

Town and County of Nantucket Select Board • County Commissioners

Jason Bridges, Chair
Matt Fee
Dawn E. Hill Holdgate
Brooke Mohr
Melissa Murphy



16 Broad Street
Nantucket, Massachusetts 02554

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

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD JULY 13, 2022 - 5:30 PM PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK FOR VIEWING ONLY:

<https://youtu.be/n0Jj0cPHleU>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_icT631C7SRO4w9Pjtv6pcw

- I. CALL TO ORDER***
- II. SELECT BOARD ACCEPTANCE OF AGENDA***
- III. ANNOUNCEMENTS***
 1. The Select Board Meeting is Being Audio/Video Recorded.
 2. 2022 Committee Vacancies.
 3. Nantucket Community Association/Nantucket Civic League Annual Forum - Monday, July 18, 2022, 9:30 AM at PSF Community Room, 4 Fairgrounds Road.
 4. Select Board Announcements/Comments.
- IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS***
- V. PUBLIC COMMENT****
- VI. NEW BUSINESS****
- VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS***
 1. Approval of Minutes of July 6, 2022 at 5:30 PM; July 7, 2022 at 9:00 AM.
 2. Approval of Payroll Warrants for July 10, 2022.

3. Approval of Treasury Warrants for July 13, 2022.
4. Approval of Pending Contracts.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Resignation Acceptance: Finance Committee.
2. Finance Department: Request for Approval of FY 2022 Year End Budget Transfers.
3. Airport: Request for Select Board Approval of Language Adjustments to Home Rule Petition Approved at 2020 Annual Town Meeting/House Bill #3792.
4. Richmond Great Point Development: Request for Confirmation of Waiver of Sewer Connection Permit Fees for Three (3) Units of 80% AMI (Area Median Income) Restricted Units within Sandpiper Place II off Old South Road:
 - Lot 74, 9 Honeysuckle Drive, Map 68, Parcel 877
 - Lot 77, 10 Indigo Drive, Map 68, Parcel 874
 - Lot 86, 15 Honeysuckle Drive, Map 68, Parcel 864.
5. Request for Approval of Change of Manager Application for Seasonal All-Alcoholic Beverages Hotel License for Andre Associates, LLC dba The Summer House, from Peter G. Karlson, Manager, to Juan Manuel Ponce, Manager, for Premises Located at 1 Magnolia Avenue.
6. Request for Approval of Change of Manager Application for Seasonal All-Alcoholic Beverages Restaurant License for Beachside Associates, LLC dba Summer House Beachside Bistro, from Peter G. Karlson, Manager, to Juan Manuel Ponce, Manager, for Premises Located at 16 Ocean Avenue.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider the Transfer of Private Shellfish Aquaculture Licenses 12 and 12B, each 4 Acres in Size and Located in the Head of the Harbor held by Theodore Lambrecht of 10 Trotter's Lane to Sean Fitzgibbon of 10 Trotter's Lane, Pursuant to MGL Chapter 130, Sections 57, 60 and 65 and with Town of Nantucket Shellfish Regulations Section 5.1.
2. Public Hearing to Consider Adopting Surface Water and Ground Water Protection Regulations.

X. TOWN MANAGER'S REPORT

1. Update on Town-wide PFAS Assessment.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Schedule Special Election to Fill Select Board Vacancy.
2. Continued Discussion on Short-term Rental Work Group Framework.
3. Committee Reports.

XII. ADJOURNMENT

**Identified on Agenda Protocol Sheet*

Authorized under Chapter 44 Section 33B. Allows budgetary transfers from May 1 through July 15, 2022, if approved by the Select Board & Finance Committee.

Approved by Board of Selectmen on _____
Approved by Finance Committee on _____

2022 Year End Budget Transfers

Authorized under Chapter 44 Section 33B. Allows
budgetary transfers from May 1 through July 15, 2022, if approved by the Select Board &
Finance Committee.

FROM:	ORIGINAL BUDGET	BUDGET DECREASE	TO:	BUDGET INCREASE	NOTES:
From					
General Insurance	\$ 2,491,063	\$ 23,500.00	Finance Committee; General Printing	\$ 8,500.00	
			Town Clerk; Town Meeting	\$ 15,000.00	
		<u>\$ 23,500.00</u>		<u>\$ 23,500.00</u>	

