

Town and County of Nantucket Select Board • County Commissioners

Jason Bridges, Chair
Matt Fee
Dawn E. Hill Holdgate
Malcolm W. MacNab
Brooke Mohr



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 DECEMBER 21, 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/eoPjrVvPEcA>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_LOGZA9i-Q_m0Feo-kY19GA

- I. CALL TO ORDER***
- II. SELECT BOARD ACCEPTANCE OF AGENDA***
- III. ANNOUNCEMENTS***
 1. The Select Board Meeting is Being Audio/Video Recorded.
 2. Town Offices will be Closed Monday, December 26, 2022 in Observance of Christmas and Monday, January 2, 2023 in Observance of New Year's Day.
 3. No Select Board Meeting on Wednesday, December 28, 2022.
 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 December 14, 2022 at 5:30 PM; Amended Minutes of November 2, 2022 at 5:30 PM.
 2. Approval of Treasury Warrants for December 21, 2022.

3. Approval of Pending Contracts for December 21, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Gift Acceptance: Natural Resources Department; Fire Department.
2. Short-Term Rental Work Group: Update from Facilitator.
3. Preservation Planner: Update on FY 2021 Massachusetts Historical Commission Project/Certified Local Government Status.
4. Licensing: Request for Renewal of Annual Licensing Categories Including Common Victualler, Local Entertainment, Rental Car Agencies, Motor Vehicle Sales Class I, II and III, Mobile Food Units and Local Flower/Produce Vendors.
5. Licensing: Request for Renewal of Annual Liquor Licenses.

IX. REAL ESTATE ITEMS

1. Request for Approval and Execution of Licenses with the Nantucket Islands Land Bank for Land Bank to Provide Public Access to Land Bank's 19 East Creek Road Property:
 - a) License Agreement - East Creek Road (Roadway Improvements Using a Portion of the Town Roadway Layout Shown as "Proposed License Area" on Drawing Entitled "License Agreement Exhibit Plan East Creek Road"; Construction, Maintenance and Repair of Boardwalk to Provide Public Access to 19 East Creek Road Public Dock and Viewing Deck and Minor Grading to Accommodate an Accessible Parking Space on Adjacent Town-owned Property).
 - b) License Agreement to Construct, Maintain and Repair a Parking Space on Town-owned Property to Provide Access to 19 East Creek Road Public Dock and Viewing Deck, Remove Invasive Species, Add Additional Native Plantings and Construct, Maintain and Repair an American with Disabilities Act-Compliant Connector Path to Our Island Home.
2. Request for Approval and Authorization for Town Counsel to Execute Assent to Complaint to Recognize Taking and Approve Plan, for Taking of Hawthorne Street, Vernon Street and Nonantum Avenue.
3. Request for Approval and Authorization for Town Counsel to Execute Assent to Complaint to Recognize Taking and Approve Plan, for Taking of Vernon Street and Waverly Street.

X. PUBLIC HEARINGS

1. Public Hearing to Consider the Takings of the Fee or Lesser Interests, Together with any Public or Private Rights of Passage of All or Any Portions of the Following Paper Streets, Authorized by MGL Chapter 79 and Town Meeting Votes Noted Below:

- a) Lots A and B, Masaquet Avenue, Lot C, Masaquet Avenue and Atlantic Avenue and Lot D, Masaquet Avenue and Atlantic Avenue on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass. of Portions of Unconstructed 'Masaquet Avenue' 'Atlantic Avenue'," Prepared by Bracken Engineering, Inc., Dated June 13, 2022 and Recorded at Nantucket County Registry of Deeds as Plan No. 2022-48, Pursuant to Vote on Article 98 of 2011 Annual Town Meeting for Public Ways and/or General Municipal Purposes.
 - b) Magnolia Avenue, Shown as Lots P-1, P-2, P-3, P-4 and P-5 and Easements E-1 and E-2 on Plan of Land Entitled "Taking & Easement Disposition Plan, Magnolia Ave./East of Ocean Ave., Siasconset, Nantucket, Mass., prepared for: Town of Nantucket," Prepared by Blackwell & Associates, Inc., Dated October 26, 2022 and Recorded at Nantucket County Registry of Deeds as Plan No. 2022-51, Pursuant to Vote on Article 87 of 2012 Annual Town Meeting for Open Space Purposes.
2. Public Hearing to Consider Utility Petition from Verizon New England Inc. for Plan #MA2022-39 to Place One 4" Conduit Approximately 453' Beginning at Existing Manhole (MH 3138) on the Southerly Side of Madaket Road, Extending in a Westerly Direction along Madaket Road Approximately 344' to Existing Manhole (MH 3138-2) to Provide Service to 262 Madaket Road.

XI. TOWN MANAGER'S REPORT

1. Diversity Equity Inclusion (DEI) Director: End of Year Report.
2. Continued Discussion on FY 2024 General Fund Budget.
3. Continued Preliminary Review of Town-Sponsored Warrant Articles for 2023 Annual Town Meeting and/or Ballot Questions for 2023 Annual Town Election.
4. Monthly Town Management Report.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Request from Airport Counsel for Select Board to Consent to Waive Potential Conflict to Represent Keep Nantucket Real Fund/Community Foundation for Nantucket with Respect to Whether Historic District Commission has Authority to Appoint Advisory Committees.
2. Committee Reports.

XIII. 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

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
DECEMBER 21, 2022

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Residential Lease Agreement	Town Administration	Town of Nantucket Affordable Housing Trust Fund	\$45,576 (annual)	Lease Agreement for Town Employee Housing at 14 Somerset Rd	Town Administration Budget	November 1, 2022 - October 31, 2023
Restated Land Lease: 1 Milestone Rd – Solar Project	Town of Nantucket/Select Board; Nantucket Water Commission	TotalEnergies Distributed Generation USA	(\$1)	Restated land lease agreement, extending contract period from 20 to 25 years, as authorized by 2016 Annual Town Meeting Article 90 “Lease of Town Land for Renewable Energy Projects”	n/a	25 years
First Amendment to the Agreement for Payment in Lieu of Taxes (“PILOT”): 1 Milestone Rd – Solar Project	Town of Nantucket/Select Board	TotalEnergies Distributed Generation USA	(\$651,885)	Contract for reassessed PILOT (“Payment In Lieu of Taxes”) paid by solar developer to Town of Nantucket as authorized by 2016 Annual Town Meeting Article 91 “PILOT Agreements for Renewable Energy Facilities”	n/a	25 years
Amended and Restated Net-Metering Credit Purchase Agreement: 1 Milestone Rd – Solar Project	Town of Nantucket/Select Board (Nantucket Water Commission)	TotalEnergies Distributed Generation USA	(\$6,788,361)	Amended and restated contract for discounted electric bill credits generated by Standalone Solar Tariff Generation Unit (STGU) at 1 Milestone Road due to design modifications	n/a	25 years
Engineering, Procurement and Construction Agreement (“EPC”): Solar-PV System at Surfside WWTF	Sewer Department	TotalEnergies Distributed Generation USA	\$64,969	Contract for the design and purchase of a 106.2 kWDC solar-PV system, with primary funded from \$200,000 MassDEP grant	Municipal Operation Aggregation Adder Revolving Fund	N/A
Grant Agreement	Council on Aging	Elder Services of Cape Code and the Island, Inc	(\$7,500)	Grant to provide home modification services	Federal “Title III” Grant	October 1, 2022 - September 30, 2023

Professional Services Agreement	IT	Center for Internet Security, Inc (CIS)	\$13,980.00	ALBERT Network monitoring system to enhance cyber security readiness and response	IT Budget	December 21, 2022 - December 31, 2023
Amendment to Professional Services Agreement	Marine Department	Robert B. Our, Marine Division, LLC	Add \$41,682.07 to original contract amount of \$3,633,361.40 for new contract total of \$3,675,043.47	Amendment to existing contract for Town Pier Improvements to add welded bottom plates for wave break piles	Article 13 - ATM 2020	September 13, 2022 - September 6, 2025
Purchase Agreement	Natural Resources	Fisher Scientific	\$12,000	Purchase of Fisherbrand SterilElite 40L Tabletop Autoclave and Installation	Natural Resources Budget	December 12, 2022 - June 30, 2023
Professional Services Agreement	Our Island Home	Encore Fire Protection	\$7,565.98	Replacing leaking pipe on dry sprinkler at Our Island Home	OIH Budget	December 14, 2022 - March 1, 2023
Amendment to Professional Services Agreement	Department of Public Works	BETA Group, Inc	N/A	Amendment to existing contract for MUP Design: Williams, Sparks and Pleasant St. to extend the contract term to November 1, 2023.	N/A	November 6, 2019 - November 1, 2023
Amendment to Professional Services Agreement	Sewer Department	Robert B. Our Co, Inc.	Add \$26,369.89 to original contract amount of \$5,621,781.72 for new contract total of \$5,648,151.61	Amendment to existing contract for Surfside Rd Area Sewer System Improvements	Article 16 ATM 2020	May 12, 2021 - January 13, 2024
Professional Service Agreement	Town Clerk	Kofile Technologies, Inc.	\$45,000	Restoration and Preservation Service of Annual Municipal Records including Births, Deaths, Marriages, Street Lists, Town Meeting Records	Town Clerk Budget	December 21, 2022 - December 31, 2025

CONSENT AGENDA ITEMS FOR 12/21/2022 SELECT BOARD MEETING

1. Gift Acceptances

Recommend the acceptance of the following gifts to Town agencies:

- Natural Resources Department:
 - o \$54,943 from The Great Harbor Yacht Club Foundation for the balance on the purchase of an algae bioreactor for the Brant Point Shellfish Hatchery
- Nantucket Fire Department:
 - o \$26,375 from The Veranda House and its parent company, TPG Hotels and Resorts to be utilized for the production of three (3) 15-30 minute fire safety videos by Yellow Productions

Recommended Motion: To accept all gifts for their designated purposes, with thanks to the donors.

Town Administration will ensure that letters of thanks are sent.

TOWN OF NANTUCKET NATURAL RESOURCES DEPARTMENT

131 PLEASANT STREET
NANTUCKET, MA 02554

(508) 228-7230



Select Board
16 Broad Street
Nantucket, MA 02554
12/09/2022

Dear Board Members,

On behalf of the Natural Resources Department, we are requesting that the Select Board accept the following gift of \$54,943.00 from the Great Harbor Yacht Club Foundation. This donation is the remaining contribution for the purchase of an algae bioreactor for the Town of Nantucket's Brant Point Shellfish Hatchery. The bioreactor will provide an automated algae delivery system that will improve algae biosecurity and improve hatchery efficiencies.

We will be in attendance at the upcoming meeting of the Board to answer any questions that you have in regard to this gift acceptance. Thank you for your attention to this matter.

Sincerely,

Jeff Carlson,
Town of Nantucket
Natural Resources Director

NANTUCKET RESORT COLLECTION

Regatta Inn | Sherburne Inn | Chapman House
855-652-0137 hello@nantucketresortcollection.com

November 29, 2022

Joseph Townsend
Fire Prevention Officer
Nantucket Fire Department

Dear Joe and Nantucket Select Board,

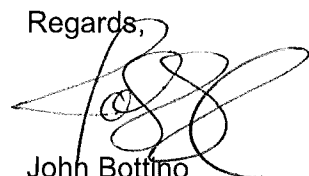
I want to begin by thanking you and the department for your heroic actions taken on the morning of July 9th in evacuating and containing the Veranda House fire. The actions taken by yourself, Nate Barber and the other members of the Nantucket Fire Department demonstrate how selfless and caring you are as individuals – like the President wrote on his recent visit “God made man, and then he made a few Firefighters” – thank you for being you.

In the aftermath of the events – I appreciated the time we spent to celebrate our collective wins regarding our annual fire prevention inspections and how that lead to the successful evacuation of the Veranda House. As I've said before – I view our relationship as one of education and mutual understanding as opposed to compliance and enforcement. In our brainstorm together, we came up with a brilliant idea, to create a series of informational fire safety videos to bolster the education and safety of our island community.

Please find attached a check for The Nantucket Fire Department made in the amount of \$26,375.00 on behalf of the Veranda House and our parent company TPG Hotels and Resorts to be utilized for the production of (3) 15-30 minute fire safety videos by Yellow Productions. It is my hope that these videos can be used as required training material for operators on the island – continuing to foster education and safety – preparing for the worst yet consistently striving for the best.

Thank you again to you and your department, I look forward to personally working on this project with you!

Regards,



John Bottino
General Manager
Nantucket Resort Collection

CC: Nantucket Select Board



Agenda Item Summary

Agenda Item #	VIII. 3.
Date	12/21/2022

Staff

Holly E. Backus, Preservation Planner / Local CLG Coordinator

Subject

Update on FY 2021 Massachusetts Historical Commission Project/Certified Local Government (CLG)

Executive Summary

The Town of Nantucket (through the Historical Commission) received a *FY21 - \$22,500 Grant for a total \$47,500 project*, from the Massachusetts Historical Commission (MHC) Survey and Planning Grant Program. It is a federally funded, reimbursable, 50/50 matching grant program to support historic preservation planning activities in communities throughout the state. Through this program, MHC supports efforts to identify and plan for the protection of the significant historic buildings, structures, archaeological sites and landscapes of the Commonwealth.

The FY MHC Grant allowed the Town to have a Pilot Survey conducted of the "Fish Lots" neighborhood to provide approximately 100 Survey Forms, aka HDC Surveys. In addition, the Grant allowed the creation of the Historic Structures Survey Plan (draft attached.)

Staff Recommendation

Staff recommends the Nantucket Historical Commission to formally adopt this plan at their December 16, 2022, meeting. This plan will be used to update our historic and cultural resources in the proper format and following the proper methodologies moving forward.

Background/Discussion

Impact: Environmental ☒ Fiscal ☐ Community ☒ Other ☐

Board/Commission Recommendation

NHC recommendation forthcoming

Public Outreach

Through NHC meetings and posted on the Town's website.

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

Strategic Plan – re: historic preservation

Attachments

PowerPoint Presentation, Draft Survey Plan document, Example Form B



Historic Properties Survey Plan For Nantucket

FY 2021 MHC

Certified Local Government

Survey & Planning Grant Project



FY 2021 MHC Certified Local Government Survey & Planning Grant Project



Town of Nantucket Historic Properties Survey Plan

- What is CLG
- What is the MHC Survey & Planning Grant
- Our Project:
 - The Survey Plan
 - The Pilot Survey

Certified Local Government

Partnership between Local, State and Federal governments provides the opportunity to help preserve, protect, and increase awareness of our unique cultural heritage, helping communities save their irreplaceable historic resources.

**Town of Nantucket
CLG since
March 19, 2021**

**HDC
and
NHC**



Certified Local Governments Cultural Resources
National Park Service

State, Tribal, Local, Plans & Grants	Certified Local Government Community Details
State Preservation Program	
Tribal Preservation Programs	Nantucket
Local Preservation	Ms. Holly Backus
Preservation Planning	Preservation Planner
HPP Grants	Town of Nantucket
ASAP Information	2 Fairground Road
Contact Us	Nantucket, Massachusetts 02554
Follow us on:	508-325-7587
	hbackus@nantucket-ma.gov
	https://nantucket-ma.gov/263/Historic-District-Commission
	To update information please contact your state coordinator.

MHC Survey & Planning Grant

The Massachusetts Historical Commission Survey and Planning Grant Program is a federally funded, reimbursable, 50/50 matching grant program to support historic preservation planning activities in communities throughout the state.

GOAL: to support efforts to identify and plan for the protection of the significant historic buildings, structures, archaeological sites and landscapes of the Commonwealth.

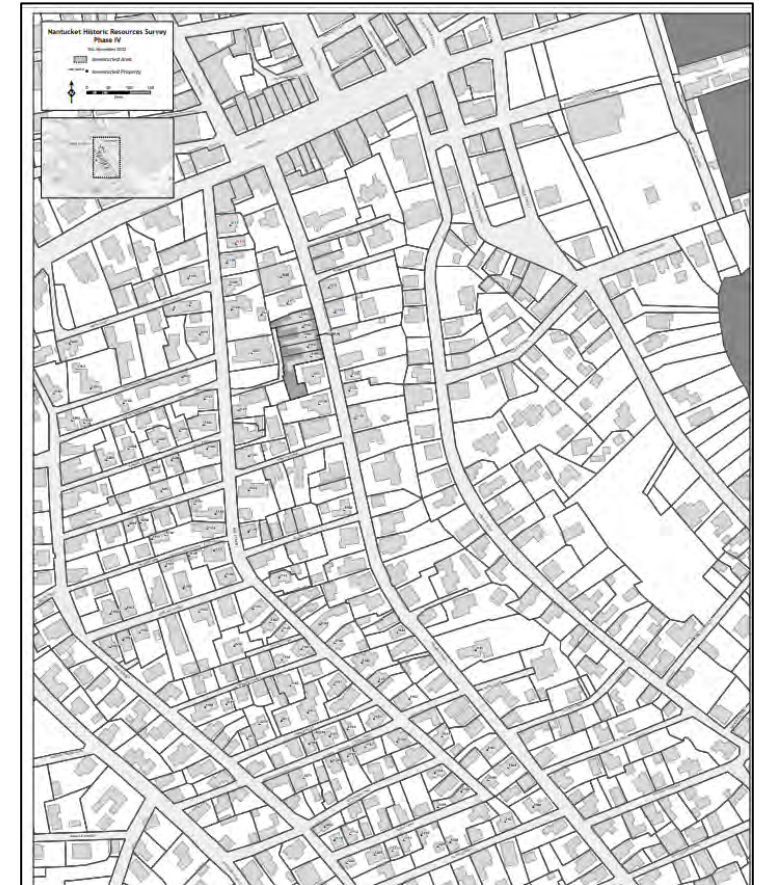
FY21 - \$22,500 Grant for a total \$47,500 project



Nantucket Project:

Pilot Survey “Fish Lots”

- 100 historic resources within the “Fish Lots” neighborhood from where Fair Street to Quantity Bank sits.
- One new Area Form and 97 Building Forms for the 100 historic resources.
- Charter Street, Darling Street, Eagle Lane, Fair Street, Farmer Street, Judith Chase Lane, Lyon Street, Pine Street, Rays Court, School Street, Tattle Court, Twin Street and some on Orange Street.
- They will be available on the Town’s GIS, through the MACRIS database at MHC, and hard copies available here at PLUS.



Nantucket Project:

Island-wide Historic Survey Plan

reconnaissance level description of the nature and distribution of historic and architectural resources in Nantucket;

bibliography that identifies and assesses key documentary materials useful in researching the historical development of the historic and architectural resources in Nantucket;

preliminary identification and assessment of the nature and location of historic, cultural, and architectural resources, including previously undocumented or under-documented resources, with definitions of neighborhood units and the resources they contain;

identification of selection criteria and priorities for a phased comprehensive survey of these resources by neighborhood unit;

an action plan for implementing priority survey goals for the creation of a comprehensive inventory by neighborhood unit of the cultural and historic resources;

phased historical properties inventory proposal package that cost estimates for use by the Town/NHC in obtaining services for professional cultural resource surveys.

HISTORIC INVENTORY PLAN NANTUCKET, MASSACHUSETTS



Submitted to:

Town of Nantucket
Nantucket Historical Commission
 37 Washington Street
 Nantucket, Massachusetts 02554
 and
Massachusetts Historical Commission
 220 Morrissey Boulevard
 Boston, Massachusetts 02125

Submitted by:

The Public Archaeology Laboratory, Inc.
 26 Main Street
 Pawtucket, Rhode Island 02860

Virginia H. Adams
 Melissa J. Andrade
 Eryn Boyce



PAL Report No. 4267

November 2022

B-3. 59 Neighborhood Survey Units with MACRIS Inventory and NHL Properties Data, and Description (Sorted alphabetically by Neighborhood Survey Unit).

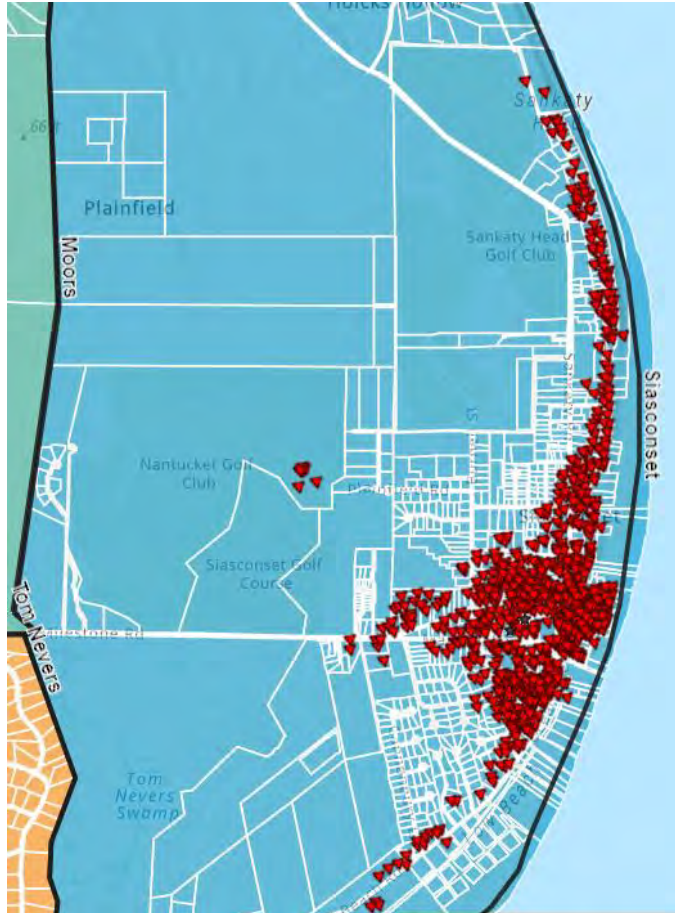
Neighborhood Survey Unit	Neighborhood Group	Approx. Acreage	MACRIS Extant Properties	Assessor Built < 1976	NHL C (+C/C, C/NC)	Description of Neighborhood and Historic Resources
Airport	South	945	0	16	39	Airport is in the south-central part of the island abutting the Atlantic Ocean to the south. The Nantucket Airport covers most of the area. Dense 1970s multi and one-family houses are along Nobadeer Farm Road and off Old South Road. Side streets also have 1960s residences and commercial and industrial use near airport.
Brant Point	North	160	382	199	245	Brant Point & Cliffside is at the north central part of the island abutting Nantucket Sound to the north and Nantucket Harbor to the east, with Jetties Beach along the north coastline. Late 19th and early 20th century houses, many large, are densely built along Cobblestone Hill, Beach and Hulbert streets and Brant Point. Many have been either altered, moved, or demolished. Platted in 1735 as "Meadow Shares." Includes the 1960s White Elephant Hotel complex.
Capaum Pond	Northwest	422	25	12	27	Capaum Pond is in the north central part of the island abutting Nantucket Sound to the north. It encompasses several mid-size ponds and includes early - mid-20th-century houses. Washing Pond was previously called Wannacomet Pond and was part of the Wannacomet Water Company in 1880 to bring water by pipes, established by Moses Joy, Jr.
Cisco	Southwest	762	0	64	65	Cisco is at the south-central part of the island abutting the Atlantic Ocean to the south with Cisco and Ladies beaches. It includes Bartlett Farm and Hummock Farm roads. William Gardner Map of 1850 Farms shows about six in Cisco area, one of which is Bartlett's Farm established 1843. Fragments of a 1970s subdivision that remains mostly undeveloped are on the moors and beach including Westwick Road and Trinity Lane. Houses from the 1960s, 70s, and 80s are along Hummock Pond Road, Moth Ball Way, Towtemo.
Cliff Road - North/Cliffside	North	78	108	81	100	Cliff Road - North/Cliffside is at the north central part of the island abutting Nantucket Sound. It is densely built up with late 19th- and early 20th-century houses mixed with nonhistoric houses, including along the bluff.
Cliff Road - South	North	49	85	61	63	Cliff Road - South is in the north central part of the island on the south side of Cliff Road between North Liberty Street and Pilgrim Road. These and the adjacent roads have a dense mix of late 19th- and early to mid-20th-century historic and nonhistoric houses. Josiah Coffin House on North Liberty is the oldest.
Coatue	Northeast	946	0	4	46	Coatue is a narrow beach barrier spit with five "points" and "bends" that forms the north side of Nantucket Harbor, separating the harbor from the Atlantic Ocean, ending at the harbor inlet on the west. It is part of Coskata-Coatue Wildlife Reserve, and the topography is sand dunes, with a sand road. Some of the private properties have buildings, and some are just a sand lane. Three buildings are within 3rd Bend and one building at 4th Bend.
Commercial Area/ Mid Island	Downtown	21	0	9	27	Commercial Area/ Mid Island is within Nantucket Town neighborhood at the north center of the island. It is southeast of the town center and comprises a commercial area with a dense mix of mid-19th to late 20th century houses, markets, and other businesses.
Commercial Downtown	Downtown	19	2	50	136	Commercial Downtown is within the Nantucket Town neighborhood at the north central part of the island between East Street and Center/Orange streets, and Main Street. It contains a dense mix of 18th-, 19th-, and 20th-century residential, commercial, and institutional buildings. Includes the mid-20th-century Harbor House Hotel complex. The two MACRIS properties are the post office and Athenaeum. Not many researched in this area.
Coskata	Northeast	259	0	0	2	Coskata is a small barrier beach between Inner Harbor on the west and the Atlantic Ocean on the east and is part of Coskata-Coatue Wildlife Reserve. It has two ponds, sand dunes, a sand road, and no buildings and structures.

PAL Report No. 4267

Historic Inventory Plan, Nantucket, MA B-1

- **59 neighborhood survey units with unique names, boundaries and descriptions**

Survey Plan



BUILDING/STRUCTURE INVENTORY FORM
NANTUCKET ISLAND ARCHITECTURAL
AND CULTURAL RESOURCES SURVEY
NANTUCKET HISTORIC DISTRICT COMMISSION
NANTUCKET, MASSACHUSETTS

Recorded by: AH Date: 09/18/89 Organization: AGS

IDENTIFICATION

1. Street Name & No.: 6 BROADWAY

2. Building Name: AULD LANG SYNE

3. Ownership: Private

4. Present Owner: KAMIYA, MISHI EST OF

5. Ownership History: Unknown

6. Use: Original: Dwelling Present: Dwelling
Seasonal/Year-Round: Seasonal

7. Accessibility to Public: Visible from Public Road? Yes
Interior: N/A

8. MAP -- 3 X 2"

9. PHOTOGRAPH

Handwritten notes: NAN.2201, SC5-27, 731373, 2201, LCD, A sign on the wall, with 1980s



Update old "HDC
Surveys"

Survey Forms:

Type of MHC Survey Forms

- Form A - area
- ★ Form B - building
- Form C - object
- Form E - burial ground
- Form F - structure
- Form H - parks / landscapes

FORM B - BUILDING
MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Assessor's Number: 1805 Quad Acreage: Form Number:
42.337.192. Parcelled: NAN C: D: NAN XXX
LHD 6/4/1970 NRDIS NHL 11/13/1980

Town/City: Nantucket
Neighborhood or village: Nantucket Town (Fish

29 Fair Street
Name: George and Deborah Bunker House
Use: Vacant
Type: Single Family Dwelling
Construction: ca. 1700-1740s
Observation Institute Nantucket 1993; Lancaster
georgian
er: Unknown
al:
ck stone
ed shingles/Wood
shingles
Secondary Structures: Cottage
1897, installed 1923-1947
with dates: 2nd-story addition to north
c.; 2-story south section (31 Fair
8th c.; multiple rear additions, early-
mid 20th c.; asphalt-shingle
c.
Date:

FORM B - BUILDING
MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Assessor's Number: 1805 Quad Acreage: Form Number:
42.337.192. Parcelled: NAN C: D: NAN XXX
LHD 6/4/1970 NRDIS NHL 11/13/1980

Town/City: Nantucket
Place: (neighborhood or village) Nantucket Town (Fish
Lots)

Address: 29 Fair Street
Historic Name: Charles H. and Susan H. Robinson House
Uses: Present: Single Family Dwelling
Original: Single Family Dwelling
Date of Construction: 1868
Source: Chase-Harrel and Pfeiffer 2012
Style/Form: Italianate
Architect/Builder: Charles H. Robinson
Exterior Material:
Foundation: Unknown
Wall Trim: Wood Clapboard, wood shingles/Wood
Roof: Wood shingles
Outbuildings/Secondary Structures: Guest House, 2004
(NAN XXXX)
Major Alterations (with dates): Entrance tower, early 20th
c.; front porch and projecting cross gable on side (north
elevation of rear ell, late 20th or early 21st c.; addition to rear
ell, early 21st c.
Condition: Good
Moved: no ☒ yes ☐ Date:
Acreage: 0.22
Setting: The property occupies a roughly rectangular parcel
at the southeast intersection of Fair Street and Martins
Lane. West-facing, the building is bounded by a mix of 18th
and 19th century residential properties on the east and south
and roads on the north and west. A manicured lawn and
beds planted with ornamental bushes and trees wraps
around the building on the north and west, and an asphalt-
paved driveway abuts it on the south. A guest house sits
southwest of the main house close to the street. A wood
picket fence encloses the property, which abuts brick
sidewalk with granite curbs.

