

Town and County of Nantucket Select Board • County Commissioners

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C. Elizabeth Gibson
Town & County Manager

***AGENDA FOR THE MEETING OF THE
SELECT BOARD
MARCH 24, 2021 - 5:00 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS
AMENDED MARCH 22, 2021***

YOU TUBE LINK:
<https://youtu.be/l6lByNRgCI8>

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Coastal Resilience Advisory Committee: Arcadis Development of New Tools for Public Use Regarding Coastal Flooding, Erosion and Sea Level Rise.
3. Director of Planning: Upcoming Build-out Analysis.
4. Affordable Housing Trust: Housing Production Plan Survey and Focus Group Feedback Zoom Webinar on Tuesday, March 30, 2021 at 4:30 PM; Register at https://us02web.zoom.us/webinar/register/WN_RqxOPq6ZSD2yuVBMJaYUeg.
5. No Select Board Meeting Wednesday, March 31, 2021 (5th Wednesday).

IV. COVID-19 WEEKLY UPDATE

1. Public Comment.
2. Report from Human Services Director.
3. Report from Economic Task Force.

4. Report from Licensing Administrator: Outdoor Dining for 2021/Update.

5. Other Reports/Comments/Updates.

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

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of March 17, 2021 at 5:00 PM.
2. Approval of Payroll Warrants for March 21, 2021.
3. Approval of Treasury Warrants for March 24, 2021.
4. Approval of Pending Contracts for March 24, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Request for Town Manager Authority to Sign Special Permit Amendment Application for Ticcoma Green Housing Project at 2 Fairgrounds Road.
2. Request for Letter of Support to Department of Housing and Community Development (DHCD) for Local Preference for 31 Fairgrounds Road Project.
3. **Sewer Department: Request for Waiver of Town Noise Bylaw for Surfside Road Sewer Improvements Project (Surfside Road Starting at Miacomet Avenue to Vesper Lane) from April 5, 2021 to June 25, 2021, 4:00 PM to 2:00 AM, Sunday through Thursday Nights.**

IX. PUBLIC HEARINGS

1. Public Hearing to Consider 2021 Seasonal Liquor License Renewals.

X. TOWN MANAGER'S REPORT

1. Large-scale Project Updates from Marine/Police; Public Works; Wannacomet Water; Sewer; Natural Resources.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Ratification of Decision Regarding Appeal of Historic District Commission (HDC) Disapproval of Certificate of Appropriateness (COA) No. HDC2020-09-1638 for Rooftop Solar Panels for Property Located at 83/85 Eel Point Road, Assessor's Map 32, Parcel 12 (Continued from March 17, 2021).
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.

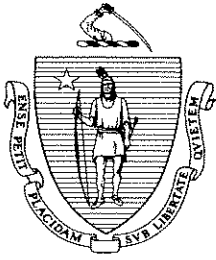
Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of constitutional free speech principles, the Board does not have authority to prevent all speech that may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

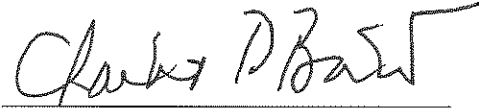
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

NPEDC MEETING

3/15/2021

AGENDA ITEM VI.D

**CONTRACTS FOR BUILD-OUT ANALYSIS
PHASE I USING 2021 DLTA FUNDS**

Town of Nantucket

Build-Out Study

Scope of Services

A Build-Out Study provides a numerical and spatial projection for future development based on current regulatory, environmental and site constraints. Build-Out Studies inform and support comprehensive land use planning, economic development, and facilities and service planning. They also enable communities to test alternative development scenarios, such as increased densities or conservation areas, to better understand the physical impact of contemplated regulatory changes.

Weston & Sampson completed an analysis of developable and redevelopable land within the Town Sewer District and the 2014 CWMP Needs Areas as part of the 2020 Sewer Master Plan, as well as the Sconset Sewer District as part of the Sconset CWMP Update. That effort involved sorting tax assessor parcel data by zoning district, identifying non-buildable lots, determining the build-out capacity of the remaining lots and the size of existing or potential structures in terms of bedrooms, and projecting a future wastewater flow in gallons per day. The build out analysis for the Sewer Master Plan and the Sconset CWMP Update included approximately 4,000 buildable parcels.

This project builds on that analysis by looking at Nantucket townwide using updated and refined tax assessor parcel data to project development and redevelopment through 2045. Population growth models will be developed for the last 25 years (though 1995). Data will be formatted by map and parcel numbers.

Background

Three prior build-out studies have been completed. With the 1997 Build Out Study, completed by the Nantucket Planning and Economic Development Commission et al, the Town sought to substantiate prior build-out studies given changes in zoning. This effort involved a lot-by-lot analysis, presumably without GIS, and before wetland maps or other data readily available today. At the time of the analysis, only 12% of Nantucket's total dwelling units were secondary dwelling units on a single parcel, a number which has likely increased significantly. This build-out projected a maximum of 23,760 new dwelling units on 12,311 lots (27% of which are secondary dwellings).

In 2000, the Commonwealth conducted a Build-Out Analysis. According to the Master Plan, this study discounted large swaths of the island as unbuildable due to various development constraints, and only considered by-right development (not potential Chapter 40B housing). As a result, this study concluded a conservative 2,128 new dwelling units in its build-out.

In 2018, students from Worcester Polytechnic Institute completed a third build-out study using tax assessor data to identify parcels with one or more residential structures in each district and then calculated an average number of dwellings per parcel. Separately, they used tax assessor data to categorize parcels that are buildable and/or subdividable to determine a hypothetical maximum buildout

scenario. Based on this data and input from Town and development stakeholders, the students developed a low and high growth scenario for 2030. They concluded that Nantucket currently has 10,456 dwelling units with a maximum build-out of 5,431 new units (15,887 total).

Scope of Services

Task 1 – Collect Existing Conditions Data

- 1.1 The ENGINEER will plan and conduct work sessions with town representatives to review tax assessor data, zoning, and growth rates. The budget for this task includes up to four (4) virtual work sessions.
- 1.2 The ENGINEER will collect relevant GIS data illustrating constraints to development (current and projected with sea-level rise).
- 1.3 The ENGINEER will determine population growth rates from 1960 to 2010 based on the most updated available U.S. Census data. The ENGINEER will summarize data in a table that includes the population rates over time compared to Massachusetts overall and the annual compounded annual growth rates over a 30-year, 20-year, and 10-year period.
- 1.4 The ENGINEER will prepare a technical memo summarizing findings.

Task 2 – Analyze Parcel Data to Determine Buildable Area

- 2.1 The ENGINEER will review GIS and parcel data development constraints and their impacts on land development potential. Based on available Assessor's and GIS data, Nantucket has approximately 13,600 parcels, of which approximately 11,600 parcels are considered buildable and 2,000 parcels are considered non-buildable. The build out analysis completed for the Sewer Master Plan and the Sconset CWMP Update included approximately 4,000 buildable parcels. This task is budgeted to include the analysis of the remaining 7,600 buildable parcels. The evaluation for the buildable area will include the following considerations:
 - 2.1.1 Permanently conserved land parcels will be treated as non-buildable unless advised otherwise by Town staff.
 - 2.1.2 Base zoning districts will be identified and categorized based on their potential for subdivisions under current standards for minimum lot size and building setbacks. The minimum allowable lot size for each zoning district will be counted as a potential "future lot." The evaluation will include rights-of-way. Lots that are impractical for dwellings will be discussed with Town staff and can be removed.
 - 2.1.3 Parcels with existing buildings will be reviewed with Town staff to determine if they are underutilized and represent development potential.

- 2.1.4 The ENGINEER will map and assess environmental constraints, including streams, coastal buffers, hydric soils (although these may be developable), wetlands, conservation areas, and associated buffers. Smaller wetlands or other development constraints not noted in available data but observed in site reconnaissance may impact parcel development.
- 2.2 The ENGINEER will prepare a technical memo summarizing the amount of buildable land after all constraints have been considered.

Task 3 – Build Out Summary

The Build-Out Analysis will summarize potential development numerically and spatially. The numerical build-out reflects the number of total projected buildings based on minimum lot size on buildable land. The spatial build-out places the project buildings on a map and accounts for building size, shapes of lots, distances from lot lines, setbacks, natural features, and other constraints.

- 3.1 The ENGINEER will determine the projected increase in the number of buildings (based on buildable area). Buildable area and the projected increase in buildings will be organized in tables at the town scale and for each zoning district. Each table will be accompanied by a narrative explanation.
- 3.2 The ENGINEER will prepare GIS maps illustrating the spatial build-out. Maps include existing buildings before 1995 (25-year look back), buildable area by zoning district, and projected buildings through 2045 (25-year look forward).
- 3.4 The ENGINEER will compile data, maps, and narratives into a compendium.

Task 4 – Prepare the Build-Out Study Report

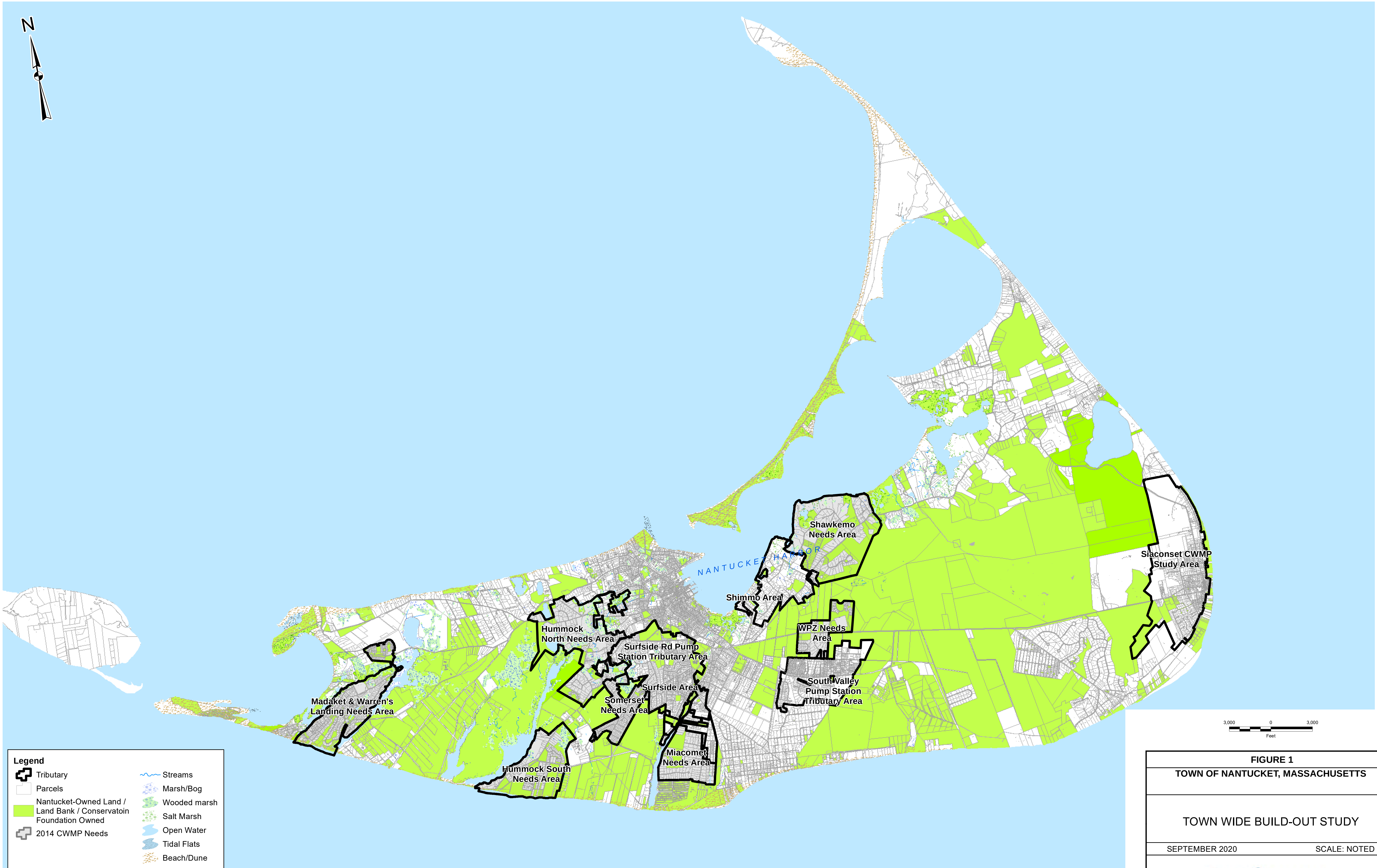
- 4.1 The ENGINEER will prepare the Build Out Study Report summarizing the findings of Tasks 1 through 3. Electronic versions of the draft report will be submitted to the Town for review and comment. The ENGINEER will meet with the Town to present the draft report and discuss any comments. The ENGINEER will revise the draft report based on the comments from the Town and submit electronic and printed versions of the final report.

Task 5 – Project Administration and Meetings

- 5.1 The ENGINEER will provide project coordination and management, maintenance of project records and documentation, control of budget and schedule, preparation of monthly progress reports outlining the budget, and project status.
- 5.2 The ENGINEER will prepare for and conduct virtual progress meetings with the Town staff to review project status and address the technical aspects of the work. We have budgeted for up to four (4) virtual progress meetings.
- 5.3 The ENGINEER will present the Build-Out Study Report at public hearings/meetings. We have budgeted for one (1) public hearings/meetings.

ATTACHMENT A - NANTUCKET BUILD-OUT STUDY
PROJECT BUDGET BY TASK
Estimated Level of Effort for Weston & Sampson

Task	Description	Principal \$/hour	Team Leader \$/hour	Project Manager \$/hour	Engineer \$/hour	GIS \$/hour	TOTAL HOURS	TOTAL LABOR DOLLARS (BARE)	TOTAL INDIRECT COSTS (OH)	TOTAL LABOR & INDIRECT DOLLARS	OTHER DIRECT COSTS	FIXED FEE	TOTAL DOLLARS
		Field	\$0.00	\$0.00	\$0.00	\$0.00			168.000%			12%	
		Office	\$92.50	\$78.23	\$56.66	\$34.79	\$34.37		186.000%			12%	
1.0	Collect Existing Conditions Data	4	20	28	26	8	86	\$4,701	\$8,743	\$13,444	\$0	\$1,613	\$15,057
2.0	Analyze Parcel Data		26	92	164	26	308	\$13,846	\$25,753	\$39,599	\$0	\$4,752	\$44,351
3.0	Build-Out Summary		20	44	56	24	144	\$6,831	\$12,705	\$19,536	\$50	\$2,344	\$21,930
4.0	Report	4	12	24	16	8	64	\$3,500	\$6,510	\$10,011	\$180	\$1,201	\$11,392
5.0	Project Administration and Meetings	8	40	44	8		100	\$6,640	\$12,351	\$18,992	\$1,000	\$2,279	\$22,271
Total: Tasks 1 through 5		16	118	232	270	66	702	\$35,518	\$66,063	\$101,581	\$1,230	\$12,190	\$115,000
GRAND TOTAL		16	118	232	270	66	702	\$35,518	\$66,063	\$101,581	\$1,230	\$12,190	\$115,000



Legend

Tributary	Streams
Parcels	Marsh/Bog
Nantucket-Owned Land / Land Bank / Conservatoin Foundation Owned	Wooded marsh
2014 CWMP Needs	Salt Marsh
	Open Water
	Tidal Flats
	Beach/Dune

3,000 0 3,000
Feet

FIGURE 1
TOWN OF NANTUCKET, MASSACHUSETTS

TOWN WIDE BUILD-OUT STUDY

SEPTEMBER 2020 SCALE: NOTED

Weston & SampsonTM



Agenda Item Summary

Agenda Item #	III. 4.
Date	March 24, 2021

Staff

Tucker Holland, Municipal Housing Director

Subject

Affordable Housing Trust: Housing Production Plan Survey and Focus Group Feedback Zoom Webinar on Tuesday, March 30, 2021 at 4:30 PM

Executive Summary

The Affordable Housing Trust (AHT) will be hosting a Zoom Webinar on Tuesday, March 30th at 4:30pm where survey and focus group feedback will be summarized and recommendations regarding the update to the Housing Production Plan (HPP) will be shared by our HPP consultants. This is an opportunity for community members to add their thoughts to the discussion around recommendations that will be contained in the updated HPP. *The Trust enthusiastically encourages public participation.* The link to register is: https://us02web.zoom.us/webinar/register/WN_RqxOPq6ZSD2yuVBMJaYUeg

Staff Recommendation

Include this announcement at the 3/24/2021 Select Board meeting. Select Board encouragement of the public to attend the Webinar on Tuesday, March 30th at 4:30pm.

Background/Discussion

Nantucket's current Housing Production Plan expires in October of this year. Therefore, the Affordable Housing Trust is in the process of working with consultants Judy Barrett and Jenn Goldson and their respective teams to update the HPP in advance of that date and have a new Plan approved by DHCD. Having an approved Plan cuts in half the requirement for a year of Safe Harbor relative to Chapter 40B. The Trust is working to have a final document available for Planning Board and Select Board review and adoption sometime in April.

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

Addressing the housing crisis; Select Board strategic goal around Safe Harbor maintenance.

Board/Commission Recommendation

The AHT enthusiastically encourages public participation in the process.

Public Outreach

N/A

Attachments





Agenda Item Summary

Agenda Item #	IV. 4.
Date	3/24/2021

Staff

Amy Baxter, Licensing Administrator

Subject

Outdoor Dining – Expansion/Alteration of Premises

Executive Summary

Per COVID-19 Order No. 50 issued by Governor Baker on September 10, 2020, the Select Board (acting as the Local Licensing Authority), may approve requests for expansion of outdoor table service or extensions of earlier granted approvals issued pursuant to Section 4 of COVID-19 Order No. 35 for any period up to and until sixty (60) days after the end of the state of emergency.

Outdoor extensions must comply with ABCC patio guidelines (attached). No additional State/ABCC review or approval is required under Emergency Order No. 50.

Staff Recommendation

The topics for discussion/review/approval are as follows:

1. Private Property Applications – Review and vote on Approvals
2. Public Property/Street and Sidewalk Applications – Review and Feedback for final hearing and vote scheduled for April 7.
3. Timeline – Street Closure and Sidewalk Dining
4. Curfew
5. Live Entertainment in Outdoor Extensions

It is recommended that the Select Board review and vote on Private Property Outdoor extensions presented in attached chart and applications. All have property owner permission for extensions.

Public Spaces such as sidewalks and street closing are presented for review and feedback from the Board and Public. Adjustments to the plan can be made for a final review and vote on April 7.

Background/Discussion

All Liquor Licensed establishments must submit plans via town website: [OUTDOOR DINING APPLICATION](#).



Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

Click or tap here to enter text.

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

Outdoor Seating Presentation; Emergency Order #50; ABCC Patio Guidelines; Community Feedback



Nantucket Economic Recovery Task Force

Outdoor Dining/Street and Sidewalk Closures

Report to the Select Board, March 24, 2021



2021 OUTDOOR DINING: Select Board Considerations

- Review and Approval of PRIVATE PROPERTY Outdoor Expansions.
- Review and Approval of PUBLIC PROPERTY Outdoor Expansion Plan, Road Closures and Sidewalk Dining.
 - Approve Timeline for closures.
 - Recommendation: Sidewalk Dining allowed following inspection of set-up to begin no earlier than Week of April 12 – weather permitting.
 - Recommendation: Street Closures allowed to begin no earlier than Week of April 18 – weather permitting. Inspections to begin after barriers installed.
- Establishing Conditions of Outdoor Spaces to include curfews and Live Music.
 - Current curfew established in 2020 calls for closure of all licensed premises at 12:00 midnight.
 - Recommended Outdoor Spaces be allowed light background, recorded music until 10 pm. One-day permit process allowed for Live Music requests based on existing State Performance Guidelines at the time of the request.

2021 Alteration of Premises: Private Property

2021 OUTDOOR SEATING EXPANSION PRIVATE PROPERTY *All establishments below have property owner approval for expansion to outdoor space as noted below and in attached layouts.				
LIC#	DBA	LICENSED OUTDOOR SPACE	CHANGES FROM 2020?	APPLICATION: ALTERATION OF PREMISES ADDITION OF OUTDOOR DINING AREA
#03217-RS-0762	Charlie Noble 15 South Water Street	No	No	14 tables on back patio/private parking area along Easy Street
#00011-RS-0762	Chicken Box 12-16 Daves Street	No	No	12 tables in adjacent parking area with food trailer and food permit
#00201-RS-0762	CRU 49 Straight Wharf	Patio	No	3 tables roped off adjacent to existent patio space and 12 on dock alongside building
#00082-RS-0762	Faregrounds 27 Fairgrounds Road	Deck	No	12 tables in parking area in front of building along Fairgrounds Rd.
#00120-RS-0762	Fifty-Six Union 56 Union Street	Patio	No	6 tables in lawn area adjacent to patio
#00171-RS-0762	Island Kitchen One Chins way	Deck/patio	No	Total 66 additional seats in parking area
#00154-RS-0762	Kitty Murtagh's Four West Creek Road	No	No	10 tables in lawn area adjacent to building and parking lot
#00175-RS-0762	Lola 41 15 South Beach Street	Patio	No	10 tables in adjacent parking lot
#00053-RS-0762	Muse 44 Surfside Road	No	No	10 tables in front parking area along Surfside Rd

2021 Alteration of Premises: Private Property

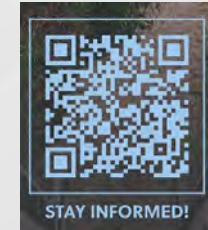
LIC#	DBA	LICENSED OUTDOOR SPACE	CHANGES FROM 2020?	APPLICATION: ALTERATION OF PREMISES ADDITION OF OUTDOOR DINING AREA
#04653-RS-0762	Or, The Whale 38 Main Street	Patio	No	3 tables in adjacent alley/easement Sidewalk Tables to be reviewed separately with Public Property locations.
#00208-RS-0762	Proprietors 9 India Street	No	Additional Tables added on neighboring private property	3 tables on patio of adjacent property - Roberts House Inn 4 tables in adjacent courtyard 8 tables alongside and between Proprietors building and Craftmasters
#00091-RS-0762	Sea Grille 45 Sparks Ave	No	No	5 tables on front lawn along Sparks Ave.
#00138-RS-0762	Slip 14 14 Old South Wharf	Patio	Additional tables added along wharf.	10 tables alongside and in front of building along Old South Wharf
#00021-RS-0762	Straight Wharf Restaurant	Decks	No	12 additional tables adjacent to building and along dock area
#00049-RS-0762	Tavern 4 Harbor Square	Patio and Gazebo	No	2 additional tables adjacent to patio
#04909-RS-0762	The Beet 9 South Water Street	No	No	6 tables alongside building on private easement between Easy and South Water
#00039-CL-0762	VFW 22 Bunker Road	No	Yes. Area moved to opposite side of building.	14 tables in adjacent parking area

SELECT BOARD MOTION: Private Property

- Any approval will be made on a single-season, non-precedent setting basis.
- If approved, Licensees must abide by all rules, regulations, laws, advisories, and guidelines issued by the Town, state, and federal government. These include all social distancing requirements.
- The Licensee must have the legal right to occupy the temporary extension. For outdoor space on private property, a letter from the landlord granting the right to utilize the space is required.
- Approval of Private Spaces is effective immediately. All spaces subject to inspection and alteration by Town Departments (Fire, Health, etc.) per Codes and safety regulations.
- MOTION: *Select Board votes to approve the single season alteration of premises to include temporary outdoor space for service of food and alcohol per COVID-10 Emergency Order 50 issued September 10, 2020 by Governor Baker. Approval is valid until December 31, 2021 or until sixty (60) days after end of state of emergency (whichever comes first) or as further amended by Governor Baker and/or the ABCC or Select Board. Upon expiration, the Licenses will revert back to original premises as of April 1, 2020.

Street/Sidewalk Dining: **Conditions**

- **Must follow all Sector Specific Protocols for food service, social distancing, etc.**
 - A QR Code will be provided to include on all signage to allow customers to scan for complete up to date information on COVID related restrictions, guidelines, etc. 
- **ADA Requirements to include but not limited to:**
 - Main St. Sidewalks to have 5-6 feet clearance between buildings and chairs
 - Lesser traveled sidewalks to be 3-4 feet clearance
 - Non-accessible surfaces (i.e. cobblestones, grass, etc.) must provide seating on smooth accessible surfaces with an accessible route to get there.
- **ABCC Patio Guidelines must be followed to include but not limited to:**
 - The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.
 - The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
- **Occupancy:**
 - All establishments are held to their current maximum occupancy as listed on the COI (unless otherwise adjusted by Health or other limits) regardless of expanded space. The current approved occupancy must not be exceeded with the addition of outdoor space.
- **Street/Sidewalk License Agreement to include:**
 - Required insurance coverage; maintenance of public spaces, management of line cues, etc.



Partial Street Closure: India between Centre & Federal

- Lane Closure on Left Side of Street with decking installed over cobblestones.
- Parking Spaces: Removes 6-8 One Hour Parking Spaces
- Traffic Flow shift to Right Side of one-way street
- Loading Zone Shift to opposite side
- Restaurants: Proprietors (Company of Cauldron has not submitted application but could benefit from closure).
- 2020: Approved by Select Board 8-5-20 but not implemented.



Parking Lane Closure: **Federal at India**

- **Parking Spaces:** Removes up to 3 One Hour Parking Spaces
- **Restaurants:** Boarding House/The Pearl
- **2020:** Operated in this space from August – October. No substantial changes to this plan.



Street Closure: Still Dock between Easy and South Water

- **Parking Spaces:** Removes up to 3 One Hour Parking Spaces
- **Private Parking Spaces:** 4 Private spaces are moved to park at S. Water Street side of Still Dock per private agreement with owner
- **Sidewalk:**
- **Restaurants:** The Club Car
- **2020:** Operated in this space from June – October. No changes to this plan.



Street Closure: Oak Street between S. Water and Federal

- **Parking Spaces:** Removes up to 8 One Hour Parking Spaces
- **Restaurants:** Queequeg's/Town and Ventuno
- **Decking** required to cover street and keep sidewalk open for pedestrians.
- **Exit from Atheneum** must be kept completely clear with path to sidewalk.
- **2020:** Operated in this space from June – October. No substantial changes to plan.



Street Closure: N. Union between Main and Cambridge

- **Parking Spaces:** Removes One One Hour Parking Space, One 30 minute space and one loading zone
- **Restaurants:** Gaslight Nantucket
- **Decking requested** required to cover street and keep sidewalk open for pedestrians.
- **Street closure** to allow clearance for deliveries to proceed into alley behind Murray's Liquors.
- **2020:** Operated in this space from June – December. New addition to plan for 2021 is request to allow decking to be put down in front of building over cobblestones. Same set-up as Oak Street.



Street Closure: Cambridge between S. Water & Easy

- **Parking Spaces:** Removes up to 10 One Hour Parking Spaces
- **Restaurants:** PPX (special event only)/Nautilus
- **2020:** Operated in this space from June – December. Space will be reduced to end at the separation point between Nautilus and Nalu. Reduces space by 4-6 tables.
- **Rope/Stanchions** must be added to separate dining from pedestrians on sidewalk.



Sidewalk Dining: Broad Street

- **Parking Spaces: No Parking Spaces Lost**
- **Restaurants: Le Languedoc; Dune; Afterhouse (South Side)**
- **Restaurants: Greydon House (North Side)**
- **2020: All spaces operated from June – October.**
- **Some reduction in tables or adjustment in location will be required to maintain proper clearance. One 'lane' of tables preferred.**



Sidewalk Dining: Main Street

- **Parking Spaces: No Spaces removed**
- **Restaurants (South Side): Or The Whale**
- **Restaurants (North Side): Lemon Press; Club Car**
- **2020: All spaces operated from June – October.**
- **Some reduction in tables or adjustment in location will be required to maintain proper clearance. One 'lane' of tables preferred.**



Sidewalk Dining: South Water Street

- **Parking Spaces: 3-4 Spaces removed**
- **Restaurants: Rose & Crown**
- **2020: Operated in space from June – October. Pedestrian traffic diverted into blocked parking spaces with an ADA accessible lane left down sidewalk.**



SELECT BOARD MOTION: Public Property

- Any approval will be made on a single-season, non-precedent setting basis and may be rescinded by the Board at any time.
- If approved, Licensees must abide by all rules, regulations, laws, advisories, and guidelines issued by the Town, state, and federal government. These include all social distancing requirements.
- Approval of Public Spaces is effective no earlier than .
- MOTION: *Select Board votes to approve the single season alteration of premises to include temporary outdoor space for service of food and alcohol per COVID-10 Emergency Order 50 issued September 10, 2020 by Governor Baker. Approval is valid until December 31, 2021 or until sixty (60) days after end of state of emergency (whichever comes first) or as further amended by Governor Baker and/or the ABCC or Select Board. Upon expiration, the Licenses will revert back to original premises as of April 1, 2020.

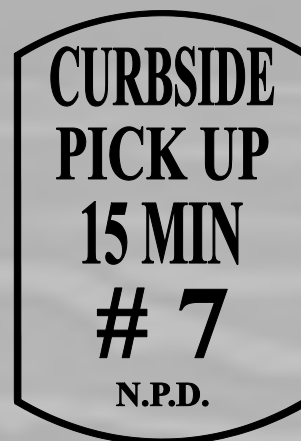
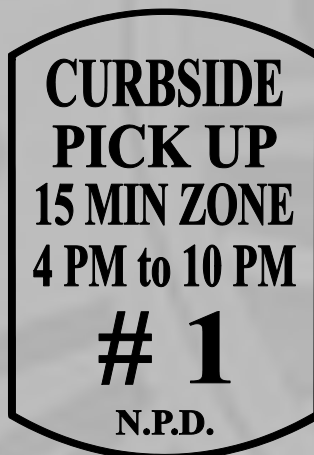
UPDATE: Loading Zone/Pick-up Zone



UPDATE: Loading Zone/Pick-up Zone

Loading Zone Highlighted Below to convert to Pick-up/Curbside Delivery (15 minute) Zones Daily

- #1 Centre Street at India 4:00-10:00 pm
- #2 India at Federal Street 4:00-10:00 pm
- #3 Broad Street at Centre 4:00-10:00 pm
- #4 Broad Street @ Brotherhood 12 Noon-10:00 pm
- #5 Oak Street at South Water 2:00-10:00 pm
- #6 Salem Street @ Candle 8:00 am–7:00 pm





*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
EXTENSION OF ALLOWANCE OF OUTDOOR TABLE SERVICE**

On September 10, 2020, Governor Charlie Baker issued an Order Making Certain Phase III Adjustments (also known as COVID-19 Order No. 50), which extends the period for outdoor table service by licensees licensed for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

Pursuant to this Order, local licensing authorities ("LLA") may approve requests for expansion of outdoor table service or extensions of earlier granted approvals issued pursuant to Section 4 of COVID-19 Order No. 35¹, from November 1, 2020, for any period up to and until sixty (60) days after the end of the state of emergency. The LLA may issue extensions automatically to all licensees, or may do so on request from individual licensees.

The LLA may modify any prior approvals as the LLA deems proper and appropriate, including addressing snow removal, pedestrian traffic, and other similar concerns.

Any licensee that was previously granted approval but is not granted an extension by the LLA may still operate outdoor table service until November 1, 2020.

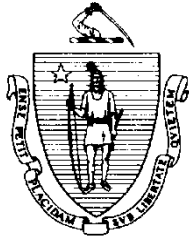
ABCC approval is not required on these extensions. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through sixty (60) days after the end of the state of emergency and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued September 11, 2020)

¹ The text of COVID-19 Order No. 35 can be found [HERE](#).



**Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114**

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

**GUIDELINES FOR EXTENSION OF PREMISES TO
PATIO AND OUTDOOR AREAS**

1. Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy.
3. The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.
4. The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
5. The applicant must have a lease or documents for the right to occupy the proposed area.
6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
7. Preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available.

MEMORANDUM

TO: The Select Board

FR: Economic Task Force

RE: Outdoor Dining 2021

DT: March 9, 2021

The Economic Task Force has been meeting weekly since mid-January with the mission “to support local businesses and non-profits to prepare for an execute a safe and successful 2021.”

We have had several conversations about the 2020 season success stories, including the ability for restaurants to move dining service outdoors onto public streets and sidewalks. We have also learned of places where some further attention to detail needs to be made to keep the experience a pleasant one for diners, residents, and visitors. We are in strong support of permitting outdoor dining to take place again in 2021 and encourage street and sidewalk closures to allow the activity to occur.

Task Force members are mindful that fine dining is a fundamental part of the visitor experience on Nantucket. Innkeepers have given us feedback that their guests frequently plan their visits around which of their favorite restaurants are open and have seats to accommodate them. Additionally, we have heard from retail shops near outdoor dining establishments that they also benefitted from the experience as diners would frequent their stores before and/or after enjoying a meal.

We recognize that the reduction of parking spaces and the likely presence of more visitors in 2021 could create traffic and parking problems in the Core District. We have asked Mark Donato from the Task Force to join discussions about a commuter shuttle program under discussion with Town Administration and NRTA and we have raised the issue of what type of parking guidelines businesses would like to see in the Core District this summer.

We hope you will look favorably on the proposal to continue outdoor dining in 2021 and we are eager, as a Task Force, to pursue any questions or conversations you’d like us to have with the business community on this matter.

DATE: March 4, 2021

TO: The Nantucket Select Board

FR: The Nantucket Chamber of Commerce

RE: Outdoor Dining for 2021

The Board of Nantucket's Chamber of Commerce has met to discuss the proposal of outdoor street dining for the 2021 season. Due to the COVID-19 pandemic, Nantucket was forced to take a number of adaptive measures to ensure the success of our businesses and the safety of our patrons during the 2020 season. It is with certainty that we can point to the extended outdoor dining as one of the measures that strongly contributed to the survival and success of many of our community's businesses during 2020.

Given the success that we saw with outdoor dining last season and the continued concern that the COVID-19 pandemic still poses, we are in full support of pursuing open street dining for the 2021 season. We view open street dining as a benefit to restaurants and other local businesses alike; retail stores and shops reported that many guests would frequent their locations during their time enjoying an outdoor meal. The Chamber of Commerce respectfully requests that the Select Board vote in favor of allowing outdoor dining. Our belief and intention, is that this approval will provide our restaurants and retailers with the support and flexibility they need to prepare for a successful 2021 season.

We ask that the Select Board vote in favor of continuing outdoor dining in 2021; on our end, the Chamber is willing and prepared to support our businesses in any way that we can this season. We would welcome an opportunity to speak with you further if there are additional questions or conversations you wish to have.

Respectfully Submitted,

The Nantucket Chamber of Commerce Board of Directors

Nantucket Town Association Survey on Outdoor Dining and Shopping During COVID 2021

Summary

38% of respondents were extremely enthusiastic about a repeat of outdoor dining for 2021 (9 or 10 out of 10) Another 27% were very enthusiastic (answered 8 out of 10).

Most common cited concerns were social distancing problems, noise from people after 10pm, noise from music, and taking away access for pedestrians.

Sidewalk dining that did not permit people to walk comfortably on the sidewalks were cited as a concern. Main Street sidewalk dining was cited as a concern. Some people also wrote in concern about dining on S. Water Street.

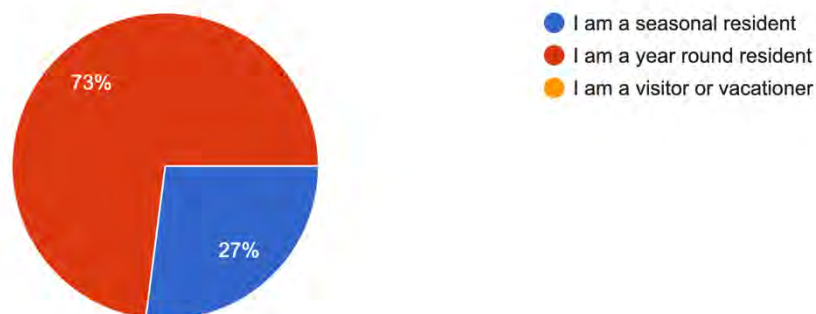
A couple people mentioned concern about road closures blocking traffic to the boat.

40% of responders wanted to see some outdoor dining on some public ways after the pandemic is over. 27% wanted to see outdoor dining, but only on private ways. 13.5% wanted to end the policy of outdoor dining after the pandemic. 19% weren't sure yet and wanted to try another year.