Approved by Board of Selectmen on _____
Approved by Finance Committee on _____



PFAS Projects Update to the Select Board

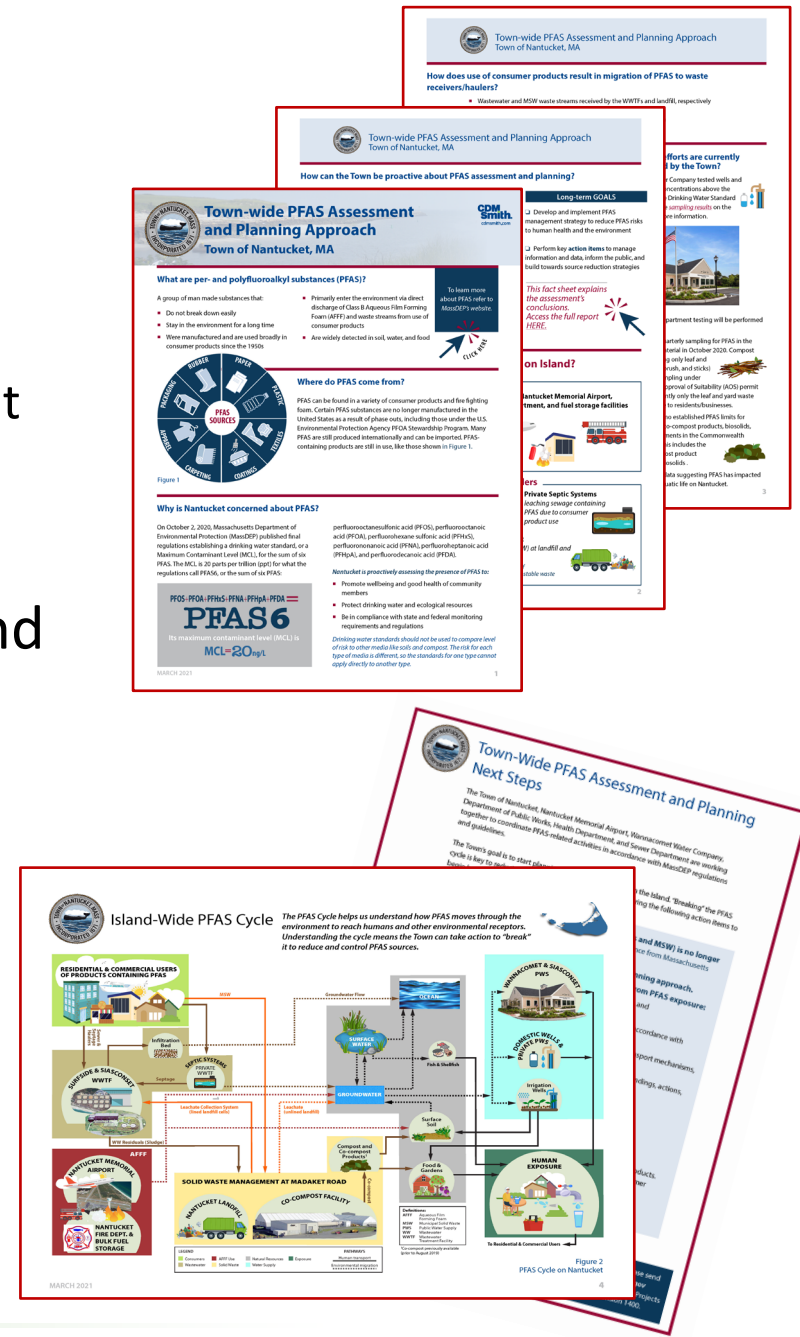
Town of Nantucket, MA

Andrew Miller, P.E.
Eric Spargimino, P.E.

July 13, 2022

**CDM
Smith**

- PFAS Assessment Update
 - Phase 1:
PFAS Cycle and Strategy Development
 - Phase 2A:
Initiating Strategy Implementation
- Addressing PFAS in Wastewater and Sludge
- Water System Expansion
West of the Airport
- Protocols for Handling & Management of PFAS Impacted Materials for Town Workers
- Questions