Recorded by: E. Boyce, D. King, M. Andrade, J. Chen, V.
Adams, PAL
Organization: Nantucket Historical Commission
Date (month/year): January 2022

Photo 1. 29 Fair Street, looking southeast.

Locus Map

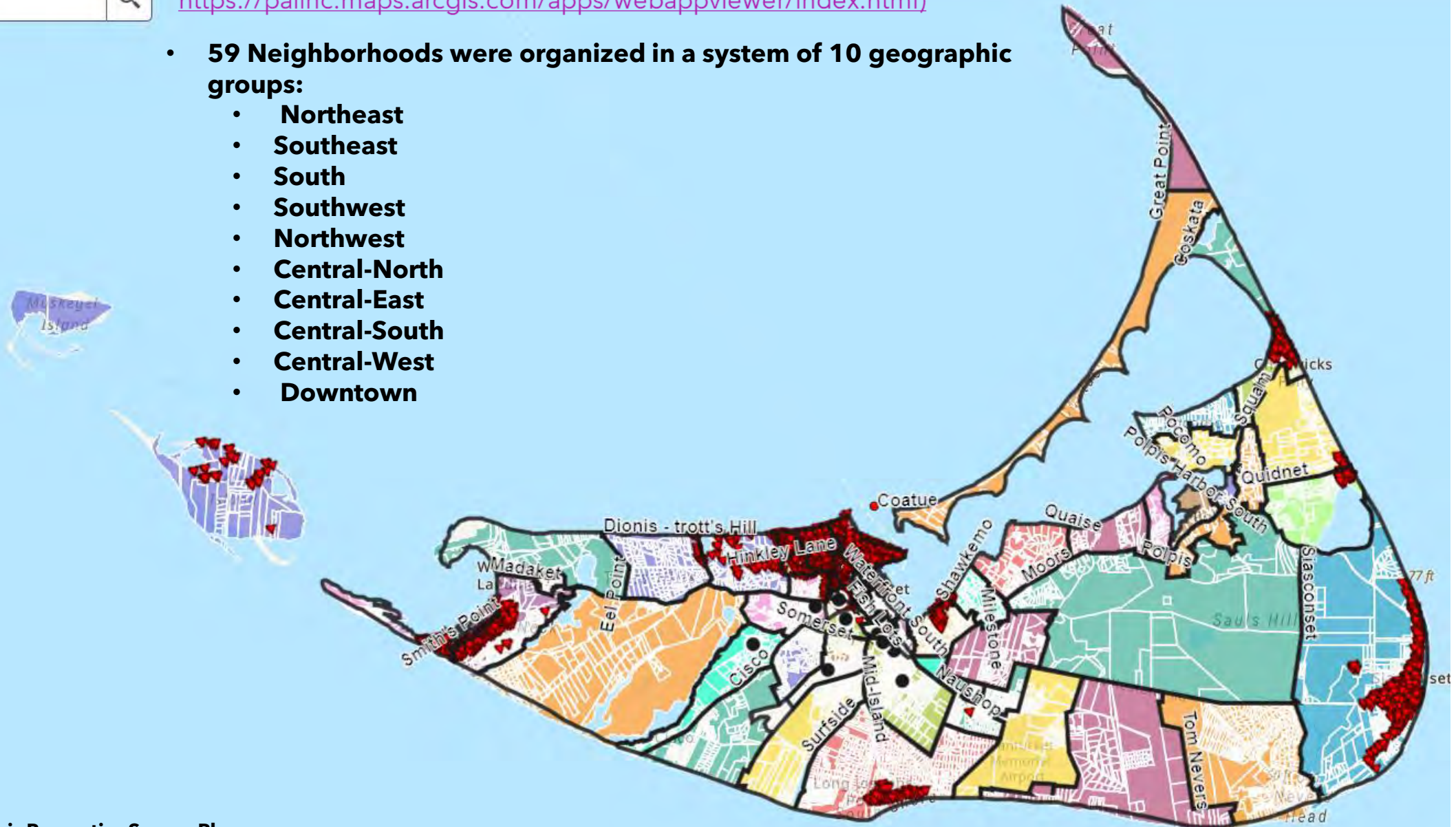
MASTING LANE
FAIR STREET
CHURCH STREET

Follow Massachusetts Historical Commission Survey Manual instructions for completing this form.

<https://palinc.maps.arcgis.com/apps/webappviewer/index.html>

- **59 Neighborhoods were organized in a system of 10 geographic groups:**

- **Northeast**
- **Southeast**
- **South**
- **Southwest**
- **Northwest**
- **Central-North**
- **Central-East**
- **Central-South**
- **Central-West**
- **Downtown**





Survey Plan

Ranked 1–10 based on Survey Priority and Threats (Sorted by Rank, Neighborhood Group, and Neighborhood Survey Unit).

Neighborhood Survey	Description of Neighborhood and Historic Resources	Threat Types & Levels (A)	Survey Priorities	Neighborhood Group	Recommendation	Survey Focus	Level of Effort	Cost Estimate (325 per), Total Cost in \$
Monomoy	West Monomoy is an area within the Nantucket Town neighborhood at the north central part of the island at the south edge of downtown. It was laid out in 1726 and is known as Five Corners for intersection of Atlantic Avenue and Pleasant, York and West York streets, and was an African American village with the African meeting House. Parts were historically known as Guinea, New Guinea, New Town. The area is associated with African, Cape Verdean, Portuguese, and Azorean residents and extends into Mill Hill. It contains a dense mix of 18th-, 19th-, and 20th-century buildings.	1 - H 3 - H	High	Central-South	Update existing MACRIS forms & survey all contributing resources	Densely built mid-18th to mid-20th century houses; African American settlement area	B Forms - approximately 200	65,000
Commercial Downtown	Commercial Downtown is within the Nantucket Town neighborhood at the north central part of the island between East Street and Center/Orange streets, and Main Street. It contains a dense mix of 18th-, 19th-, and 20th-century residential, commercial, and institutional buildings. Includes the mid-20th-century Harbor House Hotel complex. The two MACRIS properties are the post office and Atheneum. Not many researched in this area.	1 - H 3 - H	High	Downtown	All contributing resources	Densely built early-19th to late-20th century commercial buildings with almost no existing survey	B Forms - approximately 120	39,000
Fish Lots	Fish Lots is within the Nantucket Town neighborhood at the north central part of the island. It includes parts of Fair and Orange streets and side streets and is densely built with 18th- and 19th-century residences.	1 - H 3 - H	High	Downtown	Any contributing resources	Densely built early 19th to early 20th century houses To be completed FY22 survey project	B Forms - approximately 200	complete FY 2023
Wesco Acre Lots	Wesco Acre Lots is within the Nantucket Town neighborhood at the north central part of the island. It is named for and includes the historic land division of 1678 of land once owned by	1 - H 3 - H	High	Downtown	Update existing MACRIS forms &	Densely built	B Forms - approximately 200	65,000

Neighborhood Descriptions

B-4. Survey Threats, Priorities, and Recommendations (Sorted alphabetically by Neighborhood Name).

Neighborhood Survey Unit	Neighborhood Group	Threat Types & Levels (A)	Survey Priorities	Recommendation	Survey Focus	Level of Effort
Airport	South	1 - M 3 - M	Moderate	Any contributing resources	1960s houses near airport on Nobadeer Way	A Form - 17 1970s houses on Nobadeer Way
Brant Point	North	1 - H 2 - H 3 - M	High	Update existing MACRIS forms & survey all contributing resources	Densely built late 19th-early 20th century houses, White Elephant Hotel complex; to be surveyed FY23 Project	B Forms - approximately 300
Capaum Pond	Northwest	1 - M 2 - H 3 - M	Moderate	Update existing MACRIS forms & survey all contributing resources	Early to mid-20th century houses, pond landscapes	B Forms - approximately 20
Cisco	Southwest	1 - M 2 - H 3 - M	Moderate	Any contributing resources	ca. 1843 Bartlett's Farm, 1960s and 70s houses	A Form for Bartlett's Farm buildings and landscape; approximately 20-30 B Forms for any other extant 1850 Map farms and 1960s, 70s houses
Cliff Road - North/Cliffside	North	1 - M 2 - H 3 - H	High	Update existing MACRIS forms & survey all contributing resources	Densely built late 19th to early 20th century houses	B Forms - approximately 100; Layout shown in A.G. Souza Associates Survey Plan 1989.
Cliff Road - South	North	1 - M 3 - M	High	Update existing MACRIS forms & survey all contributing resources	Densely built early 19th to early to mid-20th century houses; demolitions and alterations on Delaney Road	B Forms - approximately 80
Coatue	Northeast	1 - M 2 - H 3 - M	High	Any contributing resources	Early 20th century cottages	A Form - 4 houses and landscape
Commercial Area/ Mid Island	Downtown	1 - H 3 - M	Moderate	Any contributing resources	Densely built mid-19th to late-20th century residences and commercial buildings	B Forms - approximately 30
Commercial Downtown	Downtown	1 - H 3 - H	High	All contributing resources	Densely built early-19th to late-20th century commercial buildings with almost no existing	B Forms - approximately 120

Survey Plan

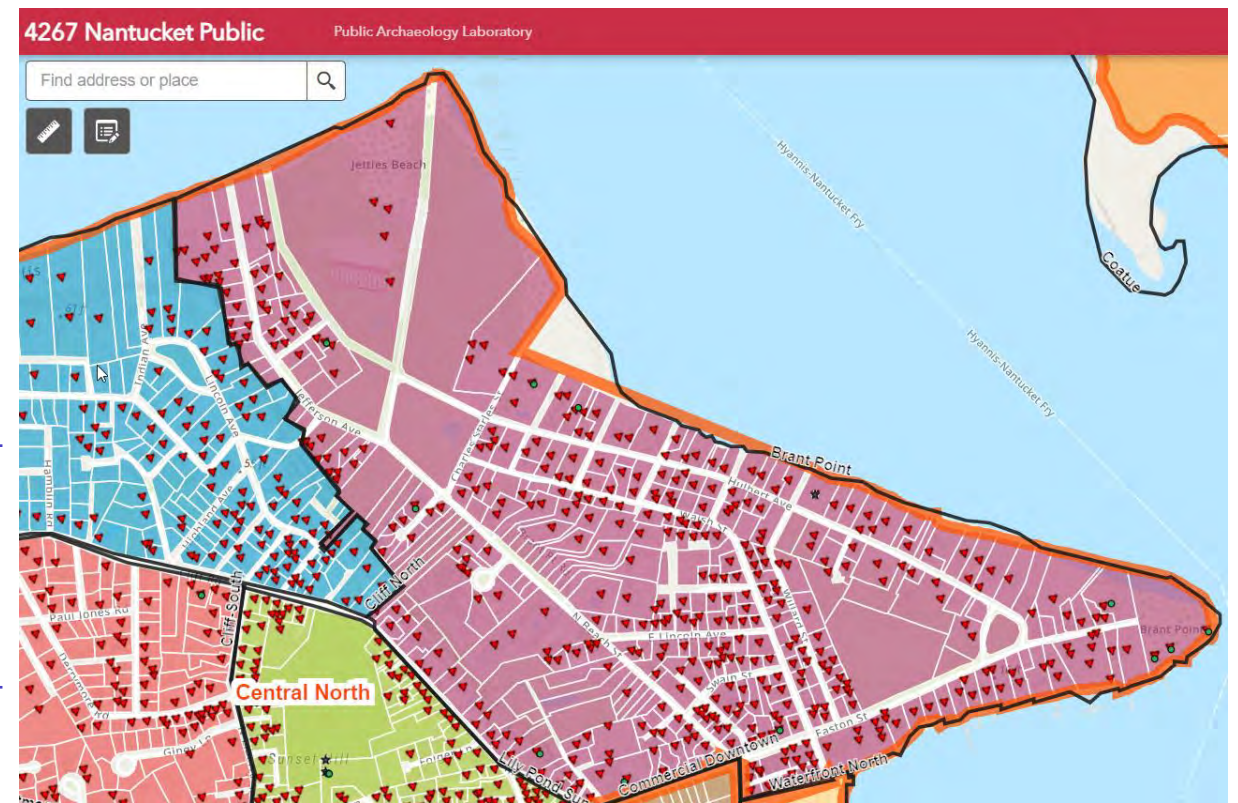
Threats, Priorities, Recommendations

Survey Plan Neighborhoods:

Considered the present status of inventoried and un-inventoried historic resources and identified threats and challenges;

Summary overview of the general character, history, and historic resources of each of the neighborhood units

Shows the approximate quantities of buildings constructed before 1976

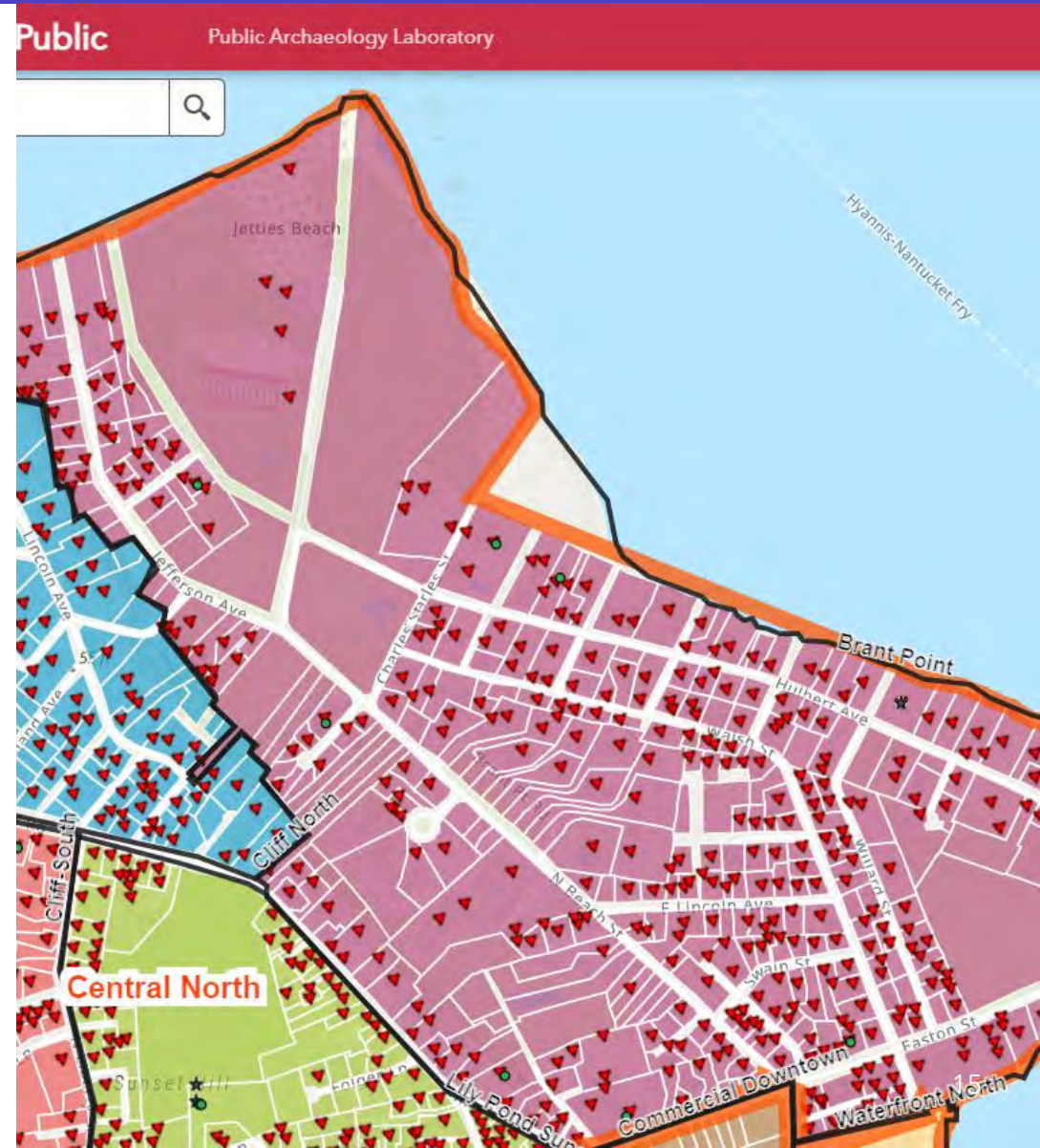


Threats established:

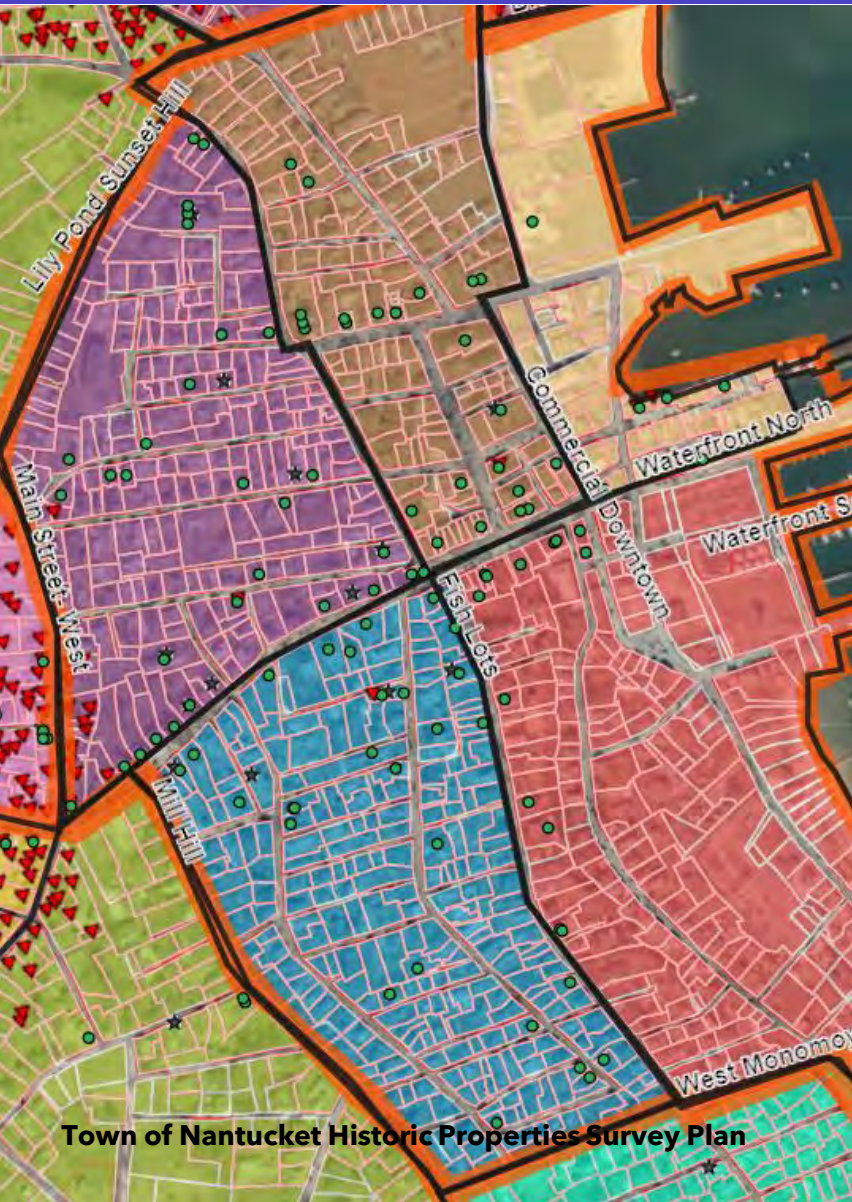
- ☐ Demolition and Redevelopment
- ☐ Climate Change & Sea Level Rise
- ☐ Changes in Land & Property Uses

Survey Plan Neighborhoods:

- Priority recommendations are ranked as:
 - High
 - Moderate
 - Low



High Priority



The downtown section of Nantucket Town and adjacent neighborhoods are an area of primary concern.

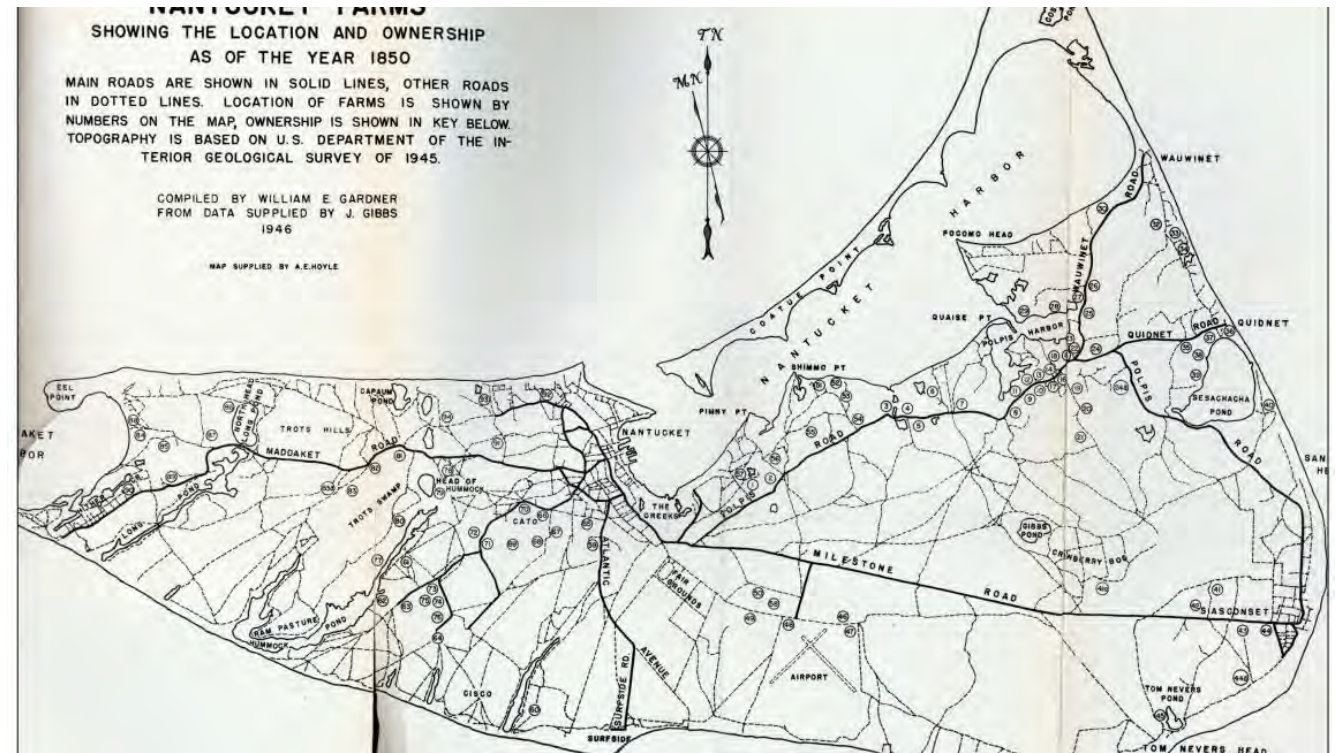
This is a densely built area has the highest concentration of historic resources in the town.

The downtown and immediately adjacent areas are recommended as high priority for survey.

Thank you!

**Public Archaeology Laboratory, Inc.
Massachusetts Historical Commission
Nantucket Preservation Trust
Sconset Trust
Nantucket Historical Association
Betsy Tyler - historian
Barbara White - former NHC
Commissioner**

**Nantucket Historical Commission
Nantucket Historic District Commission
PLUS Director
Nantucket Select Board**



**Holly E. Backus
Preservation Planner
Local CLG Coordinator
Local HMP Coordinator
Town of Nantucket**

HISTORIC INVENTORY PLAN

NANTUCKET, MASSACHUSETTS



Submitted to:

Town of Nantucket
Nantucket Historical Commission
37 Washington Street
Nantucket, Massachusetts 02554
and
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

Submitted by:

The Public Archaeology Laboratory, Inc.
26 Main Street
Pawtucket, Rhode Island 02860

Virginia H. Adams
Melissa J. Andrade
Eryn Boyce



PAL Report No. 4267

November 2022

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ACKNOWLEDGEMENTS

The Town of Nantucket, through the Nantucket Historical Commission and its Advisory Committee for the Nantucket Survey Plan project and with the able support of Holly Backus, Preservation Planner, contributed greatly to the development and shaping of this plan. The Nantucket Historic District Commission, the Nantucket Preservation Trust and Mary Bergman its Executive Director, and the Preservation Institute Nantucket also provided information and input to the plan. Michael Steinitz, Director, and Peter Stott, Preservation Planner, of the Preservation Planning Division, Massachusetts Historical Commission, were instrumental in guiding the scope and outcomes of the project.

The Nantucket Survey Plan project was financed, in part, with federal funds from the National Park Service, U.S. Department of the Interior, through the Massachusetts Historical Commission, Secretary of the Commonwealth William Francis Galvin, Chairman. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior or the Massachusetts Historical Commission, and the mention of trade names or commercial products does not constitute endorsement or recommendation by the Department of the Interior or the Massachusetts Historical Commission.

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Front Cover Image: F.C. Ewer, *Historical Map of Nantucket*. 1869. On file, New York Public Library, New York, NY. This map of Nantucket depicts place names, roads, locations of historic and significant buildings, structures, and objects, and includes a historical timeline. Figure A-1 is an enlarged version of this map.

CHAPTER ONE

PROJECT HISTORY AND OBJECTIVES

The Town of Nantucket (Town), Massachusetts, with the Nantucket Historical Commission (NHC), commissioned the development of a comprehensive Town of Nantucket Historic Properties Survey Plan (the Survey Plan). The project was funded by the Town and the Massachusetts Historical Commission (MHC), which guided the scope and outcome of the Survey Plan.

Survey Plan Objectives and Content

The Survey Plan is intended to target priority properties for survey, identify significant historic themes, and establish a phased approach to completion of a comprehensive historic resources survey in the town of Nantucket. The Survey Plan encompasses the island of Nantucket, containing 27,207 acres and approximately 13,000 resources built before and in 1975, the end date of the period of significance established in the Nantucket Historic District National Historic Landmark (NHL) nomination of 1966. It also includes the islands of Tuckernuck and Muskeget within the overall planning framework. The NHL Nomination Update completed in 2012 and the accompanying Data Sheet are key documents supporting the development of this Survey Plan. One of the intentions of the Survey Plan is to provide a framework and tools for the NHL data to be used to its full potential now and in the future.

The following elements make up the Survey Plan to assist in its use and the implementation of the recommendations:

- a reconnaissance level description of the nature and distribution of historic and architectural resources in Nantucket;
- a bibliography that identifies and assesses key documentary materials useful in researching the historical development of the historic and architectural resources in Nantucket;
- a preliminary identification and assessment of the nature and location of historic, cultural, and architectural resources, including previously undocumented or under-documented resources, including definitions of neighborhood units and the resources they contain;
- the identification of selection criteria and priorities for a phased comprehensive survey of these resources by neighborhood unit;
- an action plan for implementing priority survey goals for the creation of a comprehensive inventory by neighborhood unit of the cultural and historic resources; and
- a phased historical properties inventory proposal package and cost estimates for use by the Town/NHC in obtaining services for professional cultural resource surveys.

Project History

The Survey Plan was prepared by The Public Archaeology Laboratory, Inc. staff Virginia H. Adams, project manager/senior architectural historian and Melissa J. Andrade and Eryn Boyce architectural historians. In 2022, PAL completed a pilot survey of historic resources within the Fish Lots neighborhood in conjunction with the development of the Survey Plan. The consultant team worked closely with Holly Backus, Preservation Planner and the members of the NHC Steering Committee for the project—Angus McLeod, Tom Montgomery, Hillary Hedges Rayport, Betsy Tyler, and Barbara White—throughout the process.