70% of people were extremely enthusiastic about outdoor shopping and market days (9 or 10 of 10). 70% also thought the amount of street closures and frequency was about right the way it is now. 30% wanted to see more closures and more outdoor shopping.

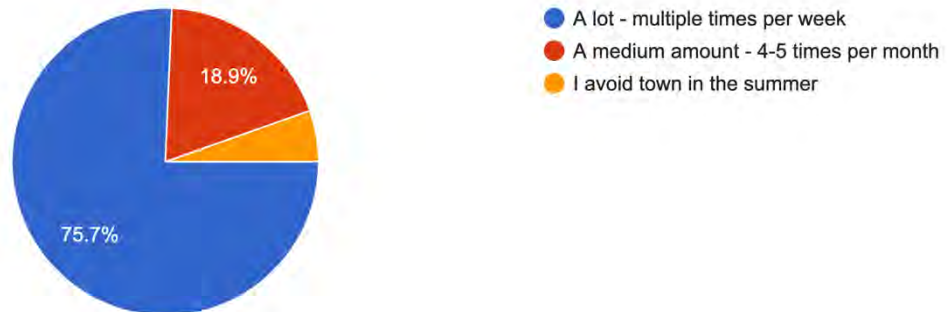
Do you live on Nantucket?

37 responses



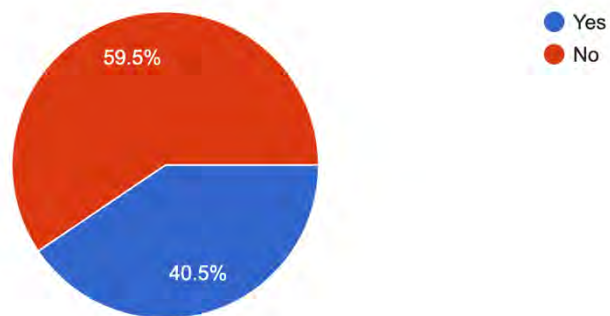
How often are you in town during the summer?

37 responses



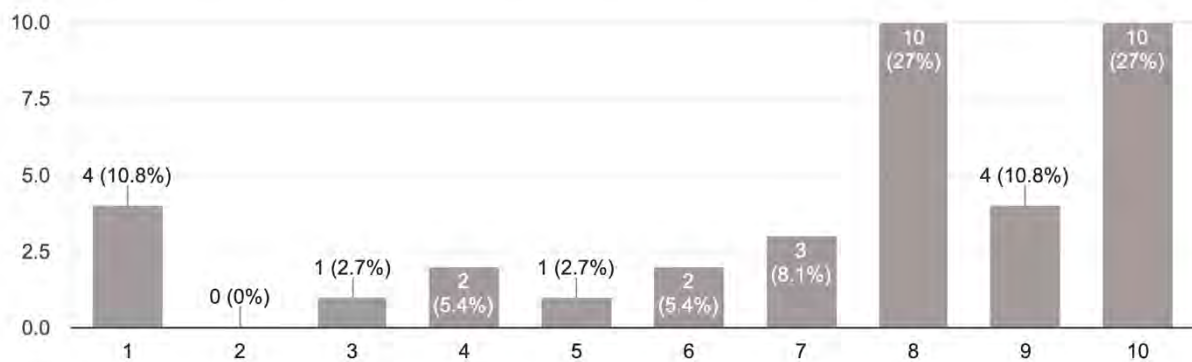
Did you dine outside in Town in 2020?

37 responses



On a scale of 1 to 10, how enthusiastic are you about outdoor dining in Town during summer 2021?

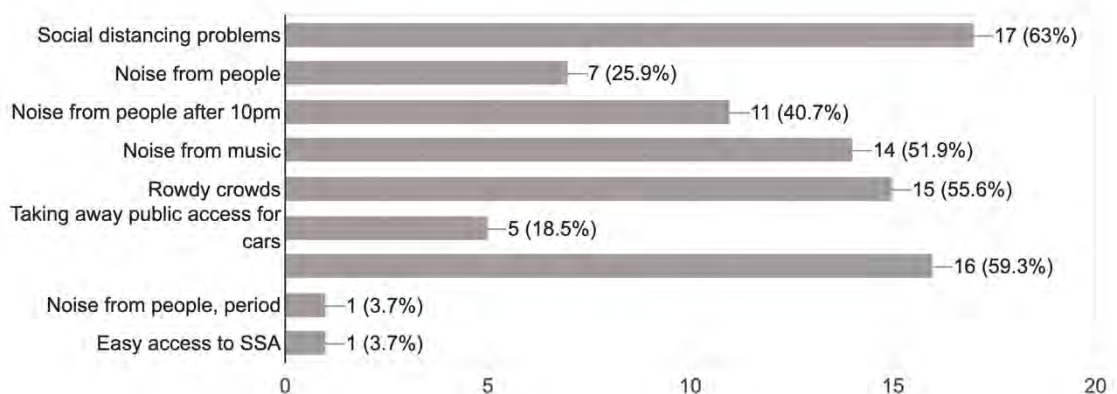
37 responses



What, if anything, would make you more comfortable with outdoor dining in town, in general?
Better distancing and mask wearing as much as possible
Better spacing
Better spacing
Control of noise, appearance, cleanliness, smoking, drinking alcohol
End it at 10, and close up outside by 11 so it does not turn into a late night bar scene.
End of pandemic
Enforcement of distancing
Fewer tables clogging the sidewalks, especially on Main Street.
Greater distancing
I think it's great!
If most people have been vaccinated and COVID is under control. Also no tables on Main Street, it's too disruptive.
If there was no pandemic!
Individual people's behavior; following CDC guidelines.
Keep sidewalk clear.....especially on Main St
less tables of 6
More masks and distancing; more restrictions (in general) by the Town
No blocked sidewalks, last year some restaurants were on the street, but did not block pedestrians, on water street we were forced to walk in the road.
Places that have had outside dining for years ie Jared Coffin, Brotherhood,. Towne, Millie's., Summer House. More out of the way, off the street.

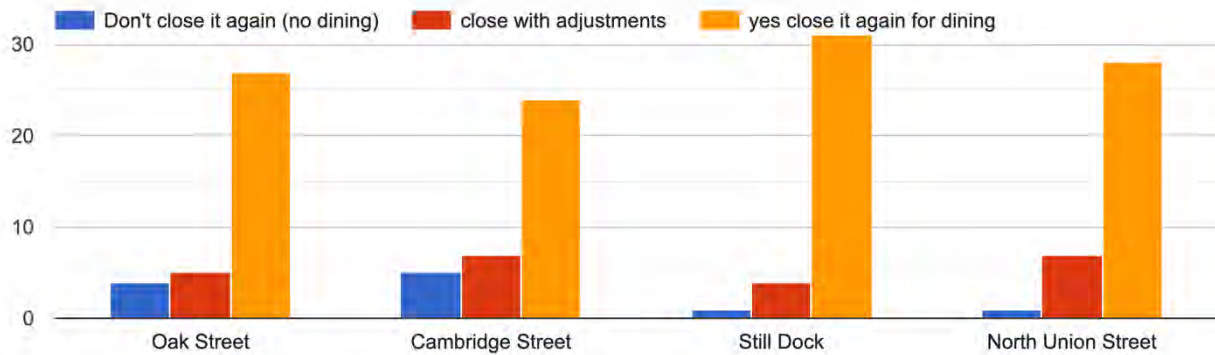
If you answered less than 10, please tell us what your concerns are (check all that apply)

27 responses



(in the chart above, third bar from bottom is “taking away public access for pedestrians)

Last year, the following streets were closed to traffic for the purposes of outdoor dining. Please indicate your sentiment about these street closures.



If you selected "Close with Adjustments" please say what adjustments you'd like to see.

Didnt know it was closed.

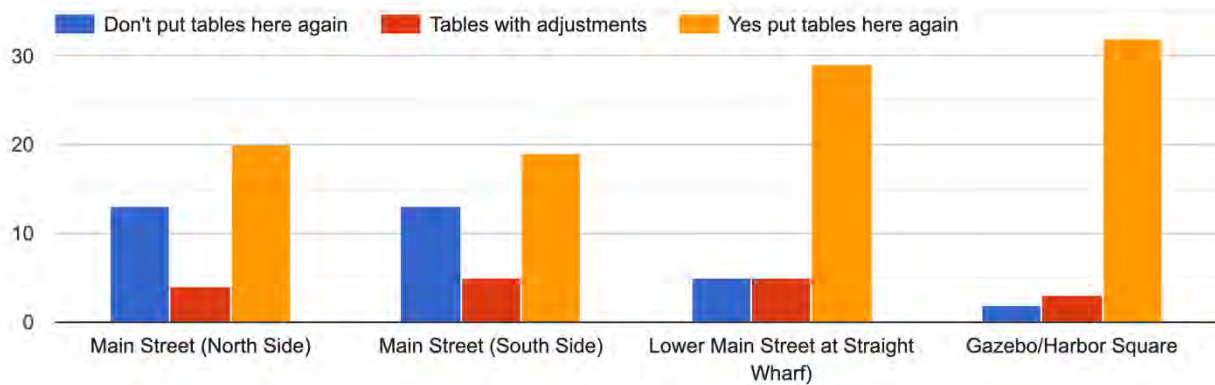
More pedestrian space; have public hearings on licenses closer to summer

No music, more space between tables, less people at table, more attractive appearance

roads open during day for access to boat

Share Cambridge with Beet if they need outdoor space as well.

Last year, sidewalk dining occurred in the following locations

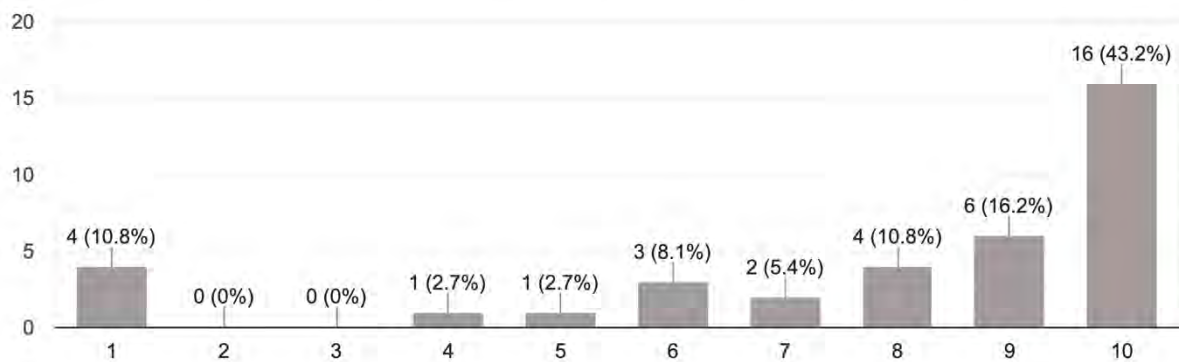


If you selected "tables with adjustments" please tell us what adjustments you'd like to see.

Don't block the sidewalks!
I wasn't there so I'm not sure if adequate pedestrian access to the Hyline was maintained at all times. That's my only concern for Lower Main Street.
Keeping sidewalk clear to pedestrians.....more important that additional seating
Limit people waiting for tables
Make sure pedestrians are not impeded
With sidewalk dining,form a lane for pedestrians to pass. Last year Rose and Crown, Center Street bake shop had lines for people waiting forcing pedestrians into the street.

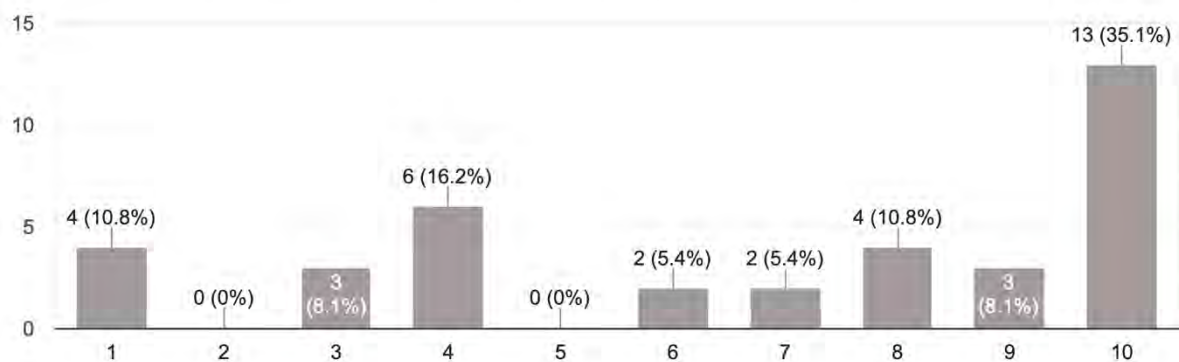
How supportive are you of street closures in general for outdoor dining purposes?

37 responses



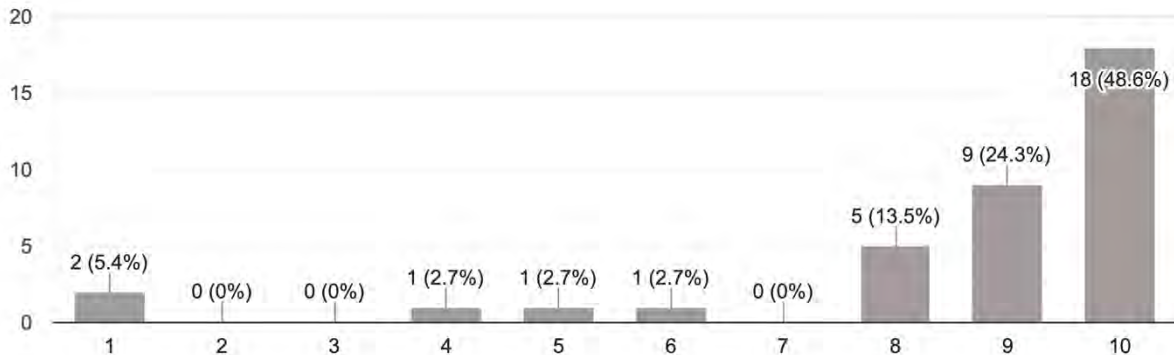
How supportive are you in general of outdoor dining on public sidewalks?

37 responses



How supportive are you of outdoor dining on private paths, patios, and private parking lots?

37 responses



Would you like to see more outdoor dining continue after the COVID emergency is over?

37 responses



If you have comments about outdoor dining after the COVID emergency is over, please type it below.

Ban all music

Cannot answer until it is over!

Distancing and crowds a problem in front of Lemon Press on Main Street

Extending NPD hours of parking enforcement, and nightly presence to insure compliance with noise and occupancy limits is crucial for continued success of outdoor dining.

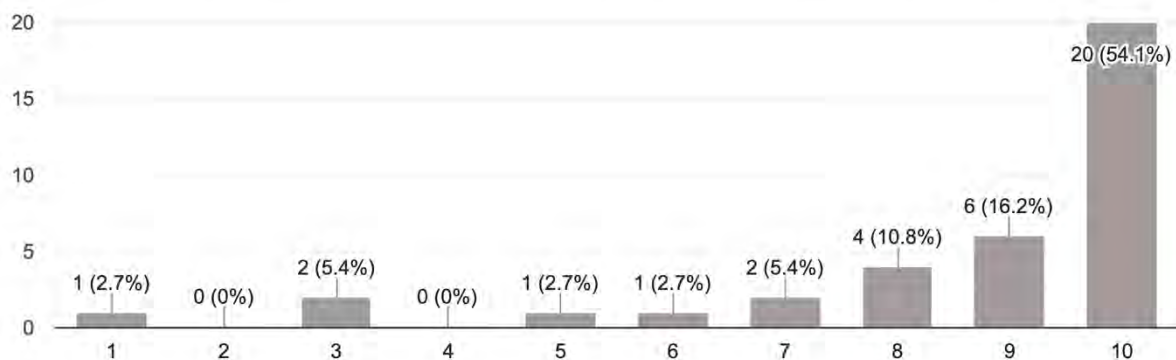
I object to the town subsidizing downtown restaurants and doing nothing for out of town restaurants. They should give tax breaks to out of town restaurants like Fusaros and the Sea Grille to make up for the unfair advantage to places like Nautilus. . I object to serious disruption of ferry traffic on Cambridge st

I'm not opposed to outdoor dining. It fits in with keeping cars out of the downtown core. But we need additional solutions to reduce traffic, and we shouldn't be using sidewalks for commercial gains.

Inclined toward return to pre-Covid so that streets can be open to traffic.
Keep it! It brings life and people to downtown. Plus, people like to eat outside in the summer!
No sidewalk tables unless street is closed to traffic. ie close Main to cars at 6 pm, open to sidewalk dining, food trucks, pop-up goodies
Outdoor dining and markets - both make the downtown come alive. People make an environment, not just historic buildings. Outdoor dining 2020 transformed a heavy-regulated, beautiful Quaker historic district feel like I was in a precious European village, alive with color, sounds, smells, activity - the way it might have felt in the 19th century on Nantucket. Since we are now lacking the everyday kind of marketing in the downtown that existed during the 19th century with shops supporting everyday needs, it was refreshing and hopeful that our downtown will not die with high end clothing, real estate and t-shirt shops.
Use pre-COVID policies as the starting point.

How supportive are you in general of street closures for market days and/or outdoor shopping?

37 responses



If you support street closures for outdoor shopping, would you like to see more frequent closures for this purpose?

33 responses



If you have comments about market days and outdoor shopping, please leave them here.

I like the Cambridge Street Outdoor market. The products are very expensive as hand made things usually are but attractive and nice

I think one day a week, Saturday, works well. If all businesses used Saturday for this purpose I believe more local people would come into town for store shopping also, and they could utilize the shuttle buses. I think the market is great but, I won't go into town just for that. I think people could/would incorporate more shopping trips if certain streets were closed so shops could offer outdoor shopping. With this in mind, stores could divide the Saturdays so that all of them could get a space during the summer. I would consider closing Federal from Main to Oak, India from Center to S. Water, Cambridge from Federal to S. Water, and N. Union from Main to India. Doing that minimally impacts parking. With so many stores open in the summer it is difficult to shop them due to the increase of people on the island but, this could free up space in those stores and increase awareness of "off the main grid" shops. In the summertime shopping outdoors is much more fun. And during these times of mask wearing it is much easier to breathe when outside with one on.

I'm not sure what is happening now - do you mean only the Special Events (church fairs) and the Sustainable Farmers Market on Saturdays? That's plenty, we don't need any more closures.

Market is nice

The farmers market is charming and convenient

The stores pay high rent /taxes, etc, not fair to them to have temporary vendors on streets!

The Town should be as careful as possible about permitting such events. At the moment, I don't think the Town is.

Are there any other places you would like to see used for outdoor dining or market days?

Back of Dreamland should be used
Back of Dreamland should be used
High school fields, athletic fields off Nobadeer Farm Road. Sculpture Park near airport.
Maybe Children's beach park.
Need a mid island location for additional days.
No
Please see above
The Harbor House, Nantucket Hotel, and Children's Beach could host shopping & dining spaces.
Where the valet parking is behind Stop and Shop would be a great place for market days and other activities. No parking garage!

Are there other ideas you would like to share about outdoor activity in Town during COVID?
I hope restaurants & shops keep doing takeout/pickup options and we use the loading zones for those trips.
Is was really nice not to have Figawi and the Wine Festival last year. Much quieter and less trash. These events are horrible in the eyes of downtown residents. You wouldn't believe what is left on the sidewalks and in our yards.
Nantucket is not just for tourists, even though tourism is our most important industry.
Please see above
Town should proceed carefully licensing large outdoor events. Last year felt like old time Nantucket. We should strive to keep the island as low key and family friendly, alcohol free, as possible.
Very strict mask enforcement

Is there anything else you would like to tell us?
Buses should be free. And get new buses that are quieter and lower to the ground. The current buses are very very noisy, stand next to one sometime.
Thanks for the survey!
We need more bike parking capacity in Town. Also, people who work in Town SHOULD NOT EVER be parking on the streets in the core!

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
March 24, 2021
******AMENDED MARCH 22, 2021******

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Professional Services Agreement	DPW	Ultimate Abatement Co., Inc.	\$24,200	Contract for hazardous materials abatement at 131 Pleasant Street and 20 S. Water Street	Article 10/2011 ATM & Article 10/2019 ATM	March 24, 2021 - June 30, 2021
Professional Services Agreement	DPW	CC Construction	\$2,334,407.78	Contract for Waitt Drive roadway reconstruction	MassWorks Grant and Article 10/2018 ATM & Article 10/2019 ATM	March 24, 2021 - March 23, 2024



Agenda Item Summary

Agenda Item #	VIII. 1.
Date	March 24, 2021

Staff

Tucker Holland, Municipal Housing Director

Subject

Request for Town Manager authority to sign the Special Permit Amendment Application for Ticcoma Green Year-round Housing at 6 Fairgrounds Road

Executive Summary

As a result of increased construction costs related to the delay resulting from the neighbor lawsuit, HallKeen has been working diligently on the financing for the project. To wit, they have submitted a One Stop application to the Department of Housing and Community Development for a tax credit award and related funding. HallKeen has indicated there may be access to some additional subsidy dollars if a few of the market rate units initially planned are instead income-restricted. There would still be some market rate units to ensure that, theoretically, no Nantucketer would be ineligible to live at the development based on having too high an income. This was an important element of the project design.

Staff Recommendation

Recommend approval for Town Manager to sign the application on behalf of the Town.

Background/Discussion

As the Board is aware, the nuisance lawsuit filed by a handful of neighbors – defying the will of multiple Town Meetings and the community as a whole – has had a number of ramifications: delay in much needed year-round rental housing targeted at income-levels that compliment those served by other developments – including enhanced very low income rental housing options for folks like Scott Schell’s mother, as was brought up at last week’s Select Board meeting (i.e., a handful of 30% AMI units are planned for this development); public health consequences during a global pandemic when health experts have cited that overcrowding of housing contributed to COVID-19 spread; inability to have potentially used this development for Safe Harbor when Surfside Crossing was proposed; and greater cost to construct when the development is built, among others.

The Board will recall that 6 Fairgrounds / Ticcoma Green has been designed to serve 30% AMI, 60% AMI, 120% AMI and market levels of income. The original Special Permit contemplates thirteen (13) units being market rate. The developer is seeking to have the Permit language modified to ensure no less than fifty-one (51) units would be income-restricted (consistent with the original approval) and that at least six (6) units would be market rate, respecting the Select Board’s original desire that theoretically no Nantucketer would be ineligible to reside at Ticcoma Green solely due to being income ineligible from



the standpoint of earning too much to qualify. This latitude around some of the market rate units may allow the developer to access additional subsidy. The community benefits by potentially having an even greater number of units income-restricted to serve year-rounders. All 64 units are for year-round occupancy and have the opportunity to not only contribute to Nantucket's SHI, yet also to an upcoming period of Safe Harbor (Housing Production Plan certification).

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

Addressing the housing crisis; Select Board strategic goal around Safe Harbor maintenance.

Board/Commission Recommendation

N/A

Public Outreach

N/A

Attachments

1. PB Special Permit Amendment Application
2. 2017 Planning Board Special Permit for Ticcoma Green





Nantucket Planning Board

Application for an Amendment to a Previously Granted Special Permit

Date: March 15, 2021

Planning Board File No.: #67-17

NANTUCKET
TOWN CLERK
2021 MAR 16 AM 11:10

Name of Development: Ticcoma Green Workforce Rental Community

Owner(s)' Name(s): Town of Nantucket (fee owner of land)

Mailing Address: 16 Broad Street, Nantucket, MA 02554

Phone number: 508-325-7587 ext 7023 Fax number: _____ E-mail: _____

Applicant's Name: Hallkeen Management, Inc.

Mailing Address: 1400 Providence Hwy, Suite 1000, Norwood, MA 02062

Phone number: (781) 915-3022 Fax number: (781) 915-3122 E-mail: mhes@hallkeen.com

Engineer/Surveyor: _____

Mailing Address: _____

Phone number: _____ Fax number: _____ E-mail: _____

Location of Lots:

Street Address: 6 Fairgrounds Road

Tax Assessor's Map: 67 Parcel: 917 & 918

Nantucket County Registry of Deeds:

Land Court Plan _____ or Plan Book _____ Page _____

or Plan File #: Lots 83 & 84 on Plan No. 2016-58

Size of Parcel 124,872+ square feet

Zoning District Commercial Neighborhood (CN)

Describe proposed modification in detail:

Please see attached addendum.

I/we hereby certify that the applicant cited above have been authorized by me/us to file a Special Permit application with the Nantucket Planning Board on property that I/we own.

Owner(s)' Signature(s): Town of Nantucket

By: _____

Applicant's Signature: Mark Hess, Vice President Hallkeen Management, Inc

By: _____

I/we _____, the undersigned, hereby authorize
Sarah F. Alger to act as agent(s) on my/our behalf and to make any necessary
revision on this filed application as may be requested by the Board to meet its governing rules and guidelines.

Owner(s)' Signature(s): Town of Nantucket

By: _____

This application must be accompanied by a filing fee of \$250.00 payable to Town of Nantucket plus \$6.74 per abutters notice payable to Pitney Bowes Reserved Funds to cover the mailing of the public notices to the abutters and for the notices to abutters of the Board's decision, four sets of mailing labels (1 inch in height and 2.63 inches in width), as well sufficient materials (e.g. site plan, list of proposed modifications, drainage calculations, engineering changes, etc.) as necessary to permit the Planning Board to adequately evaluate the proposal. A list of abutters may be obtained from the Nantucket Tax Assessors office at 37 Washington Street. Each abutters name and address shall be recorded on the mailing labels. If the special permit modification pertains to a Major Commercial Development (MCD) the establishment of an escrow account may be necessary.

*****In addition, a "pdf" electronic copy of applications, plans and materials is requested. Electronic and pdf's can be submitted by disks or email to cancero@nantucket-ma.gov.**

ADDENDUM

**Town of Nantucket, Owner
HallKeen Management, Inc., Applicant
6 Fairgrounds Road, Nantucket, Massachusetts
Assessor's Map 67, Parcel 917 and 918**

The Applicant seeks to modify the existing Workforce Rental Community Special Permit dated November 27, 2017, recorded with Nantucket Deeds in Book 1788, Page 304 (the "Special Permit"), pursuant to Nantucket Zoning By-law (the "By-law") §§139-8.D and 139-30, as follows:

1. Extension of site plan deadline to June 15, 2021.

The Board's issuance of the Special Permit was appealed to the Land Court. All deadlines under the Special Permit were stayed during the pendency of the appeal. The final decision on the appeal in favor of the Applicant was entered in January 2020. Subsequently, the Governor issued the emergency COVID order in March 2020 extending all permits. The Applicant requests that the Board clarify that the Applicant's obligation under the Special Permit to submit a fully engineered final site plan is extended to at least June 15, 2021.

2. Clarify flexibility exists to increase number of income restricted units beyond 51.

The Special Permit contemplates that about 51 units will be income-restricted and that the remaining 13 units will not. The Applicant desires flexibility to increase the number of income-restricted units above 51 units. The Applicant requests that the Board modify the Special Permit to allow the Applicant to change the number of income-restricted units so long as there are at least 51 income-restricted units and 6 unrestricted units.

3. Clarify final affordability mix and unit distribution can be done by planning staff.

The Applicant requests that the Board modify the Special Permit to provide that modifications to the number, mix, and distribution of income-restricted and unrestricted units among the buildings can be submitted to and approved by Planning staff without a public hearing, provided that all units qualify for the SHI and that there are at least 51 income-restricted units and 6 unrestricted units.

Evidence of owner's title is registered with Nantucket Registry District as Document No. 108365 as affected by Order registered with Nantucket Registry District as Document No. 138530. The Locust is located at 6 Fairgrounds Road, is shown on Nantucket Tax Assessor's Map 67 as Parcels 917 and 918, is Lot 83 and Lot 84 on plan recorded with Nantucket Deeds as Plan File 2016-58, and is located in a Commercial Neighborhood ("CN") Zoning District.

TOWN OF NANTUCKET

PLANNING BOARD

(Special Permit)

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..Town of Nantucket.....

MAILING ADDRESS..c/o Sarah F. Alger, P.C., Four North Water Street, Nantucket, MA 02554.....

PROPERTY LOCATION..... 6 Fairgrounds Road.....

ASSESSOR MAP/PARCEL..... Map 67, Parcels 917 and 918.....

SUBMITTED BY..Holly Fernandes.....

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of abutting property, owners of land directly opposite on any public or private street or way; and abutters of the abutters and all other land owners within 300 feet of the property line of owner's property, all as they appear on the most recent applicable tax list (M.G.L. c. 40A, Section 11 Zoning Code Chapter 139, Section 139-29B) (2).

Digitally signed by Rob Ranney
DN: cn=Rob Ranney, o=Town of
Nantucket, ou=Assessor's Office,
email=rranney@nantucket-ma.gov, c=US
Date: 2021.03.09 12:01:56 -05'00'

3-9-2021

DATE

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cut	Owner Full Name	Co-Owner Full Name	Address Line 1	City	State	Zip	Location
67	37		RASHKOV HRISTO & KARINA		61 OLD SOUTH RD #444	NANTUCKET	MA	02554	8 LEWIS CT
67	149		COFFIN FREDERICK C JR TRST	C/O DIDI SPENCER	PO BOX 285	NANTUCKET	MA	02554	31 FAIRGROUNDS RD
67	150		PUDER WILLIAM F TRUSTEE	WKP REALTY TRUST	PO BOX 2643	NANTUCKET	MA	02584	27 FAIRGROUNDS RD
67	151		DAVIS SUZANNE M TR	DAVIS REALTY TRUST	6 ENTERPRISE CIRCLE	NANTUCKET	MA	02554	25 FAIRGROUNDS RD
67	152		FORTIN CHRISTINE E		23 FAIRGROUNDS RD	NANTUCKET	MA	02554	23 FAIRGROUNDS RD
67	153		CONNOLLY JAMES B TR	ACK MOVE NOM TRUST	200 AIRPORT WAY	BARNSTABLE	MA	02601	14 LEWIS CT
67	154		GARDNER CHARLES J		BOX 577	NANTUCKET	MA	02554	21 FAIRGROUNDS RD
67	155		PESHNACHKI VLATKO		8 WASHINGTON ST	NANTUCKET	MA	02554	10 LEWIS CT
67	156		19 FGR ACK LLC		1324 LEXINGTON AVE STE 245	NEW YORK	NY	10128	19 FAIRGROUNDS RD
67	157		ARENA THOMAS W		PO BOX 1416	NANTUCKET	MA	02554	1 TICCOMA WY
67	158		WODYNSKI MICHAEL S & JUDITH A TR	LIFE ESTATE	PO BOX 854	NANTUCKET	MA	02554	32 FAIRGROUNDS RD
67	159		ANDERSSON WOLF & CAROL		1 CACHALOT LN	NANTUCKET	MA	02554	1 CACHALOT LN
67	160		TUTTLE ELIHU S IV		103C OLD SOUTH ROAD	NANTUCKET	MA	02554	11 TICCOMA WY
67	292		WILLIAMS JACOB GARDNER & ALLICE BEATTY TOWNSEND WILLIAMS		34 FAIRGROUNDS RD	NANTUCKET	MA	02554	34 FAIRGROUNDS RD
67	426		CAPE GRANITE LLC	C/O PG MANAGEMENT CORP	19 QUINCY AVE	QUINCY	MA	02169	23 AMELIA DR
67	427		BROWN HEIDI K TR		16 DACY STREET	HYDE PARK	MA	02136	21 AMELIA DR
67	428		MANNING JOSEPH W		P O BOX 2975	NANTUCKET	MA	02584	19 AMELIA DR
67	429		HOFFORD GREGG & CATHERINE TRS		17 AMELIA DRIVE	NANTUCKET	MA	02554	17 AMELIA DR
67	430		MINER MICHAEL MARK TRUSTEE	ACCESSIBLE DENTAL NOMINEE TR	15 AMELIA DR	NANTUCKET	MA	02554	15 AMELIA DR
67	437		ARTISTS ASSOCIATION OF NANTUCKET INC		PO BOX 1104	NANTUCKET	MA	02554	24 AMELIA DR
67	438		BROWN HEIDI K TR		16 DACY STREET	HYDE PARK	MA	02136	22 AMELIA DR
67	439		AMELIA LIMITED PARTNERSHIP		15 BAYBERRY LANE	NANTUCKET	MA	02554	20 AMELIA DR
67	528		GENTHNER MARC J & BRENDA		17 SEIKINNOW PL	NANTUCKET	MA	02554	17 SEIKINNOW PL
67	529		ARMSTRONG NANCY P & JOSEPH A		20 SEIKINNOW PL	NANTUCKET	MA	02554	20 SEIKINNOW PL
67	530		DAVIS RONALD L & LINDA R TR	RYDER FAMILY IRRV TRUST	18 SEIKINNOW PLACE	NANTUCKET	MA	02554	18 SEIKINNOW PL

67	686		RHODES LINDA LEE		15 FAIRGROUNDS RD	NANTUCKET	MA	02554	15 FAIRGROUNDS RD
67	700		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	2 TICCOMA WY
67	701		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	4 TICCOMA WY
67	702		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	6 TICCOMA WY
67	703		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	8 TICCOMA WY
67	704		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	10 TICCOMA WY
67	705		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	12 TICCOMA WY
67	706		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	14 TICCOMA WY
67	707		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	16 TICCOMA WY
67	708		NHA PROPERTIES INC	DBA HOUSING NANTUCKET	75 OLD SOUTH RD	NANTUCKET	MA	02554	18 TICCOMA WY
67	709		SCARLETT GLENA L S & MIAN	C/O HABITAT FOR HUMANITY	PO BOX 1022	NANTUCKET	MA	02554	20 TICCOMA WY
67	710		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	8 WAITT DR
67	752		NANTUCKET TOWN OF		16 BROAD ST	NANTUCKET	MA	02554	4 FAIRGROUNDS RD
67	765		OBERG CHRISTOPHER T		61 OLD SOUTH RD STE 137	NANTUCKET	MA	02554	3 TICCOMA WY
67	781		PAULAUSKAS NERIJUS		3 CACHALOT LN	NANTUCKET	MA	02554	3 CACHALOT LN
67	885		17 FGR ACK LLC		1324 LEXINGTON AVE STE 245	NEW YORK	NY	10128	17 FAIRGROUNDS RD
67	917		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	4 WAITT DR
67	918		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	6 WAITT DR
67	919		MALI SUNIL M & NAKARMI GITA		PO BOX 1022	NANTUCKET	MA	02554	3 WAITT DR
67	920		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	5 WAITT DR
67	921		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	7 WAITT DR
67	922		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	9 WAITT DR
67	923		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	11 WAITT DR
67	924		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	13 WAITT DR
67	925		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	15 WAITT DR
67	926		NANTUCKET TOWN OF		16 BROAD STREET	NANTUCKET	MA	02554	17 WAITT DR
Count :	51								

RASHKOV HRISTO & KARINA
61 OLD SOUTH RD #444
NANTUCKET, MA 02554

DAVIS SUZANNE M TR
DAVIS REALTY TRUST
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RASHKOV HRISTO & KARINA
61 OLD SOUTH RD # 444
NANTUCKET, MA 02554

DAVIS SUZANNE M TR
DAVIS REALTY TRUST
6 ENTERPRISE CIRCLE
NANTUCKET, MA 02554

GARDNER CHARLES J
BOX 577
NANTUCKET, MA 02554

ARENA THOMAS W
PO BOX 1416
NANTUCKET, MA 02554

TUTTLE ELIHU S IV
103C OLD SOUTH ROAD
NANTUCKET, MA 02554

BROWN HEIDI K TR
16 DACY STREET
HYDE PARK, MA 02136

MINER MICHAEL MARK TRUSTEE
ACCESSIBLE DENTAL NOMINEE TR
15 AMELIA DR
NANTUCKET, MA 02554

AMELIA LIMITED PARTNERSHIP
15 BAYBERRY LANE
NANTUCKET, MA 02554

DAVIS RONALD L & LINDA R TR
RYDER FAMILY IRRV TRUST
18 SEIKINNOW PLACE
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

COFFIN FREDERICK C JR TRST
C/O DIDI SPENCER
PO BOX 285
NANTUCKET, MA 02554

FORTIN CHRISTINE E
23 FAIRGROUNDS RD
NANTUCKET, MA 02554

PESHNACHKI VLATKO
8 WASHINGTON ST
NANTUCKET, MA 02554

WODYNSKI MICHAEL S & JUDITH A TR
LIFE ESTATE
PO BOX 854
NANTUCKET, MA 02554

WILLIAMS JACOB GARDNER & ALLICE
BEATTY TOWNSEND WILLIAMS
34 FAIRGROUNDS RD
NANTUCKET, MA 02554

MANNING JOSEPH W
P O BOX 2975
NANTUCKET, MA 02584

ARTISTS ASSOCIATION OF NANTUCKET
INC
PO BOX 1104
NANTUCKET, MA 02554

GENTHNER MARC J & BRENDA
17 SEIKINNOW PL
NANTUCKET, MA 02554

RHODES LINDA LEE
15 FAIRGROUNDS RD
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

PUDER WILLIAM F TRUSTEE
WKP REALTY TRUST
PO BOX 2643
NANTUCKET, MA 02584

CONNOLLY JAMES B TR
ACK MOVE NOM TRUST
200 AIRPORT WAY
BARNSTABLE, MA 02601

19 FGR ACK LLC
1324 LEXINGTON AVE STE 245
NEW YORK, NY 10128

ANDERSSON WOLF & CAROL
1 CACHALOT LN
NANTUCKET, MA 02554

CAPE GRANITE LLC
C/O PG MANAGEMENT CORP
19 QUINCY AVE
QUINCY, MA 02169

HOFFORD GREGG & CATHERINE TRS
17 AMELIA DRIVE
NANTUCKET, MA 02554

BROWN HEIDI K TR
16 DACY STREET
HYDE PARK, MA 02136

ARMSTRONG NANCY P & JOSEPH A
20 SEIKINNOW PL
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

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NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NHA PROPERTIES INC
DBA HOUSING NANTUCKET
75 OLD SOUTH RD
NANTUCKET, MA 02554

SCARLETT GLENA L S & MIAN
C/O HABITAT FOR HUMANITY
PO BOX 1022
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD ST
NANTUCKET, MA 02554

OBERG CHRISTOPHER T
61 OLD SOUTH RD STE 137
NANTUCKET, MA 02554

PAULASKAS NERIJUS
3 CACHALOT LN
NANTUCKET, MA 02554

17 FGR ACK LLC
1324 LEXINGTON AVE STE 245
NEW YORK, NY 10128

NANTUCKET TOWN OF
16 BROAD STREET
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD STREET
NANTUCKET, MA 02554

MALI SUNIL M & NAKARMI GITA
PO BOX 1022
NANTUCKET, MA 02554

NANTUCKET TOWN OF
16 BROAD STREET
NANTUCKET, MA 02554

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16 BROAD STREET
NANTUCKET, MA 02554

11166

SARAH F. ALGER, P.C.
FOUR NORTH WATER STREET
NANTUCKET, MA 02554
PH. 508-228-1118

ROCKLAND TRUST COMPANY
MENDON, MA 01756
53-447/113



3/15/2021

PAY TO THE ORDER OF Town of Nantucket

\$ **250.00

Two Hundred Fifty and 00/100*****

DOLLARS

Town of Nantucket
Town and County Building
Broad and Federal Streets
Nantucket, Massachusetts



[Signature]
AUTHORIZED SIGNATURE

MEMO Burnes

⑈01166⑈ ⑈011304478⑈ 889016273⑈

SARAH F. ALGER, P.C.