PFAS Assessment Update

Phase 1 Assessment: PFAS Cycle – Town-wide

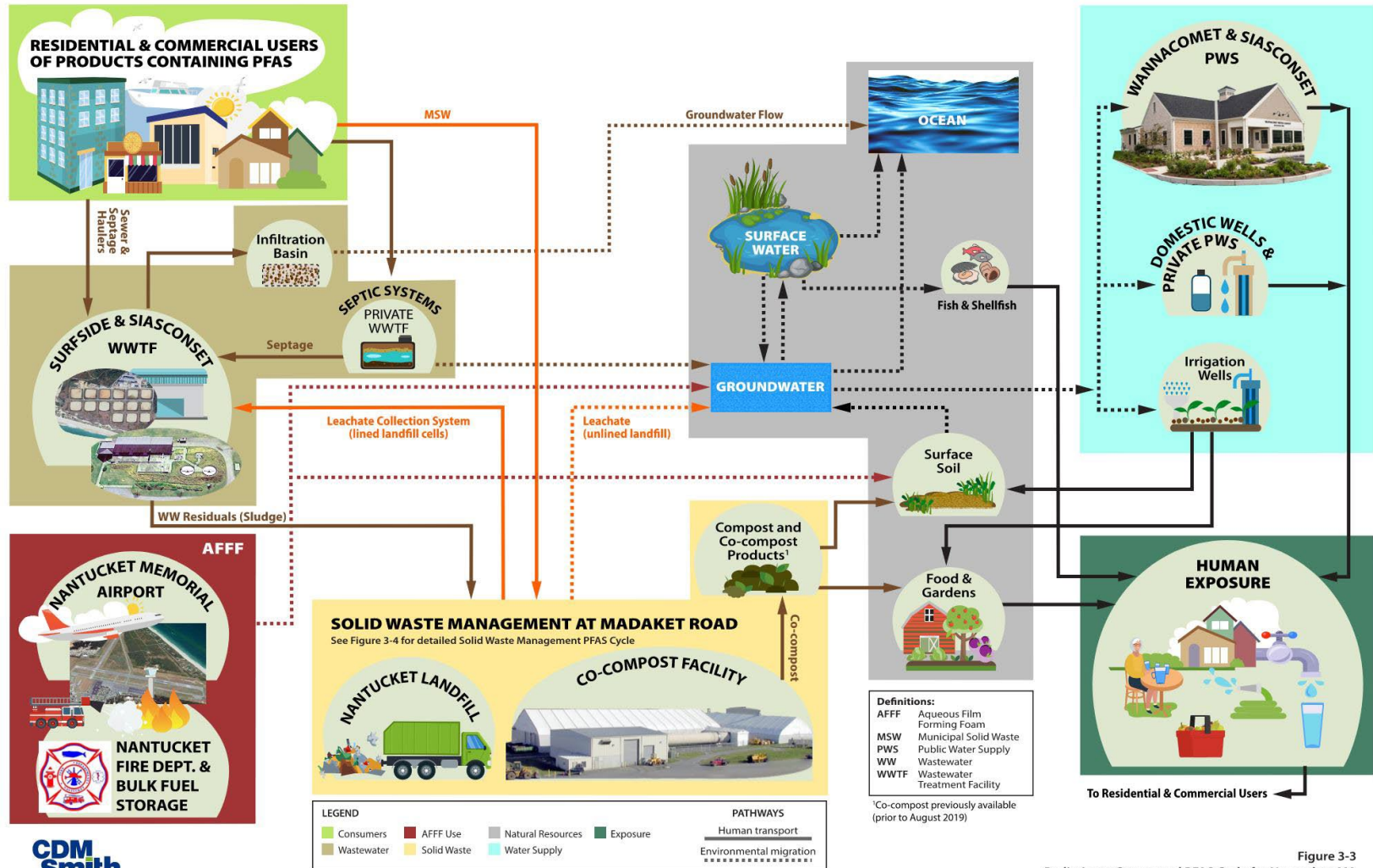
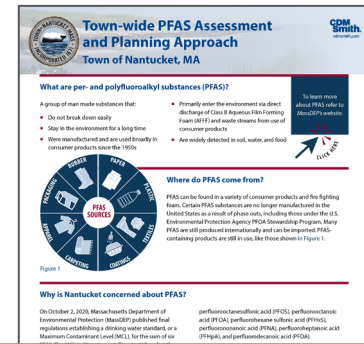


Figure 3-3
Preliminary Conceptual PFAS Cycle for Nantucket, MA

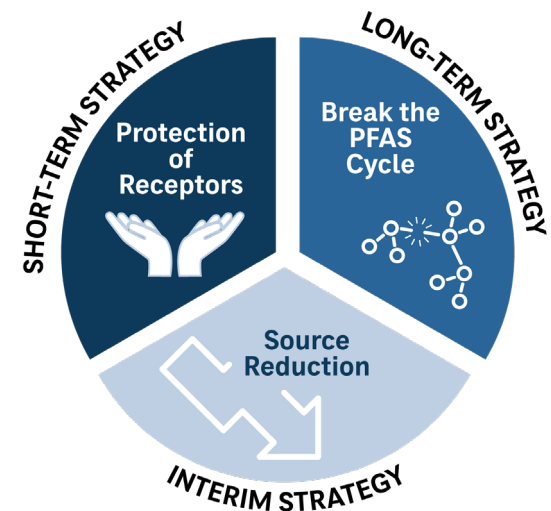
Island-Wide PFAS Assessment Objectives

- Short-Term Objectives
 - Identify key potential and known PFAS sources and receptors
 - Initiate unified planning approach to Town-wide PFAS source control and reduction
- Long-Term Objectives
 - Protect drinking water resources
 - Maintain compliance with state and federal regulations
 - Protect community wellbeing and health
 - Promote good health of natural and ecological resources



PFAS Preliminary Assessment & Planning Approach
REPORT on the Town website:
www.nantucket-ma.gov/1574/PFAS