The team of architectural historians completed a field reconnaissance survey drive over of Nantucket Island in December 2021 and April 2022. The team used an interactive, GIS-based web map with Massachusetts Cultural Resources Inventory System (MACRIS), National Register of Historic Places, tax assessor, and

parcel data layers downloaded onto an iPad to navigate and provide the framework for recording data. In collaboration with the Town, the consultant defined 59 neighborhood survey units with unique names and boundaries on Nantucket Island and identified their characteristics and the types and approximate numbers of historic resources. The 59 neighborhood survey units were organized in a system of 10 geographic groups encompassing the island to assist with analysis: Northeast, Southeast, South, Southwest, Northwest, Central-North, Central-East, Central-South, Central-West, and Downtown. The boundaries of the neighborhood survey units and the geographic groups were added to the GIS-based web map. A list of the key and representative buildings referred to in the NHL narrative, prepared by the Town, was used to add that information as a layer in the GIS map.

The NHL Nomination Update Data Sheet, originally created in 2012, is the only town-wide comprehensive list of properties that calls out all historic resources. It identifies all parcels on Nantucket Island and categorizes them as contributing, if built before or in 1975, or noncontributing, if built after 1975. The consultant team edited the NHL Data Sheet for analysis and to support the survey plan. They added new columns, assigned properties to one of the 59 neighborhood survey units wherever possible, and integrated the MHC identifier number and other information about resources included in the MACRIS database. Due to time constraints, data from other survey efforts on Nantucket completed by historic preservation organizations and students that have been important in recording information about historic resources was not included, but is acknowledged as important contributions to the historical documentation record and research sources.

CHAPTER TWO

THREATS TO HISTORIC RESOURCES AND AREAS

When awareness of pressures on Nantucket's unique historic and architectural qualities from inappropriate changes to buildings and increasing new development initially emerged in the mid-20th century, the Town of Nantucket took action to safeguard the continued preservation of the historic setting and scale of first the town center, and then the entirety of Nantucket Island, as well as Tuckernuck and Muskeget islands.

Today, historic resources and areas on Nantucket benefit from and are challenged by a variety of known and potential human and natural forces. In general, the exteriors of historic buildings are well protected from unsympathetic changes through review by the Nantucket Historic District Commission (HDC). The HDC typically receives between 80 and 100 applications per week, and meets once a week. The HDC's 1992 publication *Building with Nantucket in Mind* provides "a common point of reference, available to everyone, on how best to relate new construction and renovations to the island's architectural heritage and to its shared landscape." The manual emphasizes the larger environmental context of a building and how these measures respond to threats from new construction to the cherished quality of Nantucket's unspoiled setting, town and villages, and landscape. Further HDC guidance provides information on topics such as roof shingles, HVAC systems, rural sites, solar installation, signs, sustainable preservation for property owners, realtors, developers, architects, and construction professionals, and guidelines on flooding adaptation and building elevation. The NHC's research on topics such as historic pavement, including roadway, sidewalks, and curbing is also a valuable resource.

The present-day major known and potential threats to historic resources, neighborhoods, and the landscape are in three primary categories:

1. **Demolition and Redevelopment:** The prevalence of demolition and redevelopment, including cumulative threats to individual buildings from alterations and additions that are not historically appropriate, moving of historic buildings, and new land subdivision and building and road construction, continue to challenge the town's historic resources and character. New construction is a relatively small proportion of the building industry on Nantucket and has been directed and concentrated in certain areas. In addition, the overall impact to the landscape is mitigated in part by the large amount of land conserved as open space. Renovations and alterations of existing buildings is the primary building activity in the town since 2008 (Town of Nantucket 2021). Treatments of the exterior of historic buildings and their immediate landscape setting are well regulated, but of particular concern are a steady stream of proposals to substantially enlarge existing historic additions. Interiors of buildings are also frequently gutted, and this loss of interior historic floor plans and materials is not addressed by the available protection measures. Full protection comes from Preservation Restrictions and/or Historic Tax Credit applications. These issues affect all historic buildings on the island but are particularly acute in the densest historic area of Nantucket Town and in the smaller, outlying villages of Siasconset, Quidnet, Wauwinet, and Madaket.
2. **Climate Change and Sea Level Rise:** The town's three islands are highly vulnerable to sea level rise and extreme weather events caused by climate change. As shown in the Federal Emergency Management (FEMA) study available through the town website, hazardous coastal erosion of the shoreline and bluffs is occurring along all areas of the Nantucket Island shoreline. It is especially notable along the West End, and at the bluffs on the south, east, and north shores. Some affected areas such as Coatue and Great Point have few historic resources, but others many historic resources. Nantucket is generally 30 feet above sea level, with the highest points at about 50 feet at Folger Hill and Altar Rock. Low-lying areas, including the historic town center and beaches, are susceptible to inundation from sea level rise and intermittent storm flooding. The Town's new

Coastal Resilience Plan will help mitigate the effects of coastal flooding, sea level rise, and erosion around Nantucket, which also includes the incorporation of the HDC's *Resilient Nantucket: Flooding Adaptation & Building Elevation Design Guidelines*.

3. **Changes In Land and Properties Uses.** The general shift from single-family homes, both year-round and seasonal occupations, to seasonal rentals brings pressures to update and enlarge residences and provide parking. More than 50 percent of the island is in conservation and now permanently protected from development as a result of efforts started in the 1960s. However, the demand for land for new residential construction continues to impact the natural and cultural landscape around Nantucket Island through infill and building up of unprotected parcels. This includes the proposals of demolition or move-off of contributing outbuildings from the 1900s through the 1950s.

CHAPTER THREE

NANTUCKET HISTORY – PERIODS AND THEMES

The identification and chronology of Nantucket's significant town-wide historic themes and notable events, and the accounting of related historic resources, are well developed primarily through the 1966 National Historic Landmark (NHL) Nomination and especially the 2012 NHL Nomination Update, the 1984 MHC Reconnaissance Survey Report, and extensive past research and publications.

*The following narrative sections are excerpted, adapted, and supplemented with 21st century information as appropriate, from the 2012 Nantucket National Historic Landmark Nomination Update, which provides a comprehensive summary of Nantucket's historical and architectural development.*¹

Contact Period/Early Settlement (1520–ca. 1722)

Prior to European contact, Nantucket was inhabited in the Middle and Late Woodland periods by Algonquian- speaking Native Americans who subsisted by planting maize, beans, and squash, exploiting the rich aquatic resources in the ponds and along the shoreline, and hunting sea mammals such as seals and whales near the shore. They were part of a culturally complex community that extended from Saco Bay in Maine, to the Housatonic River area in Connecticut, and from Long Island inland to southern New Hampshire and Vermont, most of whom spoke closely related dialects of the Algonquin language. There is convincing archaeological evidence, such as bowls made of soapstone from quarries in Johnstown, Rhode Island, of extensive trade between the islanders and mainland communities.

While European settlement did not occur until 1659, Thomas Mayhew, assisted by Peter Folger, had begun missionary activities with the Nantucket natives as early as 1643. The native Nantucketers Mayhew met were part of a political federation, known today as the Wampanoag Nation, within the Algonquin cultural region, and their number has been estimated at between two and three thousand. The Wampanoag Nation comprised what is today eastern Rhode Island and southeastern Massachusetts, including Cape Cod and Martha's Vineyard. When Mayhew made his first contact with the Nantucket Wampanoags there were four tribes, or sachemships, occupying different areas of the island. Day-to-day leadership of each of the distinct communities was provided by a chief, or sachem. The two largest tribes, led by the Sachems Wanachmamack (or Wanackmamack) and Nickanoose, occupied the eastern part of the island from the harbor south to the Madequecham Valley. Two smaller communities along the south shore were led by Sachems Spotso and Attapeat.

Conflicting claims to Nantucket Island arose sometime prior to actual settlement by the English. In 1635 King Charles I granted Nantucket to the Earl of Sterling, whose lands included Martha's Vineyard, Long Island and much of New York. Subsequently, in 1639 Charles again granted the island, this time to Sir Ferdinand Gorges, who claimed lands from Massachusetts through Maine, resulting in lingering conflicting claims to the island. In 1651 Thomas Mayhew of Watertown and his son purchased Nantucket, Muskeget, and Tuckernuck islands from the Earl of Sterling. The Mayhews, however, did not at that time live on Nantucket, but rather on Martha's Vineyard, which they had purchased in 1642.

In 1659 Mayhew sold Nantucket to a partnership of ten investors, a small group of non-Puritans and separatist sympathizers from Salisbury led by Tristram Coffin, seeking asylum offshore. Among them were Thomas Macy and his family, Edward Starbuck and Isaac Coleman. Macy was a Baptist, and had recently been fined 30 shillings for violation of the law prohibiting entertaining Quakers. He had sheltered Edward Wharton, London merchant William Robinson, and Marmaduke Stephenson of Yorkshire, England, the

¹ Chase-Harrell, Pauline and Brian Pfeiffer. *National Historic Landmark Nomination – Nantucket Historic District, Nantucket (NAN.D)*. On file, Massachusetts Historical Commission, Boston, MA, 2012.

latter two of whom were later hanged in Boston. Later generations of Colemans were Quakers. In 1660 the partnership was enlarged to 20 members. Eighteen men, plus Mayhew and his son, became the first 20 purchasers or original proprietors, and their surnames for the most part descended to important figures in Nantucket history. One of the first actions of the enlarged partnership was to recruit 14 “mechanics,” skilled craftsmen in building and related trades whose skills would help to build the settlement, each of whom received a half share in the partnership in return for settling in Nantucket.

In addition to their purchase from Mayhew, the Nantucket Partnership also purchased the rights to the land from the local natives, and the two groups continued to live and interact together. In 1660 the sachems Wanackmamack and Nickanoose sold the 20 Nantucket partners rights to the western half of the island, half the meadows and marshes on the rest of the island, all the timber, and the rights to graze cattle anywhere on the island from the end of harvest to first planting. The following year, Wanackmamack also sold the rights to half of Tuckernuck Island and portions of eastern Nantucket to the partnership.

The island was incorporated as the town of Nantucket in 1671, under the jurisdiction of the Province of New York, and its name was changed to Sherburne in 1673 by Royal Governor Francis Lovelace. In 1692 an act of Parliament transferred Nantucket from New York to Massachusetts, but its name did not change back to Nantucket for another century. Nantucket’s local government was then run by the Commonwealth of Massachusetts rather than by the 20-member proprietorship. Tuckernuck Island, originally part of Mayhew’s purchase, was granted to the town in 1713. These shifting centers of authority undoubtedly contributed to Nantucket’s longstanding sense of autonomy.

The first town of Sherburne was located in the vicinity of what was then called Cappamet Harbor, now Capaum Pond, and Maxey’s Pond. Sherburne was really no town at all but a spread-out country village. From 1700 on, the settlement spread northward toward Wesco on Nantucket Harbor. Between 1716 and 1722, a sand bar closed the mouth of Cappamet Harbor, forming Capaum Pond, after which the main settlement gradually shifted to Wesco, where the present town of Nantucket is located. In 1722, all the original proprietors verbally returned their home lots for re-apportionment. Although houses continued on many of the original home lots, this change indicates that the fundamental division of home lots was re-evaluated in light of the new divisions over by the Great Harbor. Probably encouraged by the scarcity of lumber on the island, many of the earlier homes were moved to the new settlement location, beginning a practice that has prevailed on the island ever since. From that time on the large natural harbor of Nantucket Island around Brant Point to the east became the center for the community, which was totally oriented toward the sea. The open moors proved unproductive for extensive farming and served for sheep grazing and some raising of grain.

Quakers began settling Nantucket from 1700 to 1750. During this period, at least two meetinghouses were built, the first in 1711, the second in 1731 near the Quaker burying ground. The growth of deep-sea whaling brought an era of rapid growth and prosperity, and as an extensive, prosperous maritime village developed with a heterogeneous population, it was dominated by an economically powerful Quaker majority. A second North Friends Meeting was formed in 1792. In 1830, when Nantucket became the third most important commercial center in Massachusetts, it was still dominated by Quakers.

Local tradition attributes the lack of ornament on Nantucket’s 18th-century buildings to the Quaker aesthetic, but it is more likely a pragmatic response to the island’s weather conditions and scarcity of wood, together with New England’s vernacular building traditions. However, Quakers were a major force in the island’s leadership in the abolition of slavery. In 1716 the Nantucket Friends became one of the first groups in America to take a stand against slavery, and by 1733 Elihu Coleman’s tract against slavery had been published. In the case of Prince Boston, a Nantucket slave whose suit against his owner resulted in a decision by the Nantucket Court of Common Pleas in 1773 that ended slavery on Nantucket 10 years before it was declared unconstitutional in Massachusetts, William Rotch, one of the leading Quaker whaling

merchants on the island, enlisted the services of John Adams to argue Boston's case.

In the late 18th century, African Americans made up a larger proportion of Nantucket's population than anywhere else in southeastern Massachusetts, and in the 19th century they continued to make up a relatively large proportion of the population. They lived in the separate, sizeable community known as New Guinea, centered around York Street. The first African American school was established in 1823 and moved into the African Meeting House, completed in 1825.

Whaling and Nantucket's Golden Age (1723–1845)

The American Whaling industry originated on Nantucket Island late in the 17th century. This industry flourished, and the town of Nantucket remained the leading American whaling port until the 1840s. Both the town and the island have become synonymous with the great age of New England whaling to the present day, and Nantucket Town remains one of the finest surviving architectural and environmental examples of a late 18th- and early 19th-century seaport town in New England. Siasconset represents a unique survival both of a rare building type—the whale house—and of its informal setting with unpaved rights-of-way serving as the village's main streets.

The original prey of the islanders, both along shore and offshore, were Atlantic right whales, so named because they yielded large quantities of oil and whale bone, and were thus the right whales to hunt. These were the North American population of baleen whales, which Europeans first discovered off the coast of Greenland in the 17th century. It was not until sometime around the turn of the 18th century that the sperm whale, on which Nantucket's wealth and fame would be built, came to their attention. That species of whale, which rarely ventured into waters close to land, was highly prized for its spermaceti, a waxy oil found in an organ in the massive head. When a large specimen was washed ashore on Nantucket, it was discovered that it contained spermaceti, for which the islanders soon found that Boston merchants were willing to pay a sizeable premium.

According to Nantucket's first historian, Obed Macy, writing in 1835, Nantucketers killed their first sperm whale in 1712. Demand increased; by the latter part of the century, spermaceti oil was being used to make smokeless and odorless candles that were a vast improvement over the candles previously in use, as well as to lubricate precision machine parts. This made the sperm whale worth pursuing on long voyages to its far-flung favorite haunts in the Pacific Ocean, and before the end of the century, Nantucket ships were plying the waters of the South Pacific and the Arctic Ocean on voyages that often lasted for years.

In the mid-18th century, the British authorities began restricting New Englanders' access to the Newfoundland and Labrador coasts, allegedly because they were damaging the cod and seal fisheries and taking advantage of the natives. While this was probably true, the real reason was to aid British whalers. The British restrictions created an even greater incentive to look for more profitable grounds, and American whalers in general and Nantucketers in particular moved southward. From the Bahamas they moved through the West Indies to the Leeward Islands and then on to the Brazil Banks, which were probably pioneered by the *Leviathan* of Rhode Island in 1772. New England whalers in general ventured from the Azores past Madeira and the Canaries to the Cape Verde Islands and thence to the coast of Guinea.

When Nantucket began to build her own ships in 1730, she sent out 25 whalers that returned with cargoes. By 1748 the island owned sixty ships. In 1766, 118 ships sailed for the island and returned with a total of 11,969 barrels of oil. Of the 250 New England ships engaged in whaling in 1774, Nantucket claimed 150. The population also grew rapidly, reaching five or six thousand in 1775. Of these, 2,025 manned the fleet of 150 whalers and others were employed as fishermen. It was a community in which most of the employment was generated by the whale fishery. In 1772, Nantucketers began manufacturing spermaceti candles, and by 1792 the town had 10 candle factories.

Nantucket's whaling industry flourished until the American Revolution. Before 1745 Nantucket had sold most of its oil in Boston, but that year Joseph Rotch and others began shipping oil to London in ships usually co-owned with British merchants, thus cutting out the Boston middlemen. The ships would return from London with goods of all kinds, inaugurating a thriving general trade that would supplement whaling, and placed this small offshore island in regular contact with the wider world. As a result however, in the period leading up to and during the Revolution, the economy of the island suffered greatly. In 1766 a duty was placed on colonial whalebone and oil imported into Britain and, as British producers continued to be paid a bounty from which colonials were now excluded, the Americans were doubly disadvantaged.

During both the Revolution and the War of 1812, the high percentage of pacifist Quakers, together with Nantucket's vulnerability to attack from the sea and inability to support its inhabitants with island resources, led it to seek neutrality in order to continue to trade, fish, and avoid attack, but without success; they were often plundered by the British. Aside from the blockade during 1777-78, 134 ships were lost during the Revolutionary conflict. Most importantly, Nantucket lost many sailors; over 1,200 were killed or captured during the war.

Nantucket regained supremacy in whaling after the Revolution and retained it until the early 1840s. The War of 1812 caused the loss of 38 ships but, remarkably resilient, Nantucket soon recovered from the destruction and controlled over 80 vessels by 1822. The industry continued to flourish in the 1830s. By 1830, Nantucket was the third commercial town in size, wealth, and importance in the state, and significant expansion had taken place in the extent of Nantucket Town. Maritime activity continued to intensify at the wharves on Nantucket Harbor, with the central focus at Straight Wharf at the head of Main Street. To the west of Straight Wharf, the commercial focus of Market Square developed on Main Street. At its height Nantucket's population numbered almost 10,000 with five wharves, 10 rope walks, 36 candle factories, sail lofts, cooper shops, and boat and shipyards.

By the 1830s, however, Nantucket's great rival, New Bedford, counted more whalers than the island did. This was a warning for the future; after 1843 Nantucket's whaling industry began to dwindle. Several factors underlay the demise of Nantucket whaling, but sand, more than any other factor, destroyed the island's whaling. Sand bars in the harbor made it impossible for the increasingly heavier ships of the early 19th century to dock at the town. The island sought Congressional aid in order to dredge the harbor as early as 1803 and 1806, but met with indifference. Thus, Nantucket's whalers were forced to use the docks at Edgartown on Martha's Vineyard. In 1839 a steam camel was devised to enable them to use the sand-blocked harbor. The camel was a floating dry dock that could pick up a loaded whaler and carry it into the harbor. Although an ingenious machine, it failed to overcome the sand bars. In 1846 a fire swept away the town's center and wharfs, then in 1849 the California Gold Rush lured some 400 young men away from the island, and in the 1850s the introduction of kerosene and other petroleum products drove down the market for whale oil. The bark *Oak* sailed from Nantucket in 1869. She was the last whaler to perform at America's oldest and once greatest whaling port. In 1874 Nantucket's name ceased to be listed among the names of America's whaling ports.

During its ascendancy in the early 19th century, however, whaling supported a Golden Age of architecture and cultural flowering on Nantucket. The large homes built between 1820 and 1850 especially showcased the wealth of merchants and sea captains. Sea captains built their two-story houses with white clapboard siding and a view of the harbor on Orange Street, while the merchants and ship owners built their elegant mansions on the upper part of Main Street, which became a tree-lined thoroughfare paved with cobblestones. Commercial and institutional buildings also blossomed, including the handsomely porticoed Pacific Bank in 1818, the Atheneum and numerous churches.

Perhaps encouraged or even necessitated by its island location as well as the educational needs of a maritime economy and a tradition of community involvement dating back to the Salisbury dissenters who organized

as a group to purchase the island from Thomas Mayhew, Nantucket created numerous new educational and cultural institutions in this period. The town formed an Academy in 1800, which gave its name to Academy Hill, and added others after the state in 1827 enacted rules for the establishment of an extensive public education system. A substantial donation led to the founding of the Coffin School in 1827. Just as the Town of Nantucket began its appropriations for the creation of public schools, English Baronet and descendant of Tristram Coffin, Admiral Sir Isaac Coffin visited the island in 1826 and was inspired to provide support for the establishment of a Lancasterian School for the purpose of providing an education to any descendant of Tristram Coffin. After adapting other preexisting buildings for school use, the Trustees of the Coffin School commissioned the present structure in 1852. The first African American school was established in 1823, and a court case led to the integration of Nantucket public schools in 1847, several years before those elsewhere in Massachusetts.

The Nantucket Lyceum, founded in 1827, was one of the area's earliest, and at once set about forming a museum of local industry by sending out a printed call to whalers, urging them to collect and bring home specimens related to their industry. Subscription libraries became popular, with the Mechanics' Association founded in 1820 and the Columbian Library Association in 1823. These two merged in 1827 to form the United Library Association, which in 1834 was reorganized to form the Nantucket Atheneum, with 3,200 volumes.

New religious groups proliferated in the white as well as the African American communities. Roman Catholic services began in 1849 and the first church was consecrated in 1858 in the former Harmony Hall. Among the Protestants there was the addition of an Episcopal Trinity Church in 1838 and a Baptist Church in 1839. The African American community followed suit with the formation of the African Baptist Church in 1831 and a short-lived African Methodist Church in 1835. The Methodists split in 1835 with the withdrawal of the Reformed (anti-Episcopal) group and formed a second society of the denomination in 1846. Schisms proliferated among the Quakers, still the predominant religious group. The minority Hicksites, who questioned atonement and divinity of Christ, withdrew to form a separate society in 1831. 15 years later, a second division occurred among the orthodox, between the Gurneyites and Wilburites, but the Quakers remained a unified force in the Abolition movement.

Tourists and “Summer People” (1846–ca. 1935)

When in 1846 the entire central business district was destroyed by fire, the rebuilding of Main Street began immediately. This optimistic gesture meant that, when Nantucket's established whaling economy failed, it still retained enough amenities in town to cater properly to a new income-producing venture: tourism. In the mid-19th century, vacationers were turning from mountain watering places, with their mineral springs, to saltwater bathing in the Atlantic Ocean, which the advent of the steamboat had rendered more easily accessible, and Nantucket was ready to welcome them. Publications of the day touted the healthful effects of fresh ocean breezes, and Nantucket promoted its invigorating summertime climate to attract visitors.

With these trends already underway, it is not surprising that after the fire, Nantucket began actively encouraging tourism. The town's two grandest hotels, the Washington House on lower Main Street and the Mansion House on Federal Street, having been destroyed, the *Nantucket Inquirer* looked to the 10-year-old Nantucket Steamboat Company as the obvious candidate to provide a suitable new hotel. The new three-story brick residence of wealthy merchant Jared Coffin was standing empty, purportedly because his wife had not liked living on the island, and Coffin offered it to the Steamboat Company for less than half its original cost. It opened as the Ocean House on May 14, 1847, and has remained in operation with few interruptions from that time onward, most recently as the Jared Coffin House. The next year, the Atlantic House opened in Siasconset, and several more inns created by remodeling older structures soon followed, including the Bay View House in the 1860s. Farms continued to operate in the outlying areas, as recorded in a 1946 map showing farms in existence in 1850, and a map prepared in 1869 shows place names, roads,

locations of historic and significant buildings, structures, and objects, and includes a historical timeline (Figures A-1, A-2) (Gardner 1946; Ewer 1869).

As the nation's economy surged ahead in the decades after the Civil War, 1872 saw the establishment of daily steamship service to the island and 1874 saw it increase to two times per day. In 1879, after a lapse of nearly 25 years, regular steamboat service was reestablished between Nantucket and New Bedford, bringing additional visitors to the island. These changes allowed day trippers to start visiting, and made it easier for those coming to stay for a few days. By 1881, the number of visitors was sufficient to warrant the opening of a railroad to Surfside that carried 30,000 passengers during its first year of operation in 1881. In 1884 the railroad was extended to 'Sconset, increasing the number of summer visitors who visited the village. Nantucket's visitors proliferated, and new hotels burgeoned to accommodate them. In the 1880s the Veranda House, on Step Lane, and The Nantucket, on Brant Point, began operation. The latter epitomizes the tradition of reusing buildings on Nantucket. When built, it incorporated as its center section the old Hicksite Meeting House that stood at 74-76 Main.

Summer cottages were no less important than hotels in sheltering seasonal visitors. The first advertisement for renting a cottage in the *Inquirer and Mirror* appeared in June 1865. Houses commissioned by perennial visitors began to be built in 1871 at Siasconset, when Charles H. Robinson built a summer cottage on Sunset Heights and offered adjoining lots for sale to persons desirous of constructing their own vacation domiciles. Although never as prevalent as on Martha's Vineyard and Cape Cod, "cottage cities" were laid out extensively beginning in the early 1870s, including a number ranging from the North Shore Hills out to Trots Hills and Wannacommet, and also the Sea Shore Enterprise below Madaket, Nauticon to the east, a few at the farther end of the Great Harbor, and some in Siasconset. The expected boom fizzled by the late 1870s, but after the railroad was built to Surfside in 1881 and extended to Siasconset in 1884, the process resumed at Surfside, Sasachacha, along Coatue, Brant Point and on the North Cliff. In Siasconset in the 1880s, E. F. Underhill made a thriving business by buying and refurbishing existing cottages for summer occupancy and building new homes that were copies of the old whale houses.

As the summer population there expanded, summer people created their own institutions on the island. In 1883, a group of summer residents and natives formed an association and built the Siasconset Union Chapel, a non-denominational chapel for seasonal use in 'Sconset'.

By the turn of the century 'Sconset had grown from a sleepy fishing village into a summer resort with 2,000 residents, and had a reputation as an art colony with many actors, painters, writers, and musicians attracted by its simple charm. In 1900 a group of 'Sconseters formed the Siasconset Casino Association and raised funds to build a "Hall of Amusement" that would be an improvement over the railroad station they had been using for theatrical productions. Designed by local builder John Collins, the building was of a simple design, providing a large main room with a stage and several small antechambers for set-building, dressing rooms, and smoking, and two clay tennis courts were planned for the back yard. In 1923, the interior was redesigned in a more elaborate manner by architect Frederick Hill (1862-1957). When it opened in July of 1900 it immediately became 'Sconset's social center, and remains so today. The Casino, along with the Sankaty Golf Club, also established in 1900, solidified 'Sconset as a summer vacation destination by providing athletic and cultural activities for the summer leisure class.

In their quest for the quaint and the ancient, summer people also popularized the island's earliest structures as attractions and objects of veneration. The Jethro Coffin house on Sunset Hill, an antiquity intimately connected with the early settlement, was already on the "must see" list in the late 19th century. The last surviving windmill had become something of a curiosity even before its acquisition in 1897 by the Nantucket Historical Association, which had been founded three years earlier to foster appreciation for and preservation of the island's history and historic buildings.

The modern world did not completely bypass Nantucket in this period; the island that in its maritime heyday had once made contributions to navigation, astronomy and lifesaving played a role in the development of a crucial 20th-century contribution to maritime safety. In 1901 Guglielmo Marconi and the *New York Herald* launched an effort to use the Marconi system to communicate with ships at sea so that transatlantic liners could report their position and estimated time of arrival and passengers could keep informed of world events and exchange messages with persons ashore. They selected Nantucket Island, specifically a site on Bunker Hill behind ‘Sconset village and, 42 miles away, South Shoals where *Nantucket Lightship #66* was the first point of contact for ocean liners bound for New York City to build their marine communication station. The initial route of communication from the liner would be first by wireless from the lightship at South Shoals to the ‘Sconset station, then by telephone to the Nantucket office of the Southern Massachusetts Telephone Company and finally by telephone to the mainland and the *Herald* office in New York. The first messages were received in August of that year. The Marconi Company’s ‘Sconset station became one of the most important in America and, with upgrades and replacements within the immediate area, continued in service through World War I, participating in several notable marine disasters including the sinking of the *Titanic*. Nantucket’s Marconi station is one of several coastal sites associated with Marconi.

Hand in hand with tourism came artists. Beginning perhaps with Thomas Birch, who painted on the island before 1810, Nantucket’s natural scenery and picturesque maritime structures attracted artists in the 19th century, including George Whiting Flagg (1816-1898) of New Haven, a nephew and student of Washington Allston. Eastman Johnson spent summers on Nantucket from 1870 to 1887, living on North Shore Hill, where his wife bought land and divided it into cottage lots. He was followed by innumerable others in the late 19th and early 20th centuries, increasing numbers of whom bought and restored quaint old buildings as their homes and studios while they popularized them in their paintings. Lillian Gertrude Smith Rockwood, for example, lived in and painted Auld Lang Syne between 1909 and 1930. Rockwood delighted in painting the houses, lanes, and beaches of ‘Sconset, though she did not limit herself exclusively to that village. In doing so, she and her colleagues intensified both the change in economy and lifestyle and the interest in preservation of the island’s historic character brought about by tourists and summer people in general.

