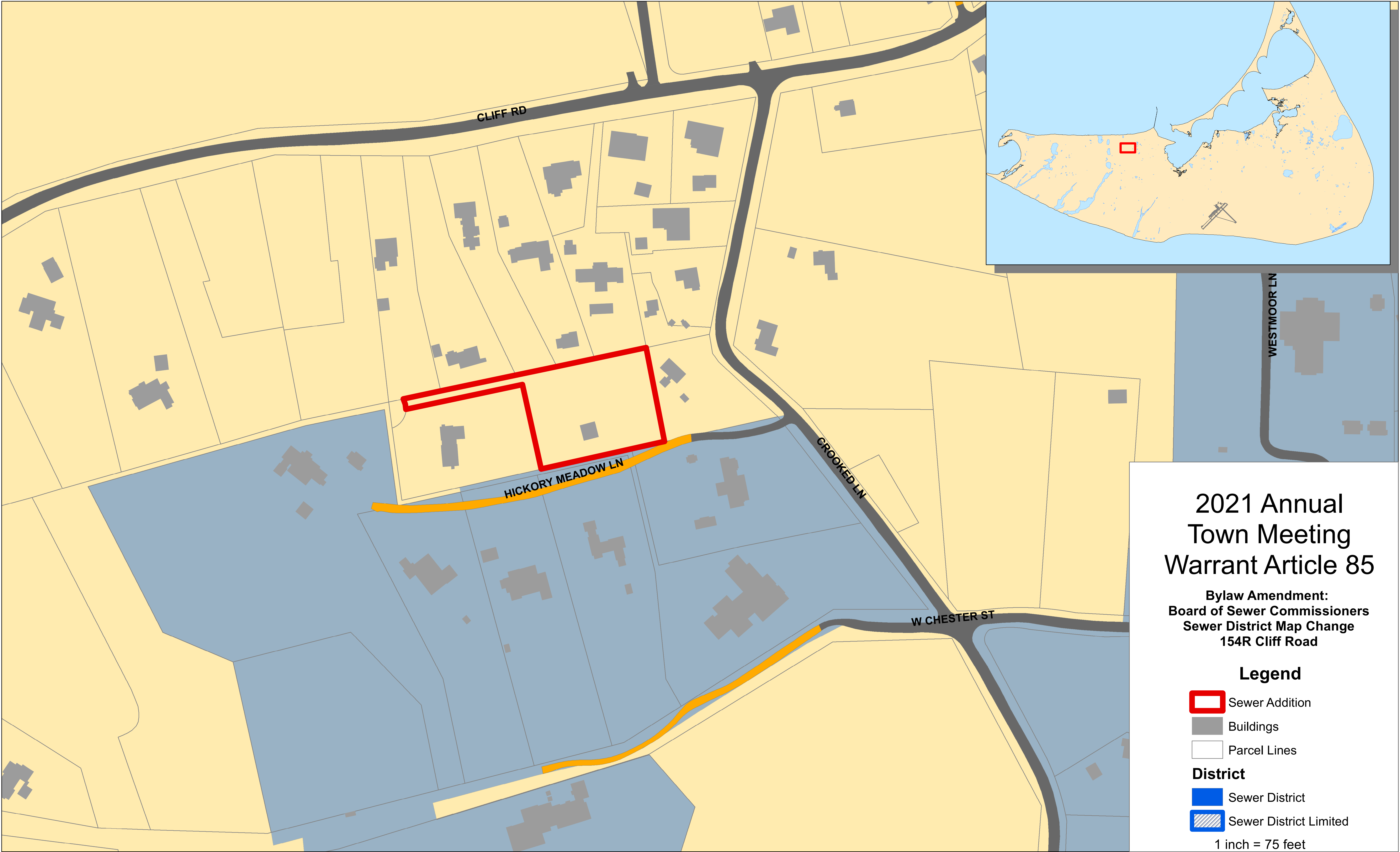
To see if the Town will vote to: Amend the sewer district map to include 154R Cliff Road, identified as Nantucket Tax Assessor's Map 41, Parcel 73.1, which is currently outside the core sewer district.

; or otherwise act thereon.

*(Bryan Swain, et al*

*(The Condition of the existing FM in this area is unknown.)* The owners or agent of 154R Cliff RD, will need to perform a Conditions assessment of the existing PVT force main within Hickory Meadow and the Force Main in its entirety that is located within Crooked Lane and W. Chester St to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main in W. Chester St.

Sewer Review Committee: This parcel does Not meet the 9 required for a positive recommendation and is not within a listed Needs area. This area was not calculated in the Capacity at the WWTP in either the 2004 or 2014 updated CWMP.



# 2021 Annual Town Meeting Warrant Article 85

Bylaw Amendment:  
Board of Sewer Commissioners  
Sewer District Map Change  
154R Cliff Road

## Legend

-  Sewer Addition
-  Buildings
-  Parcel Lines
- District**
-  Sewer District
-  Sewer District Limited

1 inch = 75 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licensees must inquire of the relevant agency for applicable requirements.  
  
The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:  
  
GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE # 85 (Swain)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change – 154R Cliff Road)**

### **11. Capacity:**

Yes, XX No    Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**(Unknown as to existing FM in this area.) The owners or agent of 154R Cliff RD, will need to perform a Conditions assessment of the existing PVT force main within Hickory Meadow and the Force Main in its entirety that is located within Crooked Lane and W. Chester St to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main in W. Chester St.**

☐ Yes   ☒ No    Is there adequate capacity in the WWTP? **This area was not calculated in either the 2004 or 2014 updated CWMP. Capacity at the WWTP was calculated using these documented formulas.**

### **12. Septic System Criteria:**

☐ Yes   ☒ No    Is the system hydraulically failed according to the Local Board of Health Regulations?

☐ Yes   ☒ No    Is the system technically failed according to the Local Board of Health Regulations?

☐ Yes   ☒ No    A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)

☐ Yes   ☒ No    Are soil structure/ground water elevations problematic?

☐ Yes   ☒ No    Is the existing or proposed septic system within 100 feet of a resource area?

☐ Yes   ☒ No    Is an alternative septic system is required?

### **13. Zoning and Land Use:**

☒ Yes   ☐ No    Does the property comply with the 2009 Master Plan?

☐ Yes   ☒ No    Is this an affordable housing project under Chapter 40B or 40R?

☐ Yes   ☒ No    Is the Lot size less than 40,000 sq ft?

● Yes ○ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

#### 14. Sewer system:

- Yes ○ No Is the property location contiguous to the existing sewer district?
- Yes ○ No Does the number of properties which would be served by the extension exceed 5?
- Yes ○ No Does this sewer extension have potential for future extension of the sewer collection system?

#### 15. Financial:

- Yes ○ No Is the sewer being extended to the Town's specifications?
- Yes ○ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): 7

**As this parcel does Not meet the 9 required for a positive recommendation and is not within a listed Needs area. This parcel is very large and has a potential for multiple large structures and or is sub dividable. There has been a lot of inquiries about the Cliff Rd area from Sherburne TPK to Crooked LN asking to be added to the District I have told those that ask that the Town has no plans to extend the district at this time as the need's areas have priority. This area is NOT within a needs area  
Parcel is adjacent to existing town sewer districts.**

## ARTICLE 86

(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 18 Kimball Avenue)

*Carried Over from 2020 Annual Town Meeting*

To see if the Town will vote to: Amend the sewer district map to include 18 Kimball Avenue, identified as Nantucket Tax Assessor's Map 30, Parcel 109, which is currently outside the core sewer district.