11166

Town of Nantucket

Burnes

3/15/2021

250.00

Nantucket Bank Busin Burnes

250.00

SARAH F. ALGER, P.C.

11166

Town of Nantucket

Burnes

3/15/2021

250.00

Nantucket Bank Busin Burnes

250.00

Security features. Details on back.

11167

SARAH F. ALGER, P.C.

FOUR NORTH WATER STREET
NANTUCKET, MA 02554
PH. 508-228-1118

ROCKLAND TRUST COMPANY
MENDON, MA 01756

53-447/113



3/15/2021

PAY TO THE
ORDER OF

Pitney Bowes Reserved Funds

\$ **351.90

Three Hundred Fifty-One and 90/100*****

DOLLARS

Pitney Bowes Reserved Funds



[Handwritten Signature]
AUTHORIZED SIGNATURE

MEMO

Burnes

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011304478

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SARAH F. ALGER, P.C.

Pitney Bowes Reserved Funds

Burnes

3/15/2021

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Nantucket Bank Busin Burnes

351.90

SARAH F. ALGER, P.C.

Pitney Bowes Reserved Funds

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Nantucket Bank Busin Burnes

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 TOWN CLERK

Nantucket Planning Board

SPECIAL PERMIT DECISION WITH SITE PLAN REVIEW

TICCOMA GREEN WORKFORCE RENTAL COMMUNITY

6 Fairgrounds Road

Planning Board File # 67-17

Owner: Town of Nantucket (fee owner of land)

Applicant: HallKeen Management, Inc.

Assessor's Map 67, Parcels 917 & 918 (formerly Map 67, portion of Parcel 710)

Lots 83 & 84, Plan No. 2016-58 at Nantucket Registry of Deeds

Commercial Neighborhood (CN) Zoning District
 Workforce Rental Community under Nantucket Zoning By-law §139-8(D)

November 27, 2017

Project Overview:

The Nantucket Planning Board held public hearings on September 14, 2017, October 12, 2017, November 16, 2019, and November 27, 2019, to consider a request by HallKeen Management, Inc., as Applicant (the "Applicant," which term as used herein shall be deemed to include the Applicant and its successors and/or assigns), for the issuance of a Special Permit, requiring Site Plan Review, under Nantucket Zoning By-law (the "By-law") §139-8(D) for a sixty-four (64) unit workforce rental community on two (2) lots of Town-owned land at 6 Fairgrounds Road (the "Project"). Pursuant to a Request for Proposal issued by the Town of Nantucket (the "Town"), the Project, known as "Ticcoma Green" and "Ticcoma Green Workforce Rental Community," will utilize Town-owned land purchased for the express purpose of creating affordable workforce housing for the community.

Project Description:

The Project is located in the Commercial Neighborhood ("CN") Zoning District and is comprised of a total of sixty four (64) workforce rental community apartment units, containing a

total of one hundred and fourteen (114) bedrooms and having total gross floor area of about 72,582 square feet, in three (3) individual two-and-one-half (2 ½) story garden style apartment buildings, configured in a master-planned campus setting, integrated with parking, open space, pedestrian and bicycle paths, and landscaping, all of which will be located on two (2) adjacent lots off Ticcoma Way ("Lot 83" and "Lot 84" on Plan No. 2016-58 at Nantucket Registry of Deeds), each having an area of about 62,436 square feet, for a total Project land area of 124,872 square feet. Lot 83 meets the minimum required frontage of fifty (50) feet on the unnamed way commonly referred to as "Waitt Drive" (hereinafter referred to as "Waitt Drive"), and Lot 84 meets the minimum required frontage of fifty (50) feet on Fairgrounds Road. Both Lot 83 and Lot 84 will be served by two (2) driveways on to Waitt Drive. Access to the Project is by way of public roads. No vehicular access, except an emergency fire lane, to Fairgrounds Road is proposed. Based upon the building configuration layouts as shown on the plans referenced herein, the Project will have total ground cover of about 36,487 square feet, generating an overall ground cover ratio of about thirty-three percent (33%). The proposed ground cover is about seven percent (7%) below the maximum allowed in the CN Zoning District and is significantly below the maximum of fifty percent (50%) ground cover that would have been permitted until 2016 when the property was re-zoned in anticipation of the Town pursuing this Project.

The Project is situated within an approximately twenty (20) acre site acquired by the Town in 2004 for variety of municipal uses, including, but not limited to, affordable housing. The Project is bounded on the north by the Public Safety Facility, which includes the police station and a number of Town offices and public meeting rooms and is the proposed location of a new fire station. The Project is bounded on the west by Fairgrounds Road and on the east by Waitt Drive and a parcel of land retained by the Town. The Project is bounded on the south by nine (9) lots, eight (8) of which are owned by the Town and one (1) of which was conveyed to NHA Properties, Inc., a nonprofit affordable housing organization, the only non-Town direct abutter to the Project.

About eighty percent (80%) of the total units, or fifty-one (51) units, will be income-restricted to tenants who qualify under the household income limits of thirty percent (30%), sixty percent (60%), or one hundred twenty percent (120%) or less of the Area Median Income (AMI) as set forth below:

Workforce Mix:	<u>30%</u> <u>AMI</u>	<u>60%</u> <u>AMI</u>	<u>120%</u> <u>AMI</u>	<u>Market</u>	<u>SHI</u>
Studio		5	7		12
1 Br		2	10	2	14
2 Br	2	10	10	4	26
3 Br	1	2	2	7	12
Total	3	19	29	13	64
Percent	5%	30%	45%	20%	100%

The Project will offer a mix of studio units, one (1) bedroom units, two (2) bedroom units, and three (3) bedroom units as follows:

Unit Types	Number of Units (Per Type)	Percentage of All Units (Per Type)	Total Number of Bedrooms
Studio (S) Units	12	19 %	12
One (1) Bedroom Units	14	21 %	14
Two (2) Bedroom Units	26	41 %	52
Three (3) Bedroom Units	12	19 %	36
Subtotal	64 Units	100 %	114

A primary incentive of the workforce rental community initiative is a thirty-three percent (33%) dwelling unit density bonus, above the maximum baseline dwelling unit density set forth in the underlying zoning district, up to a maximum total of thirty-two (32) units per lot (as opposed to a maximum total of twenty-four (24) units per lot), if the Project reserves at least twenty-five percent (25%) of the total number of rental apartments (inclusive of the rental apartments achieved through the density bonus allowance) to be leased to tenants who qualify under the income limits and at rents that meet the local affordable housing thresholds.

In addition to the dwelling unit density bonus provision, at the discretion of the Planning Board, projects that qualify under this zoning initiative may be granted additional relief with respect to minimum required setbacks and regularity factor criteria.

The Application was filed and has been reviewed pursuant to the following sections of the Bylaw: §139-2 (Definitions and Word Usage); §139-3(A) (Districts Enumerated); §139-7(A) (Use Chart); §139-8(D) (Residential Development Options); §139-12(B) Public Wellhead Recharge District; §139-18(D) Off Street Parking Requirements; §139-20.1(C) Driveway Access (Aisles and Driveways); §139-23 Site Plan Review; and §139-30 (Special Permits). In addition, the Project is located within the Town Overlay District (TOD) as described in By-law §139-12E and the Public Wellhead Recharge (PWR) Overlay District and, as such, the Project must comply with the provisions of By-law §139-12(B), including the requirement that "all land uses, buildings, and accessory structures, that result in rendering impervious more than fifteen percent (15%) or two thousand five hundred (2,500) square feet of any lot, whichever is greater," shall be prohibited "unless a system for artificial recharge of ninety-five percent (95%) of annual precipitation is provided that will not result in the degradation of groundwater quality."

The Planning Board is the special permit granting authority for this Application pursuant to By-law §139-30.

Summary of Applicable Affordable Housing Provisions:

It is the intention, with approval from the Commonwealth of Massachusetts Department of Housing and Community Development ("DHCD"), that an increment of seventy percent (70%) of the twenty-six (26) total affordable units within the Project, equal to an increment of eighteen (18) of the affordable units (e.g., those restricted to those earning less than eighty percent (80%) of AMI), the maximum increment allowed under state, federal, and fair housing laws, will be initially leased to tenants who qualify for the "local preference," including individuals who are: (1) current local residents, (2) current municipal employees, (3) employees of any local private businesses, and (4) non-resident households with children attending local schools. Furthermore, the Owner/Applicant will be seeking a special local preference for twenty-five percent (25%) of affordable units and ten percent (10%) of market rate units to be rented pursuant to a municipal employee preference. The determination of this special local preference will also be made by DHCD.

As a result of more than twenty-five percent (25%) of the total number of units being designated as affordable, all of the sixty-four (64) rental units to be developed within the Project will be eligible to qualify as Local Approval Units (LAU's) under the Local Initiative Program (LIP) for inclusion on the Subsidized Housing Inventory (SHI) of the Town as such programs are administered and as such inventory is maintained by DHCD, a status that is particularly important in the Town's objective of achieving a greater supply of affordable housing within the community and to achieving "Safe Harbor" from 40B projects deemed "unfriendly" to the Town.

Basis of the Findings:

The Planning Board based its decision after considering the following documents, which are available as public records:

- Response to RFP submitted by HallKeen Management, dated May 2017.
- Application for a Special Permit, dated August 14, 2017 and time stamped as received by the Nantucket Town Clerk and Nantucket Planning and Land Use Services (PLUS) Department on August 16, 2017, including Project narrative, plans, and other associated documents.
- Plan entitled Ticcoma Green, Ticcoma Way, Nantucket, Massachusetts, prepared by Horsley Witten Group, Inc., last revised November 14, 2017.
- Various plans, elevations, photographs, schematics, and other materials filed with the Planning Board in the course of the public hearings.
- The technical review and comments and input provided to the Applicant at a coordinated review meeting conducted on August 23, 2017 by the Nantucket Planning and Land Use Department ("PLUS") staff with input provided by staff representatives of other Town departments (including, but not limited to the: Nantucket Department of Public Works, Nantucket Sewer Department, Nantucket

Fire Department, Nantucket Police Department, Nantucket Health Department, Nantucket Building Department, and Nantucket Department of Natural Resources).

- Nantucket Master Plan, as adopted by Article 26 at the 2009 Annual Town Meeting.
- Nantucket Chapter 40B Housing Production Plan, dated August 2016, prepared by RKG & Associates, Inc.
- Old South Road Corridor Study, dated September, 2017, prepared by BETA Group, Inc.
- Plans, correspondence, reports, and other documents in Planning Board File #6566, Pine Lands Drive Subdivision, approved April 10, 2003, including, but not limited to, traffic and impact reports and analyses by Cullinan Engineering and peer review by Rizzo Associates.
- Letter from Bristol Transportation and Consulting LLC, dated November 27, 2017.
- Assorted correspondence and documents that are on file with the Planning Board, File # 67-17.
- Vote of the Board of Selectmen on memorandum dated October 5, 2017.

In addition, the Planning Board considered representations, testimony, and correspondence received in connection with, and made part of the record of, a public hearings held by the Planning Board on September 14, 2017, October 12, 2017, November 16, 2017, and November 27, 2017. Minutes of these meetings are on file with the Planning Board.

Findings:

Based upon its review of the Application in accordance with the Zoning Act (MGL c. 40A), the Bylaw, the above-referenced documents, plans, and other materials submitted by the Applicant and others, and the testimony received at the public hearings, the Planning Board finds that:

- The Project is consistent with the provisions of The Zoning Act of the Commonwealth of Massachusetts (MGL c. 40A) and the Bylaw and is in harmony with the general purpose and intent of the By-law.
- The Project provides a diversity of housing opportunities to residents in fulfillment of the objectives cited in the Nantucket Master Plan, as adopted by Article 26 at the 2009 Annual Town Meeting.
- The Project is consistent with, furthers the objectives of, and serves to implement the Housing Goals and Implementation Strategies of the Nantucket Chapter 40B Housing Production Plan, dated July 2016, by RKG Associates Inc., which was approved by the

Nantucket Planning Board on August 8, 2016, the Nantucket Board of Selectmen on September 21, 2016, and the Commonwealth of Massachusetts effective October 4, 2016.

- Implementation of the Project will create a compact neighborhood in the mid-island area having consistency and flexibility in its layout and design, proximate to compatible adjacent commercial uses for the convenience of its occupants. Specifically, the Project is within walking distance of commercial nodes in the mid-island and Amelia Drive areas, is served by seasonal bus service, which may be expanded to year-round service, and directly abuts a multi-use path on Fairgrounds Road that connects to a network of paths leading to public and independent schools and other neighborhoods and commercial areas.
- The Project has no direct impact to immediately surrounding properties, which consist of other land owned the Town and a single property formerly owned by the Town, which was conveyed to NHA Properties, Inc., a nonprofit affordable housing organization. Generalized, non-specific area impacts are mitigated by the conditions imposed in this Decision.
- The two (2) individual lots, Lot 83 and Lot 84, comprising the Project comply with the workforce rental community minimum lot size requirement of sixty thousand (60,000) square feet each in the Commercial Neighborhood (CN) Zoning District and are being developed jointly as one (1) cohesive project. The Project meets the requirements of By-law §139-8.D, including the density limitations (a maximum of thirty-two (32) units and fifty-seven (57) bedrooms per lot), that such comprehensive and integrated development of access and amenities is preferable to individualized treatment on a lot by lot basis, and is consistent with the RFP.
- The request by the Applicant for a reduction of the internal side yard setback between the two (2) individual lots, Lot 83 and Lot 84, comprising the Project under By-law §139-8.D(2)(b) is appropriate and allows for a Project layout that takes full advantage of the development potential of the site and optimizes the available open space.
- The Project was referred to the Wannacomet Water Company under By-law §139-12.B(3)(a)[1]. A finding of water quality compliance is construed to have been made under By-law §139-12.B(3)(a)[2], because more than thirty (30) days have elapsed, since such referral and the public hearing has been closed.
- By-law §139-18 of the Bylaw requires a total of one hundred fourteen (114) parking spaces for the Project. The Project incorporates eighty-two (82) on-site parking places with an additional thirty-two (32) spaces at minimum being provided off-site as provided below. The spirit and intent of the By-law is met, with no adverse impact, by permitting the total required parking spaces of 114 to be provided through a combination of onsite and offsite parking spaces, rather than waiving any portion of the requirement outright. The number of parking places as planned meets the requirements of the By-law and is sufficient to meet the demands of the Project, given the proposed management of the parking to reduce the number of vehicles on site, and the Mitigation Measures detailed

below in these findings. A workforce rental community allows for greater control and management of parking than do home ownership options, because there can be strict control and enforcement of the number of occupants and the number and types of vehicles allowed. The granting of relief reducing the required onsite parking spaces and permitting off-site parking spaces is in harmony with the general purpose and intent of the By-law, that full compliance, while technically physically possible, would have a significant adverse effect upon the scenic integrity of the neighborhood (in that significant green space would be lost to pavement); and that the granting of relief would not be contrary to sound traffic, parking, or safety considerations.

- The granting of a special permit to allow two (2) driveways on Waitt Drive and permit the construction of the driveways as shown on the final site plans would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic and safety considerations. The proposed driveways are sufficiently separated from each other, the proposed sight lines are adequate, and the proposed widths and construction meet the requirements set forth in the By-law.
- The Project site was previously part of a larger proposed development approved by the Board in 2003 in File #6566, known as the "Pine Lands Drive Subdivision" (the "Pine Lands Subdivision"). The Pine Lands Drive Subdivision included a mix of commercial retail and residential homeownership uses and, as documented in File #6566, was extensively studied by the Board and its consultants. The November 27, 2017 letter from Bristol Transportation and Consulting LLC, by the original author of the Cullinan Engineering reports, documents that there has been no significant change in methodology since 2002 and that the impacts of the Project, together with the existing and proposed municipal and residential uses on the balance of the Pine Lands Drive Subdivision site, are significantly less intense than those previously approved by the Board. The mitigation measures requested by the Board in the Pine Lands Drive Subdivision decision, such as the taking and paving of a portion of Ticcoma Way, the taking of Amelia Drive, the construction of the Fairgrounds Road bicycle path, increased site lines at the intersection of Ticcoma Way and Fairgrounds Road, and the improvement of the intersection of Fairgrounds Road and Old South Road, have been implemented or are in the process of being implemented. In addition, the Town is proposing to take the Mitigation Measures detailed below.
- The Town, as owner of the Project site and significant adjacent lands, has committed to implement a series of mitigation measures prior to the issuance of the first Certificate of Occupancy for the Project to address parking, traffic, and circulation issues (the "Mitigation Measures"). The Mitigation Measures shall include, but shall be not limited to, the following:
 1. Waitt Drive shall be constructed to a sufficient standard as determined by the Planning Board to provide on street parking of not less than 32 spaces, sidewalk connection from Ticcoma Way to the Project, and access to the Project. The Planning Board recognizes the vote of the Nantucket Affordable Housing Trust

Fund committing up to \$400,000 toward this effort as well as the inclusion of this matter in the Capital Project funding for fiscal year 2019.

2. "No Parking" signs shall be placed along the northeast side of Ticcoma Way, a public way, from Fairgrounds Road to the end of the public way, which is east of Amelia Drive.
 3. No parking shall be allowed on Fairgrounds Road from Ticcoma Way to Old South Road.
 4. The existing approximately 200 space parking area at the Town property at 2 Fairgrounds Road (which is on Lot 78 and Lot 85 on Plan No. 2016-58) shall be connected to Waitt Drive. The Board notes that there are no significant barriers to the construction of such a connection and that the Waitt Drive right of way has already been fully cleared and abuts such parking area, which connects to Old South Road and Fairgrounds Road through existing driveways.
 5. if the Planning Board determines, through a public hearing process, that additional public parking or additional management of the thirty-two (32) off-site parking spaces serving the Project is desirable, the Town shall manage and make available parking in the existing parking lot at 2 Fairgrounds Road or other CN zoned Town property in the immediate vicinity, such as Lot 82 and Lots 91 through 94 on Plan No. 2016-58, to accommodate resident parking.
 6. The process of taking Amelia Drive as a public way shall be completed. The Planning Board acknowledges the receipt of \$10,000 from John D. Ready, Trustee, owner of the property at 21 Old South Road, toward this effort.
- The conditions imposed hereby ensure that certain units in the Project will be eligible for approval as Local Action Units (LAU) through the Local Initiative Program (LIP) and will be included on the Town's Subsidized Housing Inventory.
 - The Project complies with the following review objectives contained within §139-23.E of the Bylaw, as modified and/or conditioned as applicable:
 1. *Protection of public amenities and abutting properties through the mitigation of any detrimental impacts of any proposed use:* Adjacent public facilities and roadways will be enhanced and new public facilities introduced within the Project area to serve residents. Effects to abutting residential properties are minimized through screening, the provision of parking in Waitt Drive and other Mitigation Measures detailed in these findings, and a Town-retained buffer of residential properties. Access to the site is by way of public roads maintained and controlled by the Town. The buildings have been located as far from the residential properties as possible, and the vegetated buffer in the road layout of Fairgrounds Road between the Fairgrounds Road bicycle path and the traveled portion of Fairgrounds Road along the Project site shall remain in its natural vegetated state

to the extent possible, with the exception of the proposed fire lane, and may be further augmented by additional plantings. The view of the Project from Fairgrounds Road and the Fairgrounds road bicycle path will be protected by a twenty (20) foot buffer along the northwesterly property boundary, which, with the exception of pedestrian and bicycle accesses and a proposed fire lane, shall be vegetated. This buffer zone is consistent with the so-called "green belt easement area" noted on Plan No. 2016-58, which has not been granted and is no longer needed. The Project has been sited to be a transition from the large municipal buildings (existing and planned) on the Public Safety Lot to the residential / light commercial scale neighborhood located along Ticcoma Way and Fairgrounds Road to the southwest.

2. *Protection of unique, natural, scenic, or historic features of the site, and the minimization of the obstruction of scenic views, where applicable:* This standard is not applicable, because there are no unique, natural, scenic, or historic features or scenic views that warrant protection on this site. Adjacent to the site, on Town controlled land, are natural features that should be maintained to the extent possible. The eight (8) remaining residential lots owned by the Town between the Project and Ticcoma Way (Lots 66 through 73 on Plan No. 2016-58) provide a buffer and a transition from the CN zoning district to the Residential 5 zoning district and retaining the vegetation on them until such time as they are developed is advantageous.
3. *Safety and convenience of pedestrian and vehicular movement within the site, and in relation to rights-of-way and properties in proximity to the site:* Throughout the Project, parking areas are generally internal to the lots and are reasonably screened by the proposed buildings and landscaping. The Project abuts the Fairgrounds Road bike path, and there will be a pedestrian connector between Fairgrounds Road and Waitt Drive along the northeasterly property line of the Project. Sidewalk connections now exist on Fairgrounds Road and Ticcoma Way and shall be incorporated on Waitt Drive. Vehicular access is coordinated to connect to Waitt Drive, a public road, which in turn provides connection to existing and proposed public roads. Except for emergency fire lanes, direct access to Fairgrounds Road from the Project is not proposed to eliminate bicycle path crossings and reduce traffic conflicts with the Public Safety Facility and proposed Fire Station at 4 Fairgrounds Road (Lot 77 on Plan No. 2016-58), which access Fairgrounds Road at three (3) locations north of the Project site.
4. *Adequacy of proposed sewage:* All units within the development shall be served by municipal water and sewer systems, where there is adequate capacity to serve the Project.
5. *Adequacy of refuse disposal.* Refuse disposal shall be handled in a manner consistent with established residential practices, the details of which shall be included in the property management plan.

6. *Adequacy of drainage of surface and subsurface water.* Stormwater management shall be provided in conformance with By-law §139-12B and the "Rules and Regulations Governing the Subdivision of Land." The Project intends to fully comply with all of its rules and regulations. Horsley Witten Group, Inc., has provided initial plans indicating that the Project will meet all applicable standards, and the final plans will be thoroughly reviewed and approved by the Town's engineer.
 7. *Adequacy of off-street parking and loading:* On-site parking for the Project will be provided in accordance with the final plans and, as detailed above, is deemed adequate by this Board, because of the mix of onsite and offsite parking on Town controlled property being provided.
 8. *Minimization of traffic and safety impacts upon public and private rights-of-way:* As detailed above, adequate minimization is addressed by restricting access to the Project to Waitt Drive. Additional Mitigation Measures will be implemented by the Town as detailed in these findings.
 9. *Adequacy of Town services and infrastructure:* The Project provides needed housing, and Town services or infrastructure are sufficient to support the Project and are not rendered inadequate in any way.
- The Project meets the following performance standards under By-law §139-23.F, as modified and/or conditioned as applicable:
 1. *To the extent feasible, access to the site shall be provided utilizing a common driveway or a side street.* As discussed above, coordinated access to the Project is by way of common driveways to Waitt Drive, a secondary road, and not directly from Fairgrounds Road, a main road, except for emergency fire lanes.
 2. *Driveway accesses shall be limited to the minimum width necessary for safe entering and exiting, and shall be designed to provide adequate sight distances.* The two (2) driveway accesses to separate parking areas on the site shall be implemented on the final plans in such a way as to ensure safe ingress and egress.
 3. *The project design shall ensure safe pedestrian and vehicular circulation within the site.* The interior pathways and connectors as well as the parking areas are appropriately designed.
 4. *The special permit granting authority may require that a traffic mitigation plan be submitted, which addresses the traffic impacts of a project through alternative physical layouts, staggered employee work schedules; public transit incentive programs for both employees and customers; or other innovative means of reducing traffic impacts.* The Project is appropriate to the area, traffic impacts are appropriately mitigated by the provision of bicycle sheds and racks and moped/scooter parking and management plans to reduce the number of vehicles

on site, public transportation is currently available seasonally, and the Town is committed to making improvements to adjacent roadways and other Mitigation Measures as detailed in these findings and to providing additional future mitigation if necessary. The ability to address a common access to benefit the Town-owned residential properties to the southeast may remove additional future driveways on Ticcoma Way. As set forth above, the traffic impacts of a more intense development of the about twenty (20) acre parcel then owned by the Nantucket Electric Company and later acquired by the Town, which parcel included the Project site, were reviewed by the Board in 2002-2003. The Project represents a less intense residential program than the residential uses proposed at that time, the use of the parcel as a whole for municipal and residential purposes is less intense than the mixed commercial and residential uses proposed, and the impact, overall and of the Project in particular, are significantly less, even factoring in growth over the intervening fourteen (14) years, as detailed above.

5. *Sidewalks and/or bicycle paths may be required by the special permit granting authority.* Interior pathways for use by bicycles and pedestrians connecting to Waitt Drive and Fairgrounds Road are provided on site.
6. *Parking areas shall be designed to reduce their visual impact from public and private rights-of-way.* The parking areas are appropriately screened by the structures, intervening lots, and/or proposed landscaping and buffers that will minimize visual impacts from adjacent ways.
7. *The special permit granting authority may, at its discretion, require enhanced landscaping features based on a determination that additional landscaping is necessary to protect abutting properties and public and private roads from incompatible development.* No enhanced landscaping was necessary in addition to the extensive vegetation proposed.
8. *All stormwater runoff from impervious surfaces shall be recharged on-site, unless, during the course of site plan review, it is determined by the review authority that recharge is infeasible or is undesirable because of risks to water quality from such recharge.* Such recharge could potentially be achieved in conjunction with other improvements being made by the Town on its adjacent land and doing so could be desirable, efficient, and economical and reduce risks to water quality. Accordingly, to the extent necessary to accomplish such objective, the requirements of By-law §139-23.F(8) are waived; otherwise, such recharge shall be contained on site.
9. *Collection systems for stormwater runoff shall be designed for at least a twenty-five (25) year storm.* The stormwater runoff collection systems for the Project shall meet or exceed this standard, shall be reviewed by the Planning Board's consulting engineer, and shall be shown on the final site plans.

10. *The erosion and sedimentation control plan shall be designed to protect drainage systems, surface waters, public and private roads, and abutting properties from site-generated erosion and sedimentation. This performance standard and performance standards 8 and 9 are addressed through stormwater management systems meeting §139-12.B of the Bylaw and the Planning Board's "Rules and Regulations Governing the Subdivision of Land." Erosion and sedimentation control shall meet this standard, shall be reviewed by the Planning Board's consulting engineer, and shall be shown on the final site plans.*
 11. *Utilities shall be installed underground where physically and environmentally feasible. Any aboveground improvements ancillary to utility services to a site shall be depicted on the plan, and shall be properly screened. All utilities serving the Project shall be installed underground in accordance with the requirements of each respective utility or, if above ground (such as air conditioning equipment), shall be appropriately screened.*
 12. *Outdoor storage areas must be identified on the plan and details concerning the screening of the storage area from public or private roads shall be provided. The design and location of the maintenance sheds, bicycle racks, bicycle sheds, moped/scooter parking, and trash enclosures shall be reviewed and approved by the Nantucket Historic District Commission and shall be shown on the final site plans and appropriately screened.*
- In summary, the Project is in compliance with the review objectives and performance standards set forth By-law §139-23, including, but not limited to By-law §139-23.B(1), E, and F. Because the Project is not a major commercial development or in the Nantucket Cottage Hospital Overlay District, By-law §139-23.B(2) is not applicable, and no traffic study is required or necessary.

Decision and Conditions of Approval:

Based upon the foregoing and pursuant to the findings above, by a unanimous vote (5-0) in favor of approval, the Nantucket Planning Board hereby APPROVES this Application and GRANTS the following Special Permits and approvals:

1. Special Permit for the creation of the Project pursuant to By-law §139-8(D).
2. Special Permit for the construction of up to a total of sixty-four (64) rental apartment units, to be located in three (3) individual apartment buildings, containing up to a total of one hundred fourteen (114) bedrooms, on two (2) lots (Lot 83 and Lot 84), as further described herein, in accordance with By-law §139-2.A, §139-7.A, and §139-8.D, as the same may be amended from time to time.
3. Reduction by one hundred percent (100%) of the internal side yard setback between the two (2) individual lots, Lot 83 and Lot 84, comprising the Project under By-law §139-8.D(2)(b) to the extent necessary. The Board recognizes that if the changes to By-law

§139-8.D, approved at the 2017 Special Town Meeting, are approved by the Attorney General (approval pending as of the date of this Decision), this waiver would be rendered unnecessary.

4. Special Permit under By-law §139-18.D to reduce the required onsite parking spaces under By-law §139-18.B from 114 to 82, to provide thirty-two (32) spaces off site, and to approve the screening as shown on the final site plans.
5. Special Permit under By-law §139-20.1.C from the requirements of By-law §139-20.1.B to allow two (2) driveways on Waitt Drive and permit the construction of the driveways as shown on the final site plans.
6. Site Plan Review approval pursuant to By-law §129-23, allowing for the development of the Project as shown on the final site plans, and in accordance with the conditions of approval set forth herein.
7. All other permits and/or approvals, not otherwise specifically enumerated herein, but which are deemed incidentally necessary or convenient to effectuate the intent of the relief granted hereby.

CONDITIONS

The Planning Board sets forth the following conditions to its approval:

A. Density and Affordability Conditions

1. The total number of workforce rental community dwelling units in the Project, which shall consist of two (2) lots (Lot 83 and Lot 84), totaling in excess of one hundred twenty thousand (120,000) square feet, shall be limited to a maximum of sixty-four (64) dwelling units, containing up to a total of one hundred fourteen (114) bedrooms.
2. The unit mix within any building, or subset of buildings, within the workforce rental community approved hereby, (i.e., the number of three (3) bedroom, two (2) bedroom and one (1) bedroom units, or any studio unit), may be altered or amended at the sole and absolute discretion of the Applicant, without any further review or action of the Planning Board, provided that the aggregate dwelling unit limit of sixty-four (64) dwelling units and the aggregate bedroom limit of one-hundred-fourteen (114) bedrooms are not exceeded on the combined workforce rental community lots, and further provided that at least ten percent (10%) of the units in the workforce rental community approved hereby, taken as a whole, are three (3) bedroom units.
3. Three (3) of the total sixty-four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than thirty percent (30%) of the AMI, adjusted for household size, as determined consistent with the income limits issued by the U.S. Department of Housing and Urban Development (HUD), updated annually, as set forth in the "Guidelines for G.L. c. 40B

Comprehensive Permit Projects and the Subsidized Housing Inventory," dated December 2014, issued by DHCD, as amended through the date of this Decision (the "DHCD 40B Guidelines"). Rents payable for workforce rental housing dwelling units that are subject to the thirty percent (30%) AMI income limits shall not exceed the maximum allowable rents determined in accordance with the calculation methodology and formulas set forth in the DHCD 40B Guidelines.

4. Nineteen (19) of the total sixty-four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than sixty percent (60%) of the AMI, adjusted for household size, as determined consistent with the income limits issued by HUD, updated annually, as set forth in the DHCD 40B Guidelines. Rents payable for workforce rental housing dwelling units that are subject to the sixty percent (60%) AMI income limits shall not exceed the maximum allowable rents determined in accordance with the calculation methodology and formulas set forth in the DHCD 40B Guidelines.
5. Twenty-nine (29) of the total sixty four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than one hundred twenty percent (120%) of the AMI, adjusted for household size, as determined consistent with the income and rent limits issued by MassHousing Finance Agency for the Workforce Housing Trust Fund pilot program.
6. The remaining thirteen (13) dwelling units shall not be subject to any of the income limit, qualification or maximum rent limitations referenced herein, and shall be considered "market-rate" units. Leases for such market-rate units shall be awarded in accordance with a lottery approved by DHCD.
7. All dwelling units which are subject to the less than eighty percent (80%) AMI income limit shall be distributed proportionately throughout the Project in accordance with Section VI(B)(4)(d) of the DHCD 40B Guidelines, including confirming that the unit-mix allocation (i.e., the number of bedrooms per unit) is generally proportionally distributed between the market rate and the workforce and affordable rate units within the Project, and shall be depicted upon the final site plans. All dwelling units that are subject to an income limitation shall be indistinguishable from the market-rate units of the same unit type on the exterior and shall contain comparable base fixtures and finishes on the interior in accordance with Section VI(B)(4) of the DCHD 40B Guidelines. Any alteration of the location of the dwelling units that are subject to income limits, or their disbursement throughout the Project, shall be submitted to the Planning Board, or its designee, for review and approval.
8. This Decision is conditioned upon the Applicant's preparation, and submission for approval, of a Regulatory Agreement by the Town, acting by and through its Board of Selectmen, and DHCD. Provided that the Applicant has prepared and submitted the same for approval and uses good-faith efforts in negotiating toward the mutually satisfactory execution thereof, the Applicant shall not be restricted from requesting or being issued

Certificates of Occupancy for market-rate units, subject only to the provisions of Condition C(5) below.

9. Provided that a Regulatory Agreement is executed, this Decision is conditioned upon the Applicant preparing, filing, and observing all necessary or requisite formalities of the Local Initiative Program (LIP), as such is administered by DHCD such that Local Action Units (LAU) (i.e., the workforce rental housing dwelling units which are subject to an the less than eighty percent (80%) or less AMI income limit) are included in the Subsidized Housing Inventory (SHI) list for the Town of Nantucket.
10. Subject to federal and state fair housing guidelines, regulations, and laws, any prospective tenant, or tenants, eligible to rent any dwelling unit that is subject to an the less than eighty percent (80%) AMI income limit under Section III(D)(3) of the DHCD 40B Guidelines shall be placed within the local preference lottery pool for up to seventy percent (70%) of the aforementioned units, to the extent permitted.
11. Any prospective tenant, or tenants, of the dwelling units which are subject to an the less than eighty percent (80%) AMI income limit shall be solicited and qualified through an affirmative fair housing marketing and resident selection plan and then selected by a lottery in accordance with Section III(C) and Section III(F) of the DHCD 40B Guidelines, respectively, and all costs thereof shall be borne by the Applicant.