The “Nantucket Art Colony” can be said to have begun when Frank Swift Chase (1886–1958) arrived on the island in 1920 and offered instruction in painting *en plein air* to a whole generation of Nantucket painters. He and other painters and teachers, many of whom worked in the American Impressionist style, became the nucleus of an active art colony that flourished from 1920–1945. They were followed by the Artist’s Association of Nantucket, many of whose members worked in less representational styles. In each manifestation the various associations and loosely knit groups of artists found a receptive audience on Nantucket, a tradition that continues to the present.

Historic Preservation Beginnings (1880s–1955)

As throngs of tourists, railroads, new hotels and cottage cities brought change to the island, the interest in Nantucket’s old and quaint scenes evinced by tourists, summer residents and artists was soon joined by concerns for their preservation. It began in ‘Sconset, where tourism had begun on Nantucket, and where artists sought out the oldest and quaintest.

In the 1880s, while he refurbished originals and built replicas for vacation homes, Edward Underhill wrote on the history and charms of the ancient whale houses and also lamented the changes he saw occurring in them. Underhill’s interest inaugurated a long fascination among scholars with these unique survivals, and other writers later took up this theme. Among these were Henry Barnard Worth, who wrote numerous articles on Nantucket history and architecture at the turn of the 20th century—including one in 1905 on its earliest architecture; and Henry Forman, who in 1966 wrote a history of Siasconset and its fishing/whale houses and was also alarmed by what he termed the “successive uglifications” of the cottages; carrying Underhill’s concerns into the 20th century.

Also alarmed at the scramble by developers to take advantage of the best ocean views in Siasconset in the late 19th century, town officials took steps to protect the public footpath along the edge of the bluff that still leads across the front yards of those owning property fronting on the bluff. During William Flagg's development of land on the north side of the old village between Siasconset and Sankaty Head beginning in 1873, the Nantucket Proprietors insisted that he "secure to said Proprietors a roadway two rods wide, over and across those portions of land by him reserved," and Flagg agreed. The Proprietors voted to accept the footpath and Flagg conveyed the land to the Proprietors in 1892. In the 1920s the town moved to resolve lingering disputes over the legality of the conveyance, and in 1929 the Land Court legally established the footpath as belonging to the Town of Nantucket.

The town also grew concerned in the 1890s about threats to the continuation of the fishing shanties that had long characterized Muskeget, as wealthy vacationers began to acquire land on the little island. In 1895, the Town successfully petitioned the state to authorize a town taking of a large portion of the island for the creation of Muskeget Island Park.

Change was not limited to outlying parts, however. A preservation crisis loomed in Nantucket Town in the early 1890s. Only one member of the Nantucket orthodox Friends lived in the town in 1894, and there were only 23 persons altogether in the Nantucket Monthly Meeting. Therefore, the members decided to sell the Fair Street meetinghouse, which had been built in 1833. The Nantucket Historical Association was established in May 1894, and the members constituting the Council purchased the meetinghouse in June, before the Association became incorporated in July. On July 9, 1894, the group, which has been described as the "sons and daughters of the last great Nantucket whaling generation," became incorporated with the express mission to "preserve 'all sorts of relics' before valuable mementoes of the whaling and maritime tradition were 'cast as rubbish to the void.'"⁴⁸

Three years later, the Historical Association acquired the island's last surviving windmill. In addition, within less than a decade, the Association had accumulated such a large collection of "maritime implements, domestic and foreign curios and antiquities, pictures, books, maps, charts, and historical sundries," that it began to build a new building to house them.

The Historical Association also encouraged scholarly documentation of the island's historic buildings; its *Bulletin*, first published in 1896, became a repository of information about Nantucket's early architecture. The first *Bulletin*, labeled Nantucket Historical Association, Vol. 1, *Bulletin* No. 1, was entitled "Quakerism on Nantucket since 1800," by Henry Barnard Worth (1858-1938), who also wrote a large number of other articles in early issues, including those on ancient buildings. An article by him in the 1905 *Bulletin*, "Ancient Building of Nantucket," contained descriptions of some early houses that had disappeared in the late 19th century and some that survived, including discussions of clay mortars and nogging, shell-lime mortar, timber sources, etc.

The Nantucket Historical Association was the first of several organizations formed over the years that were concerned in one form or another with preserving Nantucket's heritage. The Nantucket Civic League, founded in 1903, although not specifically for that purpose but to promote the general interests of Nantucket, was active in lobbying for creation of the historic district in the early 1950s. The Nantucket Foundation was established in 1940 at the initiative of Nantucket historian and preservationist Everett U. Crosby, and under his guidance undertook numerous preservation-oriented projects. The Nantucket Historical Trust was formed in 1957 as part of Walter Beinecke's efforts to preserve and revitalize Nantucket's historic character, as was the Nantucket Conservation Foundation in 1963 to protect the island's natural landscape. In 1997, following the earlier dissolution of the Nantucket Historical Trust, the Nantucket Preservation Trust was launched.

Off-island groups also took an active interest in documentation of Nantucket's historic buildings, beginning

with William Sumner Appleton of the Society for the Preservation of New England Antiquities in the 1920s and the Historic American Buildings Survey of the National Park Service in the 1930s. Documentation has continued to the present. The modest start made by HABS during the Depression later expanded into large-scale documentary studies with support from the Nantucket Historical Trust in the 1960s, and in 1972, the University of Florida School of Architecture, the National Trust for Historic Preservation and other organizations teamed up under the aegis of the Preservation Institute of Nantucket to provide summer college level courses in historic preservation and restoration focusing on the historic architecture and environment of the island.

Author and Nantucket historian Everett Uberto Crosby (1871–1960), himself a summer resident, played a pivotal role in the history of historic preservation on Nantucket. He moved interest from historical scholarship to identification of what made Nantucket’s historic character special, and physical preservation of its buildings and settings. In 1939 Crosby was named an honorary member of the American Institute of Architects for his initiation of the movement to preserve and restore Nantucket’s historic houses. His plan for the preservation and restoration of Nantucket was credited with having saved many of the houses, and the Institute also praised his studies of the work of early Nantucket silversmiths, cabinetmakers, and other craftsmen.

Professionally, Crosby was an insurance executive, a founder of the New York insurance firm Brown and Crosby, Inc., and its president until his retirement in 1933. He was also active in the insurance industry throughout his career, as a founder in 1895 and longtime board member of the National Fire Protection Association and the original author of what became known as the *Fire Protection Handbook*, which became a standard in the industry. He was also appointed by President Theodore Roosevelt as a member of the five-man committee on Conservation of Natural Resources and served from 1904 to 1908.

His most influential book, *Ninety Five Per Cent Perfect*, first published in 1937, included an analysis of what would today be called character defining elements of Nantucket’s architecture and urban design as well as a call for taking steps to preserve them. *Ninety Five Per Cent Perfect*, republished twice, in 1944 and 1953, became a beacon for the historic preservation movement on Nantucket.

Events moved, in the context of such efforts, at lightning speed. By January 1955, Town Meeting had passed and sent a request to the legislature. Following a ruling by the Supreme Judicial Court in July, in response to a request by the Senate that such legislation would be constitutional, the Town of Nantucket and the Village of Siasconset were then officially designated a Historic District by the Massachusetts Legislature (Special Acts of the Massachusetts General Legislature, 1955, Chapter 601), becoming, along with Boston’s Beacon Hill, one of the first two local historic districts in Massachusetts (Figure A-3). The impetus for the creation of each district came from similar sources – threats to the continued preservation of the overall historic setting and scale of the historic neighborhood. On Beacon Hill, the demolition of the large Victorian style Old Ladies Home opened a large parcel which was developed with a modern apartment house that roused residents to action, while on Nantucket the threat of motel-scale construction intruding upon the exceptional residential architecture of Main Street pushed residents to seek zoning and design controls while abandoning their former “gentlemen’s agreements” as ineffective in the new business climate that followed World War II. In 1971, Nantucket Town Meeting expanded the District review jurisdiction to include the entire island, as well as Tuckernuck and Muskeget islands, an expansion that was mirrored in 1975 by the expansion of the Nantucket National Historic Landmark District.

Throughout this period, Nantucket continued to express a preference for voluntary action through the private purchase of houses, such as was carried out by Everett U. Crosby and by a community-wide “gentlemen’s agreement” also promoted by Crosby. With the expansion of tourism on nearby Cape Cod and the increasing pressure for tourist development on Nantucket, Nantucketers accepted in 1955 that only governmental zoning regulations could provide effective protection for the island’s large number of historic

buildings and for their unique setting.

Since 1955, guidelines for the Historic District Commission have evolved to become more comprehensive including landscape as well as building features. Several amendments initiated by Town Meeting voters, include the 1971 action that expanded the Commission's jurisdiction to the entire island. Other amendments have been written to conform with the Commonwealth's subsequent historic preservation enabling legislation (Chapter 40C) and to include standards set by the National Park Service.

Establishment of Historic Preservation Priorities (1955–1975)

Although the conversion of the William Swain House (1883 – 76 Main Street) to a guest house with a motel addition sparked the creation of the local historic district, local zoning continued to permit damaging changes in the community. In 1957, a proposal to convert the John Barrett House (1832 – 72 Main Street) stirred a new and more activist approach to historic preservation led by Walter Beinecke, Jr. When efforts to persuade the Nantucket Historical Association to acquire the property failed because the organization could neither decide the question nor raise the money for the purchase in a short time, Walter Beinecke incorporated the Nantucket Historical Trust (NHT) with Henry Coleman and George Jones, both active members in the Nantucket Historical Association. The group's intention was "to provide a financial and business vehicle for protecting the physical appearance and environment of Old Nantucket." NHT's broad mission would increasingly support a more comprehensive approach to historic preservation, an approach that would include land conservation, economic development, historical documentation, acquisition of artifacts, and educational programs in addition to the actual preservation and restoration of buildings. An earlier effort, the Nantucket Foundation, had been formed under Everett U. Crosby with related goals but approached them more as a civic association. With Crosby's death in 1960, the NHT assumed supervision of the Nantucket Foundation's activities and responsibilities in accordance with an agreement reached with the Foundation in 1958, thus merging the two efforts.

The leader of this new organization who would become strongly identified with Nantucket and nationally known for his preservation work was Walter Beinecke, Jr. (1918–2004), heir to the S&H Green Stamp fortune, who grew up spending summers at his family's house at 10 Sankaty Road in 'Sconset on Nantucket beginning in 1923. An active businessman living in Short Hills, New Jersey, Beinecke came to the belief by the mid-1950s that the swarms of new visitors brought by frequent ferries or through the new airport in the prosperous post-war era—many of whom came as "day trippers" to be bussed around the island—did not spend nearly enough money to justify the damage they were doing to the island's fragile resources. To address the problem, he developed a comprehensive vision of reviving both Nantucket's still flagging economy and its historic charm by appealing to wealthy tourists. His frankly elitist approach, as he told *Time* magazine in 1968, was to "attract fewer people who would buy six postcards and two hot dogs and more people who would rent a hotel room and buy a couple of sports coats." Beinecke believed the island, and his investors, would ultimately be best served if the former whaling capital of the world became an upscale resort community, one that offered its visitors the best hotels, restaurants, yachting facilities and a diverse downtown shopping district occupied by independently owned businesses.

By 1961, the NHT under Beinecke's leadership began pursuing much more active economic development to protect the historic character of the community. The organization's purchase of the Ocean House, originally the Jared Coffin House (1845 – 29 Broad Street) marked a major expansion of its long-term plan both to improve economic conditions on Nantucket and to generate capital which could be used for other Trust activities. The organization launched a two-year restoration and renovation with the intention of creating a luxury hotel to attract affluent visitors to the island throughout the year thereby extending the summer season, which had been Nantucket's main economic resource.

Another important element of the NHT's mission was to encourage the collection of local artifacts and to encourage their display as part of creating a tourist setting that represented the island and its history. To this end, the organization purchased and donated land at the corner of Broad and Washington Streets to the Nantucket Historical Association in 1961 for the purpose of constructing the Peter Foulger Museum (15 Broad Street – Errol Coffin, architect). In addition, the NHT acquired and donated examples of local scrimshaw, rare ships' logs, and other whaling era artifacts to the collection.

In 1962, the NHT commissioned a business and community-wide study to map out a long-term plan for Nantucket's development and preservation with the objective of making an appraisal of the Island as one of America's important historical assets, devoting particular attention to all aspects of the Island's important visitor business and suggesting guidelines for future development of the Island as well as ways in which the Trust might most usefully participate in this development. Completed in September 1962, "A Program for the Continued Development of Nantucket" recognized the increasing pressure of tourism and the need to develop an economy that would improve the standard of living for the entire island. The study recommended coordination of the efforts of public agencies, the Chamber of Commerce and citizens' advisory boards to direct the island's future, and it recognized that the task was far bigger than the resources of the NHT.

Following the 1962 study, the NHT continued to expand its programs, but less through direct development of properties. In 1963, it made the first in a series of grants to local institutions that eventually supported the reconstruction of the steeple as well as interior restoration at the First Congregational Church (62 Centre Street) and interior restoration at the Unitarian Meetinghouse (11 Orange Street). In the same year, Walter Beinecke became one of the incorporators of the Nantucket Conservation Foundation to which the NHT donated land on Cliff Road that had been donated by Beinecke's parents. Subsequently, Beinecke became instrumental in the organization's growth and ability to acquire and protect 30 percent of the island's open land and unique habitats.

In 1965, NHT began its support of documenting the island's architecture and publications as essential elements in creating awareness and encouraging protection. With the Trust as principal sponsor, Historic American Buildings Survey (HABS) teams in the 1960s recorded over 80 buildings and several neighborhoods in Nantucket. In 1968, the Trust helped develop and fund a study conducted on Nantucket by Cornell University's Division of Urban Studies. Conceived by James Massey, Chief of HABS, in conversations with Walter Beinecke, the study was designed to supplement HABS documentation by including the context in which structures were built, their setting, and total environment. In 1971–1972, the NHT, in cooperation with the University of Florida in Gainesville (UFG), the National Trust for Historic Preservation and the National Park Service, formed Preservation Institute: Nantucket (PI:N), a center for summer programs of pre-professional and professional education in historic preservation utilizing the unique assets of Nantucket Island to provide summer college level courses in historic preservation and restoration taught by UFG faculty and adjunct preservation professionals and focusing on the historic architecture and environment of the island. PI:N's work has resulted in the creation of more detailed drawings of Nantucket buildings than any other place of its size in the country. Graduates of the Institute have gone on to serve as State Historic Preservation Officers in numerous states and in other key preservation positions, and it has become a model for Preservation Institute: Caribbean and other efforts.

During this period, Beinecke began private acquisition and development of properties on the waterfront. In 1962, he acquired the White Elephant (50 Easton Street), demolished existing buildings and began construction of a hotel to complement work then underway on the Jared Coffin House. Recognizing that twenty fuel storage tanks, two gas stations, an ice-house and other semi-industrial uses had cut the waterfront off from the central business district, Beinecke formed Sherburne Associates in 1965 with Lawrence Miller and Lawrence Miller, Jr. who already owned portions of the area. As with the NHT,

Beinecke took the lead in developing a plan for the area by commissioning Architectural Design Associates to develop a plan and designs for the area. Led by Richard H. Keuhl and Gary E. Daughn, graduates of the Rhode Island School of Design, the firm developed a plan reflecting Beinecke's strong wish to preserve the unique characteristics of Nantucket and to reconcile them with the demands of the modern world that would avoid the free-form honky-tonk development that he deplored on Cape Cod. As a result of this collaboration, a plan was developed to extend Straight Wharf, build a boat basin, and create several new streets that would improve access to the waterfront. Within the area all structures built after 1890 were removed and replaced with one and two-story wood-frame buildings clad with Nantucket's characteristic weathered shingles. The goal was not to re-create the historic waterfront, but rather to provide for the modern needs of the community at a scale and in an architectural idiom that reflected the island's characteristics.

As part of Beinecke's plan the refurbished and new buildings would attract higher rent retailers. Other elements of the plan included restricting ferries to the island unless they agreed to carry fewer passengers for higher fares, and the reorganization of several streets in the waterfront development area to accommodate increased traffic. As the success of his efforts made the island more desirable to other developers, Beinecke worked for a zoning code banning out-of-scale development. He also worked with conservationists to preserve open land on the island, turning over several large parcels of land on Cliff Road and West Chester Street to the Nantucket Conservation Foundation for protection from further development. By the time he sold more than 100 downtown properties to First Winthrop Corp. of Boston in 1987 for \$55 million, he had largely realized his plan. Beinecke's leadership role in historic preservation and his success on Nantucket both as a philanthropist and businessman were recognized in 1988 when he was awarded the President's Historic Preservation Award presented to him by President Ronald Reagan, and in 1994 when he received the Louise du Pont Crowninshield Award of the National Trust for Historic Preservation.

As the revitalized historic district boomed, development pressure spread from the protected town and village centers to remote corners of the island at a pace not seen since the 1880s. By the late 1960s, one large development proposal in particular, for land between Madaket Road and Long Pond with frontage on the South Shore, alarmed Nantucketers. Despite promises that the buildings would be harmonious with the landscape and with traditional island architecture, agitation over the "Towne House Village" component of the Tristram's Landing project increased, with the result that the Historic District was extended to the entire island in 1971.

Meanwhile, as development pressure escalated, Nantucket kept up its efforts to preserve the historic character of the island by moving in the 1960s to secure the natural landscape by placing conservation restrictions on large areas, and in the 1980s became a national leader in the environmental conservation movement with its Land Bank. These efforts built on a tradition of bringing into later centuries the original Proprietors' provisions for conserving some lands and important access routes to the water for public use. This practice dated back at least to 1821, when the Proprietors took steps to ensure that the public and its livestock would continue to have access to the remaining common land and to both fresh and salt water by laying out ways to them, and to the late 19th and early 20th centuries, efforts to maintain the 'Sconset footpath.

The Nantucket Conservation Foundation was established in 1963 by a group of nine individuals led by Roy E. Larsen and W. Ripley "Rip" Nelson, who had been a key proponent of the historic district. A few years later, Walter Beinecke Jr. became involved, brokering a deal that gave the Foundation control of the Milestone Cranberry Bog, a key element of the island's historic landscape. The Conservation Foundation now protects more than 8,800 acres of open space across the island, nearly 30 percent of the island's total area, including vast tracts in the middle moors and the island's only working cranberry bogs. The Nantucket Land Council, founded in 1974, resolved complicated ownership issues and consolidated titles to protect former common lands, and has protected over 1,000 acres.

Post 1975 Development and Conservation (1975–present)

In the early 1980s, a new program was conceived by Nantucket's Planning Commission to use the proceeds from a two percent real estate transfer fee to purchase open space for both active and passive public uses. The Nantucket Islands Land Bank, the first of its kind in the nation, was adopted by the voters of Nantucket, and established by a special act of the Massachusetts Legislature in 1983 (Chapter 669 of the Act of 1983). It has since used funds from the real estate transfer fee to purchase some 3,400 acres of open space, as of 2020. As with its early historic district and Walter Beinecke's heritage tourism program, Nantucket's Land Bank is still considered a national model.

Today, 74 percent of open space on Nantucket is controlled and preserved from development by the Nantucket Conservation Foundation, Nantucket Islands Land Bank, Trustees of Reservations, Audubon Society, and other Nantucket land trusts. Some additional lands are conserved by private individuals and entities. These conservation efforts have preserved a large portion of the natural context in which the island's villages originally stood. In addition, management of part of the land by annual burns on Milestone Road has returned the quality of open pasture/moor land in that area that historic residents would have known.

Large numbers of modern, non-contributing buildings, built after the district's period of significance, have been added since the original NHL nomination in 1966, mostly in outlying areas immediately south and east of the town center and in clusters at Madaket, and the periphery of 'Sconset that were characterized in that nomination as largely open land. Nonetheless, large open areas of cranberry bog and moor remain at the center of the island, from Polpis northward to Coatue, at Surfside/Tom Nevers and around ponds on the south side of the island. As a result of the creation of the Nantucket HDC in 1955, all new construction in the local historic district, which was expanded in 1971 to cover the whole island, has been required to conform to the historic character of the district under review by the HDC. Criteria include: height, massing and roof type; features such as windows, doors, front steps and sidewalks where relevant; and materials, predominantly weathered shingle. The overall effect of these controls has been to reduce intrusiveness into the historic character of the island, which might otherwise have been overwhelming.

At present (2022), Nantucket remains a highly desirous destination for residents and visitors to enjoy with a vibrant and active consortium of public and private entities continuing to advance preservation initiatives. In 2001, Nantucket became one of the first communities in the Commonwealth to adopt the Community Preservation Act which provides funds, through a surcharge on local property tax, for the preservation of historic buildings and open space, and the provision of affordable housing. The Town has awarded more than \$50 million to such projects since its inception, with about 38 percent dedicated to historic preservation. The Land Bank has expanded its agricultural lands focus to intentionally incorporate acreage dedicated to sustainable farming in order to support and preserve local farms. In March 2021, the Town of Nantucket became the 27th community within the Commonwealth of Massachusetts to be certified under the National Park Service's (NPS) Certified Local Government (CLG) Program. In June 2021, the HDC adopted *Resilient Nantucket: Flooding Adaptation & Building Elevation Design Guidelines*, an addendum to "Building with Nantucket in Mind," in accordance with the NPS' *Standards on Flood Adaptation for Rehabilitating Historic Buildings* published in 2019, to help inform the preservation of properties threatened by increasing incidents of flooding (Town of Nantucket 2021). The *Resilient Nantucket* guidelines are also incorporated throughout the Town's new Coastal Resilience Plan.

CHAPTER FOUR

EXISTING INVENTORY AND DOCUMENTATION

The collection and review of existing Inventory Forms and National Register/NHL and other documentation on file with the NHC and at the MHC was an essential step in establishing the baseline for the Survey Plan. The documentation was assessed for completeness and adherence to current survey standards.

National Register/NHL Nominations

Official public recognition of Nantucket's historical significance began in 1955 when the town passed a Special Act to establish the center of Nantucket as one of the first local historic districts in Massachusetts; the local historic district was expanded in 1971 to encompass the entire town.

The Nantucket Historic District was designated a NHL in 1966 (NRIS 66000772), which was expanded to encompass the entire island in 1975. The nomination encompasses three islands of Nantucket, Tuckernuck, and Muskeget. The Nantucket Historic District National Register Nomination (NAN.D) prepared in 1966 to document the NHL focused on the old town area as an early whaling port with fine architecture from the 18th and early 19th centuries but did not fully address the historic resources island-wide, nor buildings of the late 19th and early 20th centuries. The nomination is limited and outdated and does not meet current documentation standards. The Nantucket NHL Nomination Update completed in 2012 provided a more complete analysis, updated the conditions of the pre-1850 buildings, and addressed the architecture, history, and significance of buildings of the late 19th and early to mid-20th centuries. It is the most recent and complete documentation of the historic resources and themes of Nantucket. Along with the MHC's 1984 Reconnaissance Survey Report, it provides a preliminary framework and base of information for the Survey Plan analysis. The nomination form with description and significance narratives is comprehensive and meets current standards. A data sheet of all built resources in the town was prepared for the update.. The listing provides a designation of Contributing/Noncontributing (C/NC) for each resource. The assignment was based on preexisting documentary sources, Nantucket's list of key and representative buildings, and field survey when the NHL was updated. This data table is the most complete of all the information lists available on historic resources in Nantucket and served as the basis for much of the analysis in this Survey Plan.

Three historic properties in Nantucket have individual historic listing designations. The Jethro Coffin House, built in 1686 and likely the oldest Nantucket house on its original site, was designated an NHL in 1966. Brant Point Light Station and Sankaty Light Station were listed separately in the National Register in 1987. Brant Point Light, built in 1901, is the tenth light on the point. Sankaty Head Light, built in 1850, was one of the first lighthouses in the country to receive a Fresnel lens. Both lighthouses were automated in 1965. The 'Sconset Trust took ownership of the Sankaty Head Light in 2007. That same year, the lighthouse was moved 405-feet northwest from the bluff's edge. The documentations for the three properties are outdated and do not meet current standards, and should be updated.

Inventory

The Massachusetts Cultural Resources Inventory System (MACRIS) maintained by the MHC has 2,938 entries for Nantucket, comprising 13 areas and 2,925 individual resources made up of 2,889 buildings, 35 structures, 2 burial grounds, and 7 objects. Inventory forms are primarily from the last comprehensive municipal survey conducted in 1989, consisting of 2,823 forms, with partial funding from MHC. Much of the information was collected through "windshield" survey. The forms have little descriptive and historical information and have black-and-white or non-existent photographs and scarce documentation. They do not meet current standards and need to be updated for content and format. The Town retains additional survey

forms from the 1989 effort that were not submitted to MHC and is scanning those for properties that do not have forms in MACRIS. Approximately 10 inventory forms pre-date the 1989 survey, 15 were completed in the 1990s, and 77 were completed between 2000 and 2021. Forms completed in the 1990s to early 2000s contain detailed descriptions and historical narratives as well as supplemental photographs. It is recommended these forms be updated to the current formatting and capture any alterations completed since the forms were written. Existing MACRIS coverage is primarily limited to concentrations in seven areas: Nantucket Town, Wauwinet, Quidnet/Squam, Siasconset, Surfside, and Madaket, with dispersed records in Dionis and a few scattered in Polpis and Naushop.

HABS/HAER/HALS

The Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscape Record (HABS/HAER/HALS) collection at the Library of Congress contains HABS drawings and photographs for many properties on Nantucket. The Library of Congress database contains 158 surveys, consisting of 1,797 record items, for Nantucket. In most cases drawings were prepared by students at the Preservation Institute, and they provide architectural, but no historical information.

Nantucket Collections

Extensive research on and documentation of historic resources has been developed by staff, volunteers, and students associated with the Nantucket Historical Association, the Nantucket Preservation Trust, and Preservation Institute: Nantucket. Sources including house histories, building documentation including interiors, and publications are an essential contribution to the research and recording of Nantucket's historic resources. The Town is also in the process of digitizing inventory forms that are filed with the town but not part of the MACRIS record.

TOWN-WIDE PRIORITIES AND RECOMMENDATIONS

The overall goal of Nantucket's planned multi-phase community-wide survey project is to develop a comprehensive up-to-date inventory of the town's historic resources in terms of property types, architectural development, cultural landscapes, geographic distribution, historic themes, and diverse population groups that is designed and completed with consideration of threats and issues in preserving the town's valued historic, architectural, and landscape character. The following town-wide recommendations for the Plan identify factors relevant for historic resources survey planning based on Nantucket's history, past survey accomplishments, and current conditions and challenges. These town-wide recommendations presented below are ranked as high, moderate, or low priority for new and updated survey.

High Priority

1. The downtown section of Nantucket Town and adjacent neighborhoods are an area of primary concern. This densely built area has the highest concentration of historic resources in the town and is subject to continuous proposals from property owners to alter the exterior of historic buildings through the Nantucket Historic District Commission review process. The downtown and immediately adjacent areas are recommended as high priority for survey.
2. The villages of Sconset, Wauwinet, Quidnet, and Madaket are also a focus of owner-proposed changes to buildings and, therefore, are recommended as high priority for survey.
3. All the coastal edges of the island, exposed to the Atlantic Ocean or Nantucket Sound, are threatened by sea level rise, erosion, and extreme weather and are recommended as high priority for survey.
4. Mid-20th-century seasonal residences including collections of buildings that were a force in shaping Nantucket's preservation direction towards strengthening the design role of traditional buildings are recommended as high priority for survey.
5. Imminently threatened resources, whether from environmental, modifications, or developmental causes are recommended as high priority for survey.
6. Those historic resources specifically mentioned in the 2012 National Historic Landmark (NHL) Nomination Update as examples of a building type, design, or period, or an important historic event or theme are recommended as high priority for survey. A list of the properties noted in the NHL Update is in Table D-3.
7. Those historic farm resources that have been or can be identified as linked to the Nantucket Farms Map of 1850 (Gardner 1946) (see Figure A-2) are recommended as high priority for survey. It is further recommended that the Town or own of its partners conduct the research necessary to clarify what historic properties are extant that are indicated on the map.

Moderate – High Priority

1. The inventory forms for all resources previously recorded in MACRIS in the 1980s should be updated. These are recommended as moderate to high priority depending on location and current threats.