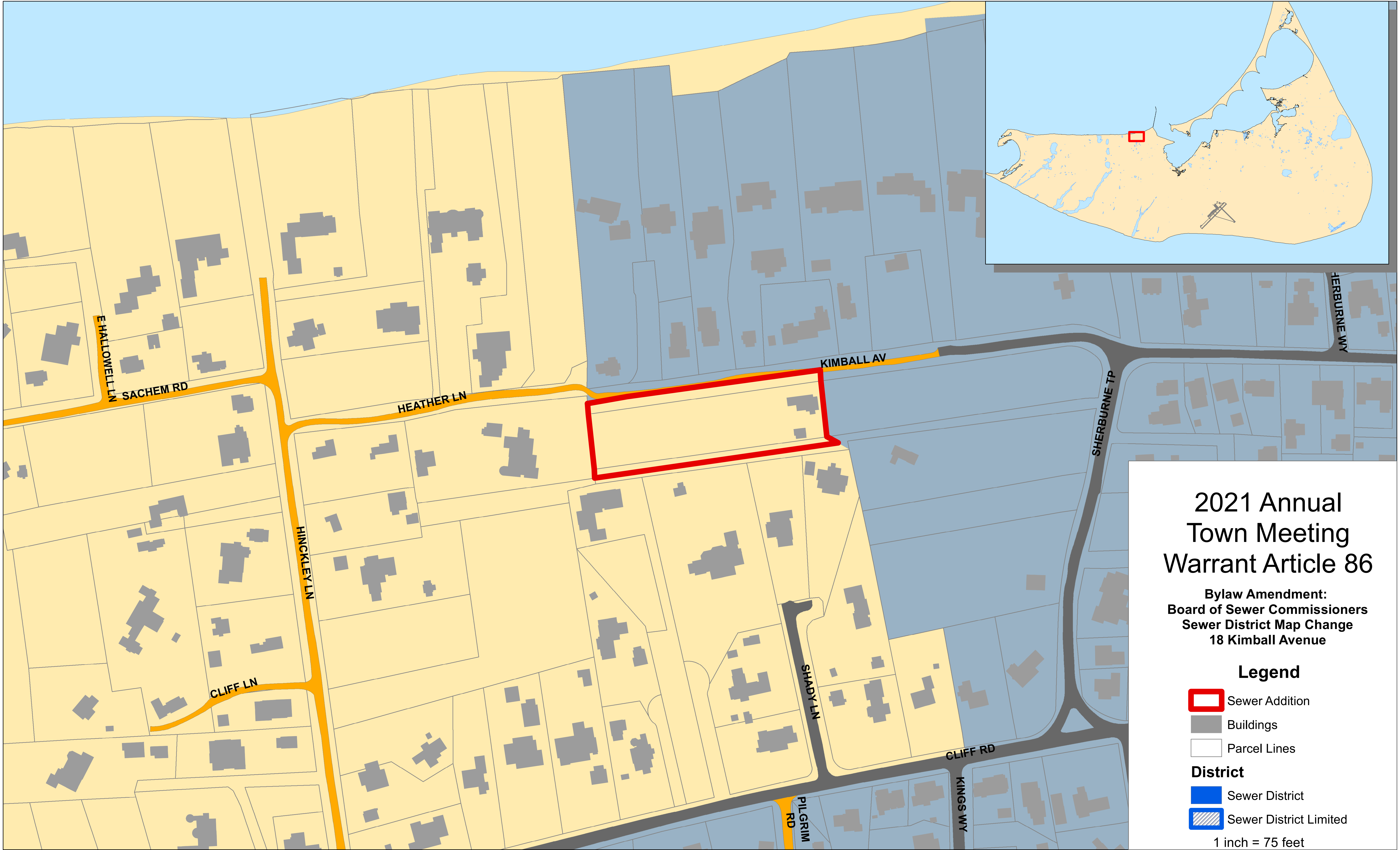
; or otherwise act thereon.

*(Bryan Swain, et al)*

(The current condition of the existing PVT FM in this area is unknown) The owners or agent of this Article will need to perform a Conditions assessment of the existing PVT force main to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main.

This area was not calculated in either the 2004 or 2014 updated CWMP nor listed in the April 2020 Sewer Master Plan. Capacity at the WWTP was not calculated to include these parcels.

Sewer Review Committee: This parcel does Not meet the requirement for a positive recommendation and is not within a listed Needs area. This parcel is very large and has a potential for multiple large structures and or is sub dividable. Further study should be considered of this article and article #89 before adding these into the sewer district.



# 2021 Annual Town Meeting Warrant Article 86

Bylaw Amendment:  
Board of Sewer Commissioners  
Sewer District Map Change  
18 Kimball Avenue

## Legend

-  Sewer Addition
-  Buildings
-  Parcel Lines
- District**
-  Sewer District
-  Sewer District Limited

1 inch = 75 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements. The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE # B (Swain)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 18 Kimball Avenue)**

### **16. Capacity:**

Yes, ☒ No ☐ Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**(Unknown as to existing FM in this area.) The owners or agent of 18 Kimball Ave. will need to perform a Conditions assessment of the existing PVT force main to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main.**

☐ Yes ☒ No ☐ Is there adequate capacity in the WWTP? **This area was not calculated in either the 2004 or 2014 updated CWMP nor listed in the April 2020 Sewer Master Plan. Capacity at the WWTP was not calculated to include these parcels. This area is NOT within a needs area.**

### **17. Septic System Criteria:**

☐ Yes ☒ No ☐ Is the system hydraulically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No ☐ Is the system technically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No ☐ A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)

☐ Yes ☒ No ☐ Are soil structure/ground water elevations problematic?

☐ Yes ☒ No ☐ Is the existing or proposed septic system within 100 feet of a resource area?

☐ Yes ☒ No ☐ Is an alternative septic system is required?

### **18. Zoning and Land Use:**

☒ Yes ☐ No ☐ Does the property comply with the 2009 Master Plan?

☐ Yes ☒ No ☐ Is this an affordable housing project under Chapter 40B or 40R?

☐ Yes ☒ No ☐ Is the Lot size less than 40,000 sq ft?

● Yes ○ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

#### 19. Sewer system:

- Yes ○ No Is the property location contiguous to the existing sewer district?  
● Yes ○ No Does the number of properties which would be served by the extension exceed 5?  
● Yes ○ No Does this sewer extension have potential for future extension of the sewer collection system?

