

## SELECT BOARD

Minutes of Meeting of September 15, 2021. The meeting took place via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Kristie Ferrantella and Dawn Hill Holdgate. Melissa Murphy was absent.

### I. CALL TO ORDER

Chair Bridges called the meeting to order at 5:30 PM. He read a prepared statement as to how the meeting would be conducted via remote participation and the ground rules for any discussion and called roll for those present.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

### III. ANNOUNCEMENTS

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

2. COVID Vaccine Clinics: 1st Way School Administration Site, Thursdays from 4:30 to 6:30 PM and Sundays from 12:00 to 2:00 PM. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule.

3. 2021 Commissions/Committees Vacancies: Agricultural Commission and Cannabis Advisory Committee.

4. Select Board Announcements/Comments. None.

Town Manager C. Elizabeth Gibson provided the following additional announcements:

In 2020, the Town achieved designation as a Green Community. Due to COVID an official recognition did not take place until September 14, 2021 with the visit of Lisa Sullivan, Green Communities Coordinator for the Massachusetts Department of Energy Resources. Energy Coordinator Lauren Sinatra gave Ms. Sullivan a tour of various energy-related projects and Ms. Sullivan presented a ceremonial check in the amount of \$139,340 which was used to support a new high-efficiency boiler at the High School, air source heat pumps at the Visitor Services Building and public electric vehicle charging stations at Nantucket Memorial Airport, Public Safety Facility and Washington Street parking lot. In October, the Energy Office will be applying for an additional \$200,000 Green Communities grant to support new heating ventilation/air conditioning (HVAC) and lighting upgrade projects at various municipal properties. Ms. Gibson noted that along with the check, the Town was provided with Green Community signage for placement around the Island, similar to the "Tree City USA" signage; and, the designation certificate.

Ms. Gibson noted that repairs to the F Street pier and boat ramp in Madaket will begin on Monday, October 4, 2021.

Lastly, Ms. Gibson recognized Sewer Director David Gray to provide a brief update on the Surfside area sewer project which resumed after a summer break on Monday, September 13, 2021. Mr. Gray said the project has started back up smoothly and that due to issues last spring, additional efforts were made to notify drivers and others of necessary neighborhood detours with the goal of getting them to slow down and

drive carefully and cautiously through these residential areas. He said these efforts seem to be successful so far.

#### IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

There were no follow-up issues.

#### V. PUBLIC COMMENT

Mary Longacre said that the traditional Island Fair will again not be held this year; however, the Island Fair Committee has worked hard to pull together a “Fall Fun Day” on Saturday, October 2, 2021 with numerous activities to be held around Town. Further information may be found at [www.NantucketIslandFair.com](http://www.NantucketIslandFair.com). Mr. Fee expressed support for the Fall Fun Day idea.

Burton Balkind representing the Nantucket Coastal Conservancy asked for the Board’s support for an initiative put forward by Senator Cyr and Representative Fernandes to add the word “recreation” to state law for allowable uses of beaches for public access.

Mr. Balkind, also representing the Marine Mammal Alliance spoke on that group’s efforts over the summer and some recent issues with marine mammals.

#### VI. COVID-19 UPDATE

1. Public Health Department Update. Public Health Director Roberto Santamaria provided updates as to testing, positive cases and vaccine distribution. Mr. Santamaria noted that Nantucket is currently the only County in the state not in a “red zone”. He explained how third vaccine doses are currently being administered. He said that FDA guidance on booster shots will be coming out shortly. He said that COVID variants have been detected on the Island in low numbers. He said the Main Street Halloween parade event remains scheduled at this point. Ms. Ferrantella commented that the reduction in cases is a very positive sign. She asked if the Board of Health might consider removing the indoor mask order, as Provincetown, MA did recently. Mr. Santamaria spoke on this and said this will be discussed by the Board of Health at its meeting tomorrow. Discussion followed as to the current level of positive cases. Chair Bridges applauded all of the staff, volunteers and others administering the vaccine.