The Strategy - A Phased Approach



Phase 2A Town-wide PFAS Assessment – Initial Implementation

Tasks	Accomplishment	Status
Site Visits & Facility Reviews	Visit documentation	
Landfill	PFAS Groundwater Sampling Work Plan	Under MassDEP review
WWTF - Influent	Develop influent sampling approach	Implementation underway
WWTF - Sludge	PFAS Destruction – Technology Report	
Co-Compost	Quarterly sampling by WON	
AFFF (fire fighting foam)	Facility Review & Recommendations to Nantucket Fire Department	
PFAS Cycle & Potential Sources	Continuous updates as new information available	
Public Outreach Planning & Communication	Documents posted on Town PFAS webpage	



= Complete



= Ongoing



Addressing PFAS in Wastewater and Sludge

Path to Addressing PFAS in Wastewater

Understand Issue and Sources



 = Complete

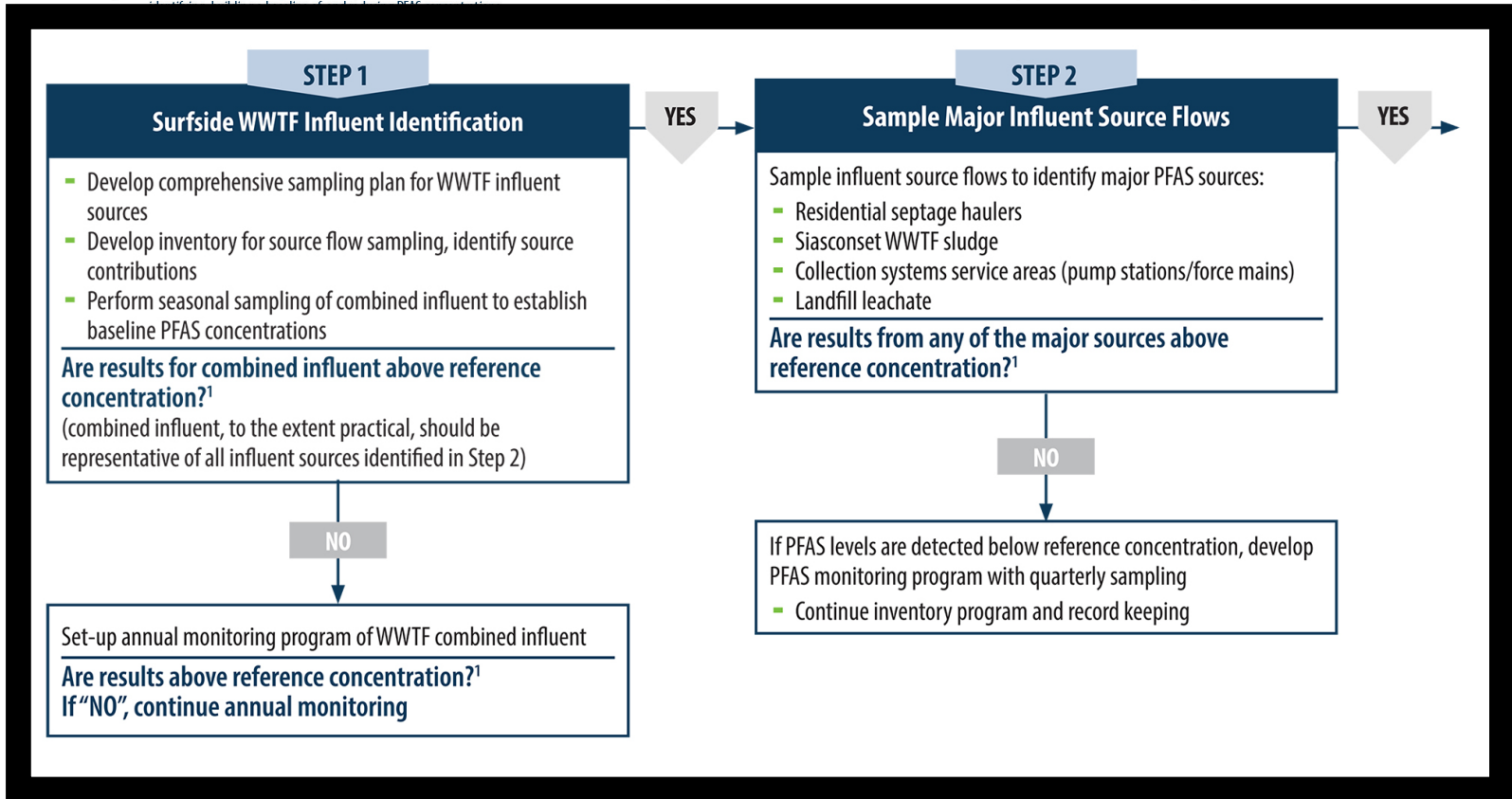
 = Ongoing



Decision Matrix for Nantucket Wastewater Treatment PFAS Assessment | Town-wide PFAS Assessment | Town of Nantucket, MA



Purpose: Establish a long-term program to identify and assess PFAS sources to the wastewater treatment facility (WWTF) such that influent concentrations can be understood, and plans can be directed towards the goal of



Note 2: Steps 1A, 2A, 3, 4, and 5 may be modified as needed after Steps 1 and 2 are complete.