#### 20. Financial:

- Yes ○ No Is the sewer being extended to the Town's specifications?  
● Yes ○ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): 7

**As this parcel does Not meet the 9 required for a positive recommendation and is not within a listed Needs area. This parcel is very large and has a potential for multiple large structures and or is sub dividable. There has been a lot of inquiries about the Cliff Rd area from Sherburne TPK to Hinkley Lane asking to be added to the District I have told those that ask that the Town has no plans to extend the district at this time as the need's areas have priority. This area is NOT within a needs area  
Parcel is adjacent to existing town sewer districts.**

## ARTICLE 87

### (Bylaw Amendment: Board of Sewer Commissioners/Siasconset Sewer District Map Change - 8 Isobels Way)

To see if the Town will vote to amend the Siasconset Sewer District map to include the following properties, currently outside the district, to within the district:

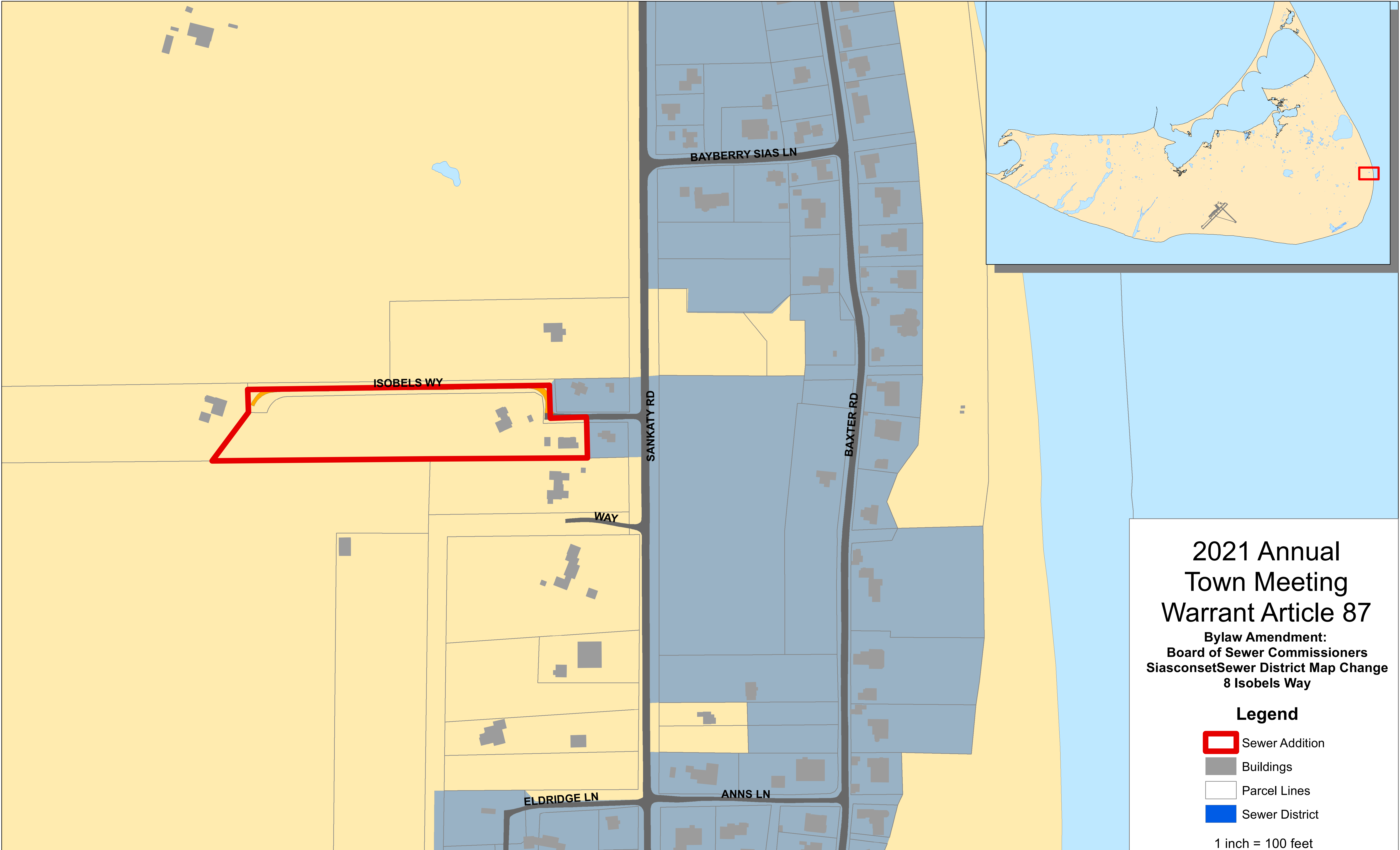
| Map | Lot | Number | Street       |
|-----|-----|--------|--------------|
| 49  | 113 | 8      | Isobel's Way |

All as shown on the attached map.

Or to take any other action related thereto. (*Richard Beaudette, et al*)

**The owners or agent of 8 Isobel's Way, will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications. The owners or agent will also be required to perform a complete capacity analysis on any main or mains this line would connect into. There was a Privately installed LPFM system installed recently by a residence on Sankaty Rd.**

**Sewer Review Committee, This article should be further reviewed as this parcel and adjacent parcels are very large. Further information is needed as to potential build out of these parcels and any plans that there may be.**



2021 Annual  
Town Meeting  
Warrant Article 87  
Bylaw Amendment:  
Board of Sewer Commissioners  
SiasconsetSewer District Map Change  
8 Isobels Way

Legend

- Sewer Addition
- Buildings
- Parcel Lines
- Sewer District

1 inch = 100 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.  
  
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licensees must inquire of the relevant agency for applicable requirements.  
  
The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

Please send identification of any errors and corresponding corrections to:  
  
GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE # 87S (Beaudette)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change – 8 Isobel’s Way Siasconset)**

### **21. Capacity:**

☐ Yes ☐ No Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**The owners or agent of 8 Isobel’s Way, will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications. The owners or agent will also be required to perform a complete capacity analysis on any main or mains this line would connect into. There was a Privately installed LPFM system installed recently by a residence on Sankaty Rd.**

☒ Yes ☐ No Is there adequate capacity in the WWTP?

### **22. Septic System Criteria:**

☐ Yes ☒ No Is the system hydraulically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No Is the system technically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)

☐ Yes ☒ No Are soil structure/ground water elevations problematic?

☐ Yes ☒ No Is the existing or proposed septic system within 100 feet of a resource area?

☐ Yes ☒ No Is an alternative septic system is required?

### **23. Zoning and Land Use:**

☒ Yes ☐ No Does the property comply with the 2009 Master Plan?

☐ Yes ☒ No Is this an affordable housing project under Chapter 40B or 40R?

☐ Yes ☒ No Is the Lot size less than 40,000 sq ft?

☐ Yes ☒ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

#### 24. Sewer system:

- Yes ○ No Is the property location contiguous to the existing sewer district?
- Yes ○ No Does the number of properties which would be served by the extension exceed 5?
- Yes ○ No Does this sewer extension have potential for future extension of the sewer collection system?

#### 25. Financial:

- Yes ○ No Is the sewer being extended to the Town's specifications?
- Yes ○ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): \_\_\_\_7\_\_\_\_

**Parcel is adjacent to existing to the recently extended Siasconset sewer district.**

## ARTICLE 88

### (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 1 Morgan Square)

To see if the Town will vote to amend the Sewer District Map to include the following property, currently outside the district, to within the district:

| Map | Parcel | Address         |
|-----|--------|-----------------|
| 87  | 3.3    | 1 Morgan Square |