Brooke Mohr said that when she was off-island yesterday conditions there made her realize how much safer she felt on-island with the local mask mandate.

#### VII. NEW BUSINESS

There was no new business.

#### VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Treasury Warrants for September 15, 2021. Mr. Fee moved approval; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes.

#### IX. REPORTS

1. Nantucket Public Schools Campus-Wide Master Plan Update. Chair Bridges introduced the item. Richard Webb of SMRT reviewed the presentation as contained in the materials included in the Board’s posted agenda packet. He said that the current plan has developed over the past eight years. He said the

focus at this point relates to improvements of playing fields and sports facilities. He reviewed the need for the athletic improvements, noting usage, accessibility, code compliance and safety as specific issues. He spoke on synthetic turf fields and developments in recent years with respect to fewer or no, harmful chemicals, including PFAS. Mr. Webb reviewed parking improvements and changes as well. He also spoke as to timing and funding. Mr. Fee commented that a track surrounding the existing field will push fans away from the field, and teams and fans may lose what makes the field special. He said that reducing or eliminating parking would save a significant amount of money. Some discussion followed on the track issue. Superintendent Elizabeth Hallett spoke on the benefits of having a track. Ms. Holdgate expressed support for the efforts put forward so far and asked about putting any of these facilities under cover or indoors. Mr. Webb said that has been seriously reviewed and the general feeling of the group working on this plan was that the expense would increase and there were other needs more important. He added that the design will be such that play could occur during or after many types of weather. School Facilities Director Diane O'Neil said that enclosures could also occur at a later time. Chair Bridges spoke on the research and detail that has gone into this plan. He added that lighting that is compatible with "dark sky" initiatives would be appropriate. Ms. O'Neil explained where additional information may be obtained.

#### X. CITIZEN/DEPARTMENTAL REQUESTS

1. Toscana Corp.: Request for Waiver of Town Noise Bylaw to Offload Barges at Steamship Authority Wharf between 10:30 PM and 7:30 AM. Shane Corry of Toscana reviewed the request, noting that an issue with the barge getting into the dock at low tide has arisen again, as it had earlier in the year. Chair Bridges asked for additional information as to the duration of the request. Mr. Corry responded and reviewed the tide calendar. Chair Bridges asked how many times the late work would need to be in place. Mr. Corry said for the rest of September it would be twice. Chair Bridges asked about the purpose of the request. Mr. Corry said the barge cannot get in safely at low tide because there is "not enough water". Steamship Authority (SSA) General Manager Robert Davis spoke on the emergency dredging work done by the SSA last year and spoke on the timing and process, including permitting and procurement, for more extensive dredging. Mr. Davis added that SSA will do its best to accommodate Toscana during regular hours. Ms. Longacre asked about the emergency dredging work done previously and how long it was supposed to be sufficient; and, that another option for Toscana would be to load less onto its barges. Mr. Davis explained that the emergency dredging was a temporary measure and that permitting for a longer-term solution has taken longer than anticipated. Mr. Corry asked if another emergency dredging could occur if need be, if the longer-term permit cannot be obtained in time for the dredging window. Mr. Davis responded. Ms. Ferrantella said previously there were concerns expressed by neighbors and asked if the request could be adjusted somewhat in the near term to have less noise late at night. Ms. Holdgate concurred. Some discussion followed. Ms. Holdgate suggested a waiver that allows for nothing on weekends and nothing between 12:00 AM – 5:00 AM and no more than twice a week. Attorney Ken Gullicksen, representing abutters in close proximity to Toscana's yard said that previously the very late night noisy truck activity was extremely disruptive. He added that he does not understand why the barge cannot be scheduled at a high tide during the day. Mr. Fee asked for more detail on Mr. Gullicksen's question. Mr. Corry said the logistics make the scheduling too difficult and would limit the amount of business Toscana can do in a week. Ms. Holdgate asked about conflict with SSA vessels. Mr. Corry said that is also a factor. Some discussion followed as the frequency of the late night work and associated truck traffic. Mr. Corry said he would be agreeable to review the tide schedule and that in the next month the waiver could perhaps work for 4:30 AM – 7:30 AM. Chair Bridges said that he felt that more specific times with less frequency, the better and acknowledged quality of life issues. Josh Sibley-Liddle spoke on negative impacts of Toscana's operation on him and his family and their quality of life, at hours outside of the noise bylaw. He asked the Board not to approve the request. Some discussion followed as to the letters from the neighbors and ways that Toscana