CONTINUED IMPLEMENTATION OF ISLAND-WIDE PFAS PUBLIC OUTREACH PLAN

DRAFT MARCH 17, 2022

Path to Addressing PFAS in Wastewater

continued

Likely Next Steps Toward Mitigation

- Feasibility Study
 - Evaluate the economic and non-economic feasibility of mitigation strategies and technologies
- Technology Implementation Considerations
 - Bench Scale/Pilot Scale
- Capital Planning based on pilot results to determine costs and applicability to Nantucket
 - Determine Procurement Strategy
 - Design
 - Implementation

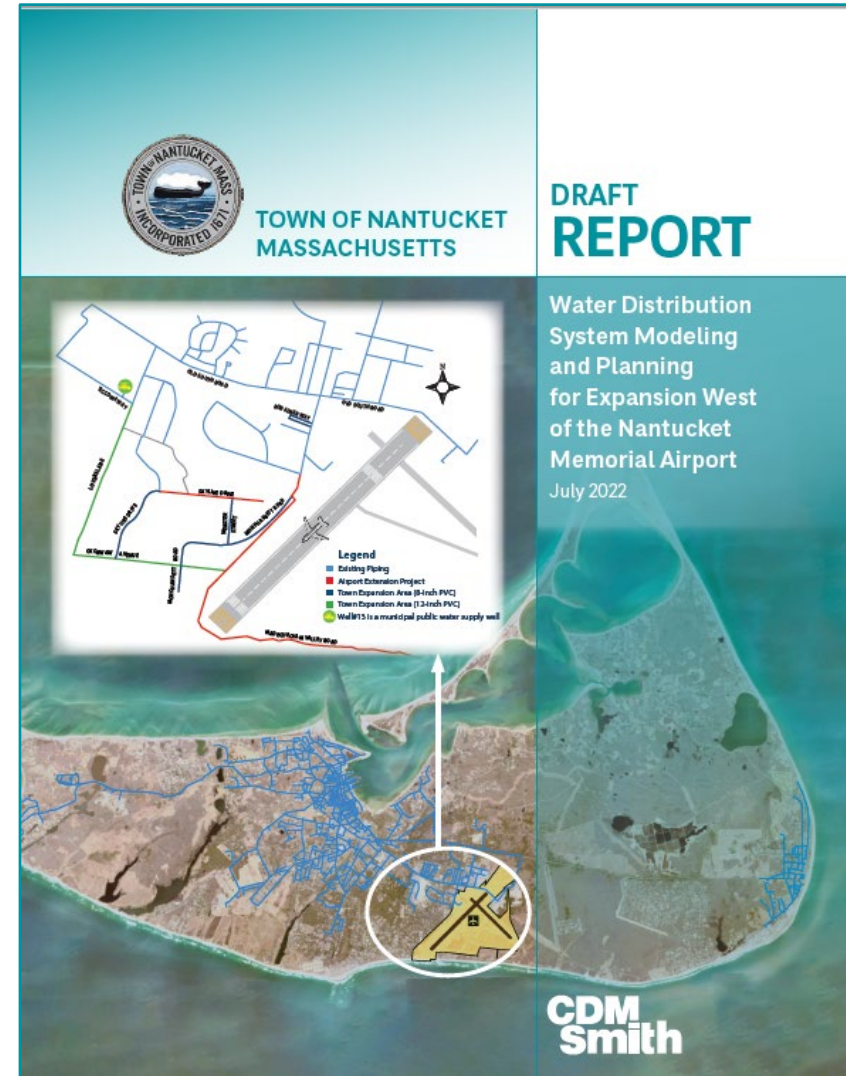
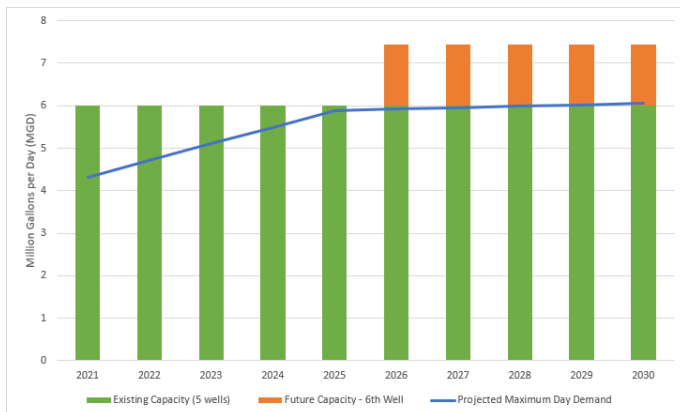