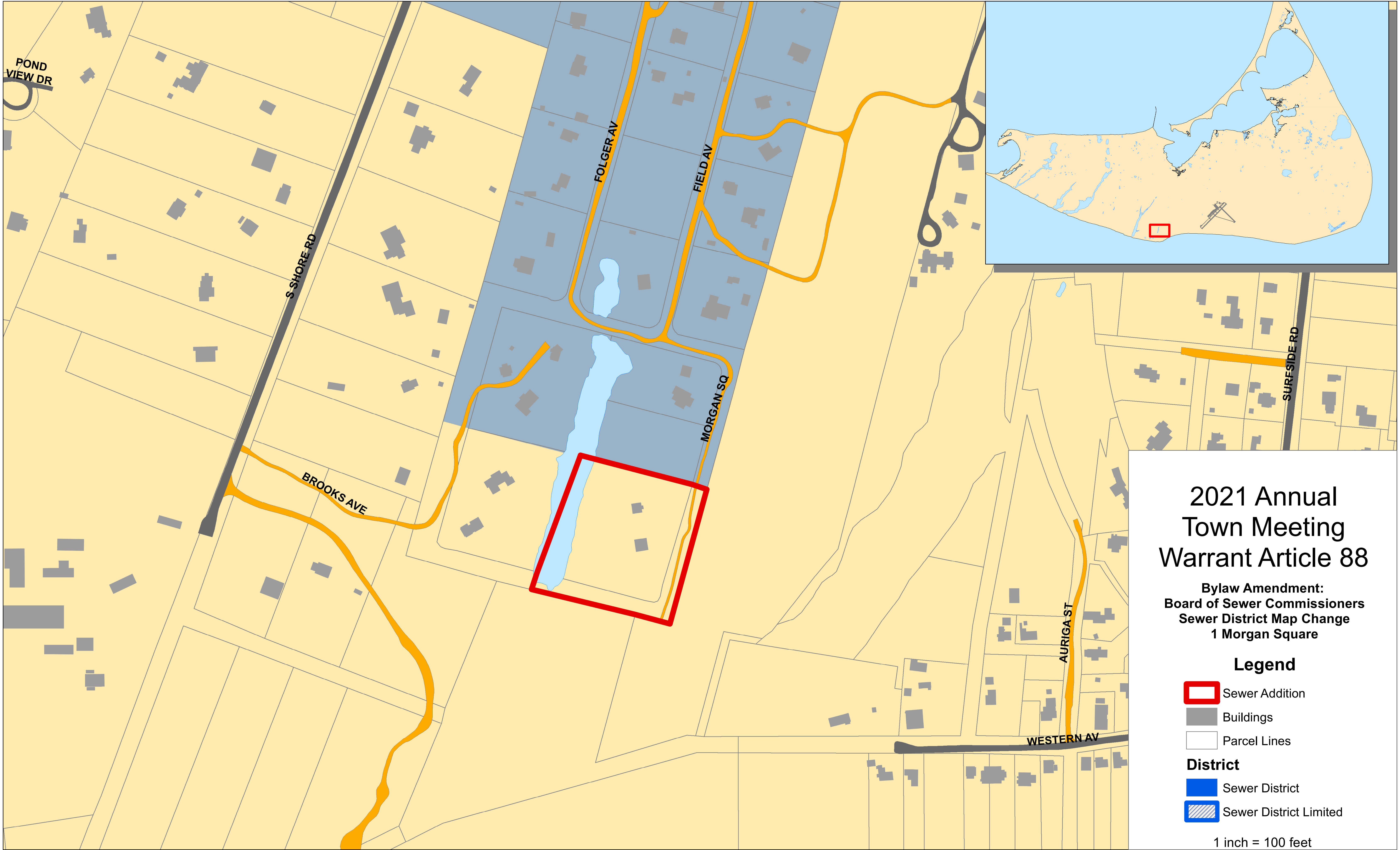
As shown on the attached map or to take any other action related there to

*(Lori A. Geddes, et al)*

**The owners or agent of 1 Morgan Square will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications. The owners or agent will also be required to perform a complete capacity analysis on any main or mains this line would connect into. There was a Privately installed LPFM system installed recently by a residence at 2 Morgan Square.**

**This property is included in the Miacomet Needs area as listed in the Sewer Master Plan page 31 Figure 2 4 by Weston and Sampson final report April 2020.**

**Sewer Review Committee: This Parcel is adjacent to an existing sewer district. Parcel is in a listed needs area. Recommendation to add this parcel to the sewer district**



# 2021 Annual Town Meeting Warrant Article 88

Bylaw Amendment:  
Board of Sewer Commissioners  
Sewer District Map Change  
1 Morgan Square

## Legend

- Sewer Addition
- Buildings
- Parcel Lines
- District**
- Sewer District
- Sewer District Limited

1 inch = 100 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.  
The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE # 88 (Geddes)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change – 1 Morgan Sq)**

### **26. Capacity:**

☐ Yes ☐ No Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**The owners or agent of 1 Morgan Square will be responsible to properly design and construct any sewer extension required to serve this lot and any lots line may pass for current and future capacities to TON Standards and Specifications. The owners or agent will also be required to perform a complete capacity analysis on any main or mains this line would connect into. There was a Privately installed LPFM system installed recently by a residence at 2 Morgan Square.**

☒ Yes ☐ No Is there adequate capacity in the WWTP? **This property is included in the Miacomet Needs area as listed in the Sewer Master Plan page 31 Figure 2-4 by Weston and Sampson final report April 2020.**

### **27. Septic System Criteria:**

☐ Yes ☒ No Is the system hydraulically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No Is the system technically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)

☐ Yes ☒ No Are soil structure/ground water elevations problematic?

☐ Yes ☒ No Is the existing or proposed septic system within 100 feet of a resource area?

☐ Yes ☒ No Is an alternative septic system is required?

### **28. Zoning and Land Use:**

☒ Yes ☐ No Does the property comply with the 2009 Master Plan?

☐ Yes ☒ No Is this an affordable housing project under Chapter 40B or 40R?

☐ Yes ☒ No Is the Lot size less than 40,000 sq ft?

☐ Yes ☒ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

**29. Sewer system:**

- ☒ Yes ☐ No Is the property location contiguous to the existing sewer district?  
☒ Yes ☐ No Does the number of properties which would be served by the extension exceed 5?  
☒ Yes ☐ No Does this sewer extension have potential for future extension of the sewer collection system?

**30. Financial:**

- ☒ Yes ☐ No Is the sewer being extended to the Town's specifications?  
☒ Yes ☐ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): \_\_\_\_7\_\_\_\_

**Parcel is adjacent to an existing sewer district. Parcel is in a listed needs area**

## ARTICLE 89

### (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - Kimball Avenue and Heather Lane)

To see if the Town will vote to amend the Core Sewer District map to include the following properties, currently outside of the district, to within the district:

| Map | Parcel | Number | Street         |
|-----|--------|--------|----------------|
| 30  | 109    | 18     | Kimball Avenue |
| 30  | 283    | 3      | Heather Lane   |
| 30  | 108    | 4      | Heather Lane   |
| 30  | 24.1   | 5      | Heather Lane   |
| 30  | 24.2   | 7      | Heather Lane   |

All as shown on the attached map.