B. Utility, Infrastructure, and Improvements

1. The Planning Board notes that a total of three (3) buildings are currently shown on the plans. Any changes to the number of buildings or building designs or configurations shall be shown on the final site plans, together with the maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures. Following approval of the final site plans, any modification to the building configuration and/or exterior design of the Project that results from the ongoing review of the Project by the Nantucket Historic District Commission ("HDC") shall not be deemed substantial under this Condition Number B-1 and shall not require additional Planning Board review unless such modification increases the total ground cover for an individual building to a total in excess of twenty percent (20%), or reduces any yard setbacks (front, rear, or sides) by five (5) linear feet or more.
2. The final site plans shall designate visitor/staff parking of at least five (5) parking spaces and shall depict the location of the maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures. Such playground shall contain a minimum of 225square feet.
3. If a broader, community-scale playground is developed on Town-owned land in the vicinity of the Project (on adjacent Lot 82 or other land in the area), the onsite playground may be eliminated provided that \$20,000.00 is contributed toward the cost of the playground construction on Town-owned land prior to the issuance of a final Certificate of Occupancy on any building.

4. All buildings within the Project approved in this Decision shall be connected to municipal water and sewer service, subject to the payment of all applicable connection fees and other fees (except as may be waived by the Board of Selectmen, acting as the Nantucket Sewer Commission, in accordance with its adopted policy).
5. Prior to the Planning Board approval of final site plans, the Applicant shall obtain a Certificate of Water Quality Compliance from the Wannacomet Water Company, and any conditions of such certificate shall be a condition of this approval without further public hearing.
6. All ADA units shall have in-unit laundry available, and all buildings with ADA units shall have storage units for such ADA units in the same building. In addition, for the non-ADA units, the Applicant shall provide:
 - (a) An in-unit laundry in the three (3) bedroom and two (2) bedroom units, at least one (1) centrally located laundry, and centrally located storage units for all of such non-ADA units; or
 - (b) one (1) group laundry facility and storage units in each building; or
 - (c) An in-unit laundry in each of the non-ADA units and a storage unit for each of such non-ADA units.
7. The Project shall comply with the provisions of By-law §102, the so-called "Dark Skies" By-law.
8. All landscaping, lighting, bike racks, fencing, sidewalks, electric vehicle charging stations, and other amenities and infrastructure shall be maintained in good working order and appearance in accordance with the final site plans, and shall be replaced with like-kind and quality materials when deemed reasonably necessary by the Zoning Enforcement Officer or the Planning Board, for as long as this Decision remains in effect. At the discretion of the Planning Board, minor changes of plant species, materials, and other amenities may be allowed without a public hearing.
9. The Project shall be serviced by Town water and sewer.

C. Implementation of Development

1. Within six (6) months of the date of this Decision, the Applicant shall submit a fully engineered final site plan set. This plan set shall address any final comments from the Planning Board's consulting engineer, (Pesce Engineering & Associates) and shall specifically include the plans and specifications for all required drainage and stormwater runoff systems and the location of all parking areas, common areas, recreational/open space areas, building locations, maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures, landscaping elements, and all other requirements noted in By-law §139-23.B(1).

2. The Project shall be constructed in substantial conformity to the final plan set.
3. A pre-construction meeting shall take place on site. The pre-construction meeting will be organized by the Planning & Land Use Services (PLUS) Department staff upon notification from the Applicant that construction of the Project is commencing.
4. The Applicant shall provide the Planning Board with a construction management plan to be reviewed and approved by the Planning Board's consulting engineer (Pesce Engineering & Associates) prior to the commencement of construction, which construction management plan shall include, but shall not be limited to, the following:
 - (a) Construction fencing.
 - (b) Dust control.
 - (c) Site control, including debris management.
 - (d) Construction manager's contact information, including cellular telephone number.
 - (e) Construction hours, providing no exterior construction or hardscaping, excluding loading and unloading of materials, painting, planting, landscaping, use of unpowered hand tools, and routine upkeep and maintenance, on Sundays or between the hours of 10 PM and 7 AM, Monday through Saturday, September 16 through June 14 of any given year, or between 10 PM and 7:30 AM, Monday through Saturday, June 15 through September 15 of any given year.
 - (f) Adherence to the Noise and Lighting By-laws.
 - (g) Primary access to the Project site to be from Old South Road directly to Waitt Drive.
 - (h) No construction vehicles shall park on Ticcoma Way.

Exceptions to such construction management plan may be granted by the Board on a case by case basis without the necessity of a public hearing.

5. The Applicant shall ensure that Certificates of Occupancy for the workforce rental housing community dwelling units that are subject to the less than eighty percent (80%) AMI Income limit are issued in a reasonably representative ratio to the Certificates of Occupancy for the market-rate dwelling units.
6. In advance of seeking the first Certificate of Occupancy, the Applicant shall provide a copy of the property management plan, which shall include the name(s) and telephone number(s) of the property manager(s) on call, the parking management plan, and the standard lease agreement, to the Planning Board, for its review and approval, not requiring a public hearing.
7. Certificates of Occupancy may be issued on a unit by unit basis as well as on a building by building basis, provided, however, that a final as-built of all site improvements shall be submitted by the Applicant, and a final site inspection shall be completed by the Planning Board prior to the issuance of the final Certificate of Occupancy for the Project.

Notwithstanding, nothing herein shall prevent the Town from issuing temporary certificates of occupancy from time to time on a building by building basis, and the Board hereby recognizes that the timely issuance of such temporary certificates of occupancy is critical to the intended tax credit financing structure.

D. Mitigation

1. This Decision is based upon the understanding that the Town, as owner of the Project site and significant adjacent lands, has voted to commit to the implementation the Mitigation Measures prior to the issuance of the first Certificate of Occupancy for the Project.
2. Within one hundred twenty (120) days of the issuance of this Decision, the Planning Board shall receive written confirmation of a vote of the Board of Selectmen committing the Town and its departments to the following: (a) retaining vegetation in the Fairgrounds Road public right of way between the edge of the bicycle path and the traveled way as vegetative screening and allowing the Applicant to augment and/or replace such vegetative screening, and (b) restricting clearing Lots 66 through 73 on Plan No. 2016-58 along Ticcoma Way for a reasonable time period and in no event prior to the issuance of a building permit for construction upon any of such lots, which shall remain in place for at least two (2) years after the issuance of the final Certificate of Occupancy for the Project.

E. Lease Provisions

1. The Applicant, or its property manager, shall ensure that a written lease for any tenant, or tenants, of a workforce rental community dwelling unit, whether or not subject to the income limits, has an initial term or duration of not less than one (1) year.
2. The Applicant, or its property manager, shall ensure that any written lease for any tenant, or tenants, of any dwelling unit, whether or not such unit is subject to the income limitations, prohibits the subsequent subletting of the dwelling unit for any period, or periods, of time. No dwelling unit shall be used or occupied, in whole or in part, as part of Airbnb or any such similar short-term, home stay, lodging, or vacation rental program. Tenants shall be natural persons; provided however, that nothing herein shall prohibit a trust, corporation, limited liability company, or other entity from joining in or guaranteeing a lease for credit enhancement purposes.
3. The Applicant shall impose and enforce, through the property management plan, written rules and regulations to be provided to all tenants, which shall include, but shall not be limited to, the following prohibitions or restrictions:
 - a. No parking or storage of vehicles, including those containing trailers, boats, attachments, or the like which exceed the length of the defined parking space markings/stripes shall be permitted within the Project parking areas;

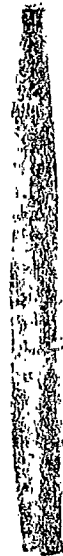
- b. The on-site parking or storage of boats or commercial-scale vehicles such as box trucks, flatbed trucks, trailers (open or enclosed), or equipment shall be prohibited; provided, however, that nothing herein shall preclude or restrict lawful parking or storage off-site by residents of the Project;
 - c. No abandoned, inoperable, or unregistered vehicles shall be permitted within the property;
 - d. No exterior storage of any kind shall be permitted in the parking or lawn areas within the property other than the maintenance sheds, bicycle sheds and racks, moped/scooter parking, and trash enclosures shown on the final site plans; and
 - e. No tenant-owned satellite dishes, clothes drying lines, or other such equipment or materials shall be attached to or visible on the exterior of any buildings and / or windows within the Project except as expressly required by law.
4. The Applicant shall manage parking access to the main Project lot through the lease with each tenant, with at least one (1) parking permit for the main lot on the Project being provided to each unit. Parking on the Project site shall be managed by way of a sticker or placard program and may include incentives for the use of alternative transportation (bicycles, scooters, mopeds, ride sharing, and public transportation) and the reduction of the number of vehicles on site.
 5. The lease with each tenant shall include language acknowledging that the operations of the Police, Fire, and other Public Safety aspects of the Town take place next door to the Project site.

F. General, Regulatory & Miscellaneous Conditions

1. The lots, buildings, and dwelling units within the Project may be subjected to a leasehold condominium or other ownership structure for the convenience of financing or tax credit syndication but in all cases shall remain under common control and be managed by a single entity.
2. Prior to the issuance of a Certificate of Occupancy for the first dwelling unit, the name(s) and telephone number(s) of the property manager(s) on call shall be provided to the Planning Board. To facilitate timely responses to resident requests and management/maintenance issues, upon issuance of the first Certificate of Occupancy, the Applicant shall, at all times, be required to employ one (1) or more property or maintenance managers who shall reside on-island.
3. To the extent the Applicant believes that any of the comments and/or recommendations of the Town's Consulting Engineer or any Director of an authoritative agency or board of the Town given certain discretionary review authority hereby cannot be satisfied or resolved between such person and the Applicant, the Applicant may request a

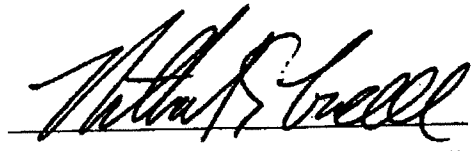
- clarification, interpretation, or decision by the Planning Board. Any such request shall be submitted, in writing, to the Planning Board, and the foregoing shall not be construed to require that the Applicant's request for clarification, interpretation, or decision be considered at a public hearing, unless required by law.
4. Where not otherwise specifically stated, the Planning Board may, at its discretion, grant an extension or extensions of any deadline imposed in this Decision, upon written request of the Applicant, without a public hearing.
 5. The Applicant shall ensure strict compliance with these conditions.
 6. The Planning Board shall have the right, at its sole discretion, to re-open the public hearing if the Board finds that there is a material breach of these conditions or that the Town has materially failed to implement the Mitigation Measures detailed in these findings, and shall have the right to impose additional conditions to address such issues.
 7. The failure or refusal of any Town board, commission, agency, or department, including, but not limited to the Nantucket Board of Selectmen, Nantucket Islands Land Bank, and the Wannacomet Water Department to accept any easement, gift, contribution, improvement, or the like, or to implement the Mitigation Measures detailed in the findings, or to meet any commitments expressed during the public hearing process or made part of the findings shall not affect the intent or findings of this decision, the issuance of Certificates of Occupancy, temporary, final, or otherwise, the Applicant's ability to proceed under the other provisions of this decision, or the special permits and waivers granted in this Decision.
 8. The Applicant shall cooperate with the Town, at the Town's reasonable discretion and at the Town's expense, to provide access through the Project to a lane or driveway across the rear of Lots 66 through 73, inclusive, on Plan No. 2016-58, to reduce the need for curb cuts on Ticcoma Way. Any resulting plan shall be negotiated between the Town and the Applicant in a manner that minimizes adverse impacts to the Applicant while meeting the Town's objectives and minimizing adverse impacts to open space, parking, aisle widths, and other aspects of the Project. Any adverse impact to the Applicant (such as a reduction in parking spaces) shall be reasonably offset by the Town. Any final changes to the site plan, open space, parking, aisle widths, and other aspects of the Project to accommodate access to said Lots 66 through 73 shall be reviewed and approved by the Planning Board and shall not require a public hearing.
 9. The Applicant shall work with the Nantucket Regional Transportation Authority (NRTA) as necessary to analyze prospective future usage and specific ridership demands on NRTA services and design.
 10. The Planning Board agrees that the commencement of substantial use or construction as such is contemplated in MGL c. 40A Section 9, shall mean the installation and pouring of footings for one (1) apartment building, upon one (1) workforce rental community lot.

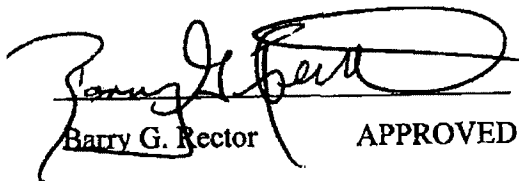
RECORD OF VOTE AND SIGNATURE PAGE FOLLOWS

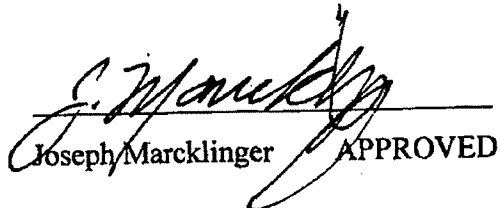


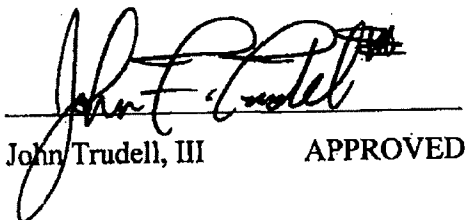
Record of Vote: On November 27, 2017 the Planning Board voted unanimously (5 – 0) to **CLOSE** the public hearing, and voted unanimously (5 – 0) to **APPROVE** the Special Permits and Site Plan Review for the Project and to **ENDORSE** this Decision.


Linda F. Williams APPROVED


Nathaniel Lowell APPROVED


Barry G. Rector APPROVED

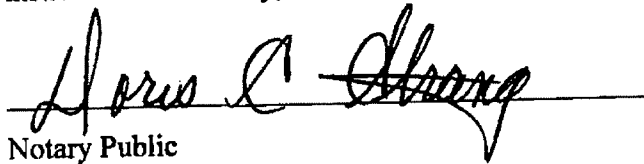

Joseph Marcklinger APPROVED

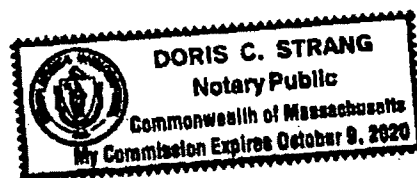

John Trudell, III APPROVED

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

On the 14th day of December, 2017, before me, the undersigned notary public, personally appeared Barry G. Rector, one (1) 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, as his/her free act and deed, for the purposes therein expressed.


Notary Public

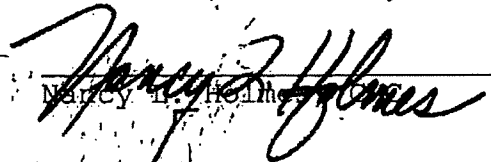


October 9, 2020
My Commission Expires

I, Nancy L. Holmes, duly elected Clerk of the Town of Nantucket, hereby certify, pursuant to Mass. Gen. Laws c. 40A, §17, that twenty (20) days have elapsed after the foregoing Special Permit Decision with Site Plan Review, dated November 27, 2017, in Planning Board File #67-17, was filed in my office, and further that certify that an appeal was filed and that such appeal has been dismissed or denied by the Land Court as affirmed by the Massachusetts Appeals Court, as evidenced by the Judgment of the Land Court dated March 21, 2019, the Memorandum and Order and Rescript of the Appeals Court dated January 10, 2020, copies of all of which are on file in this office.

Executed and sealed under the pains and penalties of perjury on December _____, 2020.

ATTEST: TRUE COPY


NANCY L. HOLMES

NANTUCKET TOWN & COUNTY CLERK

DEC 11 2020

NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferreira, Registrar of Deeds



Nantucket Planning Board

SPECIAL PERMIT DECISION WITH SITE PLAN REVIEW

TICCOMA GREEN WORKFORCE RENTAL COMMUNITY

6 Fairgrounds Road

Planning Board File # 67-17

Owner: Town of Nantucket (fee owner of land)

Applicant: HallKeen Management, Inc.

Assessor's Map 67, Parcels 917 & 918 (formerly Map 67, portion of Parcel 710)

Lots 83 & 84, Plan No. 2016-58 at Nantucket Registry of Deeds

Commercial Neighborhood (CN) Zoning District
Workforce Rental Community under Nantucket Zoning By-law §139-8(D)

November 27, 2017

Project Overview:

The Nantucket Planning Board held public hearings on September 14, 2017, October 12, 2017, November 16, 2019, and November 27, 2019, to consider a request by HallKeen Management, Inc., as Applicant (the "Applicant," which term as used herein shall be deemed to include the Applicant and its successors and/or assigns), for the issuance of a Special Permit, requiring Site Plan Review, under Nantucket Zoning By-law (the "By-law") §139-8(D) for a sixty-four (64) unit workforce rental community on two (2) lots of Town-owned land at 6 Fairgrounds Road (the "Project"). Pursuant to a Request for Proposal issued by the Town of Nantucket (the "Town"), the Project, known as "Ticcoma Green" and "Ticcoma Green Workforce Rental Community," will utilize Town-owned land purchased for the express purpose of creating affordable workforce housing for the community.

Project Description:

The Project is located in the Commercial Neighborhood ("CN") Zoning District and is comprised of a total of sixty four (64) workforce rental community apartment units, containing a

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NANTUCKET
TOWN CLERK

total of one hundred and fourteen (114) bedrooms and having total gross floor area of about 72,582 square feet, in three (3) individual two-and-one-half (2 ½) story garden style apartment buildings, configured in a master-planned campus setting, integrated with parking, open space, pedestrian and bicycle paths, and landscaping, all of which will be located on two (2) adjacent lots off Ticcoma Way ("Lot 83" and "Lot 84" on Plan No. 2016-58 at Nantucket Registry of Deeds), each having an area of about 62,436 square feet, for a total Project land area of 124,872 square feet. Lot 83 meets the minimum required frontage of fifty (50) feet on the unnamed way commonly referred to as "Waitt Drive" (hereinafter referred to as "Waitt Drive"), and Lot 84 meets the minimum required frontage of fifty (50) feet on Fairgrounds Road. Both Lot 83 and Lot 84 will be served by two (2) driveways on to Waitt Drive. Access to the Project is by way of public roads. No vehicular access, except an emergency fire lane, to Fairgrounds Road is proposed. Based upon the building configuration layouts as shown on the plans referenced herein, the Project will have total ground cover of about 36,487 square feet, generating an overall ground cover ratio of about thirty-three percent (33%). The proposed ground cover is about seven percent (7%) below the maximum allowed in the CN Zoning District and is significantly below the maximum of fifty percent (50%) ground cover that would have been permitted until 2016 when the property was re-zoned in anticipation of the Town pursuing this Project.

The Project is situated within an approximately twenty (20) acre site acquired by the Town in 2004 for variety of municipal uses, including, but not limited to, affordable housing. The Project is bounded on the north by the Public Safety Facility, which includes the police station and a number of Town offices and public meeting rooms and is the proposed location of a new fire station. The Project is bounded on the west by Fairgrounds Road and on the east by Waitt Drive and a parcel of land retained by the Town. The Project is bounded on the south by nine (9) lots, eight (8) of which are owned by the Town and one (1) of which was conveyed to NHA Properties, Inc., a nonprofit affordable housing organization, the only non-Town direct abutter to the Project.

About eighty percent (80%) of the total units, or fifty-one (51) units, will be income-restricted to tenants who qualify under the household income limits of thirty percent (30%), sixty percent (60%), or one hundred twenty percent (120%) or less of the Area Median Income (AMI) as set forth below:

Workforce Mix:	<u>30%</u> <u>AMI</u>	<u>60%</u> <u>AMI</u>	<u>120%</u> <u>AMI</u>	<u>Market</u>	<u>SHI</u>
Studio		5	7		12
1 Br		2	10	2	14
2 Br	2	10	10	4	26
3 Br	1	2	2	7	12
Total	3	19	29	13	64
Percent	5%	30%	45%	20%	100%

The Project will offer a mix of studio units, one (1) bedroom units, two (2) bedroom units, and three (3) bedroom units as follows:

Unit Types	Number of Units (Per Type)	Percentage of All Units (Per Type)	Total Number of Bedrooms
Studio (S) Units	12	19 %	12
One (1) Bedroom Units	14	21 %	14
Two (2) Bedroom Units	26	41 %	52
Three (3) Bedroom Units	12	19 %	36
Subtotal	64 Units	100 %	114

A primary incentive of the workforce rental community initiative is a thirty-three percent (33%) dwelling unit density bonus, above the maximum baseline dwelling unit density set forth in the underlying zoning district, up to a maximum total of thirty-two (32) units per lot (as opposed to a maximum total of twenty-four (24) units per lot), if the Project reserves at least twenty-five percent (25%) of the total number of rental apartments (inclusive of the rental apartments achieved through the density bonus allowance) to be leased to tenants who qualify under the income limits and at rents that meet the local affordable housing thresholds.

In addition to the dwelling unit density bonus provision, at the discretion of the Planning Board, projects that qualify under this zoning initiative may be granted additional relief with respect to minimum required setbacks and regularity factor criteria.

The Application was filed and has been reviewed pursuant to the following sections of the Bylaw: §139-2 (Definitions and Word Usage); §139-3(A) (Districts Enumerated); §139-7(A) (Use Chart); §139-8(D) (Residential Development Options); §139-12(B) Public Wellhead Recharge District; §139-18(D) Off Street Parking Requirements; §139-20.1(C) Driveway Access (Aisles and Driveways); §139-23 Site Plan Review; and §139-30 (Special Permits). In addition, the Project is located within the Town Overlay District (TOD) as described in By-law §139-12E and the Public Wellhead Recharge (PWR) Overlay District and, as such, the Project must comply with the provisions of By-law §139-12(B), including the requirement that “all land uses, buildings, and accessory structures, that result in rendering impervious more than fifteen percent (15%) or two thousand five hundred (2,500) square feet of any lot, whichever is greater,” shall be prohibited “unless a system for artificial recharge of ninety-five percent (95%) of annual precipitation is provided that will not result in the degradation of groundwater quality.”

The Planning Board is the special permit granting authority for this Application pursuant to By-law §139-30.

Summary of Applicable Affordable Housing Provisions:

It is the intention, with approval from the Commonwealth of Massachusetts Department of Housing and Community Development (“DHCD”), that an increment of seventy percent (70%) of the twenty-six (26) total affordable units within the Project, equal to an increment of eighteen (18) of the affordable units (e.g., those restricted to those earning less than eighty percent (80%) of AMI), the maximum increment allowed under state, federal, and fair housing laws, will be initially leased to tenants who qualify for the “local preference,” including individuals who are: (1) current local residents, (2) current municipal employees, (3) employees of any local private businesses, and (4) non-resident households with children attending local schools. Furthermore, the Owner/Applicant will be seeking a special local preference for twenty-five percent (25%) of affordable units and ten percent (10%) of market rate units to be rented pursuant to a municipal employee preference. The determination of this special local preference will also be made by DHCD.

As a result of more than twenty-five percent (25%) of the total number of units being designated as affordable, all of the sixty-four (64) rental units to be developed within the Project will be eligible to qualify as Local Approval Units (LAU’s) under the Local Initiative Program (LIP) for inclusion on the Subsidized Housing Inventory (SHI) of the Town as such programs are administered and as such inventory is maintained by DHCD, a status that is particularly important in the Town’s objective of achieving a greater supply of affordable housing within the community and to achieving “Safe Harbor” from 40B projects deemed “unfriendly” to the Town.

Basis of the Findings:

The Planning Board based its decision after considering the following documents, which are available as public records:

- Response to RFP submitted by HallKeen Management, dated May 2017.
- Application for a Special Permit, dated August 14, 2017 and time stamped as received by the Nantucket Town Clerk and Nantucket Planning and Land Use Services (PLUS) Department on August 16, 2017, including Project narrative, plans, and other associated documents.
- Plan entitled Ticcoma Green, Ticcoma Way, Nantucket, Massachusetts, prepared by Horsley Witten Group, Inc., last revised November 14, 2017.
- Various plans, elevations, photographs, schematics, and other materials filed with the Planning Board in the course of the public hearings.
- The technical review and comments and input provided to the Applicant at a coordinated review meeting conducted on August 23, 2017 by the Nantucket Planning and Land Use Department (“PLUS”) staff with input provided by staff representatives of other Town departments (including, but not limited to the: Nantucket Department of Public Works, Nantucket Sewer Department, Nantucket

Fire Department, Nantucket Police Department, Nantucket Health Department, Nantucket Building Department, and Nantucket Department of Natural Resources).

- Nantucket Master Plan, as adopted by Article 26 at the 2009 Annual Town Meeting.
- Nantucket Chapter 40B Housing Production Plan, dated August 2016, prepared by RKG & Associates, Inc.
- Old South Road Corridor Study, dated September, 2017, prepared by BETA Group, Inc.
- Plans, correspondence, reports, and other documents in Planning Board File #6566, Pine Lands Drive Subdivision, approved April 10, 2003, including, but not limited to, traffic and impact reports and analyses by Cullinan Engineering and peer review by Rizzo Associates.
- Letter from Bristol Transportation and Consulting LLC, dated November 27, 2017.
- Assorted correspondence and documents that are on file with the Planning Board, File # 67-17.
- Vote of the Board of Selectmen on memorandum dated October 5, 2017.

In addition, the Planning Board considered representations, testimony, and correspondence received in connection with, and made part of the record of, a public hearings held by the Planning Board on September 14, 2017, October 12, 2017, November 16, 2017, and November 27, 2017. Minutes of these meetings are on file with the Planning Board.

Findings:

Based upon its review of the Application in accordance with the Zoning Act (MGL c. 40A), the Bylaw, the above-referenced documents, plans, and other materials submitted by the Applicant and others, and the testimony received at the public hearings, the Planning Board finds that:

- The Project is consistent with the provisions of The Zoning Act of the Commonwealth of Massachusetts (MGL c. 40A) and the Bylaw and is in harmony with the general purpose and intent of the By-law.
- The Project provides a diversity of housing opportunities to residents in fulfillment of the objectives cited in the Nantucket Master Plan, as adopted by Article 26 at the 2009 Annual Town Meeting.
- The Project is consistent with, furthers the objectives of, and serves to implement the Housing Goals and Implementation Strategies of the Nantucket Chapter 40B Housing Production Plan, dated July 2016, by RKG Associates Inc., which was approved by the

Nantucket Planning Board on August 8, 2016, the Nantucket Board of Selectmen on September 21, 2016, and the Commonwealth of Massachusetts effective October 4, 2016.

- Implementation of the Project will create a compact neighborhood in the mid-island area having consistency and flexibility in its layout and design, proximate to compatible adjacent commercial uses for the convenience of its occupants. Specifically, the Project is within walking distance of commercial nodes in the mid-island and Amelia Drive areas, is served by seasonal bus service, which may be expanded to year-round service, and directly abuts a multi-use path on Fairgrounds Road that connects to a network of paths leading to public and independent schools and other neighborhoods and commercial areas.
- The Project has no direct impact to immediately surrounding properties, which consist of other land owned the Town and a single property formerly owned by the Town, which was conveyed to NHA Properties, Inc., a nonprofit affordable housing organization. Generalized, non-specific area impacts are mitigated by the conditions imposed in this Decision.
- The two (2) individual lots, Lot 83 and Lot 84, comprising the Project comply with the workforce rental community minimum lot size requirement of sixty thousand (60,000) square feet each in the Commercial Neighborhood (CN) Zoning District and are being developed jointly as one (1) cohesive project. The Project meets the requirements of By-law §139-8.D, including the density limitations (a maximum of thirty-two (32) units and fifty-seven (57) bedrooms per lot), that such comprehensive and integrated development of access and amenities is preferable to individualized treatment on a lot by lot basis, and is consistent with the RFP.
- The request by the Applicant for a reduction of the internal side yard setback between the two (2) individual lots, Lot 83 and Lot 84, comprising the Project under By-law §139-8.D(2)(b) is appropriate and allows for a Project layout that takes full advantage of the development potential of the site and optimizes the available open space.
- The Project was referred to the Wannacomet Water Company under By-law §139-12.B(3)(a)[1]. A finding of water quality compliance is construed to have been made under By-law §139-12.B(3)(a)[2], because more than thirty (30) days have elapsed, since such referral and the public hearing has been closed.
- By-law §139-18 of the Bylaw requires a total of one hundred fourteen (114) parking spaces for the Project. The Project incorporates eighty-two (82) on-site parking places with an additional thirty-two (32) spaces at minimum being provided off-site as provided below. The spirit and intent of the By-law is met, with no adverse impact, by permitting the total required parking spaces of 114 to be provided through a combination of onsite and offsite parking spaces, rather than waiving any portion of the requirement outright. The number of parking places as planned meets the requirements of the By-law and is sufficient to meet the demands of the Project, given the proposed management of the parking to reduce the number of vehicles on site, and the Mitigation Measures detailed

below in these findings. A workforce rental community allows for greater control and management of parking than do home ownership options, because there can be strict control and enforcement of the number of occupants and the number and types of vehicles allowed. The granting of relief reducing the required onsite parking spaces and permitting off-site parking spaces is in harmony with the general purpose and intent of the By-law, that full compliance, while technically physically possible, would have a significant adverse effect upon the scenic integrity of the neighborhood (in that significant green space would be lost to pavement); and that the granting of relief would not be contrary to sound traffic, parking, or safety considerations.

- The granting of a special permit to allow two (2) driveways on Waitt Drive and permit the construction of the driveways as shown on the final site plans would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and is not contrary to sound traffic and safety considerations. The proposed driveways are sufficiently separated from each other, the proposed sight lines are adequate, and the proposed widths and construction meet the requirements set forth in the By-law.
- The Project site was previously part of a larger proposed development approved by the Board in 2003 in File #6566, known as the “Pine Lands Drive Subdivision” (the “Pine Lands Subdivision”). The Pine Lands Drive Subdivision included a mix of commercial retail and residential homeownership uses and, as documented in File #6566, was extensively studied by the Board and its consultants. The November 27, 2017 letter from Bristol Transportation and Consulting LLC, by the original author of the Cullinan Engineering reports, documents that there has been no significant change in methodology since 2002 and that the impacts of the Project, together with the existing and proposed municipal and residential uses on the balance of the Pine Lands Drive Subdivision site, are significantly less intense than those previously approved by the Board. The mitigation measures requested by the Board in the Pine Lands Drive Subdivision decision, such as the taking and paving of a portion of Ticcoma Way, the taking of Amelia Drive, the construction of the Fairgrounds Road bicycle path, increased site lines at the intersection of Ticcoma Way and Fairgrounds Road, and the improvement of the intersection of Fairgrounds Road and Old South Road, have been implemented or are in the process of being implemented. In addition, the Town is proposing to take the Mitigation Measures detailed below.
- The Town, as owner of the Project site and significant adjacent lands, has committed to implement a series of mitigation measures prior to the issuance of the first Certificate of Occupancy for the Project to address parking, traffic, and circulation issues (the “Mitigation Measures”). The Mitigation Measures shall include, but shall be not limited to, the following:
 1. Waitt Drive shall be constructed to a sufficient standard as determined by the Planning Board to provide on street parking of not less than 32 spaces, sidewalk connection from Ticcoma Way to the Project, and access to the Project. The Planning Board recognizes the vote of the Nantucket Affordable Housing Trust

Fund committing up to \$400,000 toward this effort as well as the inclusion of this matter in the Capital Project funding for fiscal year 2019.

2. "No Parking" signs shall be placed along the northeast side of Ticcoma Way, a public way, from Fairgrounds Road to the end of the public way, which is east of Amelia Drive.
 3. No parking shall be allowed on Fairgrounds Road from Ticcoma Way to Old South Road.
 4. The existing approximately 200 space parking area at the Town property at 2 Fairgrounds Road (which is on Lot 78 and Lot 85 on Plan No. 2016-58) shall be connected to Waitt Drive. The Board notes that there are no significant barriers to the construction of such a connection and that the Waitt Drive right of way has already been fully cleared and abuts such parking area, which connects to Old South Road and Fairgrounds Road through existing driveways.
 5. if the Planning Board determines, through a public hearing process, that additional public parking or additional management of the thirty-two (32) off-site parking spaces serving the Project is desirable, the Town shall manage and make available parking in the existing parking lot at 2 Fairgrounds Road or other CN zoned Town property in the immediate vicinity, such as Lot 82 and Lots 91 through 94 on Plan No. 2016-58, to accommodate resident parking.
 6. The process of taking Amelia Drive as a public way shall be completed. The Planning Board acknowledges the receipt of \$10,000 from John D. Ready, Trustee, owner of the property at 21 Old South Road, toward this effort.
- The conditions imposed hereby ensure that certain units in the Project will be eligible for approval as Local Action Units (LAU) through the Local Initiative Program (LIP) and will be included on the Town's Subsidized Housing Inventory.
 - The Project complies with the following review objectives contained within §139-23.E of the Bylaw, as modified and/or conditioned as applicable:
 1. *Protection of public amenities and abutting properties through the mitigation of any detrimental impacts of any proposed use:* Adjacent public facilities and roadways will be enhanced and new public facilities introduced within the Project area to serve residents. Effects to abutting residential properties are minimized through screening, the provision of parking in Waitt Drive and other Mitigation Measures detailed in these findings, and a Town-retained buffer of residential properties. Access to the site is by way of public roads maintained and controlled by the Town. The buildings have been located as far from the residential properties as possible, and the vegetated buffer in the road layout of Fairgrounds Road between the Fairgrounds Road bicycle path and the traveled portion of Fairgrounds Road along the Project site shall remain in its natural vegetated state

to the extent possible, with the exception of the proposed fire lane, and may be further augmented by additional plantings. The view of the Project from Fairgrounds Road and the Fairgrounds road bicycle path will be protected by a twenty (20) foot buffer along the northwesterly property boundary, which, with the exception of pedestrian and bicycle accesses and a proposed fire lane, shall be vegetated. This buffer zone is consistent with the so-called "green belt easement area" noted on Plan No. 2016-58, which has not been granted and is no longer needed. The Project has been sited to be a transition from the large municipal buildings (existing and planned) on the Public Safety Lot to the residential / light commercial scale neighborhood located along Ticcoma Way and Fairgrounds Road to the southwest.

2. *Protection of unique, natural, scenic, or historic features of the site, and the minimization of the obstruction of scenic views, where applicable:* This standard is not applicable, because there are no unique, natural, scenic, or historic features or scenic views that warrant protection on this site. Adjacent to the site, on Town controlled land, are natural features that should be maintained to the extent possible. The eight (8) remaining residential lots owned by the Town between the Project and Ticcoma Way (Lots 66 through 73 on Plan No. 2016-58) provide a buffer and a transition from the CN zoning district to the Residential 5 zoning district and retaining the vegetation on them until such time as they are developed is advantageous.
3. *Safety and convenience of pedestrian and vehicular movement within the site, and in relation to rights-of-way and properties in proximity to the site:* Throughout the Project, parking areas are generally internal to the lots and are reasonably screened by the proposed buildings and landscaping. The Project abuts the Fairgrounds Road bike path, and there will be a pedestrian connector between Fairgrounds Road and Waitt Drive along the northeasterly property line of the Project. Sidewalk connections now exist on Fairgrounds Road and Ticcoma Way and shall be incorporated on Waitt Drive. Vehicular access is coordinated to connect to Waitt Drive, a public road, which in turn provides connection to existing and proposed public roads. Except for emergency fire lanes, direct access to Fairgrounds Road from the Project is not proposed to eliminate bicycle path crossings and reduce traffic conflicts with the Public Safety Facility and proposed Fire Station at 4 Fairgrounds Road (Lot 77 on Plan No. 2016-58), which access Fairgrounds Road at three (3) locations north of the Project site.
4. *Adequacy of proposed sewage:* All units within the development shall be served by municipal water and sewer systems, where there is adequate capacity to serve the Project.
5. *Adequacy of refuse disposal.* Refuse disposal shall be handled in a manner consistent with established residential practices, the details of which shall be included in the property management plan.