2. Town-owned properties, scattered across the island, are recommended as moderate to high priority for survey depending on location, function and visibility, ongoing maintenance issues, and current threats. Town of Nantucket and Federally-owned properties are listed in Table D-4.
3. High visibility institutional buildings are recommended as moderate to high priority depending on location and current threats.
4. Mid-20th-century modest traditional residences built as housing for year-round island residents are recommended as moderate to high priority depending on location and current threats.
5. Landscapes and open spaces of Nantucket are an essential element of the town's identity and character, and much is preserved as conservation lands. Some landscapes may have had buildings in the past, although none are extant today. Open space landscapes such as Coatue, Great Point, Coskata, and the Moors are recommended as moderate to high priority depending on location and current threats.

Moderate Priority

1. The inland sections of Nantucket Island have relatively fewer historic resources compared to the coastal areas and are less vulnerable to environmental damage, so are recommended as moderate priority for survey.
2. Many of Nantucket's historic buildings have Historic American Buildings Survey (HABS) documentation on file at the Library of Congress, including 1,782 records for Nantucket and 14 records for Siasconset. These properties are recommended as moderate priority for survey as a group; however, many likely fall into other high priority categories as well. It is also recommended that the Town develop a list of these properties.
3. Properties that receive ongoing protection oversight under a Preservation Restriction held by the MHC, the Nantucket Preservation Trust, Historic New England, or another entity are recommended as moderate priority for survey to up-date existing documentation.
4. Cemeteries are associated with the social and genealogical history of Nantucket, contain markers that may have artistic merit, and constitute a historic landscape resource. Cemeteries are recommended as moderate priority for survey, or higher if threatened by environmental or redevelopment factors.

Low Priority

1. Neighborhoods with no resources built before 1976 are recommended as low priority for survey.
2. Resources built in or after 1976 are recommended as low priority for survey.
3. Resources designated as noncontributing in the NHL Data Sheet are low priority. If new information comes to light that a resource should be reclassified as contributing, it will move to the moderate to high priority category.
4. Neighborhoods and resources with recent inventories completed within the last five years are low priorities for survey at this time. This category should be revisited and updated in five years.

NEIGHBORHOOD OVERVIEWS, PRIORITIES, AND RECOMMENDATIONS

Neighborhood Survey Units Overviews

In the Survey Plan, Nantucket is divided into 59 neighborhood survey units, which are the building blocks of the Action Plan in Chapter Seven. A list and overview of all neighborhood survey units is in Table B-1. Each of the neighborhood survey units has its own particular qualities and characteristics and differs in size, density of development, and type and number of built resources. Some general qualities may be shared by geographically adjacent or similar units such as those that are coastal or inland, downtown, outlying villages, or rural. Units may contain many historic resources or just a few, and the resources may be densely or sparsely arranged, concentrated in one area or scattered throughout. Historic resources predominantly date from a mix of the 18th, 19th, or 20th centuries. Some units are composed entirely of mid-20th-century development, and some are made up largely of landscape resources under conservation. Approximately half of the neighborhood survey units, and the densest, are in the Nantucket Town area (Table B-1 and Figure A-4).

The island-wide system of 10 geographic groups (Northeast, Southeast, South, Southwest, Northwest, Central-North, Central-East, Central-South, Central-West, and Downtown) organizes the neighborhood units to assist with analysis is shown in Table B-2 and Figure A-4.

Priorities and Recommendations

The Survey Plan recommendations for the neighborhood survey units consider the present status of inventoried and uninventoried historic resources and the current identified threats and challenges. A summary overview of the general character, history, and historic resources of each of the neighborhood survey units arranged in alphabetical order is in Table B-3. The table also shows the approximate quantities of buildings constructed before 1976, extant resources recorded in the Massachusetts Cultural Resources Inventory System (MACRIS) database maintained by the Massachusetts Historical Commission (MHC) in each neighborhood survey unit, and the survey priorities developed as part of the Survey Plan.

Existing Inventory and Historic Resources

The survey priorities and recommendations for neighborhood survey units based on analysis of existing MACRIS inventory status as showing in Table B-4 are listed below, shown in bold, with a brief explanation of what the direction means. The recommendations refer to resources that have been identified as contributing in the 2012 Nantucket Historic Landmark (NHL) Nomination Update, and to resources previously surveyed and entered in MACRIS. All future survey would include update of existing documentation for previously surveyed resources and new survey for resources that have not yet been surveyed. The recommendation categories based on inventory status that may apply for a neighborhood survey unit are as follows:

- **Survey all contributing resources** – indicates there are some resources surveyed in MACRIS, and resources in the area are relatively well known; therefore, all contributing resources should be surveyed.
- **Survey any contributing resources** – indicates there are no or very few resources yet surveyed in MACRIS, and less may be known about the resources; therefore, any contributing resources that do exist should be surveyed.

- **Update existing MACRIS surveys & survey all contributing resources** – indicates there are a substantial number of resources surveyed in MACRIS, and some resources that are not yet surveyed; therefore, all contributing resources should be surveyed.
- **Form A, area form** indicates there may be no resources present, but the history and landscape warrant recordation in the survey.
- **No survey needed as all built resources are non-contributing** – indicates there are no contributing resources; therefore, no survey is needed as part of this Survey Plan.

Threats

The survey priorities and recommendations for neighborhood survey units based on analysis of the three categories of principal known and potential threats to historic resources, identified in the Survey Plan Chapter Two, Threats to Historic Resources, were considered for each neighborhood survey unit and are as follows:

1. Demolition and Redevelopment;
2. Climate Change and Sea Level Rise; and
3. Changes in Land and Property Uses.

Each threat was assigned an identifier number (1, 2, or 3 as indicated), and the impact level of each threat was assessed for every neighborhood survey unit as either High, Moderate, or Low (H, M, or L) as shown in Table B-4, which is organized by neighborhood survey unit group. For example, a 1 – H ranking is a high-level threat of Demolition and Redevelopment. Due to the vulnerability to climate change and sea level rise, all coastal neighborhood survey units facing the Atlantic Ocean and Nantucket Sounds are designated as 2 – H, or if within Nantucket Harbor, 2 – M. Non-coastal neighborhood survey units have no threat 2 ranking. Neighborhood survey units without any historic resources have no threat 1 and typically no threat 3 ranking.

Overall

The overall priorities and recommendations for each neighborhood survey unit took in consideration the three main factors of town-wide priorities, existing inventory status, and known and potential threats. These recommended priorities are show in Table B-4 and the Action Plan.

CHAPTER SEVEN

NANTUCKET SURVEY ACTION PLAN

The Nantucket Survey Action Plan (Action Plan), grounded in the Survey Plan, provides a specific framework and direction for the Town of Nantucket through the Nantucket Historical Commission (NHC), Historic District Commission, and Preservation Planning Office to undertake and complete a multi-phase comprehensive survey of Nantucket's historic resources in a timely and consistent manner. The Action Plan is intended to achieve the goal of the town-wide comprehensive survey and update, which is to update existing information and conduct new survey that results in a current and comprehensive inventory record for Nantucket. The survey will encompass the entire town, recording historic resources and areas throughout Nantucket Island, and will also include the islands of Tuckernuck and Muskeget. The survey will capture properties built through 1975, the end date of the period of significance of the Nantucket National Historic Landmark District, which total approximately 13,000 resources.

Schedule

The large number of properties in Nantucket, and the town's geographic size, island configuration, and cultural landscape variations, shape the priorities, recommendations, and methodology. The survey will need to be conducted in phases over time. The Action Plan is intended to guide the undertaking and completion of the survey within a period of approximately 10 years. This effort would be greatly assisted and might be accelerated through partnership projects.

Partnerships

Partnership with educational and other types of organizations wanting to undertake survey on Nantucket is encouraged. It is recommended that these efforts align with the priorities and sequencing of the Action Plan. In addition, use of the MHC intensive survey methodology and adherence to MHC survey standards is essential to consistency and achieving the planning and educational goals of the overall comprehensive survey.

Estimated Cost

As a Certified Local Government (CLG) of the National Park Service, Nantucket is eligible to apply for and receive Survey and Planning matching grant funding through the MHC. This Survey Plan and the pilot survey of Fish Lots were funded in FY2022 through this program, and the Town has received a second grant for additional survey in FY 2023. The NHC will use the annual survey project cost estimates in the Action Plan to approach the Town for matching grant funding and then apply to the MHC in its annual funding rounds. The annual cost estimate for the Action Plan future survey is based on MHC's matching grant funding, which is anticipated with inflation to be approximately \$50,000 per year. The Town may use some in-kind services as part of its 50 percent match, but for the purposes of the Action Plan, it is assumed the match would be \$25,000. Calculated over 10 years, the total funded effort would be \$500,000 with total Town expenditures of \$250,000.

Intensive Survey Methodology

All future survey should follow the MHC's *Historic Properties Survey Manual: Guidelines for the Identification of Historic and Archaeological Resources in Massachusetts* (1992), *Survey Technical Bulletin #1* (1993), *MHC Interim Survey Guidelines* (March 1999, et seq.), *MHC Interim Guidelines for Inventory Form Photographs* (2009), *MHC's Guidelines for Inventory Form Locational Information* (2013), and related technical guidance including any updates. Information should be recorded on survey

forms, from the MHC website at <https://www.sec.state.ma.us/mhc/mhcform/formidx.htm> . The survey should include new survey work and updating existing forms; however, each resource should receive a new updated form meeting current MHC requirements. All survey work should be recorded on large-scale maps and entered in the Town's GIS data.

The vast majority of historic resources on Nantucket are buildings, and the Nantucket Historic District is a local historic district, therefore, the individual **Form B – Building** will be the most commonly used form, as in the past surveys. Other types of individual resources are found on Nantucket and will be documented on specific forms as follows: Monuments and markers on **Form C – Objects**; cemeteries on **Form E – Burial Grounds and Cemeteries**; bridges, walls, piers on **Form F – Structures**; and parks and landscapes on **Form H – Parks and Landscapes**. The **Form A - Area** is used to document a collection of adjacent and related historic resources that share a design or event history, such as in a neighborhood, cottage colony or other building complex, or streetscape. Area A forms may be suitable for certain locations, and have an efficiency in encompassing a higher number of resources within a given work effort. Each resource receives a MACRIS inventory number and is included in a table. The description covers the overall characteristics of the area and key and representative resources. The historical narrative explains how the area developed and highlights relevant selected resources. A map noting each resource and photographs of streetscapes and individual resources present the layout and appearance of the area.

Upon receipt and acceptance of the completed inventory forms, the MHC will enter the forms and information into the Massachusetts Cultural Resources Information System (MACRIS) online database, which also has a GIS mapping component at <https://mhc-macris.net/#/> and <https://maps.mhc-macris.net/>.

Research

Research should be conducted during the survey phases as needed to supplement and update existing historical contexts for a more comprehensive understanding of the history and potential significance of individual surveyed resources. The Nantucket Island-wide historical contexts are generally well developed in the 1966 NHL nomination and the 2012 NHL Nomination Update and other past research and publications. Contexts identified that may need additional research include mid-20th-century development, the history of diversity of Nantucket residents, and the enduring legacy of moving buildings. Historic map coverage is relatively limited for the island, but other research sources exist, including Historical American Buildings Survey documentations, completed building forms, and research conducted by local historians and students under the Nantucket Historical Association, Nantucket Atheneum, Nantucket Historic Preservation Trust, and Preservation Institute: Nantucket. The NHL Update contains a thorough bibliography, and the Survey Plan annotated Bibliography provides updated research resources.

Fieldwork

Most locations are accessible on foot and by car, and some require four-wheel drive vehicles. The densely built-up areas of Nantucket Town require walking survey. Data collected should include the built resource, its property characteristics, and its town or natural settings. Survey updates should record changes that have occurred since the original survey. Buildings with existing survey information that have been demolished or moved should be noted. Attention should also be paid to specific characteristics of the neighborhood, such as curbing in Nantucket Town. The surveyors should use GIS mapping to locate properties, handheld devices or paper for field notes, and high-resolution digital color photography.

National Register of Historic Places Eligibility Evaluations

National Register nomination eligibility recommendations and other related recommendations are integral to the survey's goals to preserve the historic character of Nantucket's varied neighborhoods and landscape settings.

The National Register eligibility recommendations for the resources included in this survey update were based on analysis of the background information available for each property, including the general context of the historic development of Nantucket, and the visual data collected during fieldwork against the National Register criteria (36 CFR 60). These criteria are the standards for evaluating the significance of resources as established by the National Park Service, Department of the Interior. The criteria are designed to guide the evaluation of potential entries for the National Register. The National Register criteria state that, "the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose component may lack individual distinction; or
- D. that have yielded or may be likely to yield information important in prehistory or history.

The Nantucket Historic District in the Downtown area (NAN.D, NRDIS 66000772) was designated an NHL on December 13, 1966, and added to the National Register on November 13, 1966, and was later expanded to cover the entire island of Nantucket. Therefore, all the properties on Nantucket Island are listed in the National Register/NHL designation as contributing or noncontributing resources to the Nantucket Historic District. As such, all the contributing properties are significant at least at the local level under Criteria A, C, and D in the areas of significance identified by the NHL nomination of 1966 and the 2012 Update. National Register eligibility evaluations and recommendations in future survey should concentrate on identification and recognition of any resources that have outstanding specific historical associations, such as to important individuals or underrepresented groups or historic events, or architectural merit, such as important work by influential nationally renowned architects.

Local Historic District Considerations

Another guiding factor for implementing Nantucket's town-wide is the island-wide, locally designated Nantucket Historic District (NAN.C). First established in 1955 through special legislation initiated by the town and passed by the Commonwealth of Massachusetts, and originally encompassing only the Old Town and the Village of Siasconset, this local historic district was expanded in 1971 to include the entirety of the Town of Nantucket.

Action Plan Matrix

The Action Plan matrix in Table D-1 lays out the blueprint for the Town to undertake and complete the comprehensive town-wide survey within approximately 10 years. A sample Scope of Work for Survey Projects, a list of historic properties mentioned in the 2012 NHL Update, and a list of Town- and Federally owned historic properties are in D-2, D-3, and D-4.

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- Breyers, Edward. *The Nation of Nantucket: Society and Politics in an Early American Commercial Center, 1660-1820*. Northeastern University Press: Boston, MA, 1987.
This book discusses the history of Nantucket and how society and politics developed between the mid-seventeenth through the early nineteenth centuries.
- Casale, Alexis Helene. *Reconstruction of the Past in a 21st Century Landscape: Historic Preservation on the island of Nantucket, Massachusetts*. Thesis, Graduate Program in Historic Preservation, University of Pennsylvania, 2007.
This thesis assesses the scheme of historic preservation of Nantucket and discusses the pros and cons of the existing regulations, tools, and preservation activities on the island.
- Chilton, Elizabeth S. and Mary Lynne Rainey, eds. *Nantucket and Other Native Places*. State University of New York Press: Albany, NY, 2010.
An overview of the archaeology of eastern Massachusetts, including Nantucket, focusing on Native American peoples and earliest settlers of the region.
- Chase-Harrell, Pauline and Brian Pfeiffer. *National Historic Landmark Nomination – Nantucket Historic District, Nantucket (NAN.D)*. On file, Massachusetts Historical Commission, Boston, MA, 2012.
Updated NHL Nomination includes comprehensive history of Nantucket its architecture, and a data table of all resources.
- Crosby, Everett U. *Ninety Five Per Cent Perfect: The Older Residences at Nantucket*. Nantucket, MA, 1937, 1939, 1944, 1953.
The earliest publication on Nantucket's historic buildings with guidelines for voluntary commitments to design principles for new construction.

- Cummings, Abbott Lowell. *The Framed Houses of Massachusetts Bay, 1625-1725*. Harvard University Press: Boston, 1979.
This book is an important source to understanding the construction and development of houses in Massachusetts in the seventeenth and early eighteenth centuries.
- Douglas-Lithgow and Robert Alexander. *Nantucket: a History*. George Putnam's Sons: New York, 1914.
This book includes a history of Nantucket from its development to the early twentieth century, including information on villages, districts, houses, religion, the economy, culture, and more.
- Duprey, Kenneth. *Old Houses on Nantucket*. Architectural Book Publishing Co., Inc: New York, 1959.
This book is an important resource to understanding the construction and development of houses and domestic architecture on Nantucket in seventeenth, eighteenth, and early nineteenth centuries. The book is focused on Nantucket Town and discusses individual buildings and the architecture and people associated with them.
- Farson, Robert H. *Cape Cod Railroads Including Martha's Vineyard and Nantucket*. Cape Cod Historical Publications: Yarmouth, MA, 1990.
A history of the railroad's development in Massachusetts, specifically on the Cape and islands.
- Foreman, Henry. *Early Nantucket and its Whale Houses*. Hastings House: New York, 1966.
Discusses the early history of Nantucket and its development around maritime industries.
- Fowlkes, George Allen. *A Mirror of Nantucket: An Architectural History of the Island, 1686–1850*. Press of Interstate: Plainfield, NJ, 1959.
Discusses the early history and architecture of Nantucket.
- Godfrey, Edward K. *The Island of Nantucket: What It Was and What It Is*. Lee and Shepard Publishers: Boston, 1882.
A comprehensive history of Nantucket, including information on its economy, architecture, culture, and more. It is focused on information that would be useful to visitors in the late nineteenth century.
- Guba, Emil Frederick. *Nantucket Odyssey: A Journey Into the History of Nantucket*. Waltham, MA: 1965.
A collection of essays on Nantucket, including historical information.
- Heintzelman, Patricia. *Nantucket Historic District National Historic Landmark Nomination Form, Nantucket, MA (NAN.D)*. On file, Massachusetts Historical Commission, Boston, MA, 1975.
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The article presents a concise history and current (2008) summary of roads on Nantucket from the first written descriptions of paths in the 1600s to the present road layout. It discusses the layout of the island, including the Proprietors' Roads which were laid out in 1821, subdivision in the nineteenth and twentieth centuries for residential development, the layout of alleys and ways and footpaths, and the introduction and evolution of automobiles on the island.

- _____. *The Other Islanders*. Spinner Publications: New Bedford, MA. Accessible online, <https://nha.org/research/research-library/nha-research-fellows/the-other-islanders/>. Accessed December 2021.
This book documents the history and stories of the people who settled and contributed to Nantucket's history. The book includes chapters on Native Americans, enslaved and free Blacks, Cape Verdeans, Azoreans, South Sea Islands, as well as a variety of nationalities and groups from Europe, Asia, and North America. The source will be useful in representing all groups of people in the survey, especially those who have historically been excluded or marginalized.
- Lancaster, Clay. *The Architecture of Historic Nantucket*. McGraw-Hill Book Company: New York, 1972.
This three-section book provides a history of Nantucket, discussion and examples of the its architecture, street-by-street overview of Nantucket Center – including history of the streets, individual buildings, and the architecture and people associated with it, and an appendices that classifies all buildings (considered historic in 1972) by their style and characteristics.
- Lang, J. Christopher and Kate Stout. *Building with Nantucket in Mind: Guidelines for Protecting Historic Architecture and Landscape of Nantucket Island*. Nantucket Historic District Commission: Nantucket, MA, 1992.
This publication provides a comprehensive guide to the history and architecture of Nantucket and identifies character defining features of the architectural styles found on the island.
- Macy, Obed. *The History of Nantucket*. Mansfield: Macy & Pratt, 1880.
This book is a comprehensive (somewhat outdated) account of the history of Nantucket from first settlement of the island by English settlers to the era of whaling, including history and events up to 1880.
- Marshall, Esther S. Polpis, *Past and Present: Nantucket*. Self-published, 1962. On file, Nantucket Preservation Planner, Nantucket, MA.
History of Nantucket, focusing on Polpis – including property histories, some photographs, and real estate transactions.
- Massachusetts Historical Commission (MHC). *Town Reconnaissance Survey Report: Nantucket*. Massachusetts Historical Commission: Boston, MA, 1984.
The town reconnaissance report is a general overview of Nantucket's history and architecture.
- May, Michael. *Sconset: House by House*. Nantucket Preservation Trust: Nantucket, 2019.
The book contains a history of over 60 cottages in the village, including early fish houses.
- McIntosh, Burr. *Fifty Views of Siasconset (Actors' Colony) Nantucket*. John F. Murphy: New York, 1904.
The book contains photographs that depict famous stage and early film actors from the turn of the century, including their houses and cottages, and other buildings in the village.
- Morral, Frank and Barbara Ann White. *Hidden History of Nantucket*. The History Press: Charleston, SC, 2015.
A history of Nantucket's non-whaling history, contains lesser-known historical information on Nantucket.
- Morrison, Samuel Elliot. *The Maritime History of Massachusetts, 1783-1860*. Houghton Mifflin Co.: Boston and New York, 1921.
History of maritime Massachusetts, includes a section on Nantucket.

- The Nantucket Historical Commission. *Preserving Historic Pavement on Nantucket*. The Nantucket Historical Commission: Nantucket, MA, 2021.
This is a comprehensive source on the different types of historic pavement on Nantucket and ways to protect and preserve it.
- Nantucket, Town of
Town of Nantucket Annual Report July 1, 2020– June 20, 2021. The Country Press: Nantucket, MA, 2021.
- Newhouse, Nancy Anne. *Voices of the Village: An Oral History of ‘Sconset*. ‘Sconset Trust: 2004.
A collection of 29 interviews by Newhouse and photographs by Rob Bendley.
- Perry, Ezra G. *A Trip Around Cape Cod Nantucket Martha's Vineyard, South Shore, and Historical Plymouth*. E.G. Perry, Boston, MA, 1898.
A brief history of Nantucket in a chapter of the book and a collection of historic photographs.
- Philbrick, Nathaniel. *Away Off Shore: Nantucket Island and its People, 1602-1890*. Mill Hill Press: Nantucket, MA, 1993.
The book is a comprehensive history of Nantucket Island from English settlement to the rise and fall of the whaling industry in the late nineteenth century.
- Quidnet Squam Association, *The Evolution and Development of Quidnet*. Self-published, 2000.
A history of Quidnet.
- Ramirez, Constance Werner. *The Historic Architecture and Urban Design of Nantucket*. Smithsonian Institution: Washington, D.C., 1970.
This source is an illustrated essay that served as the catalog for a traveling exhibit by the same name. The exhibit was a display of the HABs drawings and photos completed in 1968.
- Schneider, Paul. *The Enduring Shore: A History of Cape Cod, Martha’s Vineyard, and Nantucket*. Henry Holt: New York, 2001.
Consists of brief chapters on various parts of the Cape and islands, which include natural and historical information in a storytelling format.
- Stachiw, Myron O. *The Early Architecture and Landscapes of the Narragansett Basin*, Vol. 1. Vernacular Architecture Forum: Newport, RI, 2001.
This book discusses the principal domestic building types that were constructed in the Narragansett Basin from the early seventeenth through the mid-nineteenth century.
- Tyler, Betsy, et al. *‘Sconset, A History*. Nantucket Historical Association: Nantucket, MA, 2008.
This history recounts the development of the village from its start as a seasonal fishing village to a summer retreat. Provides an overview and chronology of the village, using firsthand accounts.
- Tyler, Betsy. *A Walk Down Main Street: The Houses and Their Stories*. Nantucket Preservation Trust: Nantucket, MA, 2006.
This book focuses on the history of the houses along Main Street in Nantucket Center using town records, maps, and historic photographs.

Worth, Henry Barnard. *Nantucket Lands and Land Owners*. Nantucket: Nantucket Historical Association, 1901.

This is a comprehensive land history of Nantucket's seventeenth and eighteenth centuries, including will and estate records, select photographs of houses.

Maps

Allen, Daniel and Daniel P. Macy. *Nantucket, Proprietors Plat Maps*. 1821.

Hand-drawn, partial sketch maps depicting road layouts and select buildings from division of land.

Anonymous. *Plan of Nantucket*. 1795. On file, Massachusetts State Archives, Boston, MA.

Island-wide map showing bodies of water and place names, no buildings depicted. Rough sketch of the town center grid on map.

Carlton, Osgood. *Nantucket, 1801*. Reprint, viewable online, www.old-maps.com.

Depicts place names and bodies of water. However, it does not depict roads or buildings.

Codd, William F. (attributed). *Water Company Maps of the Town of Nantucket*. 1890. On file, Nantucket Historical Association, Nantucket, MA.

Detailed map of Town of Nantucket prepared by the water company that shows streets, partial building footprints, and property owners.

Coffin, William Jr. *Map of the Town of Nantucket, in the State of Massachusetts*. Henry Clapp: Nantucket, MA, 1834.

Detailed map of the town, showing street layout and names, lots and building footprints.

Cook, Rufus. *Map of Surfside, the property of the Nantucket Surf-side Company*. Rufus Cook: Boston, 1871.

Plat map of Surfside.

Des Barres, Joseph F.W. *Map of Nantucket Island, Massachusetts*. 1776. On file, Norman B. Leventhal Map Center, Boston Public Library, Boston, MA.

Shows topography of the island, bodies of waters, place names, and buildings and settlement with limited detail.

Ewer, F.C. *Historical Map of Nantucket*. 1869. On file, New York Public Library, New York, NY.

Map of the entire island depicting place names, roads, locations of historic and significant buildings, structures, and objects, and includes a historical timeline. Appears on Survey Plan cover.

Gardner, William E. *Nantucket Farms Showing the Location and Ownership as of the Year 1850*. Nantucket, MA, 1946.

Map compiled with data supplied by J. Gibbs showing location of farms with map numbers and ownership in a key list.

Prescott, J. *Map of the Town of Nantucket, County of Nantucket, State of Massachusetts*. 1831.

Map of the entire island depicting place names, roads, and building locations.

Sanborn Map Company. *Insurance Maps of Nantucket, Nantucket County, Massachusetts*. Sanborn Map Company: New York, NY, 1887, 1892, 1898, 1904, 1909, 1923, 1949.

Insurance atlases that depict building footprints, including materials and use.

St. Jean de Crevecoeur, J. Hector. *Map of the Island of Nantucket*. 1782.

Depicts property divisions, a few notable buildings, mills, and village centers, and the location of 32 places via a numerical system keys on the top and side of the map in French.

Stoner, J.J. *Bird's Eye View of the Town of Nantucket, State of Massachusetts, Looking Southwest*. J.J. Stoner: Madison, WI, 1881.

Detailed bird's eye view drawing of Nantucket Center and Siasconset.

Strong, Austin. *Nantucket in the State of Massachusetts in the Year 1659*. Reprint, Nantucket Historical Association, Nantucket, MA.

Depicts historic placenames and natural points of interest, including paths and early roads.

Walling, Henry Francis. *Map of the Counties of Barnstable, Dukes, and Nantucket Counties, Massachusetts*. D.B. Smith & Co.: NYC, NY, 1858, 1871.

Map of entire island, showing roads, buildings, and owners by first initial and last name.

Websites

FindaGrave. <https://www.findagrave.com/>, accessed July 2022.

User generated searchable genealogical database that typically includes birth and death dates and information about spouses and children. Entries also sometimes include biographies and historic photographs.

National Environmental Title Research, LLC (NETR). *Historic Aerials of Nantucket, MA: 1930–2018*. <https://www.historicaerials.com>, accessed June 2022.

Historic aerial photographs depicting the entire island. Details and quality of the photographs vary depending on the year. Website enables users to visually compare two photographs.

Tyler, Betsy (ed). *The Barney Genealogical Record*. Nantucket Historical Association, ca. 1998.

<https://genealogy.nha.org/>, accessed January 2022.

Searchable genealogical database for early residents of Nantucket that includes birth and death dates and information about spouses and children.

Public Records and Local Repositories

Historic American Buildings Survey, www.memory.loc.gov.

Digitized collection of HABS documentations on properties on Nantucket.

Massachusetts Historical Commission, Boston, MA.

Historic resource survey data and National Register Nomination forms, accessible online through MACRIS.

Nantucket County Registry of Deeds, Nantucket, MA.

Deed books, grantor/grantee indices, plans, are accessible digitally from masslandrecords.com and familysearch.com and in person at the Nantucket County Registry of Deeds.

Nantucket Assessors Office, Nantucket, MA.

Source of property data and parcel maps, accessible online through a database and GIS.

Nantucket Historical Association Research Library, Nantucket, MA.

Collections pertaining to Nantucket history and development. Parts of the collection are accessible online, including historic maps and oral histories.

Nantucket Athenaeum, Nantucket, MA.