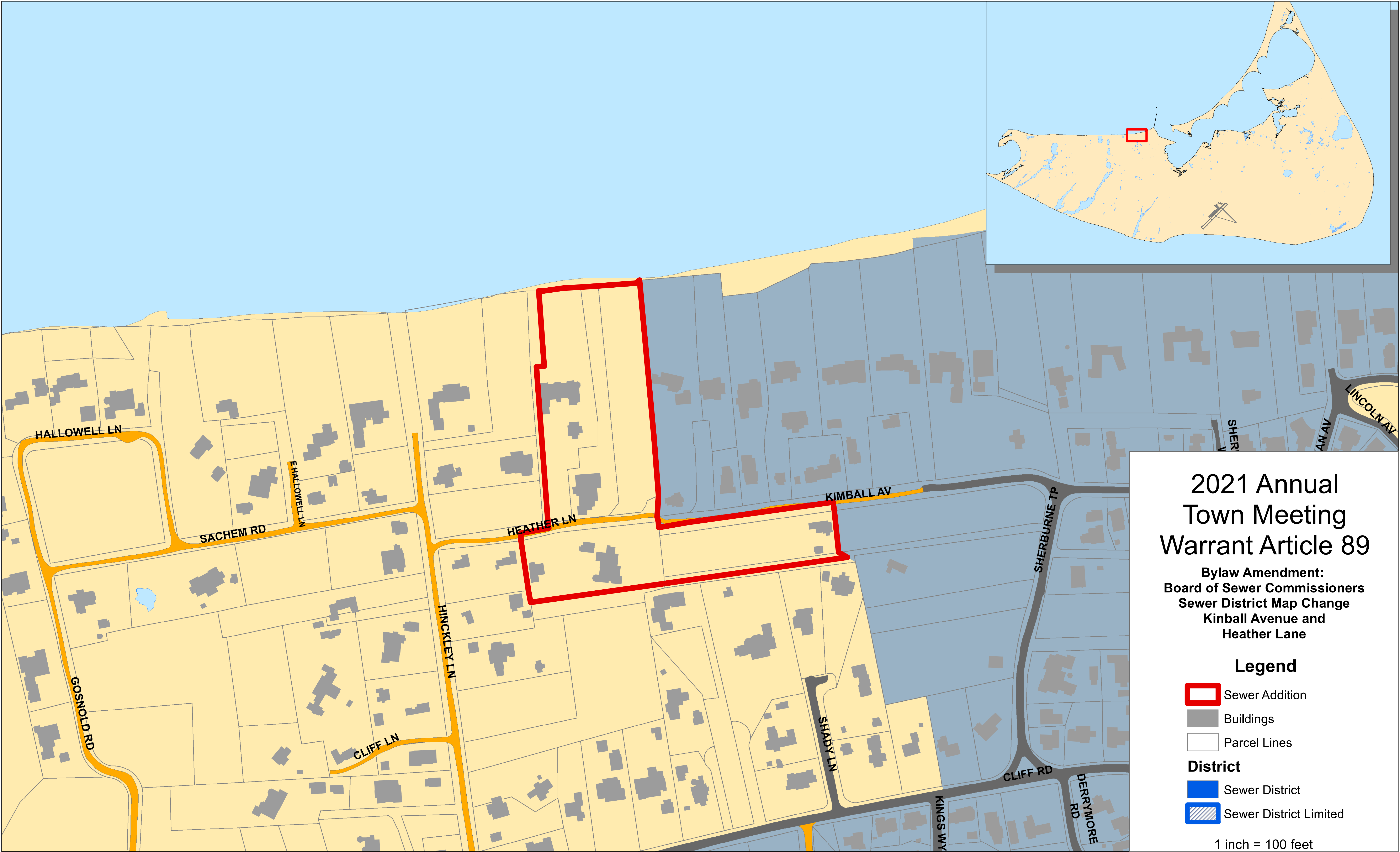
Or to take any other action related thereto.

*(Linda Williams, et al)*

**(The current condition of the existing PVT FM in this area is unknown) The owners or agent of this Article will need to perform a Conditions assessment of the existing PVT force main to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main.**

**This area was not calculated in either the 2004 or 2014 updated CWMP nor listed in the April 2020 Sewer Master Plan. Capacity at the WWTP was not calculated to include these parcels.**

**Sewer Review Committee: These parcels do Not meet the requirement for a positive recommendation and are not within a listed Needs area. These parcels are very large and have a potential for multiple large structures and or are sub dividable. Further study should be considered of this article and article #86 before adding these into the sewer district.**



# 2021 Annual Town Meeting Warrant Article 89

Bylaw Amendment:  
Board of Sewer Commissioners  
Sewer District Map Change  
Kinball Avenue and  
Heather Lane

## Legend

-  Sewer Addition
-  Buildings
-  Parcel Lines
- District**
-  Sewer District
-  Sewer District Limited

1 inch = 100 feet

**Data Sources:**  
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2013.

The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.



## Town of Nantucket - GIS Mapsheet



Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licensees must inquire of the relevant agency for applicable requirements. The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

February, 2021

Please send identification of any errors and corresponding corrections to:

GIS Coordinator  
Town of Nantucket  
2 Fairgrounds Road  
Nantucket, MA 02554

# **CHECKLIST**

## **CRITERIA TO EVALUATE NON-NEEDS AREA PROPERTIES FOR ENTRY INTO THE SEWER DISTRICT**

Property Address to be added to the Sewer District: **Annual Town Meeting 2021 ARTICLE #89 (Williams)**

**(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Change - 18 Kimball Avenue, 3, 4 5,7 Heather Lane)**

### **31. Capacity:**

Yes, ☒ No ☐ Is there adequate capacity in the sewer system pipes/pump stations, etc.?

**(Unknown as to existing FM in this area.) The owners or agents of properties listed will need to perform a Conditions assessment of the existing PVT force main to include capacity for current and future flows as well as condition of the force main. An engineer's report and design would be required for review and approval before any sewer Extension permits could be considered, if line does not have capacity they would be required to replace and properly size the force main to the town's gravity main.**

☐ Yes ☒ No ☐ Is there adequate capacity in the WWTP? **This area was not calculated in either the 2004 or 2014 updated CWMP nor listed in the April 2020 Sewer Master Plan. Capacity at the WWTP was not calculated to include these parcels. This area is NOT within a needs area.**

### **32. Septic System Criteria:**

☐ Yes ☒ No ☐ Is the system hydraulically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No ☐ Is the system technically failed according to the Local Board of Health Regulations?

☐ Yes ☒ No ☐ A septic system conforming to Local Board of Health Regulations cannot be installed on the property? (Correct = yes)

☐ Yes ☒ No ☐ Are soil structure/ground water elevations problematic?

☐ Yes ☒ No ☐ Is the existing or proposed septic system within 100 feet of a resource area?

☐ Yes ☒ No ☐ Is an alternative septic system is required?

### **33. Zoning and Land Use:**

☒ Yes ☐ No ☐ Does the property comply with the 2009 Master Plan?

☐ Yes ☒ No ☐ Is this an affordable housing project under Chapter 40B or 40R?

☐ Yes ☒ No ☐ Is the Lot size less than 40,000 sq ft?

☐ Yes ☒ No Is the property within one of the following Overlay districts: Well head, Nantucket Harbor, Town, Madaket Harbor, Hummock Pond watershed (Miacomet watershed may be added after pond study)

### 34. Sewer system:

- ☒ Yes ☐ No Is the property location contiguous to the existing sewer district?  
☒ Yes ☐ No Does the number of properties which would be served by the extension exceed 5?  
☒ Yes ☐ No Does this sewer extension have potential for future extension of the sewer collection system?

### 35. Financial:

- ☒ Yes ☐ No Is the sewer being extended to the Town's specifications?  
☒ Yes ☐ No Will the proponent be providing alternative public access to the public sewer such as through easements or the construction of pump stations or mains sized for additional connections?