could mitigate these complaints. Ms. Ferrantella moved to approve a waiver from 4:30 AM – 7:30 AM only, through October 15<sup>th</sup>, with a review by the Board at the next meeting after October 15. Ms. Holdgate seconded, with an amendment to the motion to limit the number of times to no more than four and none on weekends through October 15<sup>th</sup>. Ms. Ferrantella accepted the amendment. Betsy Sibley spoke on the request and said that any waiver resulting in late night noise, will not permit her and her family to sleep on those nights. She said this is very upsetting. So voted by roll call vote as moved and amended by Ms. Ferrantella and Ms. Holdgate: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes.

Mr. Fee asked what can be done to “speed up the situation” with the dredging. Mr. Davis explained that they are working as best and as fast as they can on this. Robert Liddle asked how long the Toscana cement plant has been in operation. Mr. Corry said 2001. Mr. Liddle said this matter has been an issue only in the last 9 -12 months; and, that Toscana has a depot in a different, non-residential area of the island and it was only the acquisition of an additional location in a more residential area more recently that this problem has arisen. Mr. Liddle suggested that Toscana return its deliveries to the former location, which worked well until Toscana changed its operational routine to the more residential area. Mr. Corry said that nothing has changed in its operation.

2. Request for Waiver of Town Noise Bylaw from 10:00 PM to 2:00 AM for Wedding to be held Saturday, October 16, 2021 at 25 Millbrook Road. Martin McGowan reviewed the request. Some discussion followed as to whether or not the property is a “venue” used for commercial purposes. Mr. McGowan said this wedding is for his daughter. Amy Baxter, Licensing Administrator noted letters of objection to the request and said that no establishment on island is allowed to have entertainment after 1:00 AM. She said normally specific circumstances would need to exist in order for a request like this to be granted, noting that otherwise, many private individuals would want to do the same thing. She added that abutter notification should be in place. She said she has a lot of concerns about this request being granted. Ms. Holdgate expressed concern about the precedent, especially in a residential neighborhood like this. She said she may be agreeable with a waiver up to 11:00 PM, one-time only. Ms. Ferrantella expressed concern about precedent. Chair Bridges concurred and said he would not be in favor of anything after 10:00 PM. Mr. Fee concurred with Ms. Holdgate. Ms. Holdgate moved approval for this one-time family event on a Saturday to end at 11:00 PM; seconded by Mr. Fee. Ms. Ferrantella and Mr. Bridges each voted no. Motion did not pass. Ms. Ferrantella moved to deny the request; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – No.

3. Request for Waiver of Sewer Connection Permit Fee for Covenant Lot Located at 3 Evergreen Way (Lot 1047). Ms. Ferrantella recused from this agenda item. Housing Director Tucker Holland introduced the item, noting that it complies with the Board’s policy regarding sewer permit fee waivers for covenant properties. Mr. Fee moved approval; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

4. Affordable Housing Trust: Request for Approval of Funding to Support House Move to 46 Okorwaw Avenue for Housing Nantucket to Create Subsidized Housing Inventory (SHI) Eligible Unit. Mr. Holland introduced the item and explained the request as outlined in the materials included in the Board’s posted agenda packet. Housing Nantucket Director Anne Kuszpa reviewed the project. Some discussion followed. Ms. Ferrantella moved approval; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes.