6. *Adequacy of drainage of surface and subsurface water.* Stormwater management shall be provided in conformance with By-law §139-12B and the “Rules and Regulations Governing the Subdivision of Land.” The Project intends to fully comply with all of its rules and regulations. Horsley Witten Group, Inc., has provided initial plans indicating that the Project will meet all applicable standards, and the final plans will be thoroughly reviewed and approved by the Town’s engineer.
 7. *Adequacy of off-street parking and loading:* On-site parking for the Project will be provided in accordance with the final plans and, as detailed above, is deemed adequate by this Board, because of the mix of onsite and offsite parking on Town controlled property being provided.
 8. *Minimization of traffic and safety impacts upon public and private rights-of-way:* As detailed above, adequate minimization is addressed by restricting access to the Project to Waitt Drive. Additional Mitigation Measures will be implemented by the Town as detailed in these findings.
 9. *Adequacy of Town services and infrastructure:* The Project provides needed housing, and Town services or infrastructure are sufficient to support the Project and are not rendered inadequate in any way.
- The Project meets the following performance standards under By-law §139-23.F, as modified and/or conditioned as applicable:
 1. *To the extent feasible, access to the site shall be provided utilizing a common driveway or a side street.* As discussed above, coordinated access to the Project is by way of common driveways to Waitt Drive, a secondary road, and not directly from Fairgrounds Road, a main road, except for emergency fire lanes.
 2. *Driveway accesses shall be limited to the minimum width necessary for safe entering and exiting, and shall be designed to provide adequate sight distances.* The two (2) driveway accesses to separate parking areas on the site shall be implemented on the final plans in such a way as to ensure safe ingress and egress.
 3. *The project design shall ensure safe pedestrian and vehicular circulation within the site.* The interior pathways and connectors as well as the parking areas are appropriately designed.
 4. *The special permit granting authority may require that a traffic mitigation plan be submitted, which addresses the traffic impacts of a project through alternative physical layouts, staggered employee work schedules; public transit incentive programs for both employees and customers; or other innovative means of reducing traffic impacts.* The Project is appropriate to the area, traffic impacts are appropriately mitigated by the provision of bicycle sheds and racks and moped/scooter parking and management plans to reduce the number of vehicles

on site, public transportation is currently available seasonally, and the Town is committed to making improvements to adjacent roadways and other Mitigation Measures as detailed in these findings and to providing additional future mitigation if necessary. The ability to address a common access to benefit the Town-owned residential properties to the southeast may remove additional future driveways on Ticcoma Way. As set forth above, the traffic impacts of a more intense development of the about twenty (20) acre parcel then owned by the Nantucket Electric Company and later acquired by the Town, which parcel included the Project site, were reviewed by the Board in 2002-2003. The Project represents a less intense residential program than the residential uses proposed at that time, the use of the parcel as a whole for municipal and residential purposes is less intense than the mixed commercial and residential uses proposed, and the impact, overall and of the Project in particular, are significantly less, even factoring in growth over the intervening fourteen (14) years, as detailed above.

5. *Sidewalks and/or bicycle paths may be required by the special permit granting authority.* Interior pathways for use by bicycles and pedestrians connecting to Waitt Drive and Fairgrounds Road are provided on site.
6. *Parking areas shall be designed to reduce their visual impact from public and private rights-of-way.* The parking areas are appropriately screened by the structures, intervening lots, and/or proposed landscaping and buffers that will minimize visual impacts from adjacent ways.
7. *The special permit granting authority may, at its discretion, require enhanced landscaping features based on a determination that additional landscaping is necessary to protect abutting properties and public and private roads from incompatible development.* No enhanced landscaping was necessary in addition to the extensive vegetation proposed.
8. *All stormwater runoff from impervious surfaces shall be recharged on-site, unless, during the course of site plan review, it is determined by the review authority that recharge is infeasible or is undesirable because of risks to water quality from such recharge.* Such recharge could potentially be achieved in conjunction with other improvements being made by the Town on its adjacent land and doing so could be desirable, efficient, and economical and reduce risks to water quality. Accordingly, to the extent necessary to accomplish such objective, the requirements of By-law §139-23.F(8) are waived; otherwise, such recharge shall be contained on site.
9. *Collection systems for stormwater runoff shall be designed for at least a twenty-five (25) year storm.* The stormwater runoff collection systems for the Project shall meet or exceed this standard, shall be reviewed by the Planning Board's consulting engineer, and shall be shown on the final site plans.

10. *The erosion and sedimentation control plan shall be designed to protect drainage systems, surface waters, public and private roads, and abutting properties from site-generated erosion and sedimentation. This performance standard and performance standards 8 and 9 are addressed through stormwater management systems meeting §139-12.B of the Bylaw and the Planning Board's "Rules and Regulations Governing the Subdivision of Land." Erosion and sedimentation control shall meet this standard, shall be reviewed by the Planning Board's consulting engineer, and shall be shown on the final site plans.*
 11. *Utilities shall be installed underground where physically and environmentally feasible. Any aboveground improvements ancillary to utility services to a site shall be depicted on the plan, and shall be properly screened. All utilities serving the Project shall be installed underground in accordance with the requirements of each respective utility or, if above ground (such as air conditioning equipment), shall be appropriately screened.*
 12. *Outdoor storage areas must be identified on the plan and details concerning the screening of the storage area from public or private roads shall be provided. The design and location of the maintenance sheds, bicycle racks, bicycle sheds, moped/scooter parking, and trash enclosures shall be reviewed and approved by the Nantucket Historic District Commission and shall be shown on the final site plans and appropriately screened.*
- In summary, the Project is in compliance with the review objectives and performance standards set forth By-law §139-23, including, but not limited to By-law §139-23.B(1), E, and F. Because the Project is not a major commercial development or in the Nantucket Cottage Hospital Overlay District, By-law §139-23.B(2) is not applicable, and no traffic study is required or necessary.

Decision and Conditions of Approval:

Based upon the foregoing and pursuant to the findings above, by a unanimous vote (5-0) in favor of approval, the Nantucket Planning Board hereby APPROVES this Application and GRANTS the following Special Permits and approvals:

1. Special Permit for the creation of the Project pursuant to By-law §139-8(D).
2. Special Permit for the construction of up to a total of sixty-four (64) rental apartment units, to be located in three (3) individual apartment buildings, containing up to a total of one hundred fourteen (114) bedrooms, on two (2) lots (Lot 83 and Lot 84), as further described herein, in accordance with By-law §139-2.A, §139-7.A, and §139-8.D, as the same may be amended from time to time.
3. Reduction by one hundred percent (100%) of the internal side yard setback between the two (2) individual lots, Lot 83 and Lot 84, comprising the Project under By-law §139-8.D(2)(b) to the extent necessary. The Board recognizes that if the changes to By-law

§139-8.D, approved at the 2017 Special Town Meeting, are approved by the Attorney General (approval pending as of the date of this Decision), this waiver would be rendered unnecessary.

4. Special Permit under By-law §139-18.D to reduce the required onsite parking spaces under By-law §139-18.B from 114 to 82, to provide thirty-two (32) spaces off site, and to approve the screening as shown on the final site plans.
5. Special Permit under By-law §139-20.1.C from the requirements of By-law §139-20.1.B to allow two (2) driveways on Waitt Drive and permit the construction of the driveways as shown on the final site plans.
6. Site Plan Review approval pursuant to By-law §129-23, allowing for the development of the Project as shown on the final site plans, and in accordance with the conditions of approval set forth herein.
7. All other permits and/or approvals, not otherwise specifically enumerated herein, but which are deemed incidentally necessary or convenient to effectuate the intent of the relief granted hereby.

CONDITIONS

The Planning Board sets forth the following conditions to its approval:

A. Density and Affordability Conditions

1. The total number of workforce rental community dwelling units in the Project, which shall consist of two (2) lots (Lot 83 and Lot 84), totaling in excess of one hundred twenty thousand (120,000) square feet, shall be limited to a maximum of sixty-four (64) dwelling units, containing up to a total of one hundred fourteen (114) bedrooms.
2. The unit mix within any building, or subset of buildings, within the workforce rental community approved hereby, (i.e., the number of three (3) bedroom, two (2) bedroom and one (1) bedroom units, or any studio unit), may be altered or amended at the sole and absolute discretion of the Applicant, without any further review or action of the Planning Board, provided that the aggregate dwelling unit limit of sixty-four (64) dwelling units and the aggregate bedroom limit of one-hundred-fourteen (114) bedrooms are not exceeded on the combined workforce rental community lots, and further provided that at least ten percent (10%) of the units in the workforce rental community approved hereby, taken as a whole, are three (3) bedroom units.
3. Three (3) of the total sixty-four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than thirty percent (30%) of the AMI, adjusted for household size, as determined consistent with the income limits issued by the U.S. Department of Housing and Urban Development (HUD), updated annually, as set forth in the "Guidelines for G.L. c. 40B

Comprehensive Permit Projects and the Subsidized Housing Inventory,” dated December 2014, issued by DHCD, as amended through the date of this Decision (the “DHCD 40B Guidelines”). Rents payable for workforce rental housing dwelling units that are subject to the thirty percent (30%) AMI income limits shall not exceed the maximum allowable rents determined in accordance with the calculation methodology and formulas set forth in the DHCD 40B Guidelines.

4. Nineteen (19) of the total sixty-four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than sixty percent (60%) of the AMI, adjusted for household size, as determined consistent with the income limits issued by HUD, updated annually, as set forth in the DHCD 40B Guidelines. Rents payable for workforce rental housing dwelling units that are subject to the sixty percent (60%) AMI income limits shall not exceed the maximum allowable rents determined in accordance with the calculation methodology and formulas set forth in the DHCD 40B Guidelines.
5. Twenty-nine (29) of the total sixty four (64) dwelling units located in the Project shall be restricted in perpetuity, as dwelling units for lease to households earning not more than one hundred twenty percent (120%) of the AMI, adjusted for household size, as determined consistent with the income and rent limits issued by MassHousing Finance Agency for the Workforce Housing Trust Fund pilot program.
6. The remaining thirteen (13) dwelling units shall not be subject to any of the income limit, qualification or maximum rent limitations referenced herein, and shall be considered “market-rate” units. Leases for such market-rate units shall be awarded in accordance with a lottery approved by DHCD.
7. All dwelling units which are subject to the less than eighty percent (80%) AMI income limit shall be distributed proportionately throughout the Project in accordance with Section VI(B)(4)(d) of the DHCD 40B Guidelines, including confirming that the unit-mix allocation (i.e., the number of bedrooms per unit) is generally proportionally distributed between the market rate and the workforce and affordable rate units within the Project, and shall be depicted upon the final site plans. All dwelling units that are subject to an income limitation shall be indistinguishable from the market-rate units of the same unit type on the exterior and shall contain comparable base fixtures and finishes on the interior in accordance with Section VI(B)(4) of the DCHD 40B Guidelines. Any alteration of the location of the dwelling units that are subject to income limits, or their disbursement throughout the Project, shall be submitted to the Planning Board, or its designee, for review and approval.
8. This Decision is conditioned upon the Applicant’s preparation, and submission for approval, of a Regulatory Agreement by the Town, acting by and through its Board of Selectmen, and DHCD. Provided that the Applicant has prepared and submitted the same for approval and uses good-faith efforts in negotiating toward the mutually satisfactory execution thereof, the Applicant shall not be restricted from requesting or being issued

Certificates of Occupancy for market-rate units, subject only to the provisions of Condition C(5) below.

9. Provided that a Regulatory Agreement is executed, this Decision is conditioned upon the Applicant preparing, filing, and observing all necessary or requisite formalities of the Local Initiative Program (LIP), as such is administered by DHCD such that Local Action Units (LAU) (i.e., the workforce rental housing dwelling units which are subject to an the less than eighty percent (80%) or less AMI income limit) are included in the Subsidized Housing Inventory (SHI) list for the Town of Nantucket.
10. Subject to federal and state fair housing guidelines, regulations, and laws, any prospective tenant, or tenants, eligible to rent any dwelling unit that is subject to an the less than eighty percent (80%) AMI income limit under Section III(D)(3) of the DHCD 40B Guidelines shall be placed within the local preference lottery pool for up to seventy percent (70%) of the aforementioned units, to the extent permitted.
11. Any prospective tenant, or tenants, of the dwelling units which are subject to an the less than eighty percent (80%) AMI income limit shall be solicited and qualified through an affirmative fair housing marketing and resident selection plan and then selected by a lottery in accordance with Section III(C) and Section III(F) of the DHCD 40B Guidelines, respectively, and all costs thereof shall be borne by the Applicant.

B. Utility, Infrastructure, and Improvements

1. The Planning Board notes that a total of three (3) buildings are currently shown on the plans. Any changes to the number of buildings or building designs or configurations shall be shown on the final site plans, together with the maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures. Following approval of the final site plans, any modification to the building configuration and/or exterior design of the Project that results from the ongoing review of the Project by the Nantucket Historic District Commission ("HDC") shall not be deemed substantial under this Condition Number B-1 and shall not require additional Planning Board review unless such modification increases the total ground cover for an individual building to a total in excess of twenty percent (20%), or reduces any yard setbacks (front, rear, or sides) by five (5) linear feet or more.
2. The final site plans shall designate visitor/staff parking of at least five (5) parking spaces and shall depict the location of the maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures. Such playground shall contain a minimum of 225square feet.
3. If a broader, community-scale playground is developed on Town-owned land in the vicinity of the Project (on adjacent Lot 82 or other land in the area), the onsite playground may be eliminated provided that \$20,000.00 is contributed toward the cost of the playground construction on Town-owned land prior to the issuance of a final Certificate of Occupancy on any building.

4. All buildings within the Project approved in this Decision shall be connected to municipal water and sewer service, subject to the payment of all applicable connection fees and other fees (except as may be waived by the Board of Selectmen, acting as the Nantucket Sewer Commission, in accordance with its adopted policy).
5. Prior to the Planning Board approval of final site plans, the Applicant shall obtain a Certificate of Water Quality Compliance from the Wannacomet Water Company, and any conditions of such certificate shall be a condition of this approval without further public hearing.
6. All ADA units shall have in-unit laundry available, and all buildings with ADA units shall have storage units for such ADA units in the same building. In addition, for the non-ADA units, the Applicant shall provide:
 - (a) An in-unit laundry in the three (3) bedroom and two (2) bedroom units, at least one (1) centrally located laundry, and centrally located storage units for all of such non-ADA units; or
 - (b) one (1) group laundry facility and storage units in each building; or
 - (c) An in-unit laundry in each of the non-ADA units and a storage unit for each of such non-ADA units.
7. The Project shall comply with the provisions of By-law §102, the so-called "Dark Skies" By-law.
8. All landscaping, lighting, bike racks, fencing, sidewalks, electric vehicle charging stations, and other amenities and infrastructure shall be maintained in good working order and appearance in accordance with the final site plans, and shall be replaced with like-kind and quality materials when deemed reasonably necessary by the Zoning Enforcement Officer or the Planning Board, for as long as this Decision remains in effect. At the discretion of the Planning Board, minor changes of plant species, materials, and other amenities may be allowed without a public hearing.
9. The Project shall be serviced by Town water and sewer.

C. Implementation of Development

1. Within six (6) months of the date of this Decision, the Applicant shall submit a fully engineered final site plan set. This plan set shall address any final comments from the Planning Board's consulting engineer, (Pesce Engineering & Associates) and shall specifically include the plans and specifications for all required drainage and stormwater runoff systems and the location of all parking areas, common areas, recreational/open space areas, building locations, maintenance sheds, bicycle sheds and racks, moped/scooter parking, playground, electric vehicle charging stations, and trash enclosures, landscaping elements, and all other requirements noted in By-law §139-23.B(1).

2. The Project shall be constructed in substantial conformity to the final plan set.
3. A pre-construction meeting shall take place on site. The pre-construction meeting will be organized by the Planning & Land Use Services (PLUS) Department staff upon notification from the Applicant that construction of the Project is commencing.
4. The Applicant shall provide the Planning Board with a construction management plan to be reviewed and approved by the Planning Board's consulting engineer (Pesce Engineering & Associates) prior to the commencement of construction, which construction management plan shall include, but shall not be limited to, the following:
 - (a) Construction fencing.
 - (b) Dust control.
 - (c) Site control, including debris management.
 - (d) Construction manager's contact information, including cellular telephone number.
 - (e) Construction hours, providing no exterior construction or hardscaping, excluding loading and unloading of materials, painting, planting, landscaping, use of unpowered hand tools, and routine upkeep and maintenance, on Sundays or between the hours of 10 PM and 7 AM, Monday through Saturday, September 16 through June 14 of any given year, or between 10 PM and 7:30 AM, Monday through Saturday, June 15 through September 15 of any given year.
 - (f) Adherence to the Noise and Lighting By-laws.
 - (g) Primary access to the Project site to be from Old South Road directly to Waitt Drive.
 - (h) No construction vehicles shall park on Ticcoma Way.

Exceptions to such construction management plan may be granted by the Board on a case by case basis without the necessity of a public hearing.

5. The Applicant shall ensure that Certificates of Occupancy for the workforce rental housing community dwelling units that are subject to the less than eighty percent (80%) AMI Income limit are issued in a reasonably representative ratio to the Certificates of Occupancy for the market-rate dwelling units.
6. In advance of seeking the first Certificate of Occupancy, the Applicant shall provide a copy of the property management plan, which shall include the name(s) and telephone number(s) of the property manager(s) on call, the parking management plan, and the standard lease agreement, to the Planning Board, for its review and approval, not requiring a public hearing.
7. Certificates of Occupancy may be issued on a unit by unit basis as well as on a building by building basis, provided, however, that a final as-built of all site improvements shall be submitted by the Applicant, and a final site inspection shall be completed by the Planning Board prior to the issuance of the final Certificate of Occupancy for the Project.

Notwithstanding, nothing herein shall prevent the Town from issuing temporary certificates of occupancy from time to time on a building by building basis, and the Board hereby recognizes that the timely issuance of such temporary certificates of occupancy is critical to the intended tax credit financing structure.

D. Mitigation

1. This Decision is based upon the understanding that the Town, as owner of the Project site and significant adjacent lands, has voted to commit to the implementation the Mitigation Measures prior to the issuance of the first Certificate of Occupancy for the Project.
2. Within one hundred twenty (120) days of the issuance of this Decision, the Planning Board shall receive written confirmation of a vote of the Board of Selectmen committing the Town and its departments to the following: (a) retaining vegetation in the Fairgrounds Road public right of way between the edge of the bicycle path and the traveled way as vegetative screening and allowing the Applicant to augment and/or replace such vegetative screening, and (b) restricting clearing Lots 66 through 73 on Plan No. 2016-58 along Ticcoma Way for a reasonable time period and in no event prior to the issuance of a building permit for construction upon any of such lots, which shall remain in place for at least two (2) years after the issuance of the final Certificate of Occupancy for the Project.

E. Lease Provisions

1. The Applicant, or its property manager, shall ensure that a written lease for any tenant, or tenants, of a workforce rental community dwelling unit, whether or not subject to the income limits, has an initial term or duration of not less than one (1) year.
2. The Applicant, or its property manager, shall ensure that any written lease for any tenant, or tenants, of any dwelling unit, whether or not such unit is subject to the income limitations, prohibits the subsequent subletting of the dwelling unit for any period, or periods, of time. No dwelling unit shall be used or occupied, in whole or in part, as part of Airbnb or any such similar short-term, home stay, lodging, or vacation rental program. Tenants shall be natural persons; provided however, that nothing herein shall prohibit a trust, corporation, limited liability company, or other entity from joining in or guaranteeing a lease for credit enhancement purposes.
3. The Applicant shall impose and enforce, through the property management plan, written rules and regulations to be provided to all tenants, which shall include, but shall not be limited to, the following prohibitions or restrictions:
 - a. No parking or storage of vehicles, including those containing trailers, boats, attachments, or the like which exceed the length of the defined parking space markings/stripes shall be permitted within the Project parking areas;

- b. The on-site parking or storage of boats or commercial-scale vehicles such as box trucks, flatbed trucks, trailers (open or enclosed), or equipment shall be prohibited; provided, however, that nothing herein shall preclude or restrict lawful parking or storage off-site by residents of the Project;
 - c. No abandoned, inoperable, or unregistered vehicles shall be permitted within the property;
 - d. No exterior storage of any kind shall be permitted in the parking or lawn areas within the property other than the maintenance sheds, bicycle sheds and racks, moped/scooter parking, and trash enclosures shown on the final site plans; and
 - e. No tenant-owned satellite dishes, clothes drying lines, or other such equipment or materials shall be attached to or visible on the exterior of any buildings and / or windows within the Project except as expressly required by law.
4. The Applicant shall manage parking access to the main Project lot through the lease with each tenant, with at least one (1) parking permit for the main lot on the Project being provided to each unit. Parking on the Project site shall be managed by way of a sticker or placard program and may include incentives for the use of alternative transportation (bicycles, scooters, mopeds, ride sharing, and public transportation) and the reduction of the number of vehicles on site.
5. The lease with each tenant shall include language acknowledging that the operations of the Police, Fire, and other Public Safety aspects of the Town take place next door to the Project site.

F. General, Regulatory & Miscellaneous Conditions

- 1. The lots, buildings, and dwelling units within the Project may be subjected to a leasehold condominium or other ownership structure for the convenience of financing or tax credit syndication but in all cases shall remain under common control and be managed by a single entity.
- 2. Prior to the issuance of a Certificate of Occupancy for the first dwelling unit, the name(s) and telephone number(s) of the property manager(s) on call shall be provided to the Planning Board. To facilitate timely responses to resident requests and management/maintenance issues, upon issuance of the first Certificate of Occupancy, the Applicant shall, at all times, be required to employ one (1) or more property or maintenance managers who shall reside on-island.
- 3. To the extent the Applicant believes that any of the comments and/or recommendations of the Town's Consulting Engineer or any Director of an authoritative agency or board of the Town given certain discretionary review authority hereby cannot be satisfied or resolved between such person and the Applicant, the Applicant may request a

clarification, interpretation, or decision by the Planning Board. Any such request shall be submitted, in writing, to the Planning Board, and the foregoing shall not be construed to require that the Applicant's request for clarification, interpretation, or decision be considered at a public hearing, unless required by law.

4. Where not otherwise specifically stated, the Planning Board may, at its discretion, grant an extension or extensions of any deadline imposed in this Decision, upon written request of the Applicant, without a public hearing.
5. The Applicant shall ensure strict compliance with these conditions.
6. The Planning Board shall have the right, at its sole discretion, to re-open the public hearing if the Board finds that there is a material breach of these conditions or that the Town has materially failed to implement the Mitigation Measures detailed in these findings, and shall have the right to impose additional conditions to address such issues.
7. The failure or refusal of any Town board, commission, agency, or department, including, but not limited to the Nantucket Board of Selectmen, Nantucket Islands Land Bank, and the Wannacomet Water Department to accept any easement, gift, contribution, improvement, or the like, or to implement the Mitigation Measures detailed in the findings, or to meet any commitments expressed during the public hearing process or made part of the findings shall not affect the intent or findings of this decision, the issuance of Certificates of Occupancy, temporary, final, or otherwise, the Applicant's ability to proceed under the other provisions of this decision, or the special permits and waivers granted in this Decision.
8. The Applicant shall cooperate with the Town, at the Town's reasonable discretion and at the Town's expense, to provide access through the Project to a lane or driveway across the rear of Lots 66 through 73, inclusive, on Plan No. 2016-58, to reduce the need for curb cuts on Ticcoma Way. Any resulting plan shall be negotiated between the Town and the Applicant in a manner that minimizes adverse impacts to the Applicant while meeting the Town's objectives and minimizing adverse impacts to open space, parking, aisle widths, and other aspects of the Project. Any adverse impact to the Applicant (such as a reduction in parking spaces) shall be reasonably offset by the Town. Any final changes to the site plan, open space, parking, aisle widths, and other aspects of the Project to accommodate access to said Lots 66 through 73 shall be reviewed and approved by the Planning Board and shall not require a public hearing.
9. The Applicant shall work with the Nantucket Regional Transportation Authority (NRTA) as necessary to analyze prospective future usage and specific ridership demands on NRTA services and design.
10. The Planning Board agrees that the commencement of substantial use or construction as such is contemplated in MGL c. 40A Section 9, shall mean the installation and pouring of footings for one (1) apartment building, upon one (1) workforce rental community lot.

RECORD OF VOTE AND SIGNATURE PAGE FOLLOWS

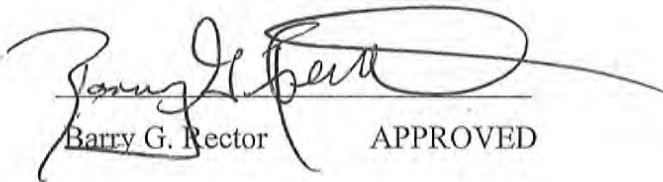
Record of Vote: On November 27, 2017 the Planning Board voted unanimously (5 – 0) to **CLOSE** the public hearing, and voted unanimously (5 – 0) to **APPROVE** the Special Permits and Site Plan Review for the Project and to **ENDORSE** this Decision.



Linda F. Williams APPROVED



Nathaniel Lowell APPROVED



Barry G. Rector APPROVED



Joseph Marcklinger APPROVED

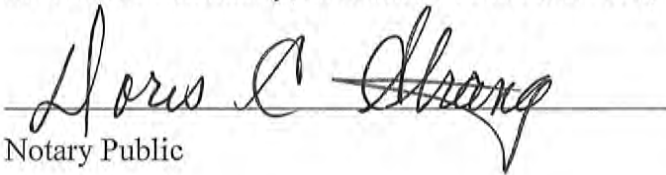


John Trudell, III APPROVED

COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

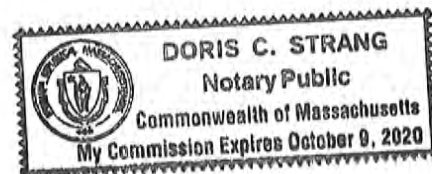
On the 14th day of December, 2017, before me, the undersigned notary public, personally appeared Barry G. Rector, one (1) of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily, as his/her free act and deed, for the purposes therein expressed.



Notary Public

October 9, 2020

My Commission Expires





Agenda Item Summary

Agenda Item #	VIII. 2.
Date	March 24, 2021

Staff

Tucker Holland, Municipal Housing Director

Subject

Approval of Letter of Support for Local Preference regarding 31 Fairgrounds Road.

Executive Summary

As the Board is aware, 31 Fairgrounds is a collaborative development between the Town, Affordable Housing Trust, Housing Nantucket and Billy Cassidy with the Nantucket Land Bank holding a conservation restriction (per the Flex Development approach) to develop 22 SHI-eligible rental housing units to serve exclusively year-rounders. The Local Action Unit Application to have these units included on our SHI list and contribute to an upcoming period of Safe Harbor has been submitted. This Letter of Support for Local Preference endorses the original request in the application that we would like to maximum Local Preference allowed for the affordable units (e.g., the six units restricted at 80% AMI or less), ensuring that at least 70% of these affordable units go to folks in the following categories:

1. Current residents: A household in which one or more members is living in the city or town at the time of application
2. Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
3. Employees of Local Businesses: Employees of businesses located in the municipality.
4. Households with children attending the locality's schools.

The remainder of the units are anticipated to be filled from Housing Nantucket's Ready to Rent list of folks at the appropriate qualifying income levels (e.g., 110% and 150% AMI). Units at 31 Fairgrounds have an upper income limit of 200% AMI.

Staff Recommendation

Recommend approval of the Local Preference request / support letter.

Background/Discussion

Please see detail above.

Impact: Environmental ☐ **Fiscal** ☐ **Community** ☒ **Other** ☐

Addressing the housing crisis; Select Board strategic goal around Safe Harbor maintenance.



Board/Commission Recommendation

N/A

Public Outreach

N/A

Attachments

1. Draft Local Preference Request / Support Letter
2. LAU Application
3. Housing Nantucket Local Preference Demonstration fo Need Letter



[TOWN of NANTUCKET LETTERHEAD]

March 24, 2021

Ms. Rieko Hayashi
Local Action Unit Program Coordinator
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114

Re: Local Preference Request for 31 Fairgrounds aka Wiggles Way Affordable Rentals

Dear Ms. Hayashi:

Please be advised that at the March 24, 2021 meeting of the Nantucket Select Board, the Board voted unanimously to support the request for Local Preference regarding the Local Action Unit application for the 22-unit rental development at 31 Fairgrounds Road on Nantucket (a/k/a “Wiggles Way Affordable Rentals”).

With only 4% of our year-round housing presently included on the Department of Housing & Community Development (DHCD) Subsidized Housing Inventory (SHI), Nantucket is eager to promote all local plans to create quality affordable housing for our year-round residents. To that end, Nantucket voters have appropriated over \$25 million in recent years to advance this cause.

In addition to the demonstrated need included by the Project Sponsor, Housing Nantucket, I would add commentary from Richmond Great Point Development, a private developer of another important rental project for our Nantucket year-round community:

“For rentals, for year-round tenants, we have a total waiting list in excess of 600 people, who have inquired or communicated with us with interest at one or more times in the last 5-6 years. We have a vetted waiting list in excess of 200-250 people that we consider having [current] definitive interest. Demand continues, unabated. New people call and walk in our leasing and management office on a daily basis.”

If there is any additional information that would be helpful in making your Local Preference determination, please advise our Municipal Housing Director, Tucker Holland, who can be reached via e-mail at: tholland@nantucket-ma.gov.

Sincerely,

Dawn Hill-Holdgate
Chair, Nantucket Select Board

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 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.

We request a Local Preference with respect to tenant selection be granted based on the need identified in Housing Nantucket's letter incorporated herein to this application and

the Local Preference aspect as noted in the Affirmative Fair Housing Marketing Plan. If additional information in this regard would be helpful, please advise.

The Municipality will perform any aspects of the Marketing Plan which are set forth as responsibilities of the Municipality in the Marketing Plan.

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: MARCH 12, 2021

Chair, Local Housing Partnership: (as applicable)

Signature: _____

Print Name: _____ Brian Sullivan _____

Date: MARCH 12, 2021

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.



75 Old South Road • P.O. Box 3149 • Nantucket, MA 02554 • Tel: 508.228.4422

March 12, 2021

Mr. Andrew Vorce, Director of Planning
Town of Nantucket Planning & Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554

Re: Support for Local Preference

Dear Mr. Vorce,

Housing Nantucket is a private, not-for-profit organization whose mission is to create affordable housing opportunities for Nantucket residents. One of the primary ways we fulfill this mission is through our Affordable Rental Program, which consists of 38 year-round rental homes on scattered sites. The island families who live in our homes rely on quality housing with stable, affordable rent, and an on-island landlord for management and maintenance.

Our inventory of affordable housing units currently includes nine one-bedroom units, 19 two-bedroom units, nine three-bedroom units, and one four-bedroom unit. We serve a range of incomes within this program and accept applications to our Ready-to-Rent list on a rolling basis. When there is a vacancy, we consider the household incomes of the rest of our rentals, refer to our organization's housing policy, and determine which income bracket needs to be filled.

Before they are included on our Ready-to-Rent list, applicants are preliminarily qualified as earning between 50-100% of the Area Median Income for their household size. At this time, there are 85 households waiting for a one-bedroom, 97 households waiting for a two-bedroom and 57 households waiting for a three-bedroom. All applicants report that they currently live and work on Nantucket.

Housing Nantucket supports the Town of Nantucket's efforts to obtain Local Preference on affordable housing projects in the pipeline. The shortage of price-appropriate rental housing for low and moderate income Nantucket households presents a serious burden for many year-round island residents.

Statistical and anecdotal evidence represents these trends are only growing. Housing Nantucket's focus remains on creating more community housing opportunities for Nantucket residents, and we will continue to support your work to do the same.

Please contact me with any questions.

Sincerely,

Anne Kuszpa
Executive Director

Housing the Nantucket Community Since 1994

housingnantucket.org

Affordable Rentals House Recycling Advocacy Covenant Homes Education Resources



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 7801
Cell 401-413-8370
dgray@nantucket-ma.gov
sewer@nantucket-ma.gov

March 22, 2021

Dawn Holdgate

Select Board Chair

Via Email

Dear Chair Holdgate:

The Sewer Department is requesting a waiver of the Town of Nantucket's noise ordinance in order to conduct night work to construct the Surfside Road Area Sewer System Improvements Project. As part of the project a new sewer line will be installed in the Surfside Road within the northbound travel lane from Miacomet Ave. to Vesper Lane. The Sewer Department has met with Weston & Sampson Engineers, the contractor (Robert B. Our Company), Town of Nantucket Departments (including Police, Fire, Schools, and Town Administration) to discuss impacts to traffic and public safety along this corridor of Surfside Road. It was agreed by all that due to the traffic from all four schools and associated pedestrian traffic in the area – which are returning to full time in-person learning April 5 – we are requesting a noise ordinance waiver that would allow for construction of this critical public infrastructure project in the evening hours from 4pm-2am from April 5 to June 25, 2021. The intent is to avoid daytime construction with children walking to school, buses, and school related traffic in the area causing untenable delays. The contractor has requested to work Sunday through Thursday nights, with temporary paving activities occurring on Fridays between school morning drop-off and afternoon pickup times. Based on discussions with Lieutenant MacVicar, full road closures will be in effect and traffic will be detoured around the area during these work hours for safety of the crew and public. A resident engineer from Weston & Sampson and police details will be present at all times to facilitate local traffic and detoured traffic. Thank you.

Sincerely,

David C. Gray Sr.



Agenda Item Summary

Agenda Item #	IX. 1.
Date	3/24/2021

Staff

Amy Baxter, Licensing Administrator

Subject

License Renewals – Seasonal Liquor

Executive Summary

Acting as the Licensing Authority for the Town of Nantucket, the Select Board must vote to renew existing Liquor Licenses on an Annual Basis – December for Annual Liquor Licenses and March for Seasonal Liquor Licenses. Renewal of existing Licenses allows for the process to begin for Issuing Licenses to operate. A renewal does not automatically issue the License. Each Licensee must take the required steps to comply with State and Local regulations to be issued a 2021 License.

Staff Recommendation

Renewal of all Seasonal Liquor Licenses on the condition that the full renewal process is completed and approved by Licensing; Health; Building; Fire and all required Town and State requirements are met and fees paid. If any Licensee fails to complete the renewal process and is subject to suspension or revocation of license will be scheduled for a Public Hearing before the Select Board.

Background/Discussion

1. **Alcohol licenses** are entitled to be “automatically renewed” if they are for the same type of license and location. In order to deny renewal for some reason at renewal time, the licensing board cannot simply vote not to renew but needs to provide notice and a hearing. The same rule should apply to add any restrictions that were not on the license this year. In addition, please note that there is a special rule for reducing the hours, i.e., imposing an earlier closing time, for an on-premises pouring license. The statute requires that an on-premises licensee be allowed to serve until 11:00 p.m., but the local licensing authority has discretion to allow it to be open until 2:00 a.m. or sometime between 11 – 2. The licensing authority may impose an earlier closing time, but it must provide a hearing and determine that there is a “public need” for it. The statute specifically states:
 - a. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.



2. **Local Licenses (CV, Entertainment, etc.):** All local Licenses such as Entertainment and Common Victualler are renewed on an Annual basis in December and are not part of this hearing and vote.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

Click or tap here to enter text.