Water System Expansion West of Airport

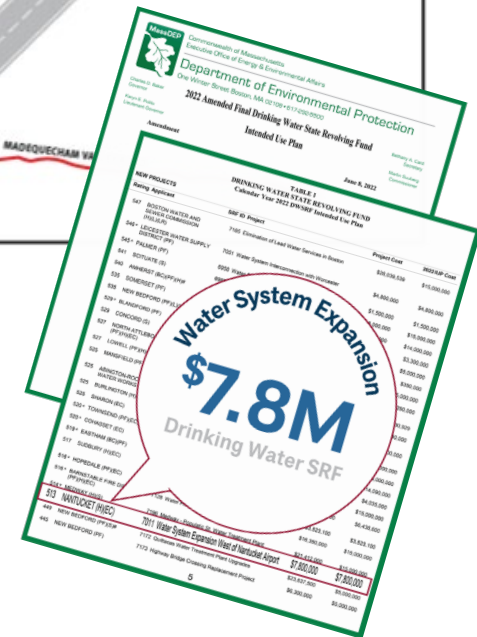
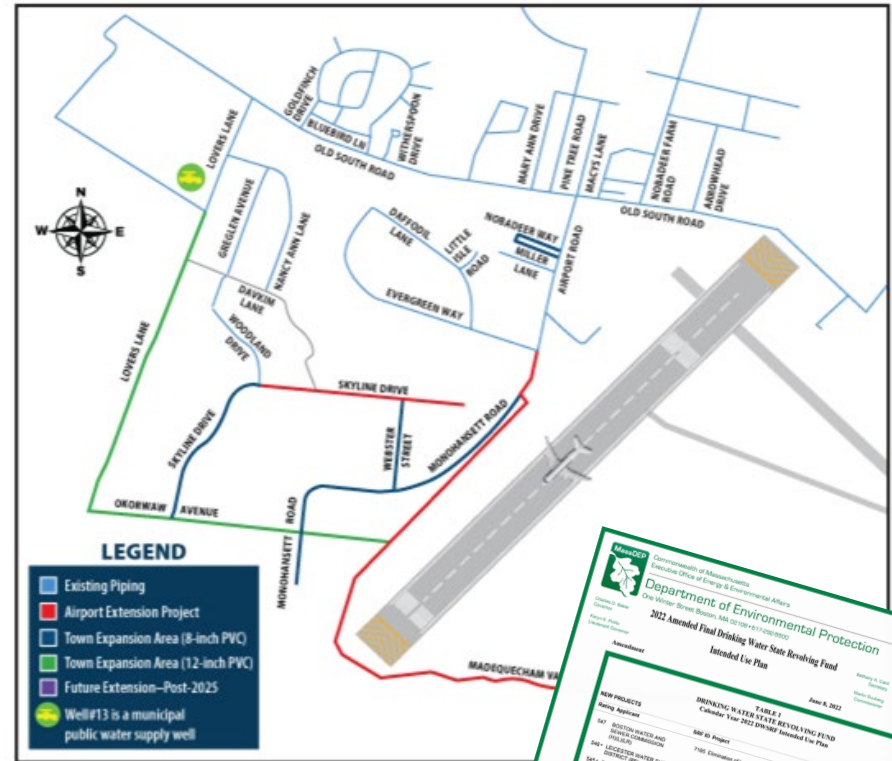
Planning for Water System Expansion

- Goal: Provide public water to residents whose domestic wells are impacted by PFAS west of the Airport
- Update and use of the Wannacomet Water Distribution System Model as a planning tool
- Ensure supply capacity, system pressure, fire flow
- Planning period based on supply capacity:
 - Present to 2025, and
 - Post-2025



Conceptual Plan – Water System Expansion

- Airport extension on-line
- Town expansion based on design year 2025
- 15,200 feet of new PVC main
- Construction Cost Estimate: \$7.3M
- Availability of State Revolving Fund (SRF) 0% interest loan up to \$7.8M for construction & engineering



Advancing the Water System Expansion Project

- Move forward with design, permitting and construction
- Secure SRF: Requires SRF Application and Design completion by October 14, 2022
- Construction Contract execution by June 30, 2023
- Allow up to a 1 year construction duration





Protocols for Handling & Management of PFAS Impacted Materials for Town Workers

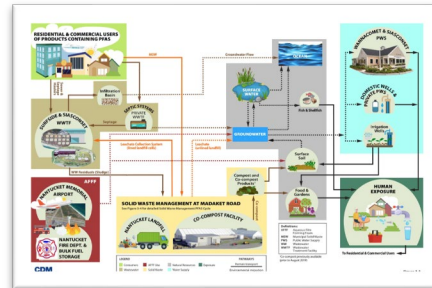
Handling & Management of PFAS Impacted Materials

- New assignment
- Objective: Development of protocols & procedures for Town employees when working in areas of known or suspected PFAS contamination
- Applicable to DPW, Sewer Dept., and Water Dept. employees
- Focus on:
 - Soil material management from utility construction
 - Catch basin cleanings
 - Groundwater, stormwater
- Training for town staff on protocols

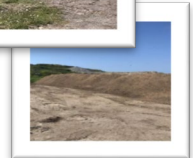


Questions?