5. Applicant Introduction/Review of Applications and Appointment, Pursuant to Select Board Committee Appointment Policy for: Roads and Right of Way Committee. Chair Bridges noted one seat is available on the Committee, with four applicants. Applicants who spoke on their applications included:

Robert Ranney  
Campbell Sutton

The Board members provided votes via email to Operations Administrator Erika Mooney, as follows:

David Wunderlich – received a vote from Ms. Ferrantella  
Campbell Sutton – did not receive any votes  
Bruce Watts – did not receive any votes  
Robert Ranney – received votes from Ms. Holdgate, Chair Bridges, Mr. Fee

So voted to appoint Robert Ranney for a term to expire in 2024.

#### XI. PUBLIC HEARINGS

1. Public Hearing to Consider Transfer of Annual All-Alcoholic Beverages Package Store License from Butnell Package, Inc. dba Hatch's Package Store, Judith Brownell, Manager to Hatch's Package LLC, Robert Grangrade, Manager, for Premises Located at 129 Orange Street. Ms. Ferrantella stated that she would be recusing from the discussion and vote on this matter due to a conflict. Chair Bridges opened the hearing. Licensing Administrator Amy Baxter reviewed the application and noted that a "pledge of license" approval will also be necessary. Attorney Ken Gullicksen, representing the applicant, explained the legal details of the "pledge". There being no public comment, Chair Bridges closed the hearing. Mr. Fee moved approval of the transfer and the pledge; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes.

#### XII. TOWN MANAGER'S REPORT

1. Review of 2022 Annual Town Meeting and Annual Town Election Timeline. Ms. Gibson reviewed the proposed timeline, noting that other than the date of the Town Meeting which is approximately a month later than it has been for a number of years, being in May instead of April (with the exceptions of 2020 and 2021 due to the COVID pandemic) the activities and meetings are generally similar to those in prior years. Ms. Gibson reviewed an updated "Guide to Citizen Warrant Articles", showed its location on the Town website and urged people considering citizen articles to read it. Chair Bridges commented on the amount of time by many people, a lot of them volunteers, put into preparing for a town meeting.

Ms. Holdgate moved to endorse the timeline; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes.

#### XIII. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Ms. Ferrantella said that Habitat Nantucket is currently accepting applications for three affordable homes.

#### XIV. ADJOURNMENT

Mr. Fee moved to adjourn at 7:36 PM; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes.

Approved the    day of September 2021.

SELECT BOARD  
SEPTEMBER 15, 2021 – 5:30 PM  
REMOTE PARTICIPATION VIA ZOOM  
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 3. 2021 Committee Vacancy Appointments Timeline as of 8/12/2021; Current Committee Vacancies
- IX. 1. NPS Campus-Wide Master Plan Update
- X. 1. AIS re: Noise Bylaw waiver request for Toscana; Toscana waiver request; letters of opposition to Toscana request for waiver of noise bylaw
- X. 2. AIS re: Noise Bylaw waiver request for wedding; McGowan waiver request; letters of opposition to request for waiver of noise bylaw at 25 Millbrook Rd; support letters from abutters
- X. 3. AIS re: Sewer Connection Fee waiver request for 3 Evergreen Way (portion); Samuels email; Qualified Purchaser's Certificate; Certificate of Compliance; Deed; Land Court Plan; Policy for Sewer Fee Waiver Requests
- X. 4. AIS re: Affordable Housing Trust request for spending over \$100,000; letter request from Housing Nantucket; photos of dwelling; project budget; project timeline
- X. 5. Roads & Right of Way Committee membership/applicant list; applications for vacant RROW seat; Committee Appointment Policy
- XI. 1. AIS re: Transfer of Liquor License for Hatch's; Liquor License Public Hearing Process; ABCC application; current Hatch's license
- XII. 1. 2022 ATM/ATE Draft Timeline