Board/Commission Recommendation

N/A

Public Outreach

Ad in 3/18/2021 I&M

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

N/A

Attachments

Seasonal Liquor License List for 2021 Renewals; ABCC Seasonal Certification Form for Signatures



2021 SEASONAL LIQUOR LICENSES

Seasonal (April 1 - January 15)

DBA	PREMISES	LIQUOR	MANAGER
167 Raw	CISCO 167 Hummock Pond Rd	PACKAGE Wine/ Malt	JESSE SANDOLE
29 Fair Street	TOWN-PERIMETER 29 Fair St	RESTAURANT All Alcohol	PETER KARLSON
Afterhouse Wine and Raw Bar	TOWN - CORE 18 Broad St	RESTAURANT Wine/Malt	KEVIN ANDERSON
American Seasons	TOWN - PERIMETER 80 Centre St	RESTAURANT All Alcohol	NEIL FERGUSON
B-ACK YARD BBQ	TOWN - CORE 20 Straight Wharf	RESTAURANT All Alcohol	DENISE CORSON
Bar Yoshi	TOWN - CORE Old South Wharf	RESTAURANT Wine/Malt	TERRY NOYES
Beachside	TOWN - PERIMETER 30 N. Beach St.	INNHOLDER All Alcohol	KAREN KEELAN

Seasonal (April 1 - January 15)			
DBA	PREMISES	LIQUOR	MANAGER
Boarding House/The Pearl	TOWN - CORE 12 Federal St	RESTAURANT All Alcohol	ANGELA RAYNOR
Brant Pt Grill/White Elephant	TOWN - PERIMETER 50 Easton St.	INNHOLDER All Alcohol	BETTINA LANDT
BRIX III Inc.	MID-ISLAND 1 A Windy Way	PACKAGE All Alcohol	KLAUDIA MALLY
Chanticleer	SCONSET 9 New St	RESTAURANT All Alcohol	SUSAN HANDY
Cliffside Beach Club	TOWN - PERIMETER 46 Jefferson Ave	INNHOLDER All Alcohol	DAVID SILVA
Club Car	TOWN - CORE 1 Main St	RESTAURANT All Alcohol	TANYA MCDONOUGH
Company of the Cauldron	TOWN - CORE 5 India St	RESTAURANT Wine/Malt	JOSEPH KELLER
CRU	TOWN - CORE 49 Straight Wharf	RESTAURANT All Alcohol	JANE STODDARD
Current Vintage	TOWN - CORE 4 Easy St	PACKAGE Wine/Malt	BETH ENGLISH

Seasonal (April 1 - January 15)			
DBA	PREMISES	LIQUOR	MANAGER
Dune	TOWN - CORE 20 Broad St	RESTAURANT All Alcohol	MICHAEL GETTER
Epernay	TOWN - PERIMETER 14 Federal St	PACKAGE All Alcohol	JENNIFER BENZIE
Galley Beach	TOWN - PERIMETER 54 Jefferson Ave	RESTAURANT All Alcohol	DAVID SILVA
Great Harbor Swim & Tennis	TOWN - PERIMETER 96 Washington St	CLUB Wine/Malt	STEPHEN CREESE
Harpoon Liquors/Fresh	TOWN - CORE 3 Salem St	PACKAGE All Alcohol	CHARLIE MERRITT
Jared Coffin House	TOWN - CORE 29 Broad St	INNHOLDER All Alcohol	JASON CURTIS
Le Languedoc Inn	TOWN - CORE 24 Broad St	RESTAURANT All Alcohol	NEIL GRENNAN
Lemon Press	TOWN - CORE 41 Main St	RESTAURANT All Alcohol	RACHEL AFSHARI
Lobster Trap	TOWN - PERIMETER 23 Washington St	RESTAURANT All Alcohol	LARRY WHELDEN

Seasonal (April 1 - January 15)			
DBA	PREMISES	LIQUOR	MANAGER
Lola Burger	MID-ISLAND 1 Sparks Ave	RESTAURANT Wine/Malt	CLARE O'CEALLAIGH
Millie's	MADAKET 326 Madaket Rd	RESTAURANT All Alcohol	CHRIS COCHRAN
Millie's Market	MADAKET 1 Miller's Way	PACKAGE All Alcohol	BRYAN McDONALD
Nantucket Inn	MID-ISLAND 5 North Water St	INNHOLDER All Alcohol	SCOTT THOMAS
Nantucket Yacht Club	TOWN - PERIMETER 1 South Beach St	CLUB All Alcohol	PETER MCEACHERN
Nautilus	TOWN - CORE 12 Cambridge St	RESTAURANT All Alcohol	STEPHEN BOWLER
Oran Mor Bistro	TOWN - CORE 2 S. Beach St	RESTAURANT All Alcohol	EDWIN CLAFLIN
PPX Events	TOWN - CORE 7 S Water St	GENERAL ON PREMISE All Alcohol	LINDSAY DALEY
Proprietors	TOWN - CORE 9 India St	RESTAURANT All Alcohol	ORLA MURPHY LASCOLA

Seasonal (April 1 - January 15)			
DBA	PREMISES	LIQUOR	MANAGER
Rose and Crown	TOWN - CORE 23 S Water St	RESTAURANT All Alcohol	DEBBA PITCOCK
Sandbar at Jetties	TOWN - PERIMETER 4 Bathing Beach Rd	RESTAURANT All Alcohol	GEORGE KELLY
Sankaty Head Beach Club	SCONSET 18 Hoicks Hollow Rd	CLUB All Alcohol	LORI SNELL
Sankaty Head Golf Club	SCONSET 100 Sankaty Ave	CLUB All Alcohol	KIMBERLY MATTHEWS
Sconset Bookstore	SCONSET 100 Sankaty Ave.	PACKAGE All Alcohol	ROLF NELSON
Ships Inn	TOWN - PERIMETER 13 Fair St	INNHOLDER All Alcohol	BOB MOULDER
Siasconset Golf Course	SCONSET 260 Milestone Rd	GENERAL ON PREMISE Wine/Malt	INGRIDA RASCIUS
Slip 14	TOWN - CORE 14 Old South Wharf	RESTAURANT All Alcohol	JONAS BAKER
Straight Wharf Restaurant	TOWN - CORE 6 Harbor Square	RESTAURANT All Alcohol	GABRIEL FRASCA

Seasonal (April 1 - January 15)			
DBA	PREMISES	LIQUOR	MANAGER
Summer House	SCONSET 17 Ocean Ave/1 Magnolia	INNHOLDER All Alcohol	PETER KARLSON
Summer House Beachside Bistro	SCONSET 16 Ocean Ave	RESTAURANT All Alcohol	PETER KARLSON
Tavern	TOWN - CORE 28 Harbor Square	RESTAURANT All Alcohol	LUKE TEDESCHI
Ventuno Restaurant	TOWN - CORE 21 Federal St	RESTAURANT All Alcohol	TAYLOR OLIVER
Via Mare	TOWN - CORE 17 Broad St	INNHOLDER All Alcohol	TAYLOR OLIVER
Wauwinet	WAUWINET 120 Wauwinet Rd	INNHOLDER All Alcohol	ERIC LANDT
Westmoor Club	TOWN - PERIMETER 10 Westmoor Lane	CLUB All Alcohol	JOHN COWDEN, JR.
White Elephant Residences	TOWN - PERIMETER 19 S. Beach St	INNHOLDER All Alcohol	BETTINA LANDT

SEASONAL RETAIL LIQUOR LICENSE RENEWAL APPLICATION GUIDELINES

Without exception, all seasonal alcoholic beverages **licensees** are required to renew their alcoholic beverages license by **March 31st** of each year.

All retail license renewal applications must be signed by an authorized corporate officer, individual or partner and filed with the Local Licensing Authority by March 31st. Licensees who are in the process of transferring their licenses are required to file the renewal application until the transfer has occurred and they are no longer the licensee of record.

Licensees are responsible for correcting any differences between their files and the ABCC license file on the renewal application in red ink. A Licensing Authority Certification Form verifying these changes which have been ABCC approved must be attached to the license renewal application in order to change the official ABCC license file (zip codes and spelling errors do not require a Form 43).

All on-premises M.G.L. c. 138, §12 licensees must provide proof of the required liquor liability insurance to the Local Licensing Authorities.

All on-premises M.G.L. c. 138, §12 licensees must provide a copy of the required Fire Safety Inspection Certificate to the Local Licensing Authorities. **Please do not forward** a copy of the Fire Safety Certificate or the insurance certificate to the ABCC. You should keep these forms for your records.

Please complete this form and mail it to the ABCC along with the signed licensee certificates along with any corrections no later than May 15th, 2020. If possible, please refrain from sending stapled documents.

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

Any seasonal renewal application not signed and filed by March 31st will be treated as a New License.

If seasonal renewal application becomes a new license for failure to meet the March 31st signing deadline, it will be subject to all the procedures set forth under Chapter 138, §15A.

ANY QUESTIONS REGARDING THE ABOVE GUIDELINES SHOULD BE DIRECTED TO HURSHEL LANGHAM AT HLANGHAM@TRE.STATE.MA.US or
SABRINA LUC AT SLUC@TRE.STATE.MA.US.

Ralph Sacramone, Executive Director

SEASONAL RENEWAL CERTIFICATION 2021

CITY/TOWN: NANTUCKET

A. SEASONAL LICENSEES WHO FAILED TO RENEW FOR 2021/22:

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

B. SEASONAL LICENSEES DISAPPROVED BY THE CITY/TOWN FOR 2021/22:

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

We hereby certify that the premises described in the 2021/22 seasonal renewal applications for the above mentioned municipality are now occupied, used or controlled by the licensee and will be on April 1, 2021. The 2021 Renewal Applications have been approved by the Local Licensing Authorities and forwarded to the ABCC.

The Local Licensing Authorities

PROJECT UPDATE

Town Pier Improvements & Floating Dock Replacement

Project Manager
Charles Gibson



Town Pier Improvements

Project Summary

- The project involves the replacement of the 4,982 sq ft floating dock system and a 100ft extension of the wave barrier to protect the floating docks from damaging waves. Also included are repairs to the dock system water, sewer and electrical systems.
- Construction estimated for October 2021 through May 2022.
- Chapter 91 Waterways and Army Corps of Engineers permits are pending.

Town Pier Improvements

Project Funding

- Total appropriation for the project- \$4,500,000.00
- Estimated project costs- \$4,000,000.00
- List funding sources- GF Tax Levy
- Approved at the FY20 ATM, Article 13
- Expenditures to date- \$429,000.00
 - Dredging- \$395,601
 - Engineering- \$33,323
- Funding remaining- \$4,071,000.00

Town Pier Improvements

Project Timeline and Permit Status

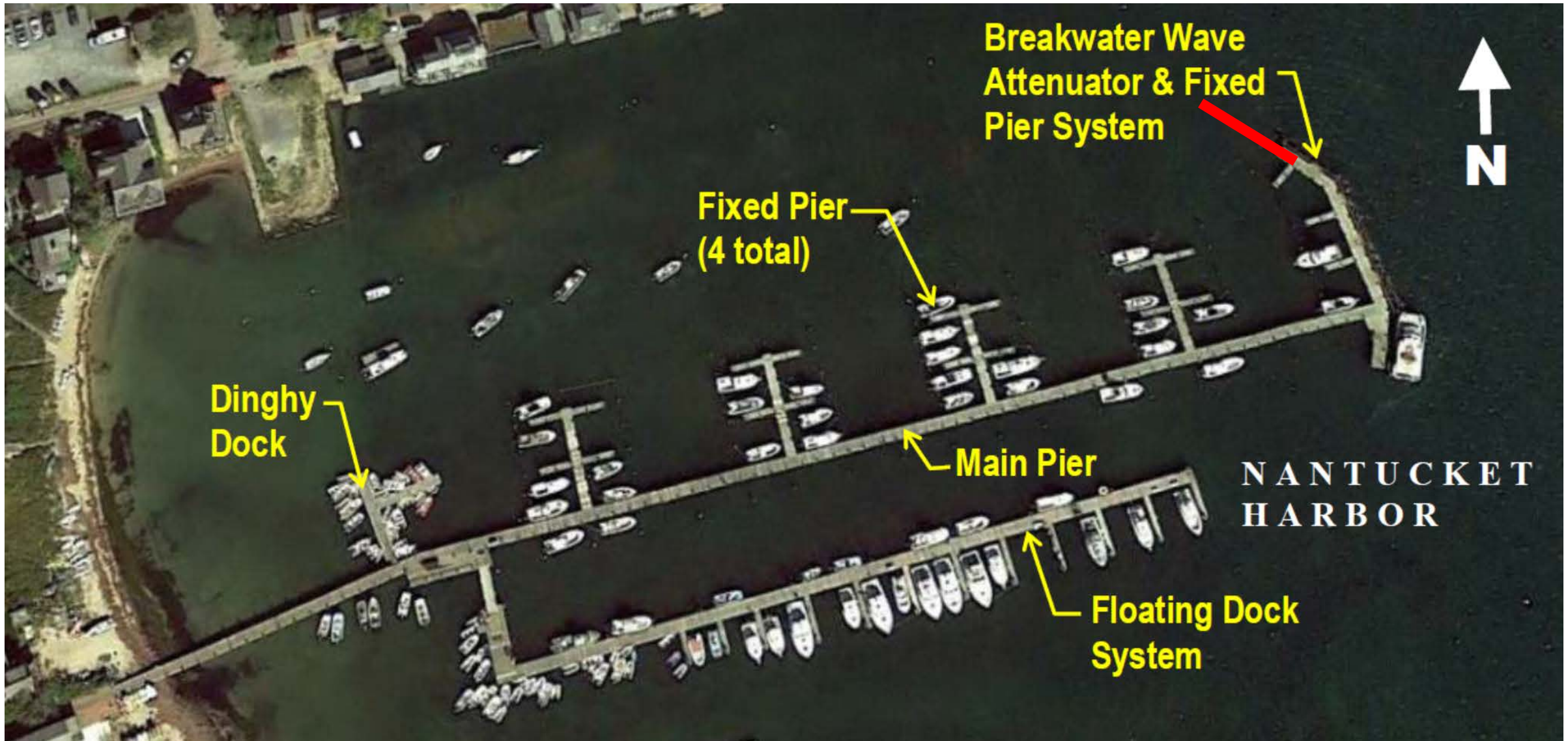
- Planned project start in Fall of 2021 IF Army Corps of Engineers and State Chapter 91 Permits are forthcoming.
- Permitting delayed due to COVID-19 and retirement of key personnel at the Army Corps. New permitting staff has been assigned and hopes are high that a timely review will occur.
- Local ConComm permits and all public hearings for State and Federal permitting requirements have been completed.
- May of 2022 is the expected completion of the project IF we can get the permits issued.

Town Pier Improvements

Contracts Associated with Project

- Foth Infrastructure & Environment, LLC
 - \$185,170
 - June 5, 2019
 - June 30, 2022
- Contracts still needed
 - Contract for extension of wave barrier and for floating docks
- Issues-
 - Permits. There is a 6 month lead time to order the floating docks.

Town Pier Aerial Photo



PROJECT UPDATE

Harbor Master Building Replacement

Project Manager
Charles Gibson



Harbor Master Building

Project Summary

- The project involves the replacement of the existing 2,500 s.f. harbor master building with a new 3,500 s.f. building complete with full handicap accessible bathroom facilities.
- New facility will feature updated and accessible toilet and shower facilities for waterfront patrons.
- Building is designed for VE-11 FEMA Flood zone. Through innovative foundation design, first floor level is 3' above grade as opposed to the VE-11 standard of 6'.

Harbor Master Building

Project Funding

- Total appropriation for the project- \$3,450,000.00
- Estimated project costs- \$3,3000,000.00
- List funding sources- GF Tax Levy
 - \$1 Million State Seaport Grant
- Approved at the FY19 ATM, Article 17
- Expenditures to date- \$243,568
 - Architect, Engineering & Permitting
- Funding remaining- \$3,206,431

Harbor Master Building

Project Timeline and Permit Status

- Construction estimated for September 2021 through July 2022.
- Chapter 91, ConComm and HDC permits are complete.
- Project to be put out to bid in March 2021
 - Filed Sub-bids mid April 2021
 - General Bids late April 2021
 - Contract awarded June 2021
 - Construction starts September 2021
 - Construction substantially complete, July 2021.

Harbor Master Building

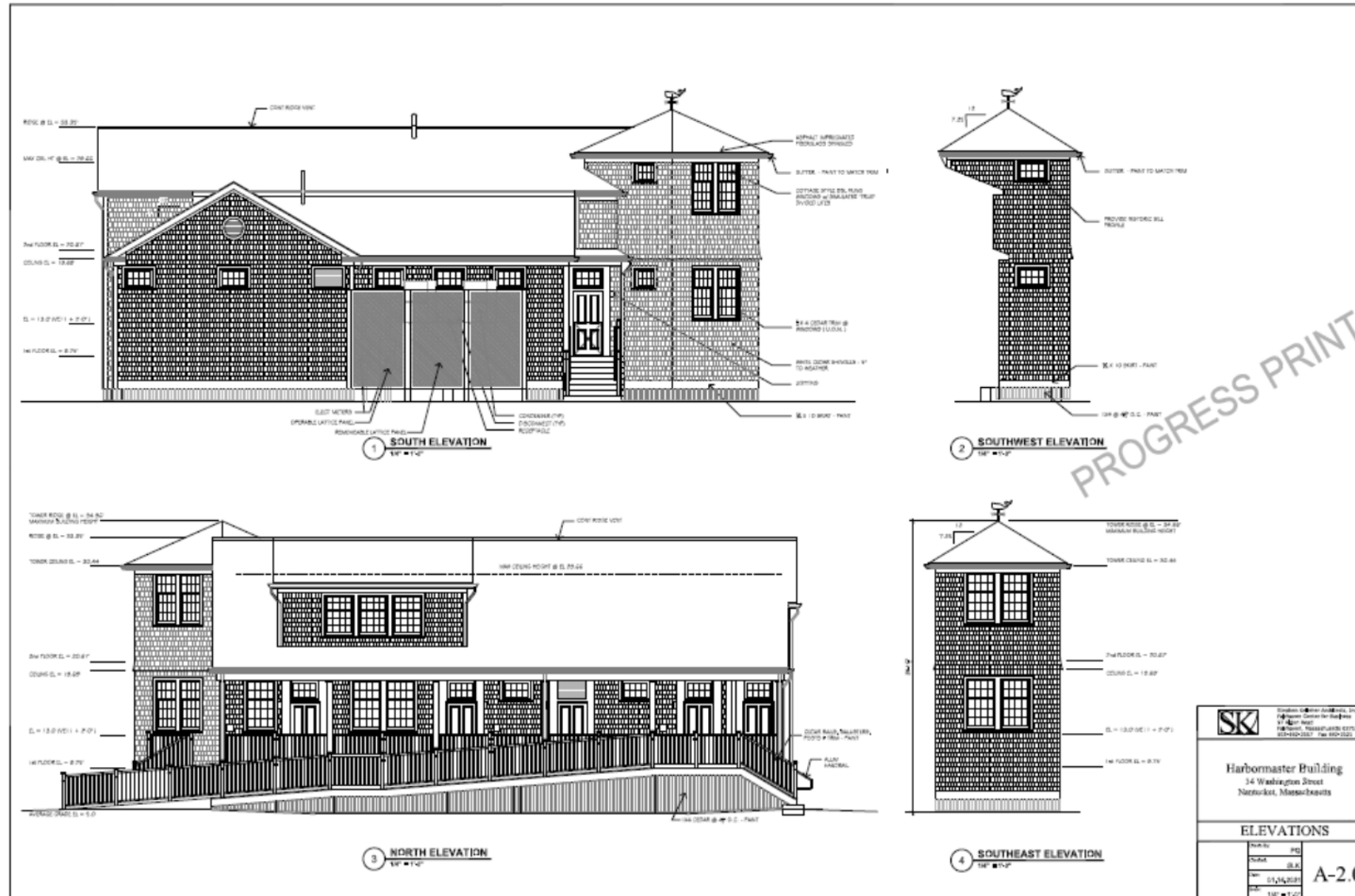
Contracts Associated with Project

- Stephen Kelleher Architects
 - \$346,510
 - Approved May 8, 2019
 - Valid through June 30, 2023
- Contracts still needed
 - General Contractor for building
- Issues-
 - Costs- hopefully come below estimates and appropriation. Project has been delayed 8 months due to COVID-19 issues.

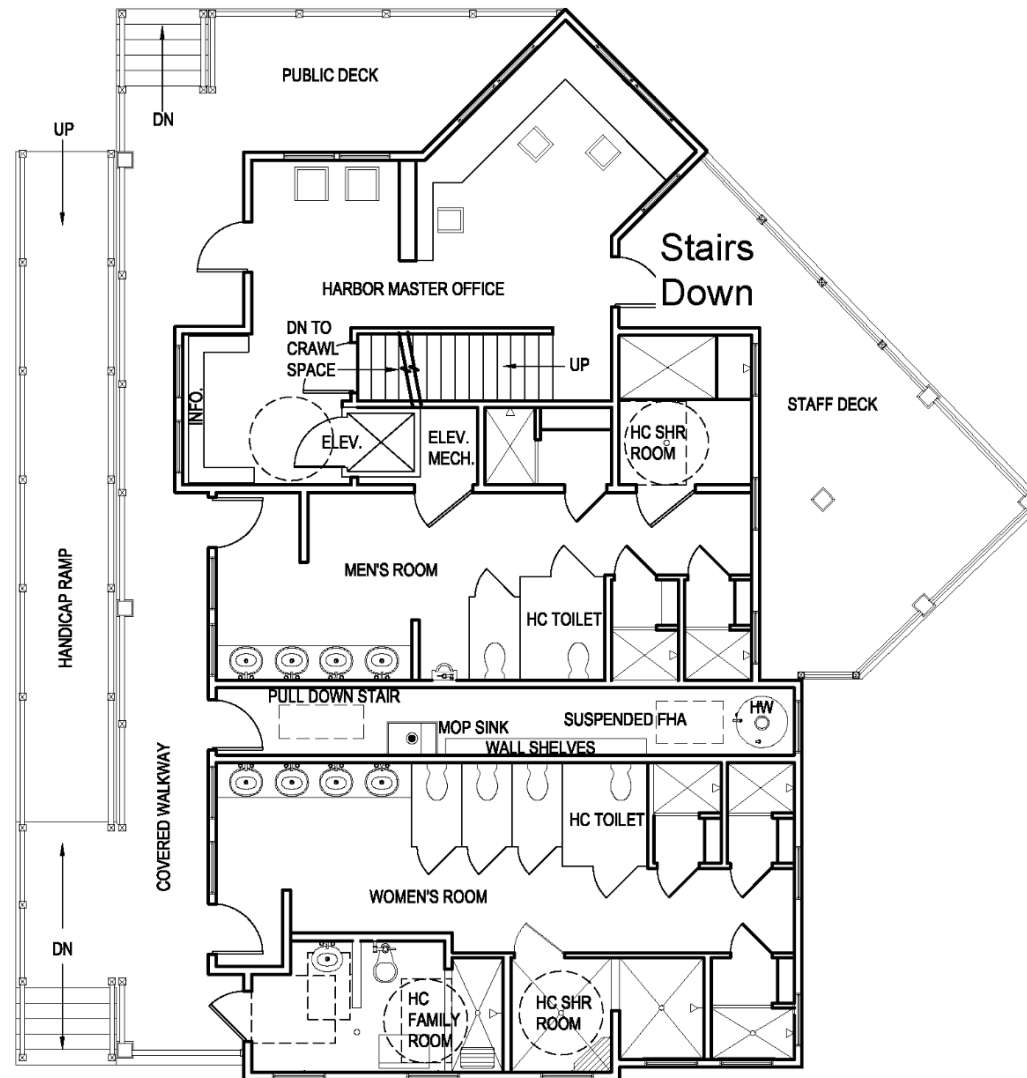
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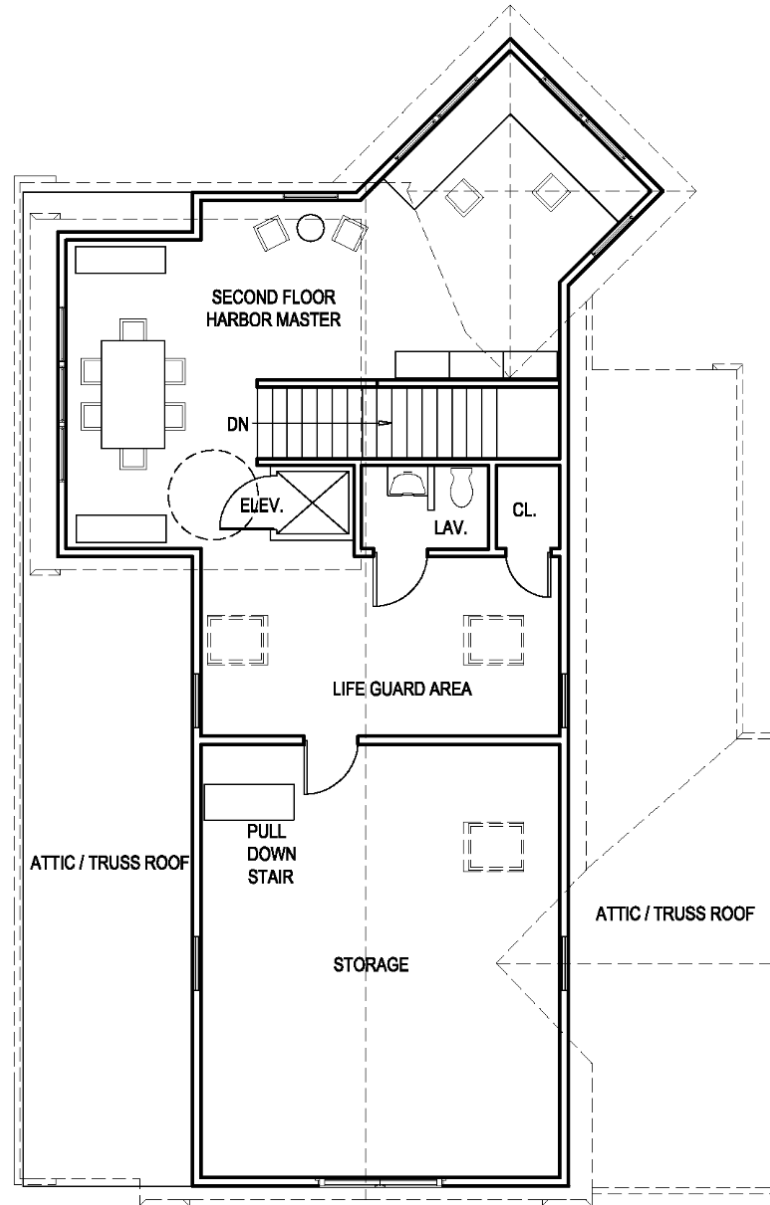
Harbor Master Building Elevations



Harbor Master Building Elevations



Harbor Master Building Elevations



PROJECT UPDATE

Harbor Master Layup Yard & Workshop Facility

Project Manager
Charles Gibson



Harbor Master Layup Yard & Workshop Facility

Project Summary

- The project involves the phased creation of a maintenance facility upon Town property at 3 Shadbush Road. This will allow the Harbor Master to perform maintenance on vessels and other department related equipment at a single facility. Currently there is no area that provides a covered work area where maintenance of vessels can be performed. There is also no area to work on equipment inside during the winter months. Current storage locations for Lifeguard equipment, boats and navigational aids are kept at various locations around Nantucket. Locations are:

Jackson Point
34 Washington St
109 Washington St
54 Low Beach Rd

2 Fairgrounds Rd
37 Washington St
47 Okorwaw Ave
3 Shadbush Rd

- The first phase of the project involves the erection of a modular steel building which was acquired from Nantucket Community Sailing at 3 Shadbush Road. This phase also involves bringing water and power to the site.
- Second phase of the project involve further improvements to the site with security fencing, lighting and final grading of the site.
- The completed facility will also provides a storage and maintenance area for all of the waterways navigational buoys, chains and anchors as well as all of the life guards stands during the off-season.

Harbor Master Layup Yard & Workshop Facility

Project Funding

- Total appropriation for the project- \$495,000
- Estimated project costs- \$495,000
 - Contracted Amounts to date- \$396,558
- Funding sources- GF Tax Levy
 - ATM FY2020 Art. 10

Harbor Master Layup Yard & Workshop Facility

Project Timeline and Permit Status

- Construction March 2021 through July 2021.
- HDC & Building permits are complete.
- Project Components- Phase 1 Contracts
 - Unassembled Modular Building- \$75,000
 - Nantucket Community Sailing
 - Erection & Assembly- \$126,050
 - Irishspan Industries, Inc.
 - Foundation, anchor bolts, piers and site work- \$195,508
 - William McEachern General Contracting, Inc.

Harbor Master Layup Yard & Workshop Facility

Phase 2

- Security Fencing and Lighting
- Finish grade

PROJECT UPDATE

Madaket-F-Street Bulkhead Repairs

Project Manager
Charles Gibson



F-Street Bulkhead Repair

Project Summary

- The project involves the installation of new steel sheet piling around the existing solid fill pier. Project also involves the replacement of the asphalt pier surface and improvements to the drainage system.
- Construction estimated for October 2021 through January 2022.
- Con Comm, Chapter 91 Waterways and Army Corps of Engineers permits are in hand.

F-Street Bulkhead Repair

Project Funding

- Initial appropriation for the project in 2016 was \$425,000.00
- Expenditures for engineering and permitting to date- \$91,558
- Funding remaining- \$333,441
- Project was bid out last July with a low bid of \$638,951
 - Fall 2020 STM for supplemental funding delayed due to COVID
- Project to be re-bid in April 2021
 - June 2021 ATM Article-10 supplemental appropriation

F-Street Bulkhead Repair

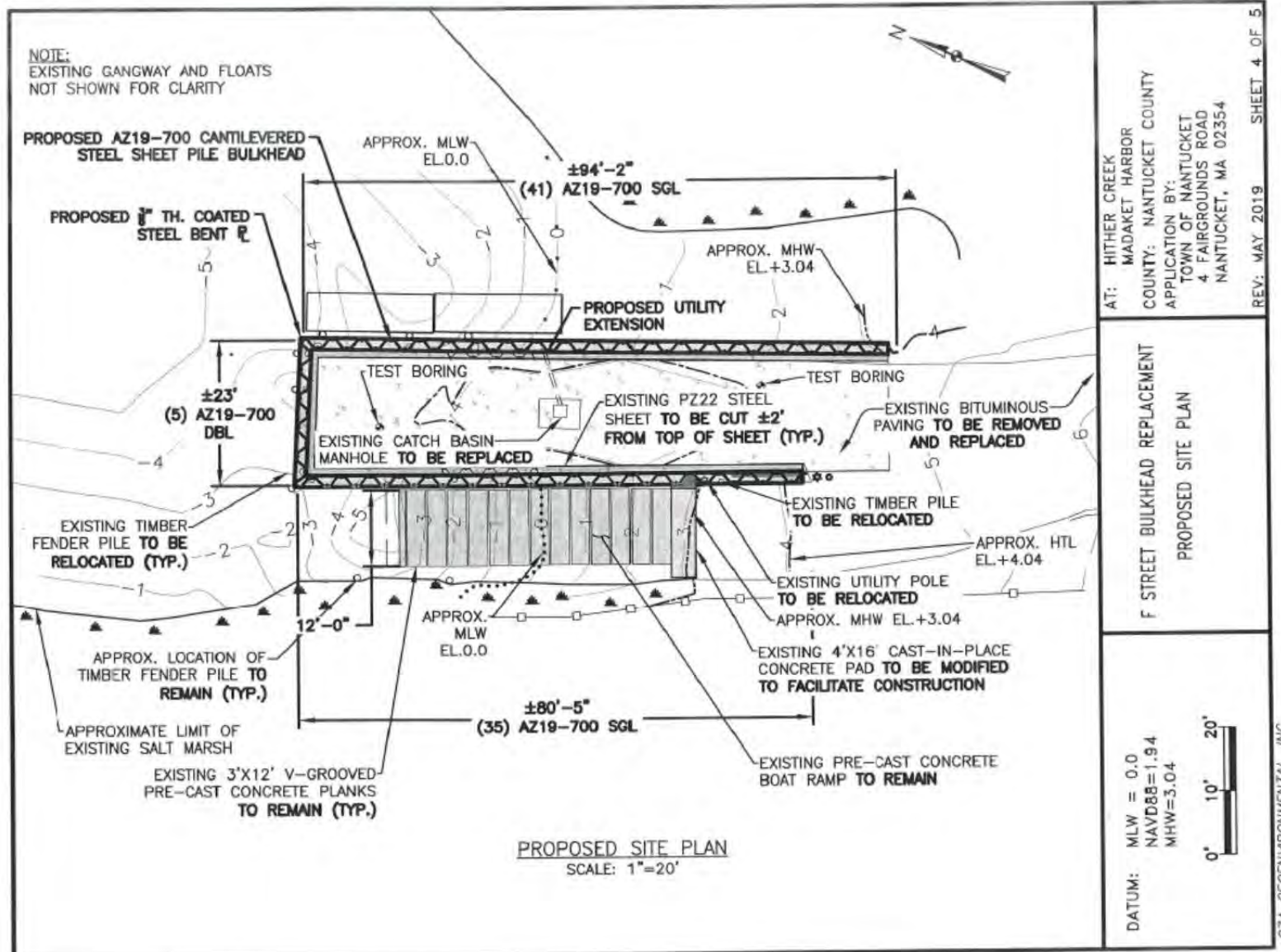
Project Timeline

- April 2021 bids out
- May 2021 bid responses
- June 2021 ATM Art-10 supplemental funding
- If funding approved-
 - Contract awarded to low bidder June 2021
 - Work starts October 2021
 - Work substantially complete January 2022

F-Street Bulkhead Repair



F-Street Bulkhead Repair



F-Street Bulkhead Repair

- Current conditions to be temporarily repaired-
 - DPW will remove plate and add 4"-5" rip-rap stone and then $\frac{3}{4}$ " stone to level and replace steel plate.



PROJECT UPDATE

LORAN Dormitory Exterior Renovations

Project Manager
Charles Gibson



LORAN Dormitory Exterior Renovations

Project Summary

- This project involves the phased renovation of the former U.S. Coast Guard LORAN Station barracks on Low Beach Road which has been used by the Police Department for seasonal housing since 1985. The concrete block building was originally built in 1952 and was expanded in 1961. The work includes:
- Replacing all exterior doors and Windows
- Repairing and insulating exterior walls and applying new sheathing with white cedar shingles
- Exterior entrances made ADA compliant

LORAN Dormitory Exterior Renovations

Project Funding

- Total appropriation for the project- \$950,000
- Estimated project costs- \$1,000,000
 - General Contractor- J.J. Cardosi \$988,000
- Funding sources- GF Tax Levy
 - ATM FY2020 Art. 10

LORAN Dormitory Exterior Renovations

Project Timeline

Construction underway now. Substantial completion June 1, 2021

Issues

- More deterioration to wall surfaces than estimated
- Hazardous materials mitigation was required
 - Lead paint removed

LORAN Dormitory Exterior Renovations

Phase 2

- Advertisement for bids for an Architect/Engineer to:
 - Evaluate/design repairs to sanitary drain system to connect to Town sewer.
 - Analysis and feasibility study for repairs/renovations to building interior to include
 - Hazardous materials abatement-
 - Lead Paint & Asbestos
 - HVAC and Air quality systems

LORAN Dormitory Exterior Renovations



LORAN Dormitory Exterior Renovations



LORAN Dormitory Exterior Renovations



PROJECT UPDATE

Children's Beach Stormwater Pump Station

Nantucket Department of Public Works
Rob McNeil - Director



Children's Beach Stormwater Pump Station

Project Summary

- Long-term (50-years) design/construction of stormwater pump station to replace the original at Children's Beach.
- Project timeline - Design expected to begin Summer 2021
 - (contingent on ATM 2021 Debt Exclusion funding – Article 13)
- Address Sea-Level Rise (SLR) and Climate Change issues.
- Study/model underway to analyze the existing watershed as a pre-cursor to the design effort. (ie. Cliff Road, Lily Pond, Brant Point Area)

Children's Beach Stormwater Pump Station

Project Funding

- \$4.3 Million (Project Design/Construction Estimate)
- TBD - ATM 2021 Debt Exclusion funding – Article 13
- Expenditures to date (Stormwater Improvements Funding)
 - Fuss & O'Neill \$270,900
 - Forensic evaluation 2018-2019
 - Repairs/Construction Support 2020
 - Watershed model 2019-2021
 - Robert B. Our, Inc. \$303,153
 - Repairs/dewatering 2020

Children's Beach Stormwater Pump Station

Project Timeline and Status

- Watershed Model Complete March 2021
- Long-term operation location (horizontal/vertical)
- SB/CRAC policy. Design timeline & options
- Design expected to begin Summer 2021
- Expected completion of project TBD

Children's Beach Stormwater Pump Station

Permitting Status

- Design location will drive permits

Children's Beach Stormwater Pump Station

Contracts Associated with Project

- Fuss & O'Neill \$270,900
 - Forensic evaluation 2018-2019
 - Repairs/Construction Support 2020
 - Watershed model 2019-2021
 - Amendment #5 (extend to May 21, 2021)
- Contracts still needed
 - Design & Construction of station replacement

Children's Beach Stormwater Pump Station

Resiliency Measures

- CRAC Sea Level Rise recommendation addressed?
- Energy efficiencies – pump station runs almost continuously; very high-energy usage
- Potential for future remote sensing and remote operation

Children's Beach Stormwater Pump Station

Summary

- Current project webpage for this project.
- 2019 Evaluation Report & Presentation
- SLR/CRAC concerns, Long-term/Short-term (design life?)