**TOTAL YES Answers** (must equal or exceed 9 for a positive recommendation): 6

**As this parcel does Not meet the 9 required for a positive recommendation and is not within a listed Needs area. These parcels are very large and have a potential for multiple large structures and or is sub dividable. There has been a lot of inquiries about the Cliff Rd area from Sherburne TPK to Hinkley Lane asking to be added to the District I have told those that ask that the Town has no plans to extend the district at this time as the need's areas have priority. This area is NOT within a needs area  
Parcel is adjacent to existing town sewer districts.**

**Sewer Review Committee These parcels do Not meet the requirement for a positive recommendation and are not within a listed Needs area. These parcels are very large and have a potential for multiple large structures and or are sub dividable. Further study should be considered of this article and article #86 before adding these into the sewer district.**



## MEMO

**TO:** Town Manager

**FROM:** Arthur Gasbarro, Chair  
Traffic Safety Work Group

**DATE:** March 4, 2021

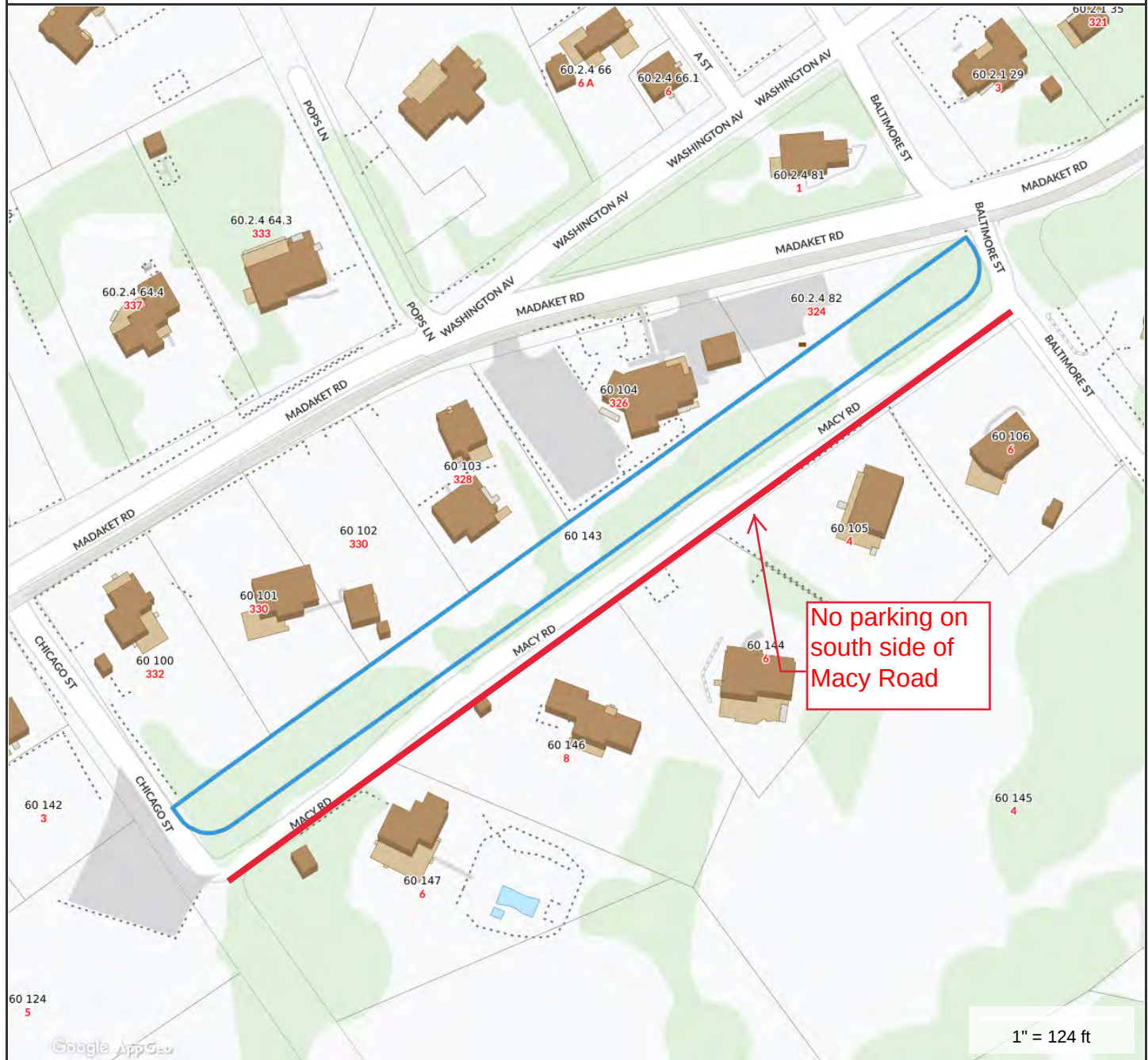
**RE:** Traffic Safety Recommendations Requiring Select Board Action

---

The Traffic Safety Work Group has recommended the following that requires Select Board approval:

- a. Extend yellow no-parking line adjacent to Land Bank Codfish Park Playground on Gully Road to allow sight lines to be maintained for people exiting the playground.
- b. Designate no parking on south side of Macy Road, Madaket to allow for emergency vehicles and residents to pass through.
- c. Install stop sign on Coffin Street at intersection of West Sankaty Road making three-way stop.
- d. Curb cut at 3 West Chester Street, resulting in elimination of less than one on-street parking space and creation of two off-street parking spaces.



**Property Information**

Property ID 60 143  
 Location MACY RD  
 Owner TOWN OF NANTUCKET



**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan. 2021  
 Data updated Jan. 2021





C

STOP

ST

C





## Application for Curb Cut/Driveway Access Permit

Date: \_\_\_\_\_

Property Owner: 3 West Chester Nominee Trust, Sarah  
Alger TrusteeTel.: 508-228-1118Address: 4 North Water St. NantucketOn-Island Agent: Jeffrey BlackwellTel.: 508-228-9026Address: 20 Teasdale CircleLocation of Proposed Work: 3 West Chester Street Map & Parcel: 42.4.3 - 14Proposed Improvements: Proposal to create one on-site parking space.

Plot plan showing proposed improvements must be attached. Site must be marked prior to inspection. No permit will be issued unless complete plans showing driveway location and drainage control are attached.

If curb cut will eliminate a legal parking space, approval from the Board of Selectman is required.

Parking Space Eliminated: 1 B.O.S. Approved: \_\_\_\_\_

All proposed work must comply with Chapter 139 (Zoning Bylaw), Section 139-20.1, Curb Cut and Driveway Access, of the Code of the Town of Nantucket.

Drainage improvements associated with the installation of the driveway on the subject property are the sole responsibility of the property owner.

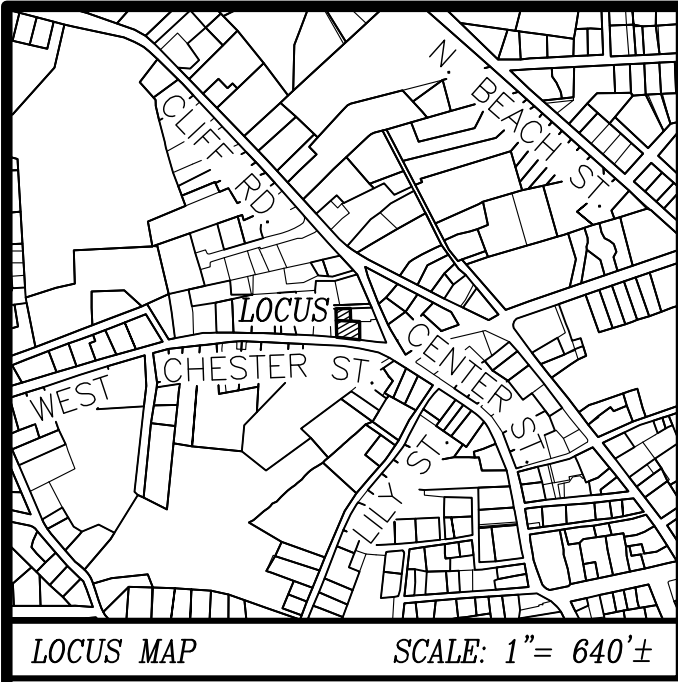
This permit will be subject to the following conditions. All conditions must be met before certificate of occupancy is issued.