Collections pertaining to Nantucket history and development, including online Nantucket Newspapers database with newspapers (Nantucket Gazette, Inquirer, and Mirror) from 1816–2016 digitized and searchable.

Nantucket Historical Commission, Nantucket, MA.

Historic District Commission Survey Forms and building records on file.

Nantucket Preservation Trust, Nantucket, MA.

Various publications and histories on specific houses, some available online others through the organization directly. The NPT also has a journal publication (Ramblings) and an interior survey of houses, conducted in the 2000s with the University of Florida's Preservation Institute Nantucket.

FORM B – BUILDING

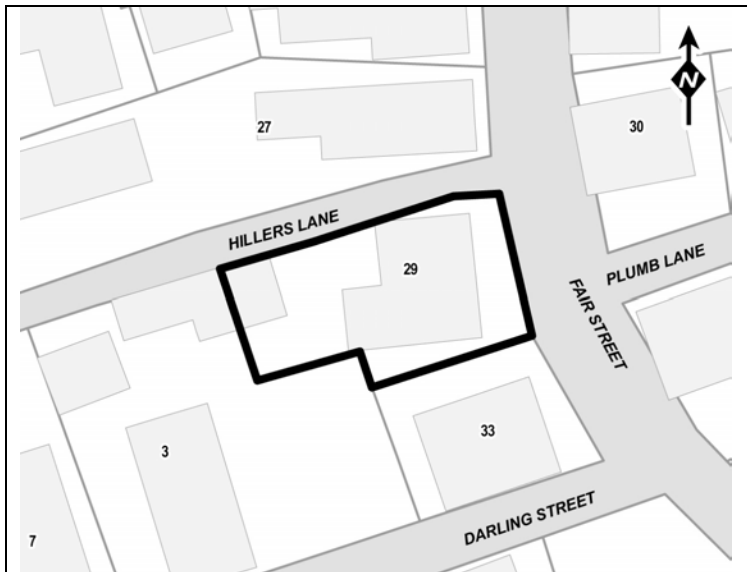
MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Photo 1. 29 Fair Street, looking southwest.

Locus Map



Recorded by: E. Boyce, D. King, M. Andrade, J. Chin, V. Adams; PAL

Organization: Nantucket Historical Commission

Date (month / year): January 2022

Assessor's Number USGS Quad Area(s) Form Number

42.3.2 / 192

Nantucket

NAN.C,
D

NAN.3137,
NAN.3138

LHD 6/4/1970 NRDIS NHL 11/13/1966

Town/City: Nantucket

Place: (*neighborhood or village*): Nantucket Town (Fish Lots)

Address: 29 Fair Street

Historic Name: George and Deborah Bunker House

Uses: Present: Vacant

Original: Single Family Dwelling

Date of Construction: ca. 1709–1740s

Source: Preservation Institute Nantucket 1993; Lancaster 1972:77

Style/Form: Georgian

Architect/Builder: Unknown

Exterior Material:

Foundation: Brick, stone

Wall/Trim: Wood shingles/Wood

Roof: Asphalt shingles

Outbuildings/Secondary Structures: Cottage (NAN.3138), 1887–1897, enlarged 1923–1947

Major Alterations (*with dates*): 2nd-story addition to north section, early-mid 18th c.; 2-story south section (31 Fair Street) built, mid-late 18th c.; multiple rear additions, early-mid 20th c.; wood shingle siding, late 20th c.; asphalt-shingle roof, late 20th-early 21st c.

Condition: Fair

Moved: no ☒ yes ☐ **Date:**

Acreage: 0.11 acre

Setting: The building occupies a roughly L-shaped parcel at the southwest corner of Fair Street and Hillers Lane. Oriented east, the building sits close to the road and is bounded by 18th and 19th century residential properties to the south and west and the road to the east and north. An asphalt sidewalk with cut granite curbs spans the property on the east along Fair Street, and a wood picket fence encloses the front yard. A cottage sits immediately south of the building at the line of Hillers Lane.

INVENTORY FORM B CONTINUATION SHEET

NANTUCKET

29 FAIR STREET

MASSACHUSETTS HISTORICAL COMMISSION

NAN.3137, NAN.3138220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

NAN.C,
D

NAN.3137,
3138

☐ Recommended for listing in the National Register of Historic Places.

If checked, you must attach a completed National Register Criteria Statement form.

ARCHITECTURAL DESCRIPTION

The George and Deborah Bunker House, 29 Fair Street (ca. 1709–1740s, NAN.3137) is a 2-story, 6-bay-by-3-bay, wood-frame, double house with Georgian style elements. It consists of two connected half houses constructed in multiple phases between ca. 1709 and the late 18th century. The north section at 29 Fair Street is a 2-story, 3-bay-by-3-bay, saltbox building. It has an asphalt-shingle, side-gable roof pierced by a massive brick chimney just below the ridgeline above the north bay on the front (east) facade and wood-shingled walls. The side-hall front entry occupies the north bay of the east (facade) elevation, with 2 windows to the south, and consists of a Georgian-style door surround with a simple entablature supported by pilasters and is filled with a paneled wood door. The second story has 3 windows above the first-story openings. The south section of the building at 31 Fair Street is nearly identical and has the same exterior finishes. It is a 2-story, 3-bay-by-3-bay, saltbox building with a side-gable roof pierced by a brick chimney at the ridgeline above the north bay of facade. The side-hall front entry occupies the north bay of the facade, with 2 windows to the south, and consists of a Georgian-style door surround with a simple entablature supported by pilasters and is filled with a 4-panel wood door. There are 3 windows evenly spaced across the second story above the first-story openings. Fenestration throughout the building consists of a mix of double-hung 12-over-12 wood sash, 10-over-15 wood sash, and 6-over-6 wood sash. The south section of the building rests on a brick and stone foundation. A 1.5-story, shed-roof, wood-shingled lean-to extends from the rear (west) elevation of the south section of the building at 31 Fair Street. Multiple 1- and 2-story additions project from the rear (west) elevations of the lean-to and the north section of the building at 29 Fair Street.

A 2-story, 2-bay-by-6-bay- L-shaped, wood-frame Cottage (1887–1892, enlarged 1923–1949, NAN. 3138) sits immediately south of the house on Hillers Lane. Originally constructed as an outbuilding between 1887 and 1892 and enlarged to its current configuration between 1923 and 1949, it has an asphalt-shingle, front-gable roof, and is with wood shingle clad walls, and the entrance at the second story in the east elevation.

HISTORICAL NARRATIVE

According to preexisting secondary sources, the George and Deborah Bunker House, 29 Fair Street (ca. 1709–1740s, NAN.3138) was built between ca. 1709 and the early 1740s for George Bunker (1671–1744) and his family (Fowlkes 1959:109; Lancaster 1972:77; Preservation Institute Nantucket 1993). Born on Nantucket to William Bunker and Mary (née Macy) Bunker, George served as a justice of the peace, a senior judge on the Nantucket Court of Common Pleas, a probate judge, and as a representative of Nantucket in the House of Representatives of the Province of Massachusetts Bay (The Bunker 1931:177–178). He married Deborah Coffin (1676–1767) in 1695, and the couple had at least three children (Bunker Family Association 1931:177–178; Tyler ca. 1998). The George and Deborah Bunker House originally consisted of 1.5-story, saltbox, half-house (PIN 1993). A series of additions in the mid- to late 18th century converted the dwelling into a 2-story, connected double half house (Lancaster 1972:77; PIN 1993).

After George Bunker's death, his descendants apparently retained ownership of the George and Deborah Bunker House into the early 20th century; a full chain of title is necessary to confirm this. According to a 1931 genealogy, George's grandson, George Bunker II (1740–1827) owned the “two-storied house at 31 Fair Street” about 1799 (Bunker 1931:236). The property eventually passed to Obed Russell Bunker (1815–1904), a whaling captain and the grandson of George Bunker II (*The Inquirer and Mirror* 1904:4, 1905:4). By 1910, Obed's niece, Mary F. Adams (d. 1918), had acquired and resided in the George and Deborah Bunker House (*Inquirer and Mirror* 1918:1; U.S. Census 1900, 1910). It changed hands twice before being acquired by Maude Este Stovell (1879–1950) in 1931. Stovell, who lived on the premises with her parents before purchasing the building, christened it “The Woodbox” and operated it as a tearoom and restaurant (*Inquirer and Mirror* 1939:4; NCRD 1931:106/200; U.S. Census 1930). Although it changed hands several times after Maude's death, the George and Deborah Bunker House continued to operate as a restaurant and inn known as The Woodbox into the 2010s (Graziadei 2021; *Inquirer and Mirror* 1950:1). The current owner, 27 Fair St. LLC, acquired the property in 2021 and propose to convert the property into a boutique hotel (NCRD 2021:1816/196).

INVENTORY FORM B CONTINUATION SHEET

NANTUCKET

29 FAIR STREET

MASSACHUSETTS HISTORICAL COMMISSION

NAN.3137, NAN.3138220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

NAN.C,
DNAN.3137,
3138**BIBLIOGRAPHY and/or REFERENCES**

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INVENTORY FORM B CONTINUATION SHEET

NANTUCKET

29 FAIR STREET

MASSACHUSETTS HISTORICAL COMMISSION

NAN.3137, NAN.3138220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

NAN.C,
D

NAN.3137,
3138

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PHOTOGRAPHS



Photo 2. 29 Fair Street, looking northwest.

INVENTORY FORM B CONTINUATION SHEET

NANTUCKET

29 FAIR STREET

MASSACHUSETTS HISTORICAL COMMISSION

Area(s) Form No.

NAN.3137, NAN.3138220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

NAN.C,
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NAN.3137,
3138



Photo 3. Cottage, looking southwest along Hillers Lane.



Agenda Item Summary

Agenda Item #	VIII. 4.
Date	12/21/2022

Staff

Amy Baxter, Licensing Administrator

Subject

Annual Business License Renewals

Executive Summary

Acting as the Licensing Authority for the Town of Nantucket, the Select Board votes to renew existing business licenses on an annual basis. The following license categories are renewed on a calendar year schedule: Common Victualler, Entertainment, Motor Vehicle Sales, Motor Vehicle Rentals, Mobile Food Units, and Flower/Produce/Shellfish Vendors.

Please Note: *Annual and Seasonal Liquor Licenses (April 1 – January 15) are renewed separately.

Staff Recommendation

Review and approval of renewal process as documented in attached lists. All categories are required to meet the specific conditions of their license and pay all associated fees before the final 2023 license to operate is issued.

Background/Discussion

CONSIDERATIONS:

1. 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 2023 license.
2. **Entertainment license:** With regard to entertainment licensing, Legal Counsel strongly recommends that there be notice and a hearing in order to consider making any changes to conditions on the previous year's license. This is because entertainment licensing requires consideration of free speech issues and the statute [usually G.L. c.140, §183A] actually states that the application shall be approved unless it should be denied because it would "adversely affect the public health, safety or order." The statute further states that the license should still be approved if there are conditions or requirements that can be added that would resolve the health and safety issues.



3. **Local Licenses (CV, Mobile Food Unit, etc.):** There are not the same statutory restrictions or limitations on adding conditions, and there would not be a legal problem with making changes to what was issued in the past. A licensee that was unhappy with the change (or denial) could likely file a complaint to challenge it, but the Board should just make sure that there are some reasons and/or documentation on the record to counter any claim that the decision was arbitrary or inconsistent with other similar licenses.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

License Renewal Summary and Lists: Common Victualler; Entertainment; MV Class I,II,III; Rental Car Agencies; Mobile Food Units; Entertainment; Local Flower/Produce/Shellfish Vendors.



2023 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses and tightening of definition for license. Take-out only establishments have been removed. Those that qualify and file all proper permits and pay fees will be issued a 2023 License.

DBA	PREMISES
45 Surfside	45 Surfside Road
167 Raw	167 Hummock Pond Rd
Ack Thai, Inc.	1 Wampanoag Way
American Legion, Inc.	21 Washington St
American Seasons	80 Centre St
B-ACK YARD BBQ	20 Straight Wharf
The Beet	9 South Water St
Boathouse	2 Sanford Road
Bartlett's Ocean View Farm, Inc	33 Bartlett Farm Rd
Born and Bread	35 Centre St
Chanticleer	9 New St
Charlie Noble	15 South Water St
Childrens Beach, GypSea Café	15 Harborview Way
Claudette's Food & Services	Sconset
Cliffside Beach Club	46 Jefferson Ave
Club Car	1 Main St
Company of the Cauldron	5 India St
Crosswinds	14 Airport Rd
CRU	49 Straight Wharf
Downyflake Restaurant	18 Sparks Ave
Dune	20 Broad St
Easy Street Cantina	1 Broad St
Faraway Hotel	11 India Street
Faregrounds Restaurant	27 Fairgrounds Rd
Fusaro's	17 Old South Rd
Galley Beach	54 Jefferson Ave
The Gaslight	3 North Union St
GH Yacht Club (Sailing Center)	96 Washington St
GHYC Tennis & Swim Club	23 Nobadeer Farm Rd
Great Harbor Yacht Club	96 Washington St
The Green	5 West Creek Rd
Greydon House	19 Broad Street

2023 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses and tightening of definition for license. Take-out only establishments have been removed. Those that qualify and file all proper permits and pay fees will be issued a 2023 License.

DBA	PREMISES
Henry's Jr	127 Orange St
Hotel Pippa	5 Chestnut St
Island Kitchen	1 Chin's Way
Jack & Charlie's	10 Straight Wharf
Jared Coffin House	29 Broad St
Kitty Murtagh's	4 West Creek Rd
Le Languedoc Inn	24 Broad St
Lemon Press	41 Main St
Lobster Trap	23 Washington St
LoLa 41	15 S Beach St
Miacomet Golf	12 W. Miacomet Rd
Millie's	326 Madaket Rd
Muse	44 Surfside Rd
Nantaco	21 S. Water St.
Nantucket Anglers Club	1 New Whale St
Nantucket Coffee Roasters	31 Sparks Ave
Nantucket Culinary Center	22 Federal St
Nantucket Golf Club	250 Mileston Rd
Nantucket Hotel/Breeze Café	77 Easton St
Nantucket Inn	1 Miller's Way
Nantucket Meat & Fish Market	21 Old South Rd
Nantucket Tap Room	29 Broad St
Nantucket Yacht Club	1 South Beach St
Nautilus	12 Cambridge St
Oath Craft Pizza	44 Straight Wharf
Oran Mor Bistro	2 South Beach St
Or The Whale	38 Main St
Petrichor Wine Bar	130 Pleasant St
Pi Pizzeria	11 W Creek Rd
Pizzeria Gemelle	2 East Chestnut St
Proprietors	9 India St
Provisions	3 Harbor Square

2023 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses and tightening of definition for license. Take-out only establishments have been removed. Those that qualify and file all proper permits and pay fees will be issued a 2023 License.

DBA	PREMISES
Queequeg's - Town	6 Oak St
Roast'd General	159 Orange St
Rose and Crown	23 S Water St
Saltbox	16 Macy's Ln
Sandbar at Jetties Beach	4 Bathing Beach Rd
Sankaty Head Beach Club	Hoicks Hollow Rd
Sankaty Head Golf Club	100 Sankaty Ave.
Sconset Café	Post Office Square
Sconset Market	4 Main St
Sea Grille	45 Sparks Ave
Ships Inn	13 Fair St
Slip 14	14 Old South Wharf
Something Natural	50 Cliff Rd
Sophie T's Pizza	7 Daves St
Straight Wharf Restaurant	6 Harbor Square
Stubby's	8 Broad St
Summer House	17 Ocean Ave/1 Magnolia
Summer House Beachside Bistro	16 Ocean Ave
The Surf	160 Surfside Rd
Tavern	28 Harbor Square
Ventuno Restaurant	21 Federal St
VFW Post 8608	22 Bunker Rd
Wauwinet	120 Wauwinet Rd
Westmoor Club	10 Westmoor Lane
White Elephant Residences	19 S. Beach Street
White Elephant/Brant Pt Grill	50 Easton St
Yummy	63 Surfside Rd

2023 ENTERTAINMENT LICENSE RENEWALS

DBA	PREMISES	LIVE
45 Surfside	45 Surfside Rd	
American Legion, Inc.	21 Washington St	X
American Seasons	80 Centre St	
B-ACK YARD BBQ	20 Straight Wharf	X
Brotherhood	23 Broad Street	X
Chanticleer	9 New St	X
Charlie Noble	15 South Water St	X
Chicken Box	16 Dave St	X
Cisco Brewery	5 Bartlett Farm Rd	X
Club Car	1 Main St	
Company of the Cauldron	5 India St	
Crosswinds	14 Airport Rd	
CRU	49 Straight Wharf	
Dreamland Theatre	17 South Water St	X
Faraway Hotel	11 India Street	
Faregrounds Restaurant	27 Fairgrounds Rd	X
Farmers & Artisans Market	14 Federal St	X
Galley Beach	54 Jefferson Ave	X
Gaslight	3 North Union St	X
GHYC Sports Barn	96 Washington St	
GHYC Tennis & Swim Club	23 Nobadeer Farm Rd	
Great Harbor Yacht Club	96 Washington St	X
Greydon House	17 Broad St	
Island Kitchen	1 Chin's Way	
Jared Coffin House	29 Broad St	
Kitty Murtagh's	4 West Creek Rd	X
Le Languedoc Inn	24 Broad St	
Lemon Press	29 Centre St	
Lobster Trap	23 Washington St	X
LoLa 41	15 S Beach St	
Maddequet Admiralty	15 Tennessee Ave	X
Miacomet Golf	12 W. Miacomet Rd	X
Millie's	326 Madaket Rd	
Muse	44 Surfside Rd	X
Nantaco	21 S Water	
Nantucket Anglers Club	1 New Whale St	

2023 ENTERTAINMENT LICENSE RENEWALS

DBA	PREMISES	LIVE
Nantucket Culinary Center	22 Federal St	
Nantucket Golf Club	250 Mileston Rd	X
Nantucket Historical Association	11, 13 & 15 Broad St	X
Nantucket Hotel/Breeze Café	77 Easton St	X
Nantucket Inn	1 Miller's Wy	X
Nantucket Tap Room	29 Broad St	
Nantucket Yacht Club	1 South Beach St	X
Nautilus	12 Cambridge St	
Oran Mor Bistro	2 South Beach St	
Petrichor Wine Bar	130 Pleasant St.	
Pizzeria Gemelle	2 East Chestnut St	
Proprietors	9 India St	
Queequeg's - Town	6 Oak St	
Rose and Crown	23 S Water St	X
Saltbox	16 Macy's Ln	X
Sankaty Head Beach Club	18 Hoicks Hollow Rd	
Sankaty Head Golf Club	100 Sankaty Ave.	
Siasconset Casino	10 New St	X
Slip 14	14 Old South Wharf	
Straight Wharf Restaurant	6 Harbor Square	
Summer House	17 Ocean Ave/1 Magnolia	X
Summer House Beachside Bistro	16 Ocean Ave	X
Tavern	28 Harbor Square	
The Beet	9 South Water St	
Theatre Workshop	62 Centre Street	X
Ventuno Restaurant	21 Federal St	
VFW Post 8608	22 Bunker Rd	X
Wauwinet	120 Wauwinet Rd	X
Westmoor Club	10 Westmoor Lane	X
White Elephant Residences	19 S. Beach Street	X
White Elephant/Brant Pt Grill	50 Easton St	X
White Heron Theatre	5 North Water St	X

2023 MOTOR VEHICLE RENTAL AGENCY RENEWALS			
DBA	# MEDALLIONS ASSIGNED	# MEDAILLIONS USED	LOCATION
Affordable Rentals of Whitman, Inc.	70	66	6 S. Beach St
Nantucket Car Rental	2	2	4 Broad St
Nantucket Island Rent-A-Car	93	93	NM Airport
Nantucket Windmill Auto	187	186	NM Airport
Young's Bike Shop	30	30	6 Broad St
Hertz Rent-A-Car	310	176	NM Airport
NOTES: *A hearing to determine status of unused medaillions will be requested for January.			
TOTAL # of MEDALLIONS:	ASSIGNED: 692	USED: 553	

2023 MV SALES RENEWALS- CLASS I, II,III

DBA	<u>CLASS I</u> Sale of New Vehicles	<u>CLASS II</u> Sale of Used Vehicles	<u>CLASS III</u> Sale of Used Vehicle Parts	LOCATION
Don Allen Auto Services, Inc.	X			24 Polpis Rd
Nantucket Windmill Auto		X		21 Airport Rd
Nantucket Auto Body		X		36 Sparks Ave
Holdgate's Auto Storage		X	X	80-84 Hummock Pond Rd
Ted's Garage		X	X	4 Pine Grove Lane
Raymor			X	20-21 South Shore Rd
P&M Reis Trucking, Inc.			X	10 Industry Road

2023 MOBILE FOOD VENDOR LICENSE RENEWALS

DBA	REGISTERED OWNER
Big Hug Dumplings	Mirabai Perfas
Enjoy Kitchen	Patrick Ridge
Millie's (#1)	Christopher Cochran
Millie's (#2)	Christopher Cochran
Nantucket Beach Dogs	Roger Decker
Nantucket Lobster Trap	Larry Wheldon
167 Raw	Jessie Sandole
Sushi Sean	Sean Durnin
Yezzi's on Nantucket	TJ Fossa
Eat Fire Farm	Dylan Wallace
Lemon Press	Rachel Afshari
The Green Taco Truck	Jenny Bence
Snick Snack	Krista Lewis
Hang Loose Frozen Treats *Roaming License with approved route.	Chris Getoor
The Surf	Abigail Shaw
Nantaco	Cynthia Millazzo

2023 FLOWER/PRODUCE/SHELLFISH STREET VENDOR RENEWALS		
DBA	TYPE	LOCATION
Bartlett's Ocean View Farm	Produce	North side of Main St Tonkins
Bartlett's Ocean View Farm	Produce	West of NRTA Bus Stop/Sconset
Nantucket Wildflower Farm	Flower	South side of Main St Met on Main
Patricia Dew	Flower	Orange St. adjacent to 56 Main Street
Willow Hill Farm	Flower	South side of Main St Vis-à-Vis



Agenda Item Summary

Agenda Item #	VIII. 5.
Date	12/21/2022

Staff

Amy Baxter, Licensing Administrator

Subject

2023 Annual Liquor License Renewals

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. Without exception, all ANNUAL alcoholic beverages licensees are required to renew their alcoholic beverages license by November 30th 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 November 30th.

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.

****Please note:** Seasonal Liquor Licenses (April 1 – January 15) are renewed in the month of March and are NOT included in this process. There are 48 Seasonal Liquor Licenses.

Staff Recommendation

*Motion to approve renewal of attached list of 51 annual liquor licenses.

*Motion to approve non-renewal of two licenses: Keeper's and Sophie T's. Both establishments submitted surrender letters in 2022 and require a vote of non-renewal.

All establishments are required to meet the specific conditions of their license and pay all associated fees before the final 2023 license to operate is issued.

Background/Discussion

CONSIDERATIONS:

1. 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 2023 License.
2. **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.

3. **COVID-19 Related items:**

- **Takeaway/Delivery of Alcohol:** Takeaway/delivery of alcohol: establishments licensed for on-premises consumption of alcohol may continue takeaway and delivery sales of alcohol until April 1, 2023. All alcohol sold for takeaway/delivery must be sold with food and at the same price as alcohol for on-premises consumption.
- **Sidewalk Dining:** In 2022, the Select Board voted to issue a limited number of sidewalk dining permits in the downtown core area. Those permits expire December 31, 2022. The State extension allowing local municipalities to approve sidewalk dining expires April 1, 2023. Therefore, the Town must determine whether it will approve a more permanent license for sidewalk dining so that licensees may file for an official Alteration of Premises that will require State/ABCC approval. Licensing will request a review by the Select Board for the January 18 meeting.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

ABCC Certification Form (Requires Signature of Select Board) ;Liquor License Renewal List



RETAIL LIQUOR LICENSE RENEWAL APPLICATION GUIDELINES

Without exception, all annual alcoholic beverages **licensees** are required to renew their alcoholic beverages license by **November 30th** 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 between November 1st and November 30th. 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. An LLA Certification Form / Form 43 verifying these changes have been ABCC approved must be attached to the license renewal application in order to change the official ABCC license file. Please **mail** those corrections along with the renewal packet to the ABCC.

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

Please mail the completed below form, all completed renewal certificate forms, and any corrective forms to the ABCC no later than January 16th, 2022 with no staples included.

ABCC
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

Any renewal application not signed and filed by November 30th will be treated as a **New License.**

If renewal application becomes a new license for failure to meet the November 30th 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 EXT. 719 or SABRINA LUC AT EXT. 721

Ralph Sacramone, Executive Director

RENEWAL CERTIFICATION 2023

CITY/TOWN: NANTUCKET

A. LICENSEES WHO FAILED TO RENEW FOR 2023:

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

03163-RS-0762

Fog Works, LLC; 5 Amelia Drive, Nantucket, MA 02554

00150-RS-0762

Robert H. Knoll

B. LICENSEES DISAPPROVED BY THE CITY/TOWN FOR 2023:

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

We hereby certify that the premises described in the 2023 renewal applications for the above mentioned municipality are now occupied, used or controlled by the licensee and will be on January 1, 2023. The 2021 Renewal Applications have been approved by the Local Licensing Authorities and forwarded to the ABCC.