PROJECT UPDATE

Nobadeer Field House

Nantucket Department of Public Works
Rob McNeil - Director

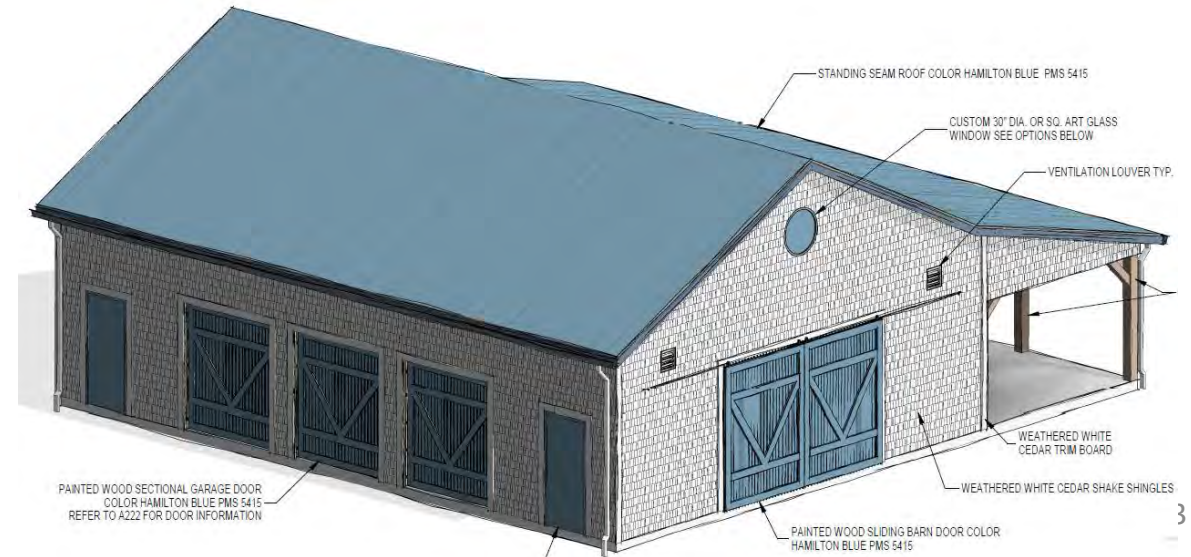
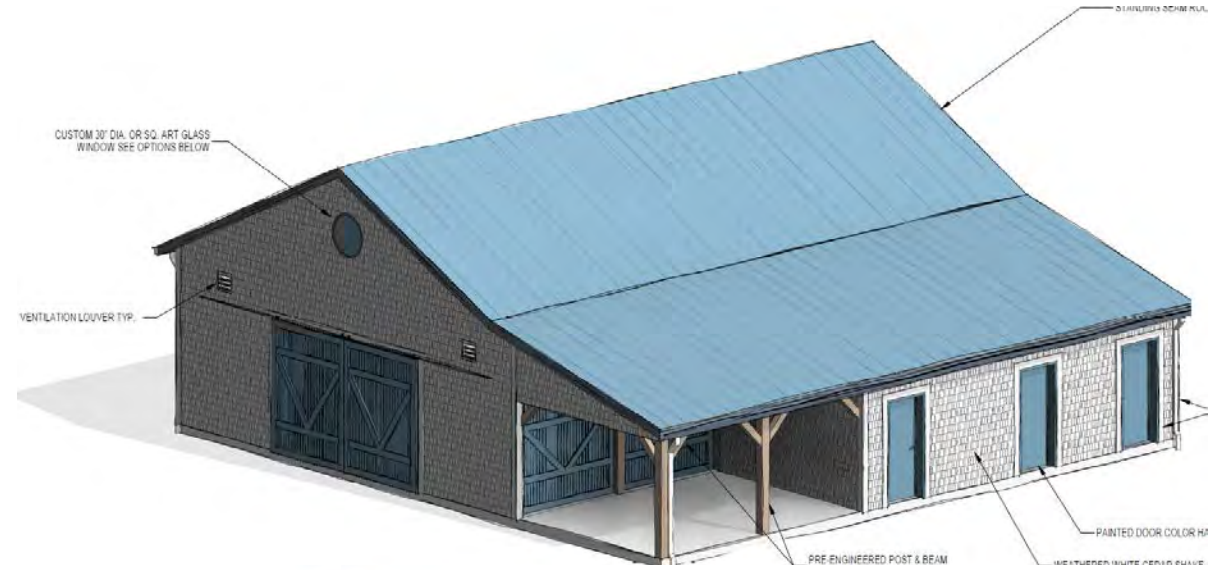
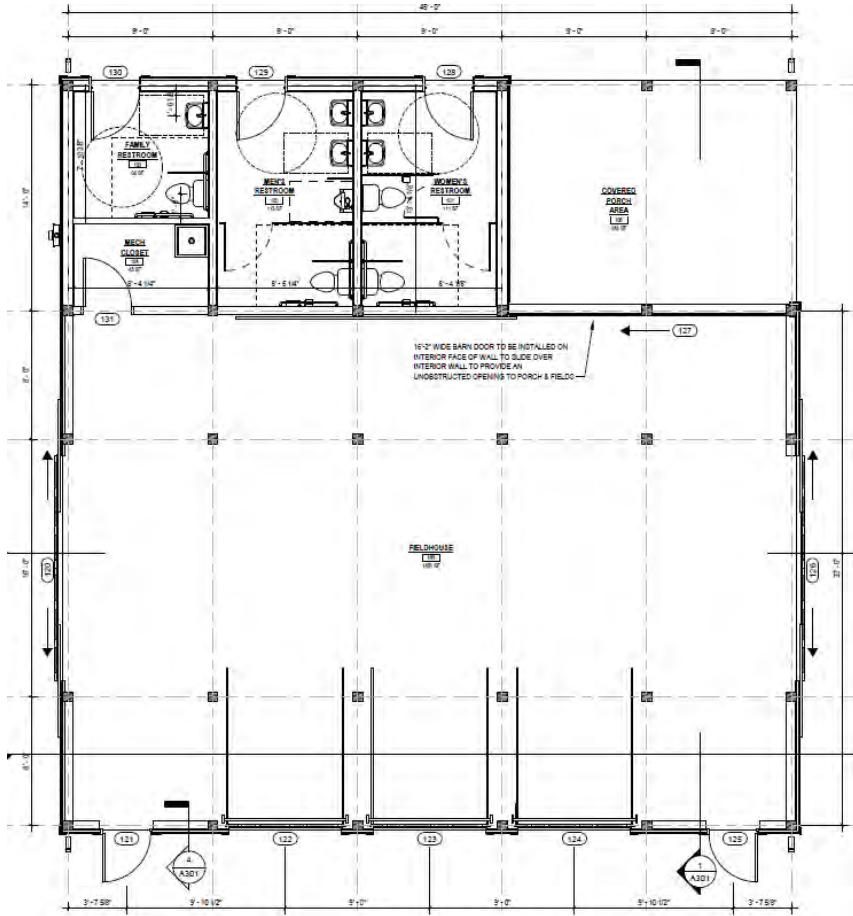


Nobadeer Field House

Project Summary

- Efficient 3-season weather shelter with bathrooms on septic
- Project timeline - Design completed
 - Construction Bid advertised – Bid opening Scheduled May 14, 2021
 - (award contingent on ATM 2021 Debt Exclusion funding – Article 14)
- 46'x45' overall building dimensions with concrete pad
- 1,451-sf open floor plan & mechanical room/closet
- Family/Womens/Mens bathrooms
- 248-sf covered porch

Nobadeer Field House



Nobadeer Field House

Project Funding

- Opinion of Probable Construction Costs \$1.6 Million
- A10/2017 Nobadeer Fieldhouse (CPC Funding) \$700K (\$507K remaining)
- A31/2013 Field House \$385K (\$155,721.77 remaining)
- TBD - ATM 2021 Debt Exclusion Supplemental Funding \$1-Million Article 14
- Recent Expenditures (FY20-21)
 - Owners Project Manager (OPM) ACG, Inc. \$52,560
 - Architects Weston & Sampson \$137,000
 - KOBO test pits \$3,135

Nobadeer Field House

Project Timeline and Status

- Bid opening Scheduled May 14, 2021
- ATM & Election June 2021
- Construction expected to begin Summer 2021
- Expected completion of project TBD

Nobadeer Field House

Permitting Status

- HDC COA#2020-05-1005 approved on 5/26/2020
 - Valid for 3-years from date of approval
- Board of Health Septic Design Approved
- NGRID Power Service Request Approved
- FAA Approved

Nobadeer Field House

Contracts Associated with Project

- Owners Project Manager (OPM) ACG, Inc. \$52,560
- Architects Weston & Sampson \$137,000
- Contracts still needed
 - Construction General Contractor
 - OPM & Architect Construction oversight, As-Builts, Commissioning

Nobadeer Field House

Resiliency Measures

- Energy efficiencies – low energy usage

Cultural Measures

- Art glass connecting Wampanoag history on gable ends

Nobadeer Field House

Summary

- 2020 Design with Public Information Session input
- Efficient 3-season weather shelter with Bathrooms
- \$1.6 M construction estimate



PROJECT UPDATE

131 Pleasant Street Renovations

Nantucket Department of Public Works
Rob McNeil - Director

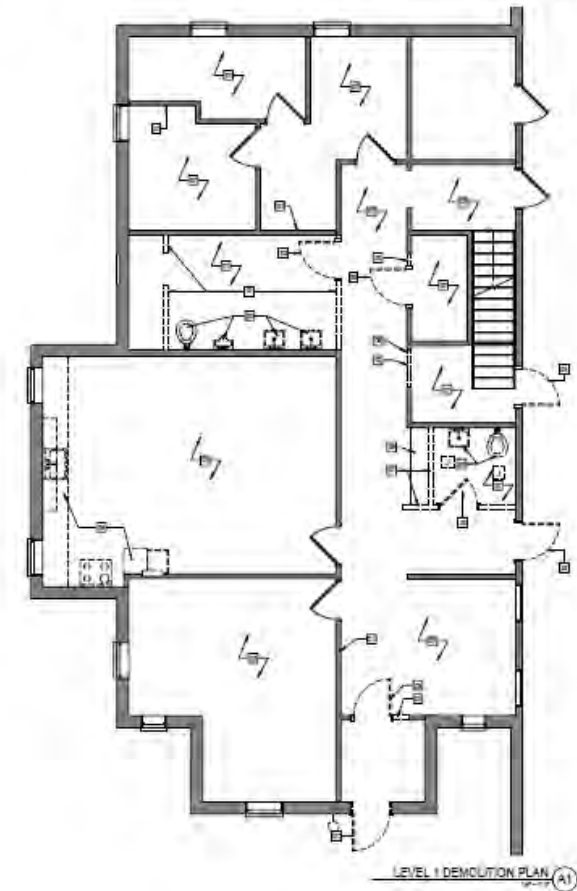


131 Pleasant Street Renovations

Project Summary

- Building Reuse Project expected for a 10-year maximum term.
- Renovation of vacated Fire Station Office Space for the Natural Resources and Health Departments. (Hazardous Material Abatement, Flooring, IT/Electrical, Plumbing, Painting)
- Relocate Office Trailer for meeting space. (Water, Sewer, IT/Electrical)
- Reconfigure/Reconstruct Parking Lot to include EV Charging Station.
- Reconstruct Sidewalks on Sparks Avenue/Pleasant Street w/parking.
- Project timeline
 - Concept work completed in 2019
 - Architectural Plans completed in 2020
 - Various Contracts being awarded NOW
 - Occupation expected by Summer 2021

Hand-drawn site plan of a proposed development. The plan shows a parking lot with 15 stalls, a building labeled "APPROXIMATE LOCATION OF TEL/DATA ROOM", and a "FUEL PAD AREA". A road labeled "SPARKS AVENUE" runs along the top, and "PLEASANT STREET" runs along the bottom. A dashed line indicates a "LOADING DOCK" area. A curved path is labeled "XING" (crossing). Dimensions include "10' SW" and "25'". A north arrow is present in the upper right corner.



131 Pleasant Street Renovations

Project Funding

- SMRT Opinion of Probable Construction Costs \$816K
- Project program shifted to essentials to occupy only.
- A10/'20 TRAILER FOR MUNICIPAL SPACE/MEETINGS \$450K (\$226K remaining)
- A10/'20 IMPROVE 131 PLEASANT \$250K (\$61K remaining)
- A10/2015 PARKING LOT IMPROVEMENTS \$250K (\$228K remaining)

131 Pleasant Street Renovations

Recent Expenditures (FY20-21)

- Architects SMRT \$124,805 feasibility study and design
- Barrett Enterprises (office trailer relocation) \$148,000

Project Contracts, Timeline and Status

- Hazardous Materials Abatement starting 3/29/2021
- Plumbing contract SB 3/17/2021
- Patching/Cleaning/Painting contract SB 3/17/2021
- Flooring (reposted; quotes due 3/31/2021) expected SB 4/7/2021
- IT/Electrical (ITC71; quotes due 3/26/2021) expected SB 4/7/2021
- Occupation expected by Summer 2021

131 Pleasant Street Renovations

Permitting Status

- HDC COA#73014 Approved 9/10/2019 (trailer)
 - Valid for 3-years from date of approval
- NGRID Power Service Request Approved (trailer)

131 Pleasant Street Renovations

Leftovers to Reuse

- 3 East Chestnut Street
 - Building to be renovated for office space reuse by Town Admin
- 2 Bathing Beach
 - Building to be repurposed for Jetties Tennis Programming

131 Pleasant Street Renovations

Summary

- Renovate Building for NR and HD
- Relocate Office Trailer for meeting space
- Reconstruct Parking Lot to include EV Charging Station, loading zone, ADA spaces, etc.
- Reconstruct Sidewalks on Sparks Avenue/Pleasant Street w/on-street parking.



PROJECT UPDATE

Sidewalk Improvements
Easy Street/Lower Broad Street
& Pleasant/Sparks/Williams

Nantucket Department of Public Works
Rob McNeil - Director

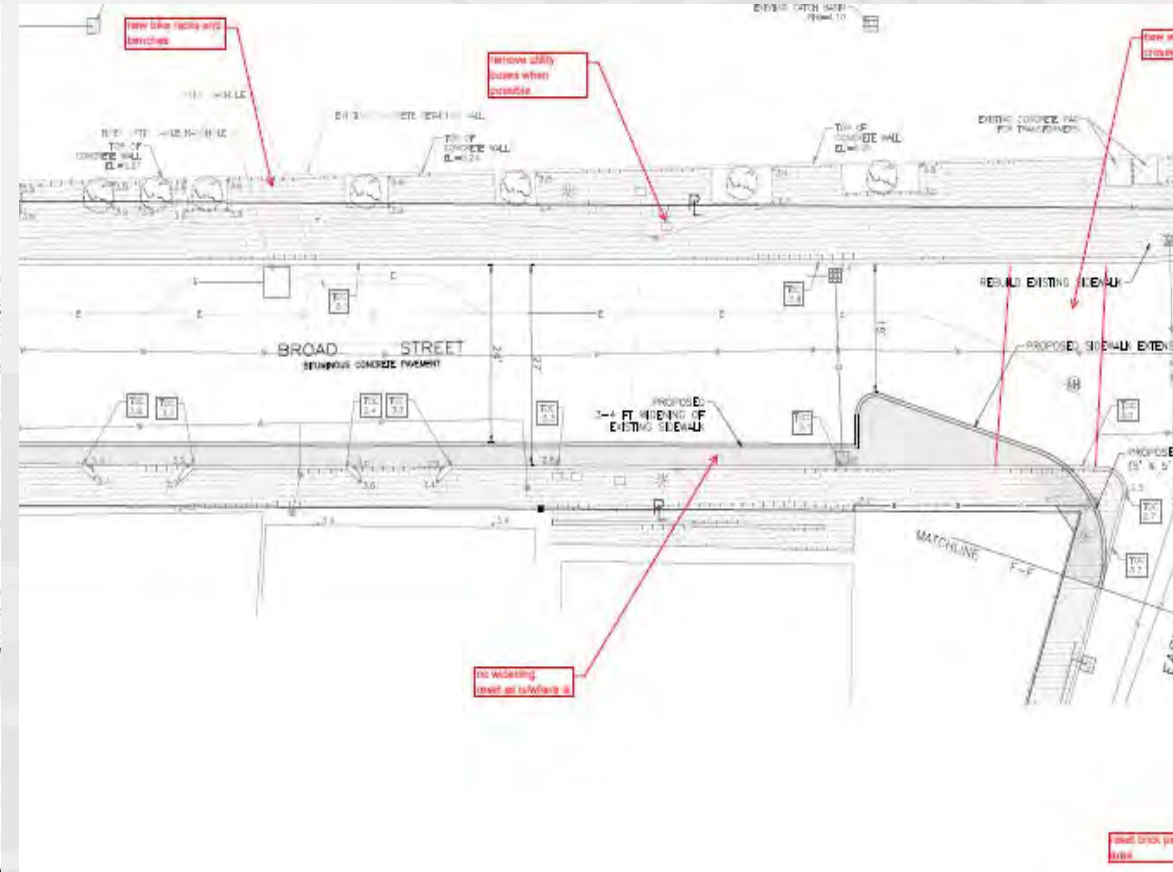
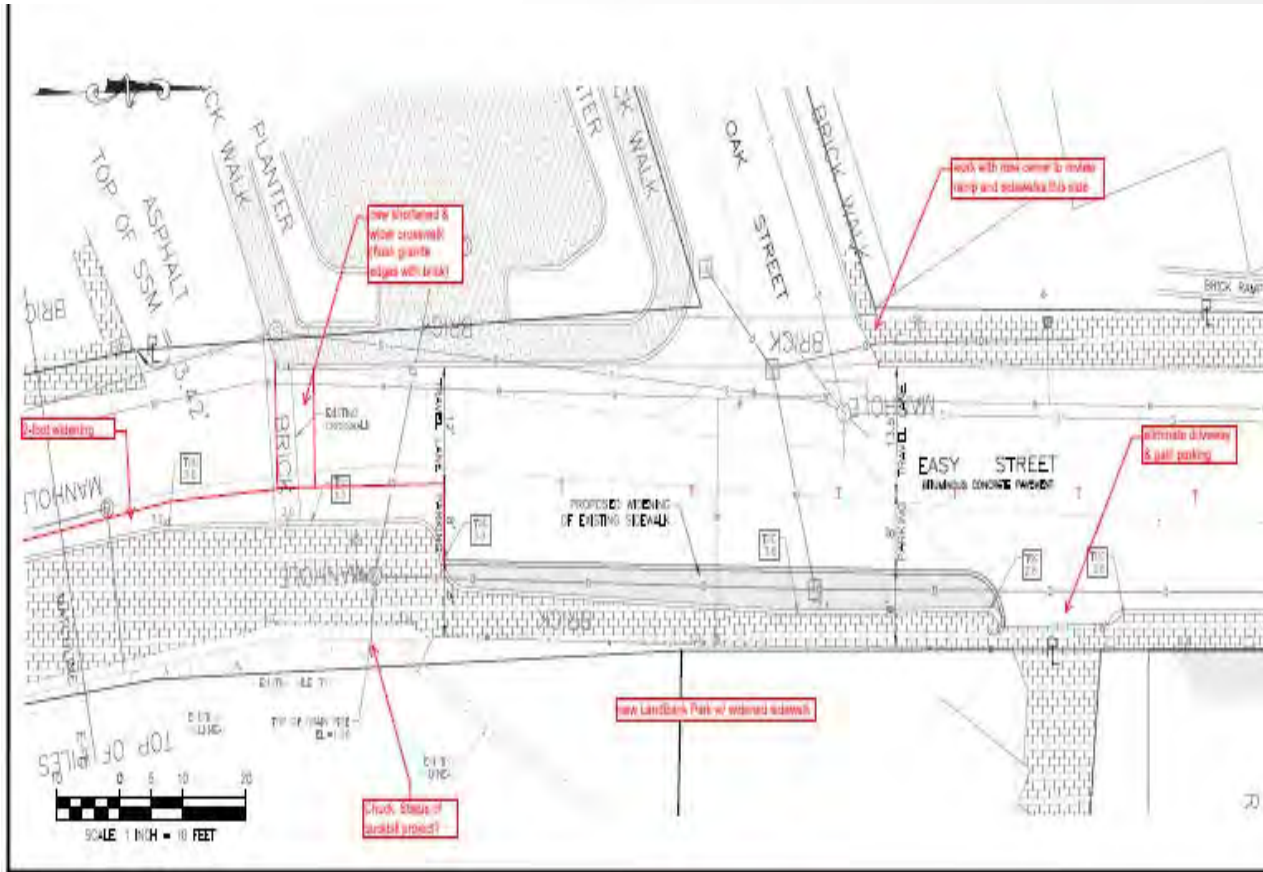


Sidewalk Improvements Easy Street/Lower Broad Street

Project Summary –Easy Street/Lower Broad Street

- Remove and replace curbing and brick sidewalks
- Replace two crosswalks (brick with flush granite border) (requires road closure/alternate truck route)
- Add two crosswalks on Lower Broad Street (paint only)
- Project timeline
 - Construction expected to begin March 2021
 - Construction expected to be completed by Summer 2021
- Coordination with Land Bank Park Contractor

Sidewalk Improvements Easy Street / Lower Broad Street



Sidewalk Improvements Easy Street / Lower Broad Street

Project Funding

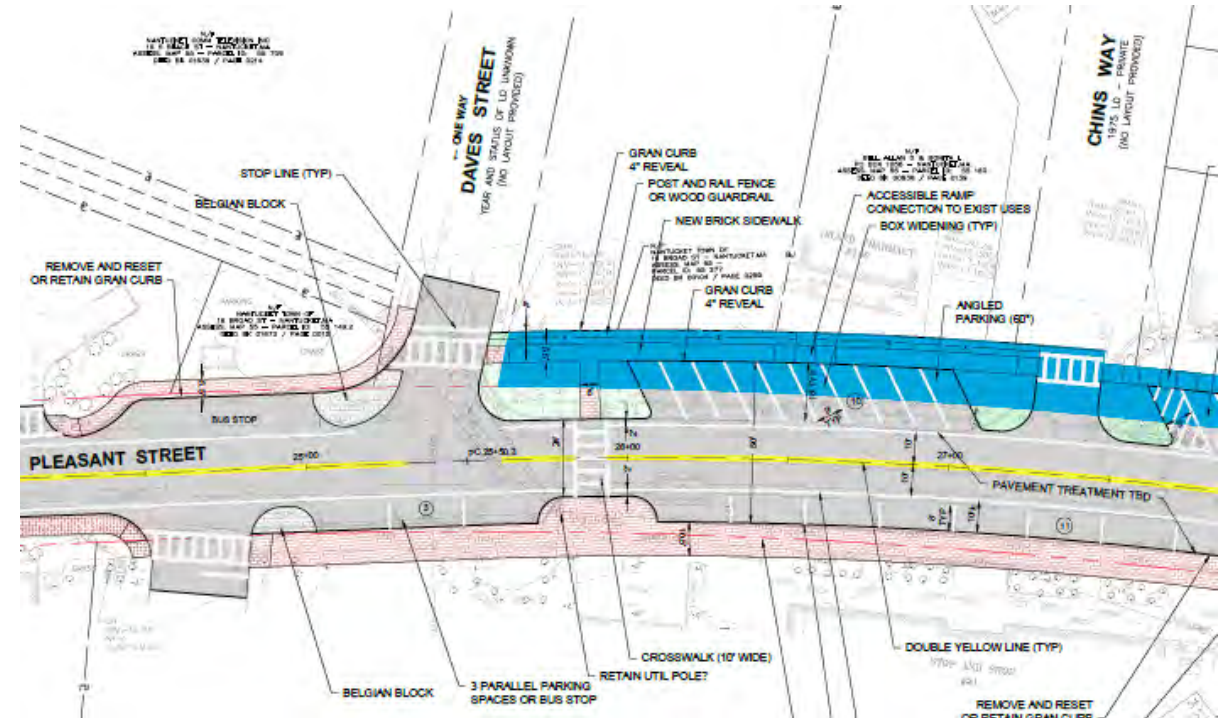
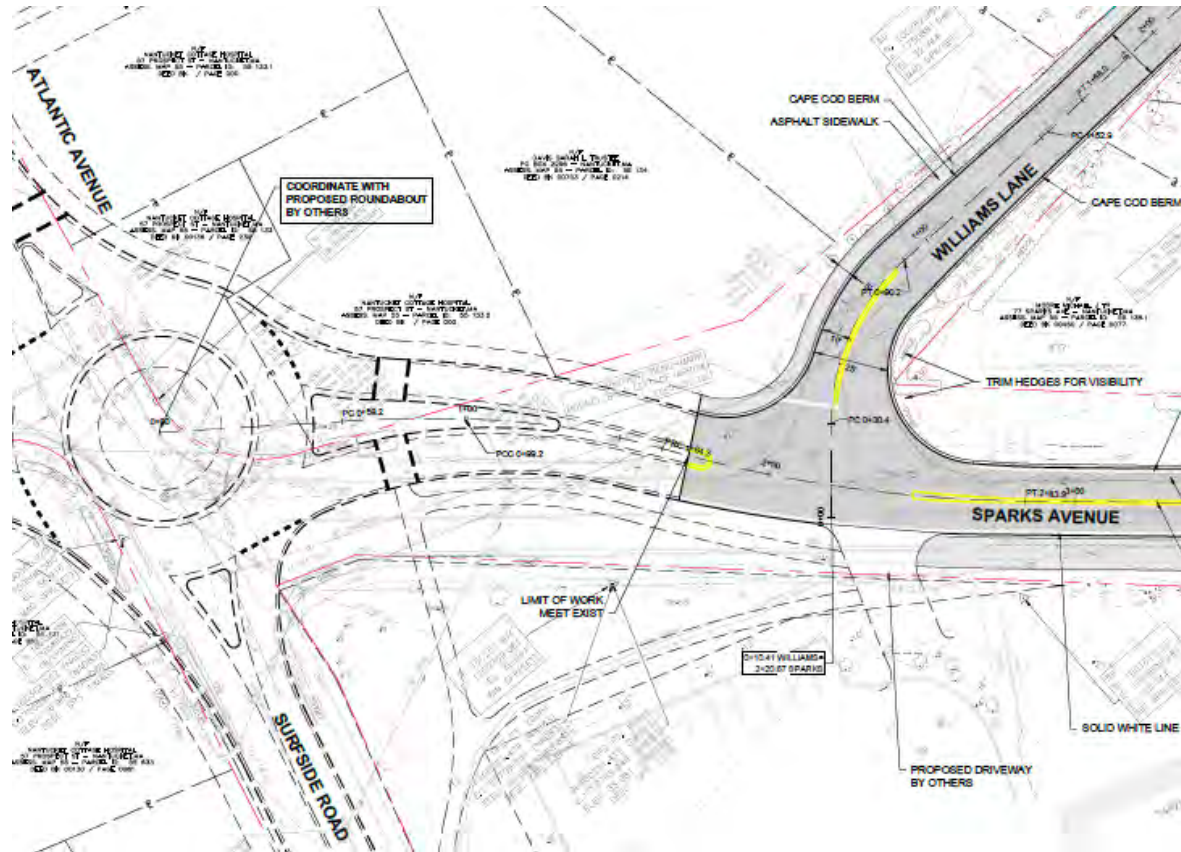
- Expected Construction Costs \$1 Million
- A10/'21 Phased Sidewalk Improvement Program \$1.03M

Sidewalk Improvements Pleasant / Sparks / Williams

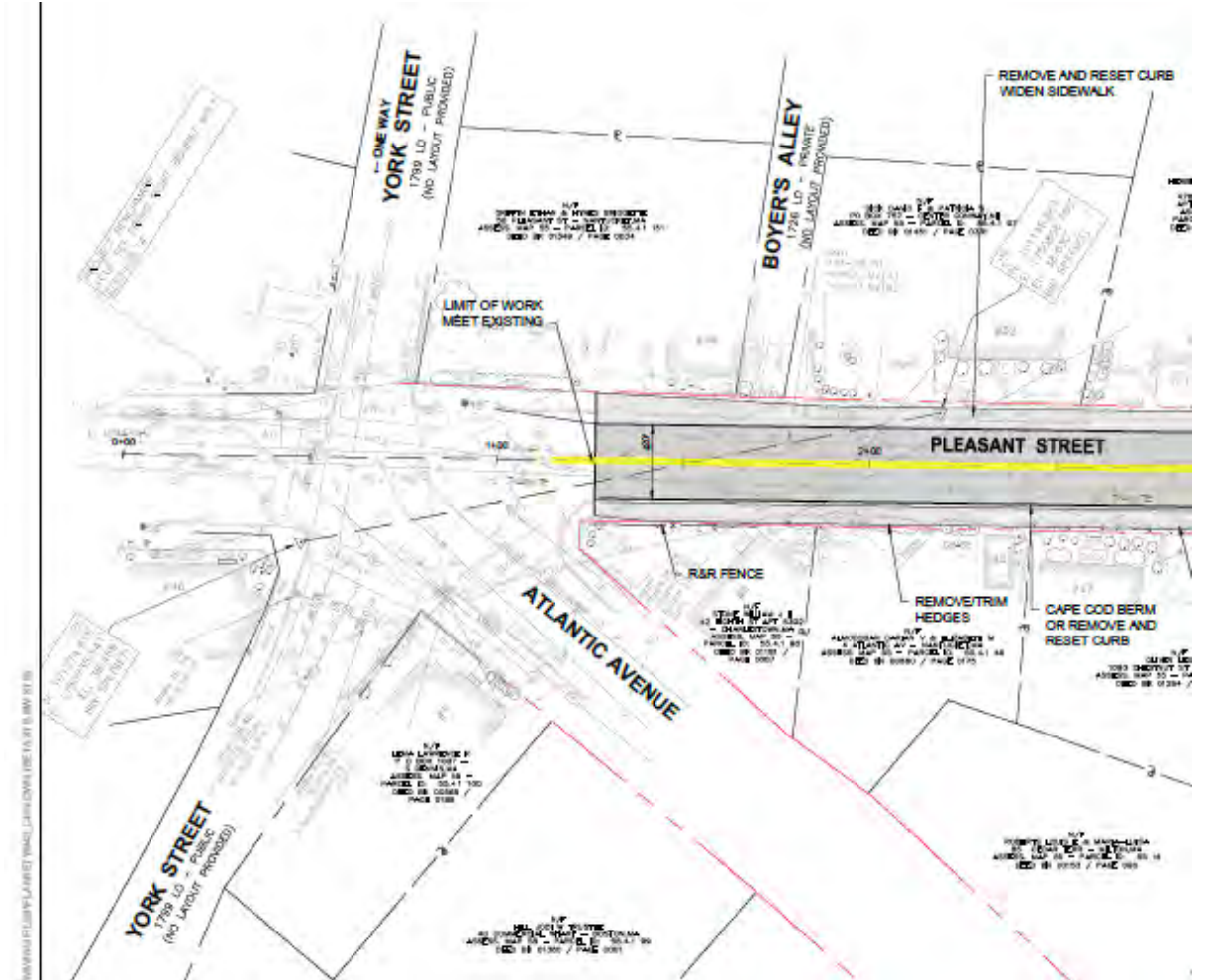
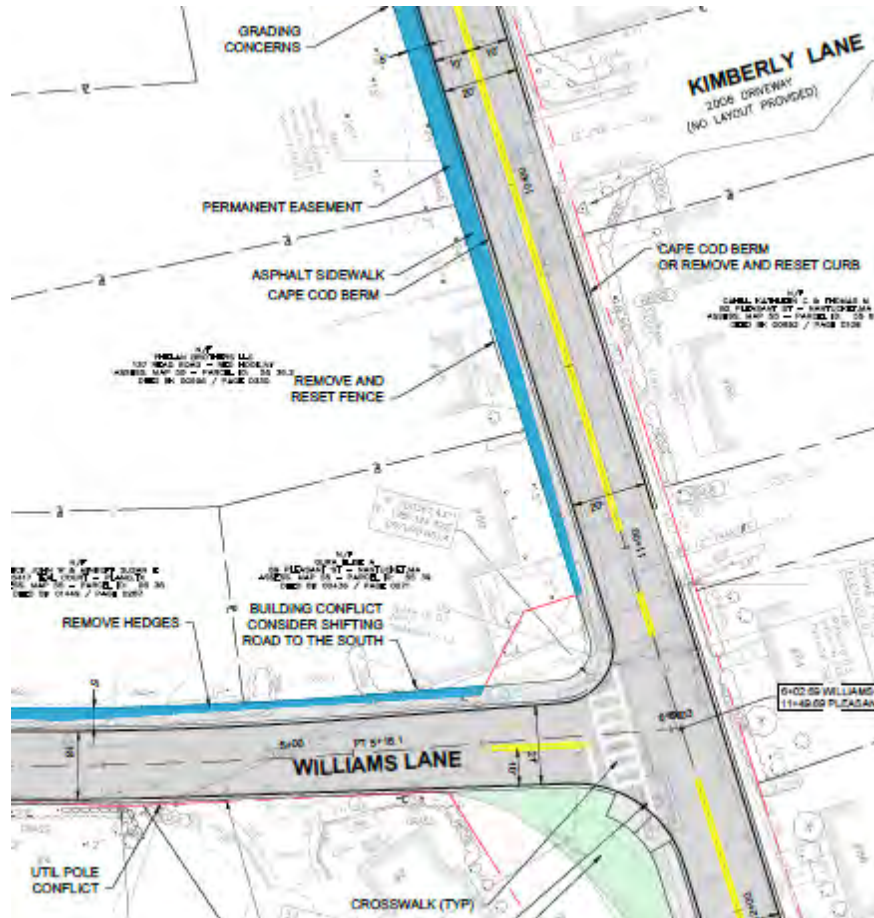
Project Summary –Pleasant/Sparks/Williams

- Shared Use Path along Sparks Avenue (Atlantic to Milestone)
- ADA accessible curb ramps w/ detectable warning panels
- Raised crosswalk at Boys/Girls Club (eliminate rumble strips)
- MassDOT design guidelines
- Stormwater Management Improvements
- Concept Plans completed 2020, Archeological Investigation underway now along Newtown Cemetery boundary.

Sidewalk Improvements Pleasant / Sparks / Williams



Sidewalk Improvements Pleasant / Sparks / Williams



Sidewalk Improvements Pleasant / Sparks / Williams

Contracts Associated with Project

- BETA Engineers \$207,550.00
 - Includes Archeological Investigation

Funding Sources

- A19/'19 SPARKS AVE SIDEWALK IMPROVES \$1.08M (\$1.02 remaining)

Sidewalk Improvements

Summary

- Easy Street/Lower Broad Street Sidewalk Improvements expected to be completed by Summer 2021
- Pleasant Street/Sparks Avenue/Williams Street improvements early in the design. Will be seeking input from abutters and other Committees. Much more to come.