Nantucket PFAS Cycle



Landfill

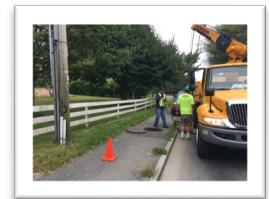


Co-Compost



Town AFFF Assessment

Materials Management



Water System Planning West of the Airport



Wastewater Sampling & Sludge Technology



Public Outreach

Town-Wide PFAS Assessment and Planning Next Steps

The Town of Nantucket, Nantucket Memorial Airport, Nantucket Water Company, Department of Public Works, Health Department, and Senior Department are working together to coordinate PFAS-related activities in accordance with MassDEP regulations and guidelines.

The Town's goal is to start planning how to manage PFAS on the island. "Breaking" the PFAS cycle is key to reducing and controlling PFAS. We're considering the following action items to begin breaking the cycle:

- ✓ Co-compost (i.e., compost containing WWTP residuals and MOW) is no longer available for community use. The Town will seek for guidance from Massachusetts before resuming co-compost distribution.
- ✓ Conduct a Town-wide PFAS assessment and create a planning approach.
- ➔ Carry out about 1000 samples to protect the community from PFAS exposure.
- ➔ Sample media, such as groundwater, surface water, soils, sediments, and waste streams to address data gaps.
- ➔ Continue PFAS assessment and remedial action at the Airport in accordance with Massachusetts Contingency Plan requirements per MassDEP.
- ➔ Continue evaluating potential sources, waste management practices, transport mechanisms, and exposure pathways to periodically update the PFAS Cycle.
- ➔ Use outreach materials to transparently communicate PFAS-related findings, actions, and risk to the public.
- ➔ Update town website.
- ➔ Host virtual and/or in-person public events.
- ➔ Distribute fact sheets and other information as the effort develops.
- Develop interim strategies to reduce PFAS at their source.
 - Build a database of inventory of PFAS-containing products.
 - Perform an island-wide inventory of commercial uses of PFAS-containing products.
 - Public education to reach towns including the use of PFAS-containing consumer products on the island.
- Develop long-term strategy to mitigate risk and break the PFAS Cycle.
- Develop source control and reduction strategies to implement over time.

Complete ➔ **In progress**

Anticipated summary of Nantucket Town PFAS assessment is being prepared. Contact: David or Amy at 508-221-1111, ext. 1111.

If you have questions about PFAS, please email: David or Amy at 508-221-1111, ext. 1111. Alternatively, you can call: David or Amy at 508-221-1111, ext. 1111.

Short Term Rental (STR) Working Group
DRAFT Framework as of 7/12/22 12:11 PM – with SB comments from 07/06/22 mtg

Purpose

The purpose of this document is to provide a DRAFT Framework for the STR Working Group. The Framework will be confirmed by the Select Board, the Planning Board and the Finance Committee and will be the guidelines under which the STR Working Group will be constituted and function.

Steps for confirming the STR Working Group Framework

Who	What	By When
The Select and Planning Boards, the Finance Committee chairs and 1 designee	Hold the first planning meeting to confirm the DRAFT Framework	1 June 2022 (Scheduled for 26 May 2022 at 4PM)
The Select and Planning Boards, the Finance Committee	Either hold individual meetings by group to adopt the FINAL Framework document and to reach full majority agreement with all 3 boards.	15 July 2022 Finance Committee 6/28/22 Select Board 7/6/22 Planning Board 7/11/22
Further meetings as required depending on outcomes.	One more meeting of the group of 6 to reconcile input from the Finance Committee, Planning Board and Select Board.	By 31 July 2022

Proposed Framework

1. The STR Working Group (STRWG) will be comprised of nine voting members, representing a broad cross-section of the community.
 - a. 1 Planning Board (voting)
 - b. 1 Finance Committee (voting)
 - c. 1 Advisory Committee of the Non-Voting Taxpayers (primary and alternate) (voting)
 - d. 1 ACK*Now (primary and alternate) (voting)
 - e. 1 Nantucket Together (primary and alternate) (voting)
 - f. 1 Affordable Housing advocate from the Housing Stakeholders Workgroup (primary and alternate) (Housing Stakeholders Workgroup) (voting)
 - g. 3 at large members (voting)
 - h. Board of Health designee (staff or BOH member) (non-voting)
 - i. NAREB (ex-officio)

Short Term Rental (STR) Working Group
DRAFT Framework as of 7/12/22 12:11 PM – with SB comments from 07/06/22 mtg