1. Any required pipe and/or appurtenances shall be installed at the owner's expense.
2. Stormwater run-off shall be prevented from discharging onto the public right-of-way.
3. Where applicable, an apron shall be installed by the property owner as per Ch. 139-20.1 B(2)(d).
4. Any granite or stone curbing removed shall be returned to the Department of Public Works garage.
5. Additional Conditions *if any*): \_\_\_\_\_

Applicant Signature: Jeffrey Blackwell

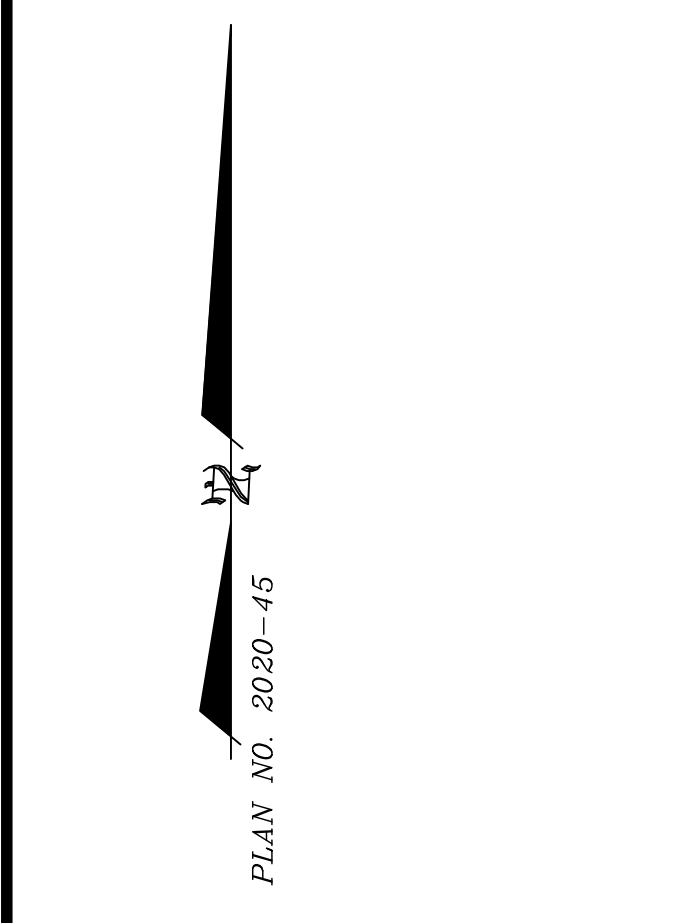
Approved by DPW: \_\_\_\_\_

Issue  
Date: \_\_\_\_\_Expiration  
Date: \_\_\_\_\_



CURRENT ZONING CLASSIFICATION:  
Residential Old Historic (R-OH)

MINIMUM LOT SIZE: 5000 S.F.  
MINIMUM FRONTAGE: 50 FT.  
FRONT YARD SETBACK: none  
REAR/SIDE SETBACK: 5 FT.  
GROUND COVER % : 40%



- LEGEND**
- I.P. FD ○ DENOTES IRON PIPE MONUMENT FOUND
  - S.S.M. FD ● DENOTES STEEL SURVEY MARKER FOUND
  - dhCB FD ■ DENOTES CONCRETE BOUND WITH DRILL HOLE FOUND
  - CBS ■ DENOTES EXISTING CATCHBASIN
  - VGC ■ DENOTES EXISTING VERTICAL GRANITE CURB
  - W.M. ■ DENOTES WATER METER FOUND
  - W.S.O.V. ■ DENOTES WATER SHUT OFF VALVE
  - U.P. ■ DENOTES EXISTING UTILITY POLE
  - G.W.A. ■ DENOTES EXISTING GUIDE WIRE ANCHOR
  - S.R.W. ■ DENOTES EXISTING STONE RETAINING WALL
  - 14.0 ■ DENOTES PROPOSED GRADE
  - T.O.W. 15.0 ■ DENOTES PROPOSED TOP OF WALL ELEVATION
  - 12.4 ■ DENOTES EXISTING GRADE SPOT ELEVATION