The Local Licensing Authorities

A. LICENSEES WHO FAILED TO RENEW FOR 2023:

[illegible]

B. LICENSEES DISAPPROVED BY THE CITY/TOWN FOR 2023:

[illegible]

Annual Liquor License Renewals

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>45 Surfside</u>	Forty-Five Surfside Road, LLC	Restaurant	Wine and Malt Beverages	MID-ISLAND-PERIMETER	45 Surfside Road	Common Victualler Liquor NL-ENT	Rebecca Moesinger
<u>American Legion Post 82</u>	Byron L. Sylvaro/Post 82 American Legion, Inc.	Veterans Club	All Alcohol	TOWN-PERIMETER	21 Washington Street	Common Victualler LIVE-ENT Liquor	Callie Pearce
<u>Anglers Club</u>	Nantucket Anglers Club, Inc.	Veterans Club	All Alcohol	TOWN-CORE	1 New Whale Street	Common Victualler LIVE-ENT Liquor	Bonnie Lema
<u>Bartlett's Ocean View Farm</u>	Bartlett's Ocean View Farm, Inc.	Package Store	Wine and Malt Beverages	CISCO	33 Bartlett Farm Road	Common Victualler Liquor	John Bartlett
<u>Born and Bread</u>	K&K Anderson, LLC	Package Store	Wine and Malt Beverages	TOWN-CORE	35 Center Street	Common Victualler Liquor	Kimberlee Anderson
<u>Charlie Noble</u>	C. Noble LLC	Restaurant	All Alcohol	TOWN-CORE	15 South Water Street	Common Victualler LIVE-ENT Liquor	Denise Corson
<u>Cisco Brewers</u>	Cisco Brewers, Inc.	Farmer - Brewer	Wine and Malt Beverages	CISCO	5 Bartlett Farm Road	LIVE-ENT Liquor	Randolph Hudson
<u>Crosswinds</u>	Nantucket Regal Group, LLC	Restaurant	All Alcohol	MID-ISLAND-PERIMETER	14 Airport Road	Common Victualler LIVE-ENT Liquor	Christopher Skehel
<u>Dune</u>	Twenty Broad Street, LLC	Restaurant	All Alcohol	TOWN-CORE	20 Broad Street	Common Victualler Liquor	Michael Getter

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>Faraway Hotel</u>	LH Manager Northeast, LLC	Innholder	All Alcohol	TOWN-CORE	11 India Street	Common Victualler Innholder Liquor NL-ENT	MarcAnthony Crimi
<u>Faregrounds</u>	Nantucket Restaurant Management, Corp.	Restaurant	All Alcohol	MID-ISLAND-PERIMETER	27 Fairgrounds Road	Common Victualler LIVE-ENT Liquor	Kimberly Puder
<u>Fusaros</u>	85 Ellis Island, LLC	Restaurant	All Alcohol	MID-ISLAND-PERIMETER	17 Old South Road	Common Victualler Liquor	Thomas Fusaro
<u>Gaslight</u>	Coal Alley LLC	Restaurant	All Alcohol	TOWN-CORE	2 N. Union Street	Common Victualler LIVE-ENT Liquor Nightclub	Clinton Terry
<u>Great Harbor Yacht Club</u>	Great Harbor Yacht Club, Inc.	Club	All Alcohol	TOWN-PERIMETER	96 Washington Street	Common Victualler LIVE-ENT Liquor	Stephen Creese
<u>Greydon House/Via Mare</u>	Ca'Mercante LLC	Restaurant	All Alcohol	TOWN-CORE	17 Broad Street	Common Victualler Innholder Liquor NL-ENT	Taylor Oliver
<u>Hatch's Package Store</u>	Hatch's Package, LLC	Package Store	All Alcohol	TOWN-PERIMETER	133 Orange Street	Liquor	Volney Sinclair (temp. Mgr)
<u>Hotel Pippa</u>	ACKKL, LLC	Innholder	All Alcohol	TOWN-CORE	5 Chestnut Street, 33 Centre Street	Common Victualler Innholder Liquor NL-ENT	Asta King

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>Island Kitchen</u>	Ridge, LLC	Restaurant	All Alcohol	MID-ISLAND-CORE	1 Chin's Way	Caterer's Liquor Common Victualer LIVE-ENT Liquor MFU	Patrick Ridge
<u>Kitty Murtaghs</u>	Four West Creek, LLC	Restaurant	All Alcohol	MID-ISLAND-CORE	4 West Creek Road	Common Victualer LIVE-ENT Liquor	Caroline Montgomery
<u>Lola 41</u>	Lola 41 Restaurant Nantucket, LLC	Restaurant	All Alcohol	TOWN-PERIMETER	15 South Beach Street	Common Victualer LIVE-ENT Liquor	Joseph Burgess
<u>Maddequet Admiralty</u>	Maddequet Admiralty Assoc.	Veterans Club	All Alcohol	MADAKET	15 Tennessee Avenue	LIVE-ENT Liquor	H. Woodruff Lindley
<u>Miacomet Golf</u>	Nantucket Golf Management, Inc.	Club	All Alcohol	CISCO	12 W Miacomet Road	Common Victualer LIVE-ENT Liquor	Ingrida Rascius
<u>Murray's Beverage Store</u>	Murray's Beverage Store, Inc.	Package Store	All Alcohol	TOWN-CORE	23 Main Street	Liquor	Bruce Murray
<u>Nantucket Culinary Center</u>	Nantucket Culinary Center, LLC	General On Premises	All Alcohol	TOWN-CORE	22 Federal Street	Common Victualer LIVE-ENT Liquor	Gregory Margolis

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>Nantucket Dreamland</u>	The Nantucket Dreamland Foundation	Restaurant	All Alcohol	TOWN-CORE	17 South Water Street	LIVE-ENT Liquor	Alicia L. Carney
<u>Nantucket Golf Club</u>	Nantucket Golf Club, Inc.	Club	All Alcohol	SCONSET	250 Milestone Road	Common Victualler LIVE-ENT Liquor	Thomas Bressette
<u>Nantucket Hotel, Breeze Bar</u>	The Restaurant at Easton Street, LLC	Innholder	All Alcohol	TOWN-PERIMETER	77 Easton Street	Common Victualler Innholder LIVE-ENT Liquor	Carlos Castrello (temp)
<u>Nantucket Meat and Fish Market</u>	Nantucket Meat and Fish Market, Inc.	Package Store	Wine and Malt Beverages	MID-ISLAND-PERIMETER	Old South Road	Common Victualler Liquor	Sean Ready

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
Nantucket Tap Room	Nantucket Prime, LLC	Restaurant	All Alcohol	TOWN-CORE	29 Broad Street	Common Victualler LIVE-ENT Liquor	Matthew Sullivan
Nantucket Trading Post	D and R Co., Inc.	Package Store	Wine and Malt Beverages	MID-ISLAND-PERIMETER	12 Nobadeer Farm Road	Liquor Take-Out Only	Dora Yesenia Lemus
Nantucket Vineyard	Nantucket Vineyard	Farmer - Winery	Wine and Malt Beverages	CISCO	5 Bartlett Farm Road	Liquor	Dean Long
Nantucket Wine and Spirits	Alm Spirits, Inc.	Package Store	All Alcohol	MID-ISLAND-CORE	31 Sparks Avenue	Liquor	Alanna Lucas
Nautilus	Wooden Leg, LLC	Restaurant	All Alcohol	TOWN-CORE	12 Cambridge Street	Common Victualler Liquor NL-ENT	Stephen Bowler
Old South Liquors	J and B Nantucket, Inc.	Package Store	All Alcohol	MID-ISLAND-PERIMETER	2 Lovers Lane	Liquor	Michele Bayard
Or The Whale	38 Main, LLC	Restaurant	All Alcohol	TOWN-CORE	38 Main Street	Common Victualler Liquor NL-ENT	Emily A. Berger
Petrichor Wine Bar	Special Grapes, LLC	Restaurant	All Alcohol	MID-ISLAND-CORE	140 Pleasant Street	Common Victualler LIVE-ENT Liquor	Jill Holen Viselli
Pi Pizza	Blazeworks, LLC	Restaurant	All Alcohol	MID-ISLAND-CORE	11 West Creek	Common Victualler Liquor	Maria Costanzo Marley
Pip and Anchor	Pip and Anchor, LLC	Package Store	Wine and Malt Beverages	MID-ISLAND-PERIMETER	14 Amelia Drive	Liquor	Christopher Sleeper

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>Pizzeria Gemelle</u>	Pizza Gemelle, LLC	Restaurant	Wine Malt and Cordials	TOWN-CORE	2 East Chestnut Street	Common Victualler Liquor NL-ENT	Andrea Solimeo
<u>Saltbox</u>	Cocktail Court LLC	Restaurant	All Alcohol	MID-ISLAND-PERIMETER	16 Macy's Lane	Common Victualler LIVE-ENT Liquor	Norman Tristam Gauvin
<u>Sea Grille</u>	Tanker Corp	Restaurant	All Alcohol	MID-ISLAND-CORE	45 Sparks Avenue	Common Victualler Liquor	Zachary Wells Lindsay
<u>The Beet</u>	Keeping the Beet, LLC	Restaurant	All Alcohol	TOWN-CORE	9 South Water Street	Common Victualler Liquor NL-ENT Sidewalk Dining	Felino Samson
<u>The Brotherhood of Thieves</u>	Servedwell Brotherhood, LLC	Restaurant	All Alcohol	TOWN-CORE	23 Broad Street	Common Victualler LIVE-ENT Liquor	James T. Strombino
<u>The Chicken Box</u>	Boxontherock, LLC	General On Premises	All Alcohol	MID-ISLAND-CORE	12, 14, 16 Daves Street	LIVE-ENT Liquor Nightclub	John Jordan
<u>The Islander</u>	Portside Islander, Inc.	Package Store	All Alcohol	MID-ISLAND-CORE	15 Old South Road	Liquor	Zeina B. Metri

Aa DBA	COMPANY NAME	TYPE	Category	LOCATION CODE	PREMISES ADDRESS	Licenses	MANAGER
<u>The Muse</u>	Mingo Corporation	Restaurant	All Alcohol	MID-ISLAND-PERIMETER	44 Surfside Road	Common Victualler LIVE-ENT Liquor Nightclub	Michael B. O'Reilly
<u>Town/Queequegs</u>	Queequeg, LLC	Restaurant	All Alcohol	TOWN-CORE	6 Oak Street	Common Victualler Liquor NL-ENT	Caroline Montgomery
<u>Triple Eight Distillery</u>	Triple Eight Distillery, LLC	Farmer - Distiller	All Alcohol	CISCO	5 Bartlett Farm Road	Liquor	Dean Long
<u>VFW Post 8608</u>	Sidney and Robert Henderson PO 8608 VFW US, Inc.	Veterans Club	All Alcohol	MID-ISLAND-PERIMETER	22 Bunker Road	Liquor	Dora Lee Nolan
<u>Whaling Museum</u>	Nantucket Historical Association	General On Premises	All Alcohol	TOWN-CORE		LIVE-ENT Liquor	Joanna Richard
<u>White Heron Theatre Co.</u>	White Heron Theatre Company	General On Premises	All Alcohol	TOWN-CORE		LIVE-ENT Liquor	Michael O'Brien Kopko



Agenda Item Summary

Agenda Item #	IX. 1. a & b
Date	12/21/2022

Staff

Ken Beaugrand, Real Estate Specialist

Subject

This is the first step in a two-part plan to provide access to the Land Bank property at 19 East Creek Road for the public to access to the public deck and viewing area on the harbor. The Town is being asked to grant two licenses to the Land Bank: (1) in the roadway layout of East Creek Road for construction of an ADA-compliant boardwalk and to make roadway improvements and grading to help accommodate an accessible parking space; and (2) on a portion of the Town-owned property at 9 East Creek Road which is the site of Our Island Home to be used for the construction of a parking space to provide access to 19 East Creek Road public deck and viewing area, to remove invasive species and improve coastal resiliency and construct, maintain and repair an ADA-compliant connector path from Our Island Home site to the boardwalk and public deck and viewing area.

Executive Summary

The Town is being asked to grant a license for the "License Area" containing 2,908 square feet as shown on a drawing entitled "License Agreement Exhibit Plan East Creek Road which is to be situated in the layout of East Creek Road, and a license for the "Easement Area" and a Temporary Construction Impact Area as shown on plan (attached) which is to be located on a portion of the Town property at 9 East Creek Road which is the site of Our Island Home. The second part of the plan is to grant a perpetual easement after Town meeting approval for access in the Easement Area across the Our Island Home site for the same purposes as the License.

Staff Recommendation

Recommend that the Select Board approve the requests and execute the licenses.

Background/Discussion

Town Counsel has reviewed the Licenses and plans and approves of them as to form for execution by the Select Board.

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

These Licenses will enable the Land Bank to provide public access to the public deck and viewing areas off East Creek Road and to construct an ADA compliant boardwalk and connector path from Our Island Home at the Land Bank's cost and expense.



Board/Commission Recommendation

N/A

Public Outreach

N/A

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

Strategic Plan: Quality of Life

Attachments

Licenses (2), Plans (2)



LICENSE AGREEMENT – EAST CREEK ROAD

This License Agreement (this “License”) is entered into on this ____ day of _____, 2022, by and between the **Town of Nantucket** (the “Town”), a Massachusetts municipal corporation acting by and through its Select Board, having an address of Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554 and the **Nantucket Islands Land Bank**, established pursuant to Chapter 669 of the Acts of 1983, as amended (the Land Bank Act”), acting by and through the Nantucket Islands Land Bank Commission, having an address of 22 Broad Street, Nantucket, Massachusetts 02554 (“Licensee”).

WHEREAS, the Town is the owner of the public way laid out as East Creek Road, Nantucket (the “Property”);

WHEREAS, the Licensee is planning to construct a boardwalk compliant with the American Disabilities Act (“ADA”) and make roadway improvements to East Creek Road by resurfacing the roadway with a permeable surface and making minor grading improvements, and wishes to use a portion of the Town roadway layout shown as “Proposed License Area” containing a total of approximately 2,908 square feet on a drawing entitled “License Agreement Exhibit Plan East Creek Road”, a copy of which is attached hereto as Exhibit A, for the construction, maintenance and repair of the boardwalk to provide access to 19 East Creek Road public dock and viewing deck for use by the public and make roadway improvements to East Creek Road by resurfacing the roadway with a permeable road surface and minor grading to help accommodate an accessible parking space on the Town-owned adjacent property, all at its cost and expense, and has requested the Town’s permission to use the License Area for these purposes;

WHEREAS, the Town is willing to grant permission to Licensee to use the License Area for the above-described purposes subject to the following terms and conditions; and

NOW THEREFORE, in consideration of the mutual promises and covenants herein made, the parties hereto agree as follows:

1. USE, PURPOSE. The Town hereby grants Licensee and its employees, contractors, subcontractors and agents (the “Licensee Parties”) the right to enter upon the portions of the Town Property shown as “License Area” (the “License Area”) for the sole purposes of (1) the installation, construction, maintenance, repair and use of a boardwalk for the public use to provide access 19 East Creek Road and the public dock and viewing deck, and (2) the re-surfacing of portions of the roadway known as East Creek Road with a permeable surface and perform minor grading improvements to help accommodate an accessible parking space on the adjacent Town-owned property, at its sole cost and expense (the “Permitted Uses”).

Licensee shall comply with, and shall cause all work performed under this License to comply with all federal, state and local laws, regulations, ordinances and by-laws, and the Licensee agrees that is shall be solely responsible for obtaining any and all permits and/or approvals necessary to carry out the activities permitted hereunder at its sole cost and expense.

Licensee accepts the Licensed Premises in their “AS IS” condition, with no liability on the part of the Town for any condition or defect or title in the License Area, whether or not known to the Town

or any representative of the Town. The terms of this paragraph shall survive the termination of this License and Licensee acknowledges that the Town shall have no obligation to perform any work to make the License Area suitable for the Licensee's use, and that Licensee shall use the License Area at its sole risk.

2. TERM. The rights granted to the Town and the Licensee, respectively, hereunder, may be exercised from the date of the execution of this License and shall continue until it is terminated pursuant to the provisions of Paragraph 7 below (the "Term").

3. TOWN APPROVAL. Licensee shall not construct, install or place any temporary or permanent structures or objects or undertake any grading within the License Area without the Town's prior written consent, which shall not be unreasonably withheld. Licensee shall provide the Town with plans and specifications showing any proposed alterations to be made to the License Area, including any grading plans at least thirty (30) days prior to undertaking any work within the License Area, and obtain the Town's prior written consent to the same.

4. MAINTENANCE. Licensee shall maintain the License Area and its improvements at its sole cost and expense in good, safe and clean order and condition, reasonable wear and tear excepted. If Licensee or Licensee Parties damage the License Area or any portion thereof, and/or any improvements thereon, Licensee shall promptly repair and restore the License Area and/or any property at Licensee's sole cost and expense.

5. INDEMNIFICATION. Licensee shall indemnify, defend, and hold the Town and any of its agents, employees, representatives, successors or assigns (the "Town Parties") harmless from and against any and all claims, demands, losses, costs, damages, causes of action or liabilities whatsoever, including but not limited to mechanic's liens and reasonable attorneys' fees and expenses, demands, judgments of any nature whatsoever, which may be imposed upon, incurred by or asserted against the Town or its Town Parties by reason of (a) any failure on the part of the Licensee and its Licensee Parties to comply with any provision or term required to be performed or complied with by Licensee and by Licensee Parties under this License; (b) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of any person whomsoever, other than the Town relating in any way, to the Licensee's exercise of its rights under this License; (c) the discharge, release or threatened release and the use, storage or disposition at or from the License Area of oil or hazardous material as defined under federal, state or local law which is caused by Licensee and Licensee Parties under this License; and (d) failure on the part of the Licensee or any of the Licensee Parties to comply with applicable laws, rules, regulations and/or by-laws. Notwithstanding the foregoing, Licensee shall not be required to indemnify the Town to the extent that the foregoing liabilities are caused directly by the gross negligence or willful misconduct of the town or its Town Parties. Licensee's obligations hereunder shall survive the expiration or termination of this Agreement.

6. LIENS AND ENCUMBRANCES. Licensee shall not permit any mechanic's liens or similar liens to remain upon the Town Property for labor and materials furnished to Licensee in connection with any work performed at the direction of the Licensee or any of Licensee Parties and shall cause any such lien to be released of record without cost to the town within thirty (30) days of the filing of the lien. The Town shall not be liable for the payment of any expenses incurred or for the value of any work done or material furnished to the License Area or any part thereof.

7. TERMINATION. This License may be terminated by either party upon written notice of revocation at least ninety (90) days prior to the termination date stated within said notice. If the License is revoked or terminated pursuant to this Section, then the improvements Licensee has constructed or made to the Easement Area shall remain the Town's property and shall thereafter be maintained and replaced by the Town. At the expiration of the Term of this License or its prior termination, Licensee shall forthwith remove all its equipment, markings, materials, and any other personal property from the Licensed Premises at its sole expense. The grading of the Easement Area shall remain in the condition it was placed by Licensee pursuant to the terms of this License.

8. NOTICE. Any notice required or permitted to be given under this License shall be in writing and signed by the party or the party's attorney or agent and shall be deemed to have been given: (a) when delivered by hand, or (b) when sent by Federal Express or other similar overnight courier service, or (c) when mailed by certified mail, return receipt requested, to the party at the address set forth above. These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

9. INSURANCE. The Licensee shall maintain during the term of this License public liability insurance, including coverage for bodily injury, wrongful death and property damage, in the minimum amount set forth herein to support the obligations of the Licensee under the terms and conditions of this License to indemnify, defend and hold harmless the Town pursuant to insurance coverage on the License Area held by the Licensee; General Liability \$1,000,000.00 per occurrence; Bodily Injury Liability \$2,000,000.00 per occurrence and Property Damage Liability or a combined single limit of \$2,000,000.00 annual aggregate limit. Prior to entering upon the License Area, and thereafter on or before January 1 of each year of the term of this License, Licensee shall provide the Town with a certificate of insurance in each case naming the Town as an additional insured on the policy and showing compliance with the foregoing provisions. Licensee shall require the insurer to give at least thirty (30) days written notice of termination, reduction or cancellation of the policy to the Town. Licensee or Licensee's contractors shall maintain workmen's compensation insurance during any site work, maintenance or repair on the License Area as required by law. Licensee agrees that while any contractor is performing work on behalf of the Licensee at the License Area the contractor shall carry liability insurance and automobile liability insurance in amounts of General Liability and Automobile Liability insurance in amounts of \$1,000,000.00 combined single limit and shall name the Town as an additional insured party. Prior to any construction or site work in the License Area performed by the Licensee or any contractor on behalf of the Licensee, Licensee shall provide the Town with a copy of the contractor's insurance certificate indicating liability insurance coverage as herein specified.

10. MISCELLANEOUS.

(a) This License contains the entire agreement of the parties and there are no other agreements or understandings between the parties regarding the subject matter of this License.

(b) Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

(c) This License shall not be construed as creating or vesting in Licensee any estate in the License Area, but only the limited right of use as hereinabove stated.

(d) Licensee is not authorized to bind or involve the Town in any contract or to incur any liability for or on the part of the Town.

(e) If any portion of this License is declared to be illegal, unenforceable or void, then all parties to this License shall be relieved of all obligations under that portion; provided, however, that the remainder of this License shall be enforced to the fullest extent permitted by law.

(f) The captions in this License are inserted for convenience of reference only and in no way define, describe or limit the scope or intent of this License or any of the provisions thereof.

(g) All appropriate terms and provisions relating to indemnification and the restoration of the property affected hereby shall survive the expiration or termination of this License.

(h) This License shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, and any and all legal actions brought in connection with this License shall be brought in courts within the Commonwealth of Massachusetts.

(i) This License is to take effect as a sealed instrument.

[Remainder of Page Intentionally Blank; Signature Page Follows]

The parties hereto have caused this License Agreement to be executed on this _____ day of _____, 2022.

TOWN OF NANTUCKET
By its Select Board

LICENSEE: NANTUCKET ISLANDS
LAND BANK
By its Commissioners

Jason Bridges

Neil Paterson

Dawn E. Hill Holdgate

Allen B. Reinhard

Matthew G. Fee

Kristina Jelleme

Brooke Mohr

John J. Stackpole

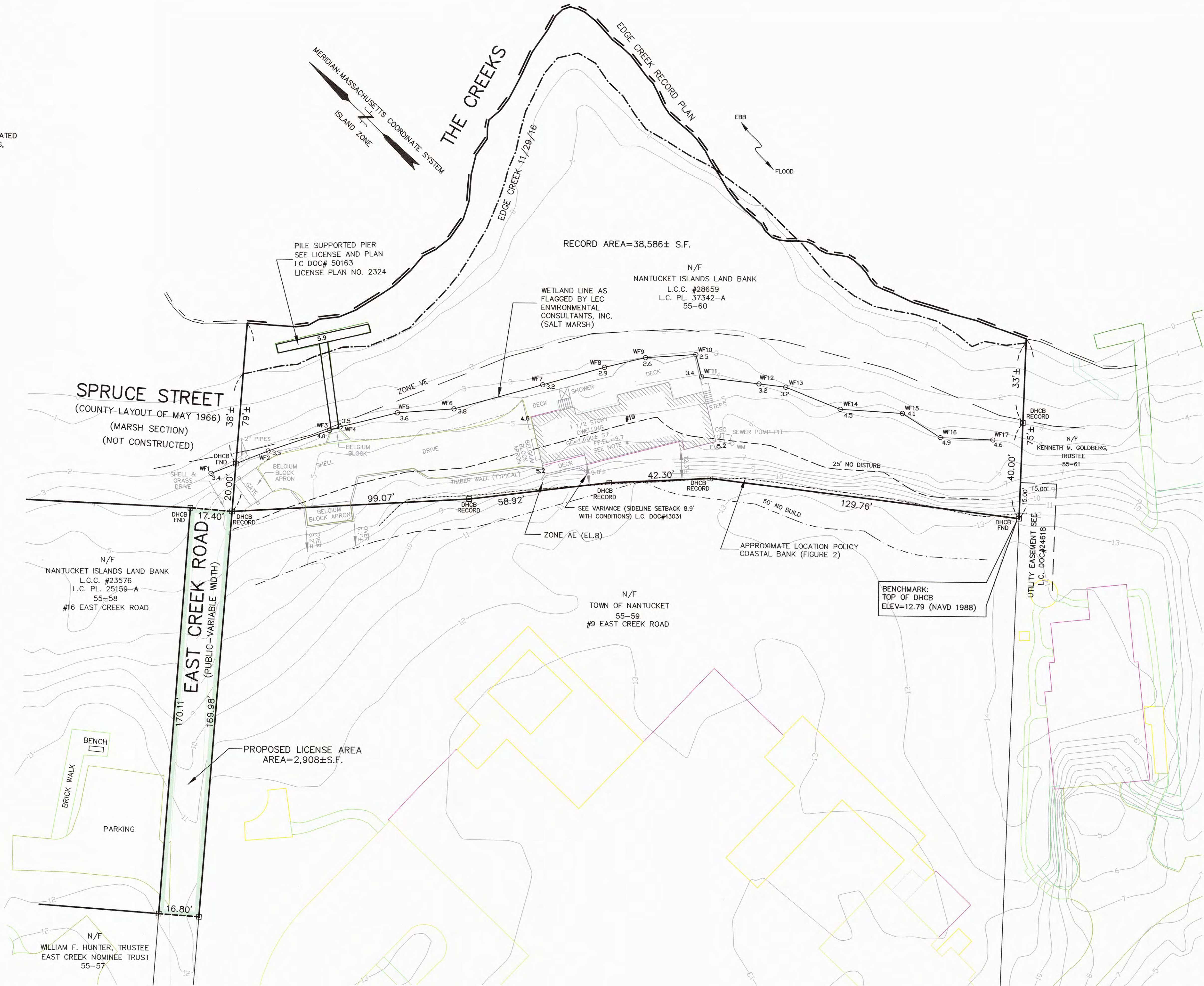
Malcolm W. MacNab

Mark Donato

Exhibit A

Plan

- NOTES :
1. SEE COMMONWEALTH OF MASSACHUSETTS WETLAND RESTRICTIONS LC DOC.#25766 WETLAND#260R
 2. COASTAL RESOURCE AREAS
 - a. LAND SUBJECT TO COASTAL STORM FLOWAGE
 - b. COASTAL BANK
 - c. SALT MARSH
 - d. NHESP PRIORITY HABITAT OF RARE SPECIES
 - e. FLOOD HAZARD ZONES VE, 9 & AE 8 (1988 DATUM)
 3. DEP ZONE II (WELLHEAD PROTECTION DISTRICT)
 4. FIRST FLOOR EL. 9.7±(1988 DATUM)
ZONE VE EL. 9, ZONE AE EL. 8 WITHIN AREA DESIGNATED MODERATE WAVE ACTION FIRM MAP NO. 25019C0089G, EFFECTIVE DATE JUNE 9, 2014.



FOR PROPERTY LINE DETERMINATION THIS PLOT PLAN
RELIES ON CURRENT DEEDS AND PLANS OF RECORD,
VERIFIED BY FIELD MEASUREMENTS AS SHOWN HEREON.
THIS PLAN IS NOT REPRESENTED TO BE A TITLE
EXAMINATION OR A RECORDABLE SURVEY.

N.B.: 405/154, 407/18 & 407/100

LICENSE AGREEMENT EXHIBIT PLAN
EAST CREEK ROAD
IN
NANTUCKET, MASSACHUSETTS
SCALE: 1"=20' DATE: DECEMBER 12, 2022
PREPARED FOR:
TOWN OF NANTUCKET
NANTUCKET SURVEYORS LLC
5 WINDY WAY
NANTUCKET, MA. 02554

N-11431

LICENSE AGREEMENT - OUR ISLAND HOME

This License Agreement (this “License”) is entered into on this ____ day of _____, 2022, by and between the **Town of Nantucket** (the “Town”), a Massachusetts municipal corporation acting by and through its Select Board, having an address of Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554 and the **Nantucket Islands Land Bank**, established pursuant to Chapter 669 of the Acts of 1983, as amended (the Land Bank Act”), acting by and through the Nantucket Islands Land Bank Commission, having an address of 22 Broad Street, Nantucket, Massachusetts 02554 (“Licensee”).

WHEREAS, the Town is the owner of a parcel of land with the buildings thereon located at 9 East Creek Road, Nantucket, which is the site of Our Island Home, by virtue of a Deed dated March 21, 1854, recorded with Nantucket County Registry of Deeds in Book 51, Page 266 (the “Property”);

WHEREAS, the Licensee is planning to construct a parking space compliant with the American Disabilities Act (“ADA”) on the Property to facilitate access to the public dock and viewing deck on 19 East Creek Road, to undertake coastal bank restoration and plantings and to construct an ADA-compliant connector path to the Our Island Home with associated grading, and wishes to use a portion of the Property shown as “Total Licensing Area” containing a total of approximately 8,700 square feet on a drawing entitled “Licensing Area at 9 East Creek Rd” a copy of which is attached hereto as Exhibit A, for the construction, maintenance and repair of the parking space to provide access to 19 East Creek Road public dock and viewing deck for use by the public, to remove invasive species and build resiliency by enhancing existing native trees and shrubs with additional native plantings and construct, maintain and repair an ADA-compliant connector path from the Our Island Home to the boardwalk and public dock and viewing deck on 19 East Creek Road, all at its cost and expense, and has requested the Town’s permission to use the Total Licensing Area and Temporary Construction Impact Areas for these purposes pursuant to this License Agreement, until the Nantucket Annual Town Meeting is held in May 2023, at which the Town Meeting will vote to authorize the Select Board to grant an easement to Licensee over the Total Licensing Area for the purposes described herein;

WHEREAS, the Town is willing to grant permission to the Licensee to use the Total Licensing Area and two Temporary Construction Impact Areas for the purposes described herein.

NOW THEREFORE, in consideration of the mutual promises and covenants herein made, the parties hereto agree as follows:

1. **USE, PURPOSE.** The Town hereby grants Licensee and its employees, contractors, subcontractors and agents (the “Licensee Parties”) the right to enter upon the portions of the Town Property shown as “Total Licensing Area” (the “Easement Area”) for the sole purposes of (1) the installation, construction, maintenance, repair and use of an ADA compliant parking space for the public use to provide access 19 East Creek Road and the public dock and viewing deck, (2) the removal of invasive species, (3) building resiliency by enhancing existing native trees and shrubs with additional native plantings, and (4) the construction, maintenance, and repair of an ADA-compliant connector path from Our Island Home to 19 East Creek Road and the public dock and viewing deck and the grading for the path, at its sole cost and expense (the “Permitted Uses”).

The Town also hereby grants Licensee and the Licensee Parties the right to enter upon the

portions of the Town Property shown on the Plan as two Temporary Construction Impact Areas (the "Temporary Areas") for the sole purposes of staging equipment and materials in connection with construction of improvements on the Easement Area. This is a temporary grant and shall expire upon completion of the improvements. Upon completion of the improvements, the Licensee shall restore the Temporary Areas to their original condition prior to the commencement of the work as reasonably practicable.

Licensee shall comply with, and shall cause all work performed under this License to comply with all federal, state and local laws, regulations, ordinances and by-laws, and the Licensee agrees that it shall be solely responsible for obtaining any and all permits and/or approvals necessary to carry out the activities permitted hereunder at its sole cost and expense.