PROJECT UPDATE

Waite Drive – Phase I

Nantucket Department of Public Works
Rob McNeil - Director

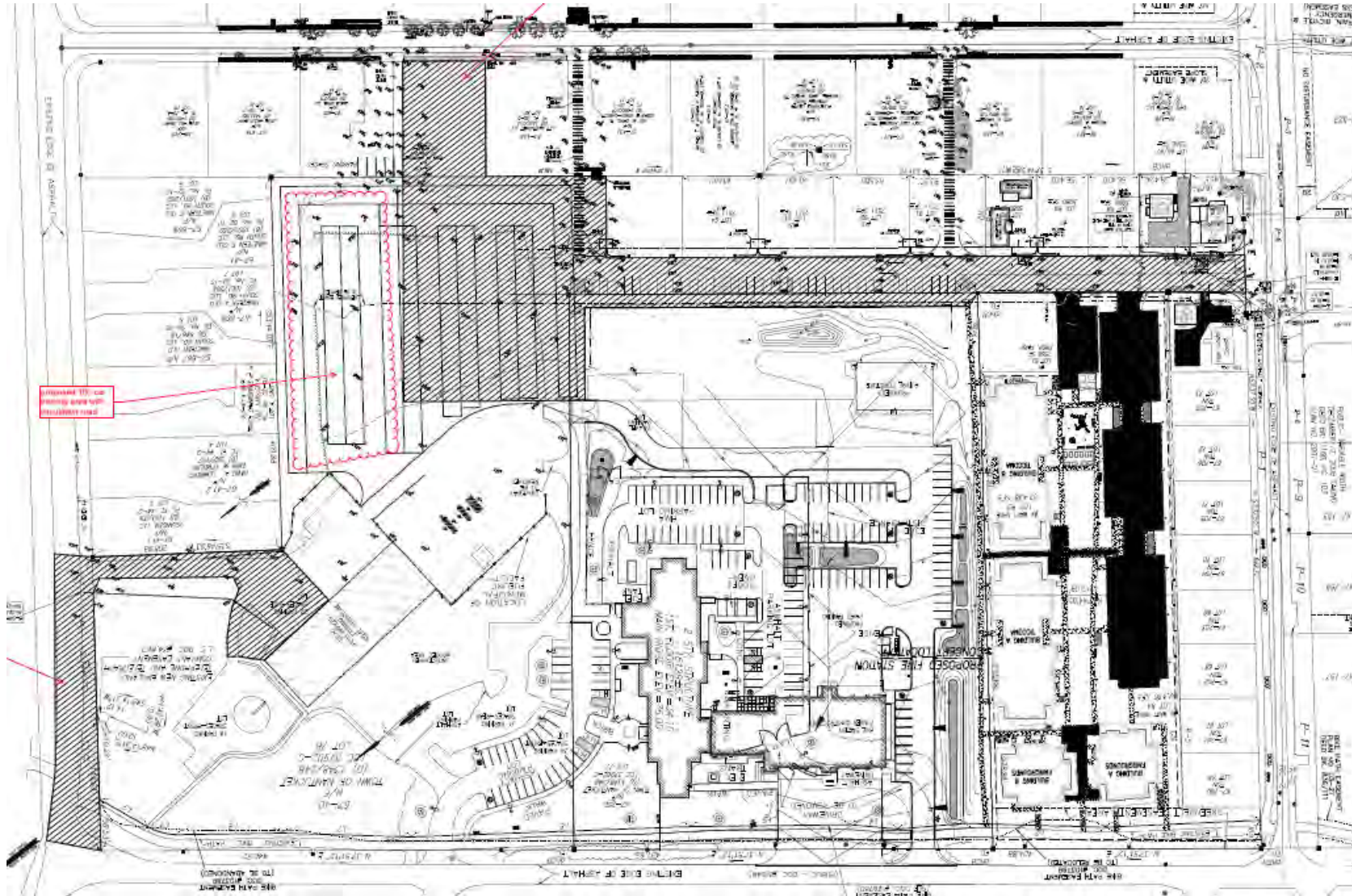


Waite Drive – Phase I

Project Summary

- Improvements in support of 6FG Housing Development
 - Ticcoma Way to Amelia Drive (approx. 1,200-LF)
 - (2-way vehicular traffic w/ sidewalks and on-street parking)
 - Water, Sewer, Drainage, underground Electric & Communications
 - Sidewalk connection (Fairgrounds Road along Old South Road)
 - 2FG Driveway Entrance Improvements
 - Old South Road NRTA bus pull off near 2FG (outbound)
- Project timeline - Design completed 2020
 - Construction Contract w/ CC Construction SB 4/7/2021

Waitt Drive – Phase I



Waitt Drive – Phase I

Project Funding

- Opinion of Probable Construction Costs \$3.03 Million
 - 1,400-LF (Phase I) \$1.94 M
 - 600-LF (Phase II) \$1.09 M
- A10/'20 INFRASTRUCTURE 6FG/WAITT DRIVE \$1.5M (\$1.49M remaining)
- MassWorks Infrastructure Grants \$2.75M
- Pending Contracts
 - CC Construction \$2.34M (Phase I)

Waitt Drive – Phase I

Project Timeline and Status

- Construction Contract expected 4/7/2021
- Mobilization expected by 4/12/2021
- Expected completion of Phase I project – 10/31/2021

Waitt Drive – Phase I

Summary

- Improvements in support of 6FG Housing Development
- Ticcoma Way to Amelia Drive (approx. 1,200-LF)
- Sidewalk connection (Fairgrounds Road along Old South Road)
- 2FG Driveway Entrance Improvements
- Old South Road NRTA bus pull off near 2FG (outbound)
- Project timeline – Phase I completed CY 2021



PROJECT UPDATE

Washington/Francis
Intersection Improvements

Nantucket Department of Public Works
Rob McNeil - Director

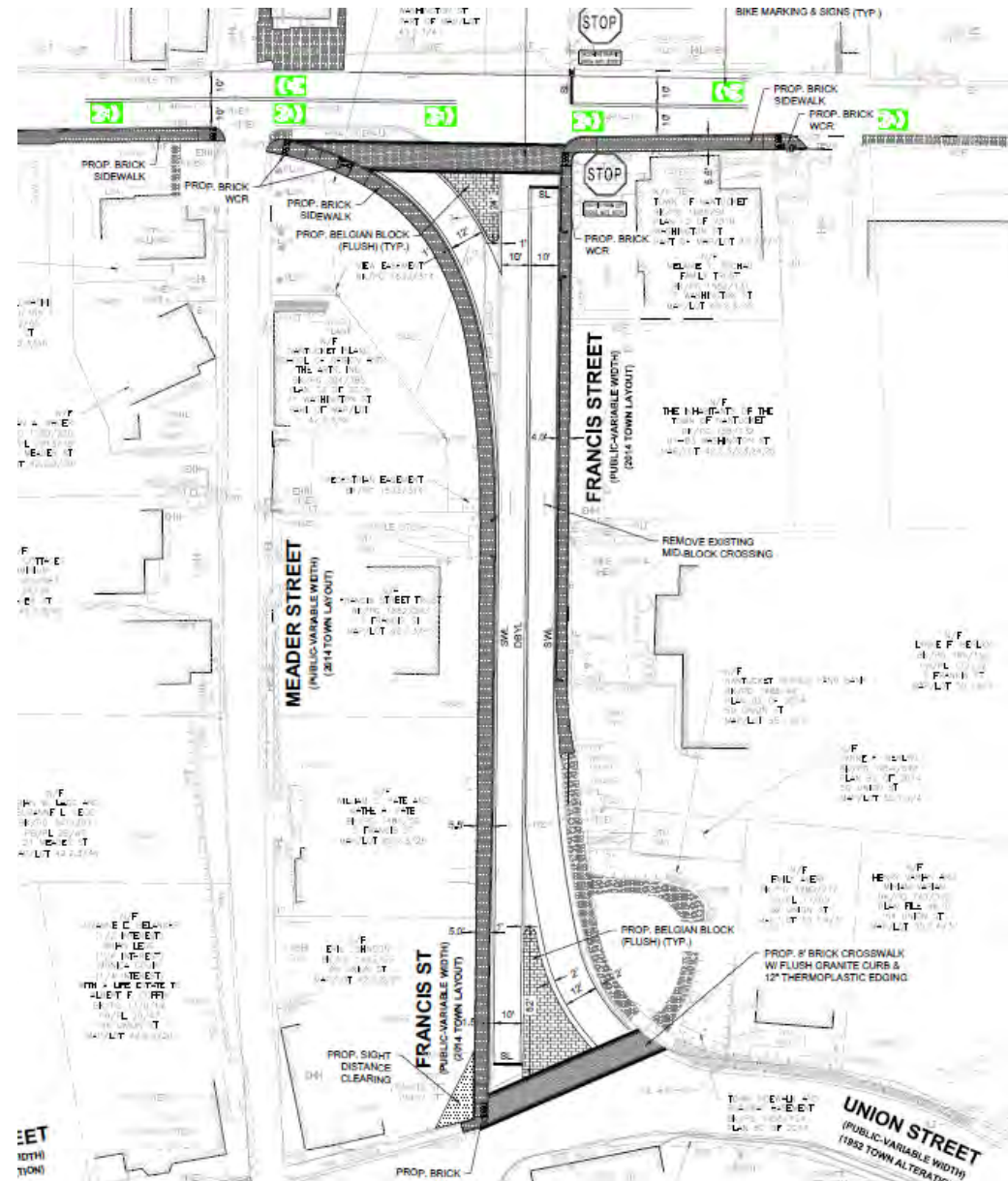


Washington / Francis Intersection Improvements

Project Summary

- Vehicular Traffic Layout Improvements along the island's primary truck route. Includes bicycle and pedestrian accommodations.
- Working with Wannacomet Water Company to replace water main from Commercial Street to Washington Street Extension at the same time. Adjust Washington Street profile as needed to address Sea Level Rise (SB/CRAC Policy).
- Project timeline – Concept SB Approved Fall 2020
 - Final Engineering design underway.
 - Construction Bids expected Summer 2021
 - Construction expected Fall 2021

Washington / Francis Intersection Improvements



Washington / Francis Intersection Improvements

Project Funding

- Survey, Preliminary, Final Design
 - Greenman-Pedersen, Inc. \$125K
 - A10/'19 ROAD MAINTENANCE \$13K
 - A10/'20 TOWN WIDE MULTI-USE PATHS \$112K
- Preliminary Opinion of Probable Construction Costs \$2.13M
 - (w/ profile adjustments for SLR)
 - (w/out Wannacomet Water Improvements)
- WWCO funding and Chapter 90 funding proposed for construction.

Washington / Francis Intersection Improvements

Project Timeline and Status

- Final Design underway, coordinating with WWCO
- Construction Bids expected Summer 2021
- Construction expected to begin Fall 2021
- Expected completion of project by Summer 2022

Washington / Francis Intersection Improvements

Summary

- Vehicular Traffic Layout Improvements along the island's primary truck route. Includes bicycle and pedestrian accommodations.



PROJECT UPDATE

Washington St Main
Replacement

Mark Willett

Wannacomet Water



Washington St Main Replacement

Project Summary

- WWCO to replace the water main from corner of Commercial and Washington up to the end of Washington St Ext. (approx. 2,000 feet of pipe)
- Bid late summer 2021 and start construction fall 2021
Complete work final pavement in March/April of 2022
- This project will be completed in unison with the DPW project on the corner of Washington and Francis

Washington St Main Replacement

Project Funding

- Secure 1 million for the project
- Estimated project costs are 850K
- Funding source is from retained earnings
- Approval expected 2021 ATM.

Washington St Main Replacement

Project Timeline and Status

- Bid job in summer 2021 start work late fall 2021 or winter 2022
- Complete work in unison with the Washington/Francis St corner project. Start date to be determined.
- Completion of project is projected to be in March/April 2022

Washington St Main Replacement

Permitting Status

- All proper street opening and de-watering permits will be acquired prior to the start of the project
- The alternate truck route will have to be enforced until the project reaches Washington St Ext.

Washington St Main Replacement

Contracts Associated with Project

- The project expected to be bid late summer 2021
- Expected to have multiple excavation contractors bid the job

Washington St Main Replacement

Resiliency Measures

- CRAC Sea Level Rise recommendation to raise the elevation of Washington St. The exact height is yet to be determined

Washington St Main Replacement

Summary

- Older water main in need of replacement
- This project will coincide with the Washington St/Francis St Corner Project being completed by the DPW
- Design files will be made available when completed



SEWER DEPARTMENT MAJOR PROJECTS UPDATE

Surfside Road Area

David C. Gray, Sewer Director



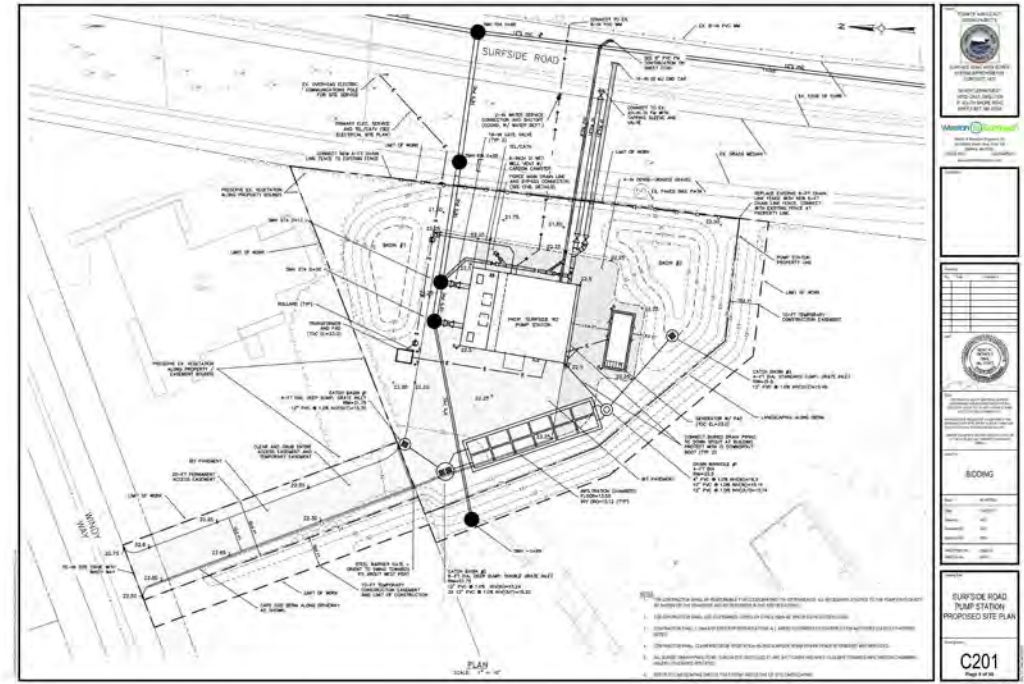
Surfside Road Area Sewer System Improvements

Project Summary

- Construction of a new Surfside Road Pump Station and installation of 3,400 feet of new sewer on Surfside Road from Miacomet Ave to Vesper Lane and 250 feet of new sewer on Bartlett Road near the Surfside Road intersection.
- The purpose of the sewer system improvements project is to provide adequate downstream capacity for the future sewer system expansions for the Somerset, Hummock North and Hummock South needs areas identified in the 2014 CWMP Update.
- The routing study and downstream capacity analysis for the project were completed as part of the 2020 Sewer Master Plan.
- Weston & Sampson will be providing the engineering services during construction.
- The construction contract has been awarded to RBO Construction.
- The contract time frame is 420 days. Actual construction is scheduled to begin the first week of April 2021 and scheduled to be completed by April 2022.

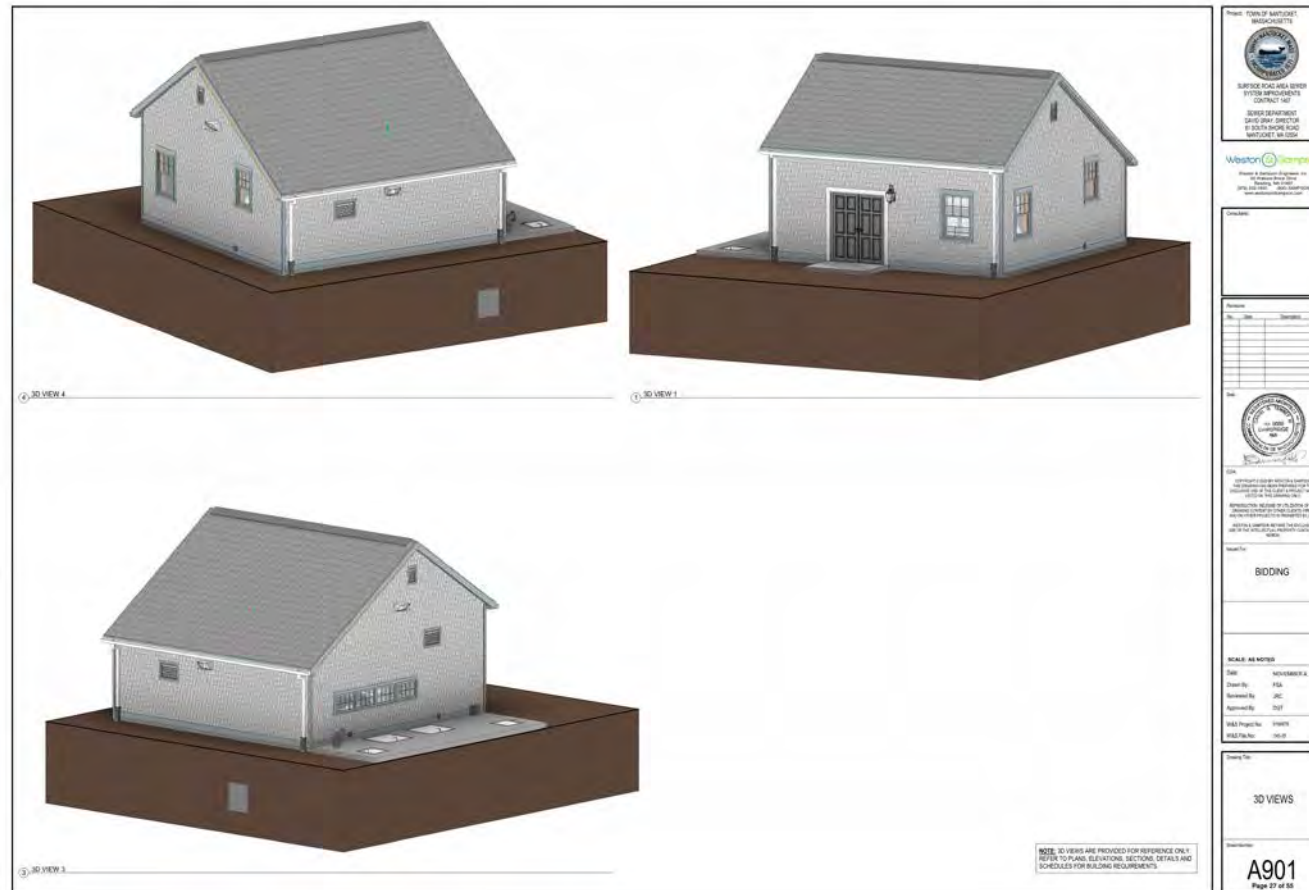
Surfside Road Area Sewer System Improvements

Project Summary (continued)



Surfside Road Area Sewer System Improvements

Project Summary (continued)



Surfside Road Area Sewer System Improvements

Project Funding

- Total appropriation for the project is \$7,600,000 (includes design and construction phase costs)
- Estimated project costs \$7,000,000 (construction phase cost)
- State Revolving Loan Fund (SRF). Project approved for 0% interest rate financing.
- Town appropriation: ATM 18 Article 12 - \$5,600,000 and ATM 20 Article 16 - \$2,000,000
- Expenditures to date: \$600,000
- Funding remaining: \$7,000,000

Surfside Road Area Sewer System Improvements

Project Timeline and Status

- Notice to Proceed issued to RBO on February 11, 2021.
- The contract time frame is 420 days. Actual construction is scheduled to begin the first week of April 2021 and is scheduled to be completed by April 2022.
- Preconstruction Conference held on March 18, 2021.
- Critical time restriction is getting gravity sewer and paving installed on Surfside Road before the 2021 summer season.
- Maintaining excellent communication with regard to traffic delays during construction on Surfside Road is critical to the success of the project.
- Critical resources needed during the construction on Surfside Road include the availability of Police details to help with the traffic issues.

Surfside Road Area Sewer System Improvements

Permitting Status

- Massachusetts Historical Commission – final approval of Post-Review Discoveries Protocol received December 29, 2020
- Nantucket Historic District Commission – Received approval of Certificate of Appropriateness for the new Surfside Road Pump Station at the August 6, 2020 HDC meeting.
- RBO is in the process of securing local building and trench opening permits

Surfside Road Area Sewer System Improvements

Contracts Associated with Project

- Contracts executed
 - Name: RBO Construction
 - Amount: \$5,798,921
 - Date approved: January 20, 2021
 - Expiration: April 2022
- Contracts executed
 - Name: Weston & Sampson
 - Amount: \$816,000
 - Date approved: December 7, 2020
 - Expiration: June 2023

Surfside Road Area Sewer System Improvements

Resiliency Measures

- Replace 30+ year old pump station in need of significant upgrade with a new modern, energy efficient pumping facility.
- New pump station controls and pump station status & alarm communications.
- New building with more energy efficient insulation, doors, windows, and lighting.

Surfside Road Area Sewer System Improvements

Resiliency Measures (continued)

- New standby generator to allow the pump station to operate automatically during a power outage.
- New bypass pumping configuration to allow bypass pumping in case of a critical pump station failure.
- Design provides the ability and flexibility to pump flow into the two existing Sea Street Pump Station force mains as well as the future new Sea Street Pump Station force main.

Surfside Road Area Sewer System Improvements

- Start of construction is scheduled for the first week of April for the Surfside project.
- The primary focus is to get the gravity sewer and paving on Surfside Road installed before the 2021 summer season.
- Maintaining excellent communication is critical for all projects.
- A 3-week look ahead schedule will be provided weekly.
- Notifications will be put on the town website.
- Project's webpages will be on the town website.
- These projects will have impacts on traffic and Traffic management plans will be included



SEWER DEPARTMENT MAJOR PROJECTS UPDATE

3rd Sewer Force Main
David C. Gray, Sewer Director



3RD Sewer Force Main Project

Project Summary

- The Town is implementing a sewer project that will include the installation of a new sewer force main that will connect the Sea Street Pump Station (SSPS) to the Surfside Wastewater Treatment Facility (WWTF).
- The information to follow seeks to provide residents with answers to some basic questions (WHO, WHAT, WHERE, WHEN & WHY) on the project. The question of HOW will be addressed later in this series of informational articles that will appear in the local newspaper and be posted here.

3RD Sewer Force Main Project

Project Summary (continued)

- Per recent approval of the force main route by the Select Board, the project will include the installation of a new sewer force main that connects the Sea Street Pump Station (SSPS) to the Surfside Wastewater Treatment Facility (SSWWTF).
- The project will also include upgrades to water, sewer, and drain utilities along the Town-approved sewer force main route.

3RD Sewer Force Main Project

Where are the project areas?

- A map of the Force Main No. 3 route is listed here:



3RD Sewer Force Main Project

When will the project happen?

- The project is currently in the design phase with advertisement and public bidding scheduled for Spring 2021.
- The bidding process will result in a competitive price for the construction work, which is expected to begin in the Fall of 2021 with full completion anticipated by May 2025

3RD Sewer Force Main Project

Why is the project needed?

- Two sewer force mains currently connect the SSPS and the SSWWTF: a 20-inch force main installed in 1981, and a 16-inch force main installed in the 1930s and later rehabilitated in 1983-1984.
- Following the catastrophic failure of the 16-inch force main during the Winter of 2018, the Town conducted a study on the pipe to confirm its condition.

3RD Sewer Force Main Project

Why is the project needed? (continued)

- The study concluded that due to the age and condition of the 16-inch force main, it should no longer be relied upon to convey all the wastewater flows from the SSPS to the SSWWTF without an additional backup pipe.
- As a result of the assessment, the Town is proceeding with the design and construction of a third force main from the SSPS to the SSWWTF, which will allow the Town to rehabilitate the existing aging 20-inch force main

3RD Sewer Force Main Project

Who is coordinating the project?

- Town of Nantucket – Town Administration & Sewer Department
- Owner's Project Representative – Hazen and Sawyer
- Design Engineer – Environmental Partners Group, Inc.
- Construction Contractor – TBD from competitive bid process
- The Town is currently coordinating the Public Outreach program, which will consist of written information distributed via a series of news articles (similar to this) and posted on the Town's

3RD Sewer Force Main Project

Public Outreach

- The Town is currently coordinating the Public Outreach program, which will consist of written information distributed via a series of news articles (similar to this) and posted on the Town's website.
- Another outreach component will be public meetings to discuss project information and smaller neighborhood or association-specific meetings to discuss project-specific items that are more unique to individual areas along the force main route.
- Please email any questions to sewerproject@nantucket-ma.gov or call (508)-228-7200 x 7800

3RD Sewer Force Main Project

Known Issues

- State Revolving Loan (SRF) funding for the project: the Town was required to apply for a Determination of Applicability through the Nantucket Conservation Commission which was completed and approved.
- Massachusetts Historic Commission (MHC): reviewed the Town's Project Notification Form (PNF) under Section 106 of the National Historic Preservation Act of 1966 and concluded that the project will have "no adverse effect on Nantucket Island" provided that the development and implementation of a Post-Review Discoveries protocol consistent with the Massachusetts Unmarked Burial Law is performed as part of the project.

3RD Sewer Force Main Project

Known Issues (Continued)

- This Protocol has to do with the potential to come across Native American remains during construction and will be submitted to MHC for review and comment prior to beginning construction.
T
- The development of this Protocol is currently being done under the design contract by a subconsultant to the Town, the Public Archeology Laboratory, Inc

3RD Sewer Force Main Project

Project Documents

- An Alternative Analysis Report for the Project was completed in October 2020. This report recommended the preferred route of the new force main (Option 2A Force Main Alignment) due to its shorter route, favorable hydraulics, lesser traffic impacts, and comparatively lesser disturbance to residential areas.
- The 3.5-mile long route provides an option that allows for coordination with other Town projects and cross-connection to the existing 20-inch DI force main which will be assessed and rehabilitated under a separate contract.

3RD Sewer Force Main Project

Project Documents (continued)

- A Basis of Design Report was completed for the Project by the design consultant in February 2021. The report details the pipe diameter, pipe size, hydraulics, construction methodology, force main features and other design considerations.
- Construction Documents (Plans and Specifications) are nearing 60% completion and will be submitted to MassDEP for review in March 2021. Other future milestones include 90% and 100% construction documents and submissions to DEP for review and approval. Once the DEP reviews and approves the final construction documents, advertising and award is anticipated to take place between June 1 and July 31, 2021 and construction to start after October 1, 2021.

3RD Sewer Force Main Project

Project Documents (continued)

- Due to the location of the work and disruption during the summer months, it is anticipated that the work will take approximately 3 construction seasons to complete.
- Construction seasons are approximately seven months (mid-October through mid-May).



3RD Sewer Force Main Project

Sea Street Pump Station Force Main No.3

Project Update

March 24, 2021

DAVID GRAY
SEWER DEPARTMENT DIRECTOR



ZIAD F. KARY, P.E.
Senior PRINCIPAL



FRANK AYOTTE, P.E.
VICE PRESIDENT



SEWER DEPARTMENT MAJOR PROJECTS UPDATE

S. Shore Rd Sewer

David C. Gray, Sewer Director



South Shore Road Sewer Extension

Project Summary

- The South Shore Road Sewer Extension includes the installation of approximately 5,400 feet of new sewer in South Shore Road, from Surfside Road to the Surfside WWTF.
- The purpose of this sewer project is to provide the necessary infrastructure within South Shore Road for the future sewer extension within the Miacomet Needs Area, as identified in the 2020 Sewer Master Plan and the 2014 CWMP Update.

South Shore Road Sewer Extension

Project Summary (continued)

- Project timeline – construction in the Fall of 2021, prior to the installation of the new Sea Street Pump Station force main and repaving of South Shore Road.
- Goal is to ensure all utility infrastructure (sewer, water, stormwater) installation or replacement is completed prior to paving South Shore Road.
- The new sewer will be “dry” until a future pump station at the WWTF is constructed.

South Shore Road Sewer Extension

Project Funding

- Total appropriation for the project to date is \$1,500,000
- Estimated project costs: \$3,600,000 for gravity sewer and future pump station. Does not include estimated \$1,400,000 paving costs.
- Local funding
- When approved: 2020 ATM Article 16 - \$1,500,000, Proposed 2021 ATM Article 16 - \$3,500,000
- Expenditures to date: \$0
- Funding remaining: \$1,500,000

South Shore Road Sewer Extension

Project Timeline and Status

- Design and Bidding – Spring and Summer 2021
- Construction – Fall 2021
- Construction of the project is contingent upon additional appropriation at 2021 ATM.
- Gravity sewer installation should occur before the construction of the new Sea St Pump Station Force Main and paving of South Shore Road.
- Expected completion of project: December 2021

South Shore Road Sewer Extension

Permitting Status

- Design will include Massachusetts Endangered Species Act (MESA) Project Review.
- Construction will require local trench opening permit.

South Shore Road Sewer Extension

Contracts Associated with Project

- Pending contracts to be executed
 - Name: Weston & Sampson (design)
 - Amount: \$198,800
 - Date approved: TBD
 - Expiration: TBD
- Future contracts will include construction contract and engineering construction services contract. Amounts TBD based on final design.

South Shore Road Sewer Extension

Resiliency Measures

- Reduction in the number of overall pump stations.
- The Miacomet Needs Area sewer extension includes the new gravity sewer on South Shore Road as well as a future pump station at the WWTF.
- The gravity sewer and pump station will allow for the elimination of the Sachems Path Pump Station & force main and the Sherburne Commons Pump Station & force main.
- Allows for the elimination of proposed pump stations and force mains along South Shore Road which would otherwise be required to provide sewer service to the area.

S Shore Road Sewer Extension Summary

- Maintaining excellent communication is critical for all projects.
- A 3-week look ahead schedule will be provided weekly.
- Notifications will be put on the Town website.
- Project's webpages will be on the Sewer Department website.
- These projects will have impacts on traffic and traffic management plans will be included



SEWER DEPARTMENT MAJOR PROJECTS UPDATE

CMOM

Capacity, Management, Operations and
Maintenance Program

David C. Gray, Sewer Director



CMOM

Project Summary

- CMOM (Capacity Maintenance and Management) Program
- Both comprehensive and holistic, the CMOM provides an information-based plan to effectively run the sewer collection system and help lower the risk of any Sanitary Sewer Overflows (SSO), or any Massachusetts Discharge Monitoring Permit violations.
- The Program ensures that the Town of Nantucket operates using Best Management Practices to the benefit of the owners and operators of the sewer collection system.

CMOM

Why CMOM?

- Nantucket is under a consent order and therefore the CMOM program is mandatory.
- As part of the consent order, the Town hired specialty contractors to perform a complete Close-circuit television (CCTV) video inspection of the sanitary sewer pipes, along with visual inspections of the manholes.

CMOM

Status

- Status is “In progress; Ongoing” and currently ahead of schedule and under budget.
- The Town’s consultant, Hazen and Sawyer, has developed a Capacity, Management, Operation and Maintenance (CMOM) Manual that is updated yearly with ongoing investigations and a summary of rehabilitation/improvements performed.
- This is a living document and can be found on the Sewer page under “Current Projects” tab.

CMOM

Timeline

- In the 2020-2021 construction season, rehabilitation recommendations identified in the first year of the CMOM program (i.e. CMOM Year 1), and some from Year 2, that incorporated lining of the existing pipes and manholes have been completed.
- “CMOM Program Year 1 Sewer Rehabilitation and Repair Contract 956-A”. This is Nantucket’s introduction to trenchless technologies for rehabilitating the collection system on such a large scale, and it was a very successful program.

CMOM

Timeline (continued)

- Cured-in-Place Pipe Lining (CIPPL) is considered a 'trenchless' method, however in sparse locations excavated point repairs were necessary in order to facilitate the lining (e.g. install an access manhole, replace crushed pipe segments, etc.).
- Contract 956-A is being performed by National Water Main Cleaning Company (NWMCC) and Robert B Our Company Inc (RBO).
- It is anticipated that in the 2021-2022 season, recommendations for the full length (manhole-to-manhole), pipe replacement work identified in CMOM Year 1 will be constructed.
- Hazen is currently generating those bid documents.

CMOM SUMMARY

- Maintaining excellent communication is critical for all projects.
- A 3-week look ahead schedule is provided weekly.
- Notifications will be put on the town website.
- Project's webpages will be on the Sewer Department website.
- These projects will have impacts on traffic and Traffic management plans will be included



PROJECT UPDATE

Nantucket and Madaket Harbors Action Plan Update

Jeff Carslon
Natural Resources Director



Nantucket and Madaket Harbors Action Plan Update

Project Summary

The Nantucket and Madaket Harbors Action Plan is a state-approved plan that establishes a community's objectives, standards, and policies for guiding public and private use of land and water within the jurisdiction of the Public Waterfront Act (Chapter 91).

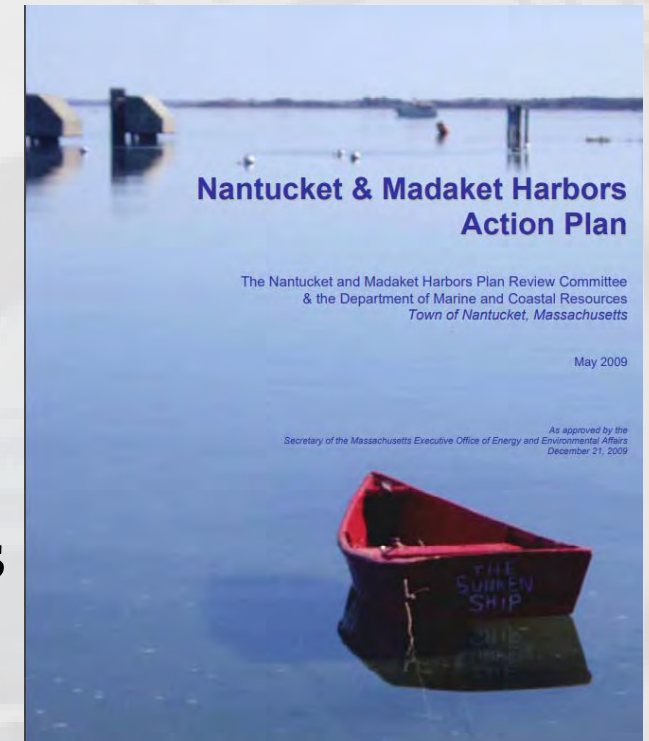
The plan was initially developed through the Harbor Master Office and Planning Office to guide local public policy related to the Harbors. The Select Board formed the Harbor Plan Committee and then followed by the Harbor Plan Implementation Committee.

Nantucket and Madaket Harbors Action Plan Update

Project Summary (continued)

The last approved plan was from 2009. This Plan can be found on the Natural Resources page under Harbors & Ponds.

Plans typically are approved for 10 years. The Town has received two one-year extensions at this time and still have a valid Harbor Plan.



Nantucket and Madaket Harbors Action Plan Update

Project Funding

- This project is in the CIP for outyears FY23 and FY24
- Vendor estimates for an update is around 100K-150K. No money is appropriated at this time.
- An EIR will be submitted for the FY'23 budget.

Nantucket and Madaket Harbors Action Plan Update

Project Timeline and Status

- An EIR will be submitted for the FY'23 budget.
- Originally delayed due to COVID-19 this will allow completion of the Coastal Resiliency Plan which will directly provide guidance related to climate change and sea level rise while allow for resiliency objectives to be addressed in the Harbor Plan.
- The update of this plan has been tasked to the Natural Resource Department to facilitate. All relevant departments and stakeholders will be involved with a committee needing to be formed once the update has begun as required by the Commonwealth.

Nantucket and Madaket Harbors Action Plan Update

Permitting Status

- No permits are needed for the update of the plan. However, action items within the update may require permitting.

Nantucket and Madaket Harbors Action Plan Update

Resiliency Measures

- One of the main focuses of the update will be to include resiliency principles and address sea-level rise.

Nantucket and Madaket Harbors Action Plan Update

Summary

- This project is essential to provide a comprehensive guidance document for planning uses and activities in the harbor areas. By gaining state approval when Chapter 91 licenses are approved the public components will be vetted against the adopted Harbor Plan to ensure approvals are congruent with local uses and objectives.



TOWN OF NANTUCKET

SELECT BOARD

Appeal of Decision of the
Nantucket Historic District Commission
Relative to 83-85 Eel Point Road
Assessor's Map 32, Parcel 12

DECISION

After the close of a public hearing conducted on March 17, 2021, the Select Board voted (3-2, Ferrantella, Murphy and Bridges in favor; Holdgate and Fee opposed) to affirm the Applicant's appeal of the Historic District Commission ("HDC")'s denial of Certificate of Appropriateness No. HDC2020-09-1638 for a rooftop solar array on a residence located at 85 Eel Point Road, which is part of 83 Eel Point Road, Assessor's Map 32, Parcel 12. The Board members who voted to affirm the appeal found the HDC's denial arbitrary and capricious on the following grounds: 1) the visual impact of the proposal appears negligible where the residence is located on a relatively large lot 300 feet from the public way; 2) the visual impact can be further mitigated or possibly eliminated through vegetative screening and/or berm enhancement, which can be imposed as conditions of approval in perpetuity; 3) the denial appears inconsistent with the HDC's solar guidelines and approvals of other rooftop solar proposals with at least equal visual impact.

After voting to affirm the appeal, the Board voted further (3-2, Ferrantella, Murphy and Bridges in favor; Holdgate and Fee opposed) to remand the application to the HDC for reconsideration and approval with reasonable conditions for vegetative screening and/or berm enhancement, to be maintained as conditions of approval in perpetuity, or such other conditions of approval as are consistent with the Board's vote to affirm the appeal on the above-stated grounds.