# Site Plan of Land To Accompany A Request For A Curb Cut IN NANTUCKET, MA.

SCALE: 1"= 10' DATE: November 23, 2020

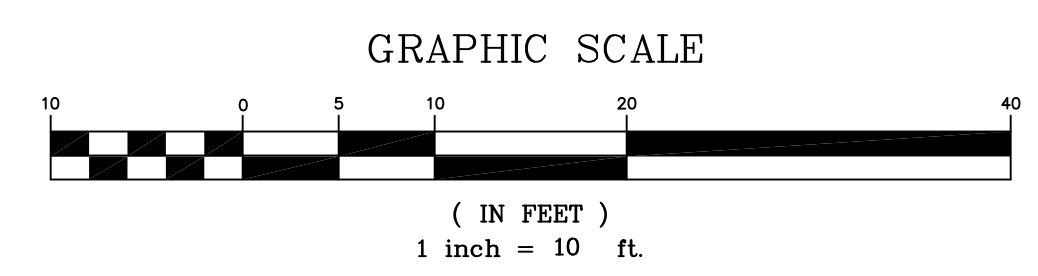
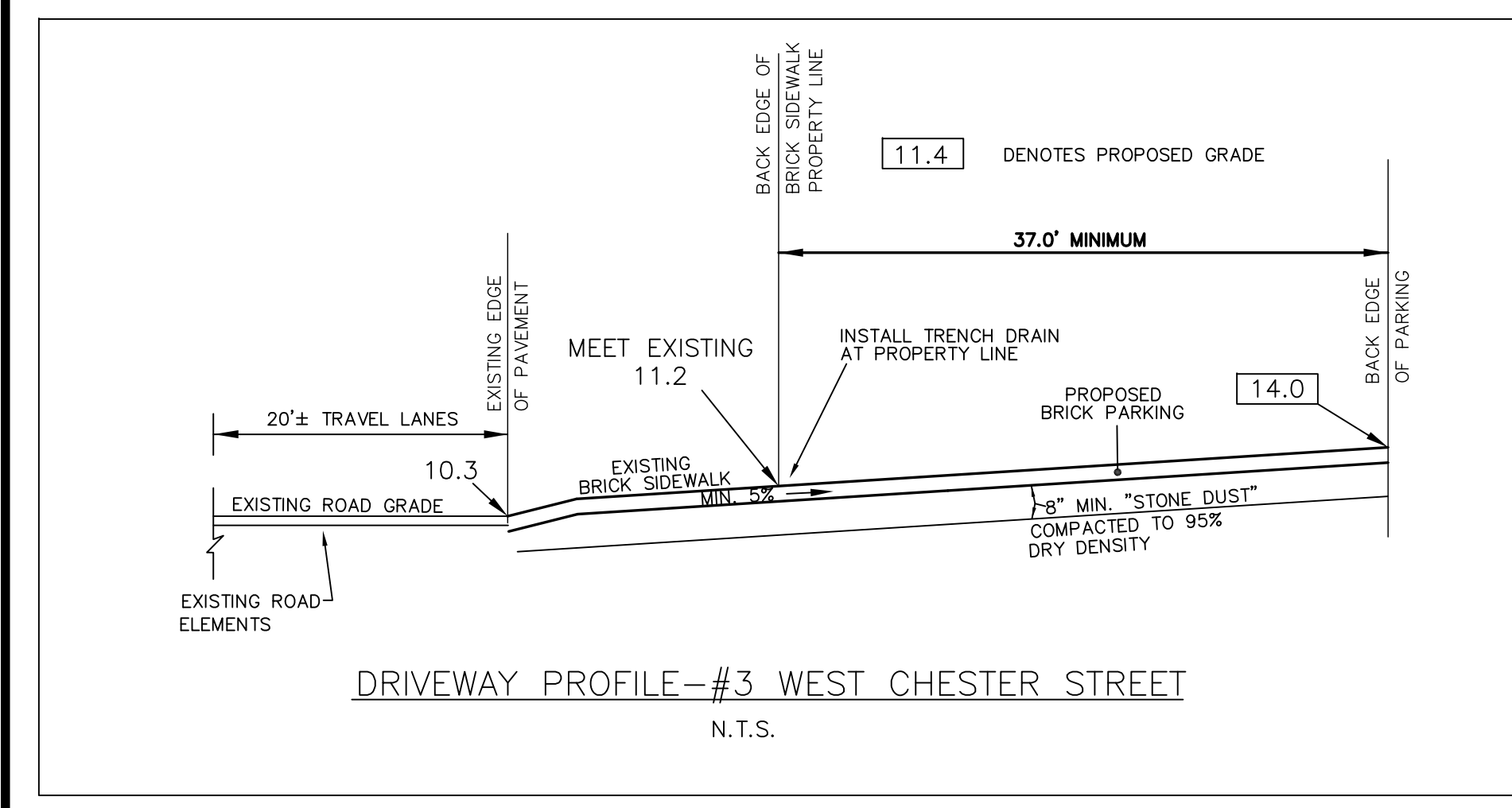
Owner: **SARAH F. ALGER, TR.**  
**3 WEST CHESTER NOMINEE TRUST**

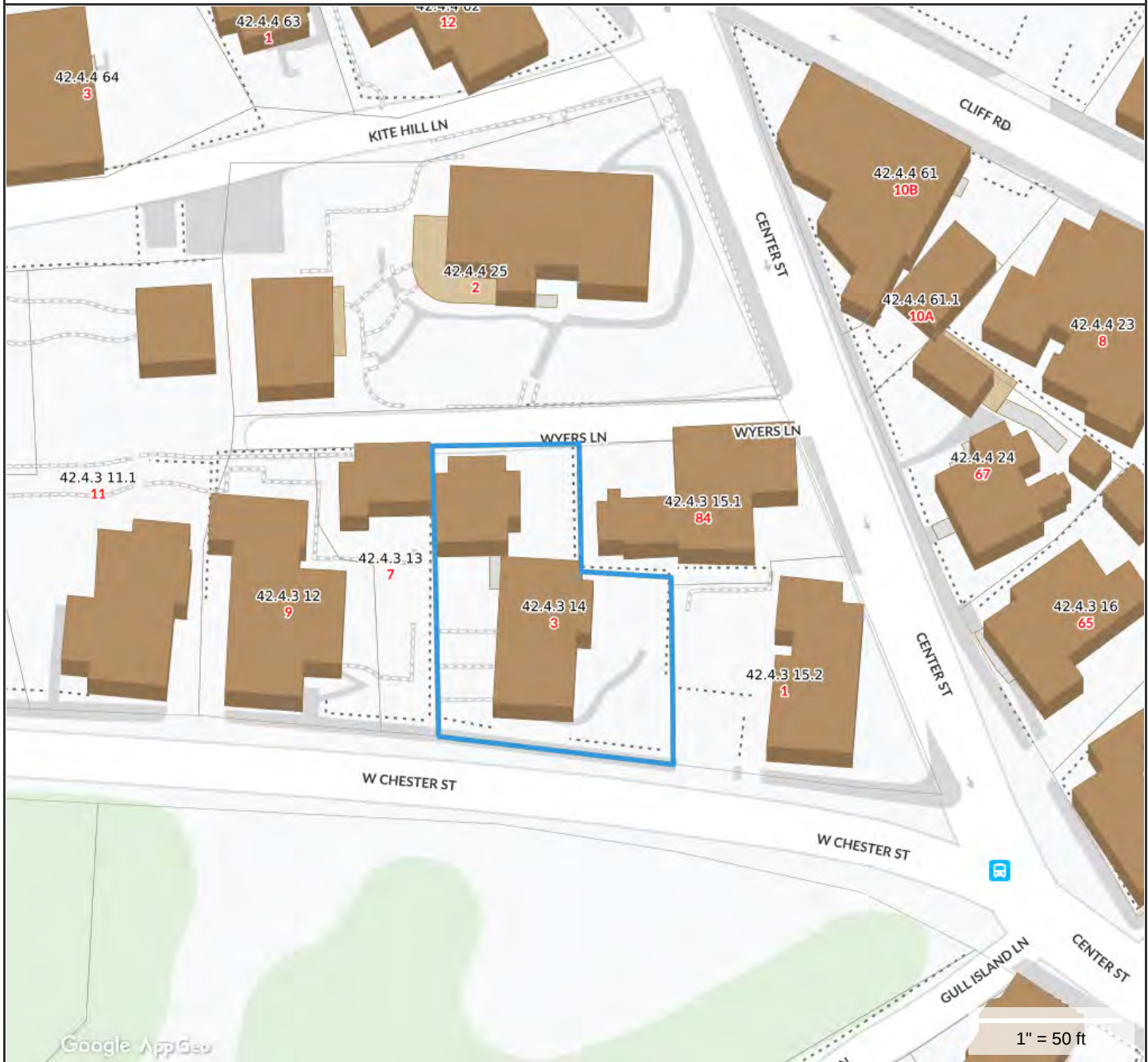
Deed Bk./Pg.: 1771/278 Plan No.: 2020-45

Tax Map-Parcel: 42.4.3-14

Locus: 3 WEST CHESTER STREET

**BLACKWELL & ASSOCIATES, Inc.**  
Professional Land Surveyors  
20 TEASDALE CIRCLE  
NANTUCKET, MASS. 02554  
(508) 228-9026



**Property Information**

**Property ID** 42.4.3 14  
**Location** 3 W CHESTER ST  
**Owner** MOORE WILLIAM M JR

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/13/2018  
Data updated 11/19/2018

D

06/22/2020 13:19

# Link to 2021 Annual Town Meeting and Election Warrant

[https://www.nantucket-  
ma.gov/DocumentCenter/Vie  
w/38602/2021-Annual-Town-  
Meeting-and-Election-  
Warrant-PDF](https://www.nantucket-ma.gov/DocumentCenter/View/38602/2021-Annual-Town-Meeting-and-Election-Warrant-PDF)