2. In appointing the members, in addition to the criteria above, applicants should be considered who are also:
 - a. People who own STRs
 - i. Year-round owners
 - ii. Seasonal owners
 - iii. Commercial owners
 - b. People who have concerns about the impact of STRs on their neighborhoods
 - c. Own business interests, e.g. restaurants, landscapers, etc.
 - d. In adherence with the conflict-of-interest guidelines as set forth by Town Counsel and agreed with the Select Board.
3. The STR Working Group members will be appointed using the Town of Nantucket's Committee, Board and Commission process.
 - a. All members will be confirmed by a majority vote of the 3 Select Board members (2 are recused), the chair of the Finance Committee and the vice-chair of the Planning Board.
 - b. The 1.c, 1.d, 1.e and 1.f members will be proposed by their respective groups.
 - i. Each group will be asked to propose 3 nominees from which a primary and an alternate will be appointed by the appointing authority of the Working Group.
4. An independent facilitator will be engaged by the Select Board to moderate and manage all meetings of the STRWG.
5. The working group members' commitment will include:
 - a. Attending 95% of the scheduled meetings. Attending 100% of the meetings where critical votes are taken, e.g. the substance of a Zoning article for Annual Town Meeting.
 - i. Missing more than 2 meetings will be grounds for dismissal from the STR Work Group and the alternate will be appointed.
 - b. Reaching 100% consensus on data needed, data definitions and sources of all data.
 - c. Reaching consensus (7 votes out of 9) on any topic that is brought to a vote. The intention of this is for the group to reach compromises, not to enable 3 members to stop the process.
 - i. When this is not achieved, the chair will elicit what work needs to be done to reach 80%.
 - d. Soliciting all input from their represented constituency prior to each meeting.
 - i. Method to be confirmed re: Open Meeting Law (OML).
 - e. Communicating any relevant information back to their constituencies.
 - i. Method to be confirmed re: OML.
6. While there are probably more than nine different constituencies for this topic, a working group larger than nine will be difficult to manage.

Short Term Rental (STR) Working Group
DRAFT Framework as of 7/12/22 12:11 PM – with SB comments from 07/06/22 mtg

- a. It will be the responsibility of the individual members to solicit input from their represented constituency.
 - b. It will be up to the chair to ensure all constituencies who want to actively participate are included in the relevant discussions.
 - i. This will be done, in part, by posting detailed agendas of topics to be covered for each meeting.
 - c. It is expected that Town Administration will play a critical role in identifying solutions for this topic and will be included in all meetings as needed.
 - i. A member of PLUS will provide support for the STR Working Group.
7. All meetings will be public and held under Open Meeting Law on Zoom and/or Hybrid to ensure ease of participation by members of the public.
8. The Objectives of the STR Working Group are:
 - a. To provide 100% transparency in all discussions, deliberations, and decisions in respect to STRs on Nantucket.
 - b. 100% agreement to the contributing data points, how they are defined, and the necessary analyses for decision-making by the STRWG
 - c. To develop sensible guidelines for STRs that consider (but not be limited to):
 - i. Nantucket's unique situation,
 - ii. the history of seasonal rentals,
 - iii. how STRs are developing in similar communities and the impact on Nantucket,
 - iv. the economic impact of the suggested guidelines.
 - d. To identify either new Bylaws and/or Zoning that would be voted upon at the 2023 Annual Town Meeting.
 - i. To identify any guidelines that may arise that would support Article 39.
9. The STR Work Group will be successful (Goals) when:
 - a. Any articles arising out this Work Group pass at Town Meeting by a significant margin (not just 2/3rd or majority vote), indicating broad public support for the solutions.
 - b. All participants agree to work in good faith.
 - c. Other?
10. After the pre-meeting, the group of 6 will:
 - a. Take the updated draft Framework back to their respective boards and committee for their input. (In progress.)
 - b. Hold another meeting by July 31st to align the input from the 3 boards.
 - c. Make any final edits and publish the Framework as final.
 - i. Ensuring any relevant points raised during Public Comment are considered in the the final Framework.
11. Once constituted, the agenda for first meeting of the STR Work Group will be to:

Short Term Rental (STR) Working Group
DRAFT Framework as of 7/12/22 12:11 PM – with SB comments from 07/06/22 mtg

- a. Adopt the Framework, Objectives and Goals.
- b. Agree “way of working.”
 - i. How will decisions be made and confirmed? (See proposed guidelines in 5.c. above)
 - ii. Meeting frequency and platform (Zoom, Hybrid)
 - iii. Identify actions to be taken if people/members don’t adhere to the Framework.
- c. Review existing data, identifying any gaps. Agree definitions, sources, timing and endorsing the data to be used for decision making.
- d. Agree communication plan, identifying the what/who/how/when for each element.
- e. Agree an approach for community outreach and engagement.
- f. Set the agenda for the next meeting and the meeting schedule.