Licensee accepts the Easement Area and the Temporary Areas in their "AS IS" condition, with no liability on the part of the Town for any condition or defect or title in the Easement Area or the Temporary Areas, whether or not known to the Town or any representative of the Town. The terms of this paragraph shall survive the termination of this License and Licensee acknowledges that the Town shall have no obligation to perform any work to make the Easement Area or Temporary Areas suitable for the Licensee's use, and that Licensee shall use the Easement Area and Temporary Areas at its sole risk.

2. TERM. The rights granted to the Town and the Licensee, respectively, hereunder, may be exercised from the date of the execution of this License and shall continue for a term of four (4) years, unless sooner revoked or terminated in accordance with this License (the "Term").

3. TOWN APPROVAL. Licensee shall not construct, install or place any temporary or permanent structures or objects or undertake any grading within the Easement Area or the Temporary Areas without the Town's prior written consent, which shall not be unreasonably withheld. Licensee shall provide the Town with plans and specifications showing any proposed alterations to be made to the Easement Area, including any grading plans, as well as proposed uses of the Temporary Areas, at least thirty (30) days prior to undertaking any work within the Easement Area or the Temporary Areas, and obtain the Town's prior written consent to the same.

4. MAINTENANCE. Licensee shall maintain the Easement Area and its improvements at its sole cost and expense in good, safe and clean order and condition, reasonable wear and tear excepted. If Licensee or Licensee Parties damage the Easement Area or any portion thereof, and/or any improvements thereon, Licensee shall promptly repair and restore the Easement Area and/or any property at Licensee's sole cost and expense.

5. INDEMNIFICATION. Licensee shall indemnify, defend, and hold the Town and any of its agents, employees, representatives, successors or assigns (the "Town Parties") harmless from and against any and all claims, demands, losses, costs, damages, causes of action or liabilities whatsoever, including but not limited to mechanic's liens and reasonable attorneys' fees and expenses, demands, judgments of any nature whatsoever, which may be imposed upon, incurred by or asserted against the Town or its Town Parties by reason of (a) any failure on the part of the Licensee and its Licensee Parties to comply with any provision or term required to be performed or complied with by Licensee and by Licensee Parties under this License; (b) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of any

person whomsoever, other than the Town relating in any way, to the Licensee's exercise of its rights under this License; (c) the discharge, release or threatened release and the use, storage or disposition at or from the Easement Area of oil or hazardous materials as defined under federal, state or local law which is caused by Licensee and Licensee Parties under this License; and (d) failure on the part of the Licensee or any of the Licensee Parties to comply with applicable laws, rules, regulations and/or by-laws. Notwithstanding the foregoing, Licensee shall not be required to indemnify the Town to the extent that the foregoing liabilities are caused directly by the gross negligence or willful misconduct of the Town or its Town Parties. Licensee's obligations hereunder shall survive the expiration or termination of this Agreement.

6. LIENS AND ENCUMBRANCES. Licensee shall not permit any mechanic's liens or similar liens to remain upon the Town Property for labor and materials furnished to Licensee in connection with any work performed at the direction of the Licensee or any of Licensee Parties and shall cause any such lien to be released of record without cost to the town within thirty (30) days of the filing of the lien. The Town shall not be liable for the payment of any expenses incurred or for the value of any work done or material furnished to the Easement Area or any part thereof.

7. TERMINATION. This License may be terminated by either party upon written notice of revocation at least ninety (90) days prior to the termination date stated within said notice. If the License is revoked or terminated pursuant to this Section, then the improvements Licensee has constructed or made to the Easement Area shall remain the Town's property and shall thereafter be maintained and replaced by the Town. At the expiration of the Term of this License or its prior termination, Licensee shall forthwith remove all its equipment, markings, materials, and any other personal property from the Licensed Premises at its sole expense. The grading of the Easement Area shall remain in the condition it was placed by Licensee pursuant to the terms of this License. This License shall automatically terminate upon a grant of easement by the Town to the Licensee pursuant to a Town Meeting vote authorizing the grant of the easement and its recording with the Nantucket County Registry of Deeds.

8. NOTICE. Any notice required or permitted to be given under this License shall be in writing and signed by the party or the party's attorney or agent and shall be deemed to have been given: (a) when delivered by hand, or (b) when sent by Federal Express or other similar overnight courier service, or (c) when mailed by certified mail, return receipt requested, to the party at the address set forth above. These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

9. INSURANCE. The Licensee shall maintain during the term of this License public liability insurance, including coverage for bodily injury, wrongful death and property damage, in the minimum amount set forth herein to support the obligations of the Licensee under the terms and conditions of this License to indemnify, defend and hold harmless the Town pursuant to insurance coverage on the Easement Area held by the Licensee; General Liability \$1,000,000.00 per occurrence; Bodily Injury Liability \$2,000,000.00 per occurrence and Property Damage Liability or a combined single limit of \$2,000,000.00 annual aggregate limit. Prior to entering upon the Easement Area, and thereafter on or before January 1 of each year of the term of this License, Licensee shall provide the Town with a certificate of insurance in each case naming the Town as an additional insured on the policy and showing compliance with the foregoing provisions. Licensee shall require the insurer to give at least thirty (30) days written notice of termination, reduction or cancellation of the policy to the

Town. Licensee or Licensee's contractors shall maintain workmen's compensation insurance during any site work, maintenance or repair on the Easement Area as required by law. Licensee agrees that while any contractor is performing work on behalf of the Licensee at the Easement Area the contractor shall carry liability insurance and automobile liability insurance in amounts of General Liability and Automobile Liability insurance in amounts of \$1,000,000.00 combined single limit and shall name the Town as an additional insured party. Prior to any construction or site work in the Easement Area performed by the Licensee or any contractor on behalf of the Licensee, Licensee shall provide the Town with a copy of the contractor's insurance certificate indicating liability insurance coverage as herein specified.

10. MISCELLANEOUS.

(a) This License contains the entire agreement of the parties and there are no other agreements or understandings between the parties regarding the subject matter of this License.

(b) Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

(c) This License shall not be construed as creating or vesting in Licensee any estate in the Easement Area, but only the limited right of use as hereinabove stated.

(d) Licensee is not authorized to bind or involve the Town in any contract or to incur any liability for or on the part of the Town.

(e) If any portion of this License is declared to be illegal, unenforceable or void, then all parties to this License shall be relieved of all obligations under that portion; provided, however, that the remainder of this License shall be enforced to the fullest extent permitted by law.

(f) The captions in this License are inserted for convenience of reference only and in no way define, describe or limit the scope or intent of this License or any of the provisions thereof.

(g) All appropriate terms and provisions relating to indemnification and the restoration of the property affected hereby shall survive the expiration or termination of this License.

(h) This License shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, and any and all legal actions brought in connection with this License shall be brought in courts within the Commonwealth of Massachusetts.

(i) This License is to take effect as a sealed instrument.

[Remainder of Page Intentionally Blank; Signature Page Follows]

The parties hereto have caused this License Agreement to be executed on this _____ day of _____, 2022.

TOWN OF NANTUCKET
By its Select Board

LICENSEE: NANTUCKET ISLANDS
LAND BANK
By its Commissioners

Jason Bridges

Neil Paterson

Dawn E. Hill Holdgate

Allen B. Reinhard

Matthew G. Fee

Kristina Jelleme

Brooke Mohr

John J. Stackpole

Malcolm W. MacNabb

Mark Donato

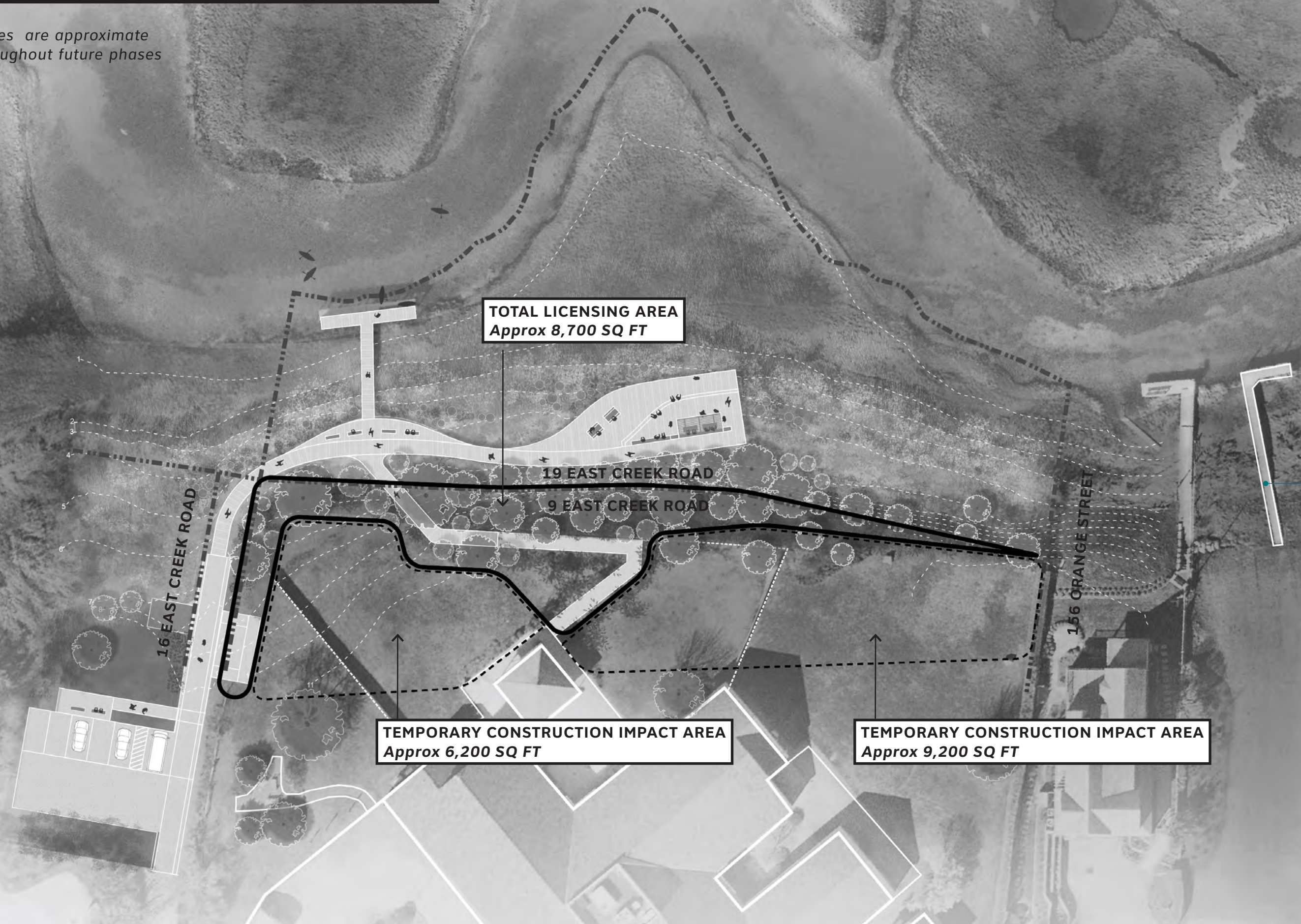
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Exhibit A

Plan

LICENSING AREA AT 9 EAST CREEK RD

Note: All square footages are approximate and will be refined throughout future phases of design.





Agenda Item Summary

Agenda Item #	IX. 2.
Date	12/21/2022

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Approval and execution by TOWN of the Supplementary Complaint for Approval of Plan, for the approval of the Subdivision Plan identified as Land Court Plan No. 17745-R, for the property located at 55 Nobadeer Avenue.

Executive Summary

The Land Court requires that the Town assent to a Supplementary Complaint filed by Fifty-Five Nobadeer Nominee Trust, the owner of 55 Nobadeer Avenue, representing the Town complied with all the requirements pursuant to G.L. c. 79, as amended, in its taking of the fee in portions of Hawthorne Street, Vernon Street and Nonantum Avenue pursuant to Orders of Taking by Eminent Domain, dated May 27, 2009 filed with Nantucket Registry District of the Land Court as Document Nos. 127338, 127339 and 127346. The Supplementary Complaint and the Assent request the Land Court recognize the Takings and approve of the Subdivision Plan shown as Land Court Plan No. 17745-R.

Staff Recommendation

Recommend the Board approve the Assent and authorize Town Counsel to execute on behalf of the Town.

Background/Discussion

Town Counsel has reviewed the Assent, the Orders of Taking, and the Subdivision Plan of 55 Nobadeer Avenue to be approved by the Land Court and opines that this documentation does not adversely affect the Town's interests. Town Counsel approves of the form of the Assent and recommends its execution.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

Allows for the normal subdivision process to proceed in the Land Court.

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A



Attachments

Assent, Subdivision Plan – Land Court Plan No. 17745-R and the Orders of Taking by Eminent Domain of Portions of Hawthorne Street, Vernon Street and Nonantum Avenue.



COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

Land Court Department
Supplementary Complaint
No. 22-SBQ-17745-1

Fifty-Five Nobadeer Avenue	)	
Nominee Trust,	)	ASSENT TO
	)	COMPLAINT TO RECOGNIZE
Plaintiff	)	TAKING AND APPROVE PLAN

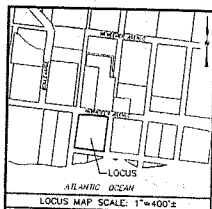
The Town of Nantucket hereby acknowledges receipt and sufficient notice of the Complaint to Recognize Taking and Approve Plan of Fifty-Five Nobadeer Avenue Nominee Trust, which Petition is dated December 12, 2022, and assents to the Petition, the Plan filed by the Plaintiff, and the lines of the takings of Hawthorne Street, Vernon Street formerly known as Irving Street, and Nonantum Avenue shown on said plan and hereby assents that an Order may issue for the relief requested therein, namely (1) recognizing the Orders of Taking by eminent domain by the Town of Nantucket dated May 27, 2009, filed with the Nantucket Registry District of the Land Court as Document Nos. 127338, 127339 and 127346 respectively, and (2) approving for registration the Subdivision Plan of Lot 17 and Lots 1 & 2 showing Lots 54 and 55 on Land Court Plan No. 17745-R, without further notice to it.

Executed and sealed on _____, 2022.

TOWN OF NANTUCKET
By its attorneys
hereunto duly authorized:

KP Law, P.C.
By:

Vicki S. Marsh, Attorney
(BBO # 307040)
101 Arch Street
Boston, MA 02110
(617) 556-0007



REFERENCES:
OWNER: ROBERT L. ANGLUND & JOAN WALSH ANGLUND, TRUSTEES OF FIFTY-FIVE NOBADEER AVENUE HOMINEE TRUST
DEED REFERENCE: LAND COURT CERT. #21728
PLAN REFERENCE: LAND COURT PLAN NO. 17745-A
LAND COURT PLAN NO. 36804-A
ASSESSORS REFERENCE: MAP: 88 PARCEL: 54

ZONING CLASSIFICATION
DISTRICT: R-20
MINIMUM LOT SIZE = 20,000 S.F.
MINIMUM FRONTAGE = 75'
FRONT YARD SETBACK = 30'
SIDE & REAR LINE SETBACK = 10'
ALLOWABLE GROUND COVER RATIO = 12.5%

LEGEND:

DHCB DRILL HOLE/CONCRETE BOUND
IP IRON PIPE
SDM STEEL SURVEY MARKER
FND FOUND
GC GROUND COVER
L.C. CERT. LAND COURT CERTIFICATE
L.C. LAND COURT
MEAS. MEASURED
N/F NOW OR FORMERLY
S.F. SQUARE FOOT
TDTF POINT FIELD
S01T POINT THEORY
OHW OVERHEAD WIRES
UP UTILITY POLE

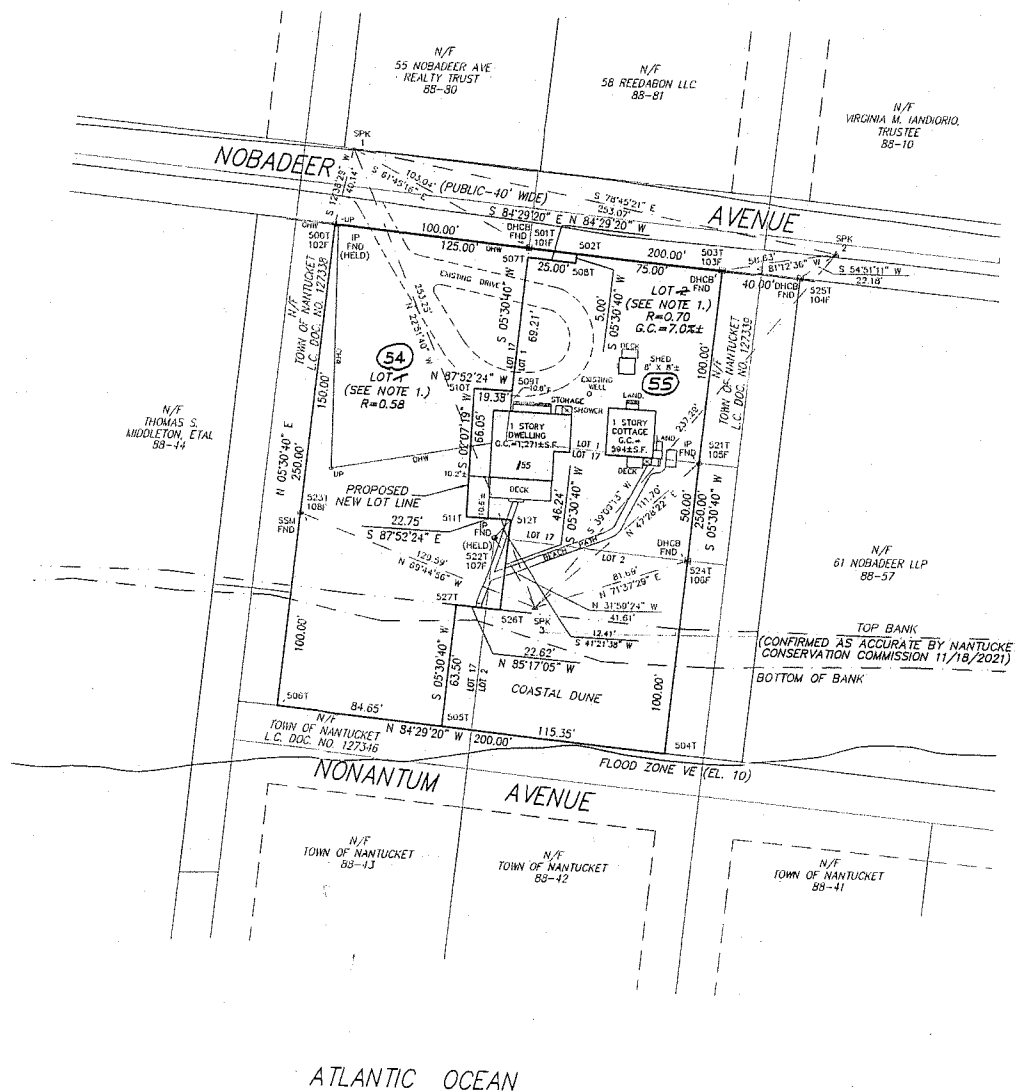
17745-R
LAND COURT
SEP 22 2022
FILED

Lots 54 and 55

PLAN OF LAND
BEING A SUBDIVISION OF LOT 17
AS SHOWN ON L.C. PLAN NO. 17745-A
AND LOTS 1 & 2
AS SHOWN ON L.C. PLAN NO. 36804-A
IN
#55 NOBADEER AVENUE
NANTUCKET, MASSACHUSETTS
SCALE: 1"=30' DATE: NOVEMBER 29, 2021
REVISED: JULY 22, 2022 LAND COURT PRE-FILE REVIEW

PREPARED FOR:
ROBERT L. ANGLUND & JOAN WALSH ANGLUND, TRUSTEES
NANTUCKET SURVEYORS, LLC
5 WINDY WAY
NANTUCKET, MA 02554
(508) 224-0240

GRAPHIC SCALE
1"=30'
0 30 60 90 120



NOTES:

- TOTAL AREA (LOTS 1 & 2) EQUALS 50,000± S.F.
LOT 1 AREA = 23,333± S.F. UPLAND AREA = 18,000± S.F.
LOT 2 AREA = 26,667± S.F. UPLAND AREA = 10,202± S.F.
- ALL MEASUREMENTS WERE MADE USING AN EDM, UNLESS OTHERWISE NOTED.
NANTUCKET SURVEYORS, LLC TEMPORARY COMPARISON
BASELINE MILESTONE ROAD (EDM=543.387, TAPE=543.37)
DATE OF MEASUREMENT MAY 21, 2019.
- BUILDING CORNERS WERE MEASURED TO THE CORNERBOARDS (UP 5'±).
- SURVEY INSTRUMENT: LEICA TPS 1200 TOTAL STATION
EDM ACCURACY: ±(1MM+5PPM)
TRAVERSE DATA:
PRECISION OF TRAVERSE: 1 IN 101,938
ERROR OF CLOSURE:
LINEAR: 0.800'
BEARING: S 64°08'53" W
- I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT A PORTION OF THE PREMISES SHOWN ON THIS PLAN IS LOCATED WITHIN ZONE "VE" (EL. 10) AS DELINEATED ON "FIRM" MAP NO. 2801G010302 EFFECTIVE DATE: JUNE 9, 2014 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THE PLANNING BOARD DETERMINES THAT:
LOT(S) 1 & 2 ARE SUBJECT IN PART TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT, BUT CONTAIN SUFFICIENT LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH THE APPLICABLE ZONING REQUIREMENTS. A NOTICE OF INTENT MAY BE REQUIRED TO BE FILED WITH THE NANTUCKET CONSERVATION COMMISSION WITH REGARD TO PROPOSED CONSTRUCTION ON SUCH LOT(S).

THE AREA CALCULATIONS FOR EACH LOT COMPLY WITH LOT AREA REQUIREMENTS AS PROVIDED IN NANTUCKET ZONING BYLAW CH. 139 SS. 2A AND 18A.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

NANTUCKET PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

DATE: 12-13-2021
DATE SIGNED: 12-13-2021
FILE NO.: PL SUB-2021-12-00224

I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON. I FURTHER CERTIFY THAT ANY ADDITIONAL MONUMENTS SHOWN HEREON HAVE BEEN SET IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN APRIL 3, 1995 AND JULY 8, 2022.



PROFESSIONAL LAND SURVEYOR
DATE: 7/23/22

N-11237



Cert: 21728 Doc: OOT
Registered: 06/03/2009 10:33 AM



Bk: 1188 Pg: 152 Page: 1 of 4
Doc: OOT 06/03/2009 10:58 AM

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

A TRUE COPY 12/12/2022 *CRJ*
ATTEST: *Jeanette Ferreira*
REGISTER OF DEEDS NANTUCKET COUNTY

**ORDER OF TAKING BY EMINENT DOMAIN OF A
PORTION OF HAWTHORNE STREET**

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business of Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapters 40 and 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 1 adopted at the Town's April 15, 2003 Special Town Meeting, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising a portion of Hawthorne Street as described below ("Parcels") is required for general municipal purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels and those who hold easement and other rights to the Parcels, and their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan containing four (4) sheets and entitled "Plan to Acquire Land for General Municipal Purposes in Surfside Area Prepared for the Town of Nantucket in Nantucket, MA" dated January 31, 2007, revised February 28, 2008, further described as "Dwg. No. 3," prepared by Nantucket Surveyors LLC ("Plan") and filed with the Nantucket County Registry of Deeds herewith as Plan No. 2009-25 and consisting of the following parcel described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 20B	51 Nobadeer Avenue	6,792 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 44	Thomas S. Middleton	Bk. 979, Pg. 159
	Estate of E. Willoughby Middleton, Jr. (and Bank of America, N.A. and Nancy S. Middleton, as their interests may appear as Trustees of the Credit Shelter Trust and Marital Trust created by the Will of E. Willoughby Middleton, Jr.)	Bk. 136, Pg. 631 (and Nantucket Probate Docket No. 04-P-0023-FE)

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 37B	55 Nobadeer Avenue	5,000 s.f.
<u>Assessor IDs</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 54	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust	Cert. No. 21728
<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcels 20B and 37B	Hawthorne Street	11,792 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	
Map 88 Lots 44 and 54	Surfside Land Company, Henry Coffin, Charles Coffin, Henry C. Everett and their heirs, successors and assigns, and owners unknown	

Any and all trees, vegetation, structures and improvements at the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Law Chapter 79, as amended.

If any party named hereinabove as an owner of the Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

[Signatures Follow On Next Page.]

Adopted under seal this 27th day of May, 2009.

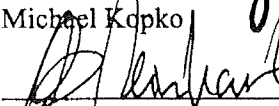
TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN



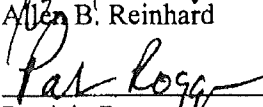
Brian J. Chadwick



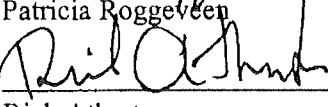
Michael Kopko



Allen B. Reinhard



Patricia Roggeveen

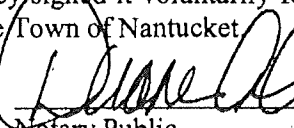


Rick Atherton

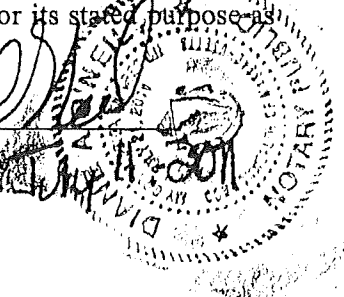
see Town meeting
vote at doc 127332

Commonwealth of Massachusetts
Nantucket County, ss

On this 27th day of May, 2009, before me, the undersigned notary public, personally appeared Brian J. Chadwick, Michael Kopko, Allen B. Reinhard, Patricia Roggeveen and Rick Atherton, as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which were ☐ photographic identification with signature issued by federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.



Notary Public
My commission expires May 11, 2011



Doc No: 00127338

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Jun 03, 2009 at 10:33A

Document Fee: 75.00 Rec Total: \$1,050.00

CERTIFICATE No: 21728

NANTUCKET COUNTY Received & Entered
Attest: Jennifer M. Ferrelira, Register of Deeds



Cert: 21728 Doc: OOT
Registered: 08/03/2009 10:33 AM



Bk: 1186 Pg: 156 Page: 1 of 4
Doc: OOT 08/03/2009 10:58 AM

A TRUE COPY 12/12/2022 *af*
ATTEST: *Joan Walsh Ferreira*

REGISTER OF DEEDS NANTUCKET COUNTY

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

**ORDER OF TAKING BY EMINENT DOMAIN OF A
PORTION OF IRVING STREET**

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business of Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapters 40 and 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 1 adopted at the Town's April 15, 2003 Special Town Meeting, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising a portion of Irving Street as described below ("Parcels") is required for general municipal purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels and those who hold easement and other rights to the Parcels, and their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan containing four (4) sheets and entitled "Plan to Acquire Land for General Municipal Purposes in Surfside Area Prepared for the Town of Nantucket in Nantucket, MA" dated January 31, 2007, revised February 28, 2008, further described as "Dwg. No. 3," prepared by Nantucket Surveyors LLC ("Plan") and filed with the Nantucket County Registry of Deeds herewith as Plan No. 2009-25 and consisting of the following parcel described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 38B	57 Nobadeer Avenue	2,000 s.f.
<u>Assessor IDs</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 56	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust	Cert. No. 21728

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 39	55 Nobadeer Avenue	1,000 s.f.

<u>Assessor IDs</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 54	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust	Cert. No. 21728

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 40B	55R Nobadeer Avenue	2,000 s.f.

<u>Assessor IDs</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 55	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust	Cert. No. 21728

<u>Parcels</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel 41B	61 Nobadeer Avenue	5,000 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 57	Nancy H. Pierson, Trustee of Sixty-One Nobadeer Nominee Trust	Cert. No. 17436

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcels	Irving Street	10,000 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>
Map 88, Lots 56, 54, 55 and 57	Surfside Land Company, Henry Coffin, Charles Coffin, Henry C. Everett and their heirs, successors and assigns, and owners unknown

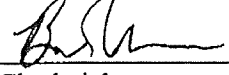
Any and all trees, vegetation, structures and improvements at the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Law Chapter 79, as amended.

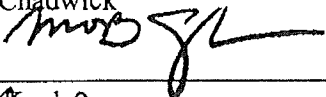
If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

Adopted under seal this 27th day of May, 2009.

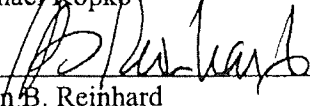
TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN



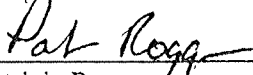
Brian J. Chadwick



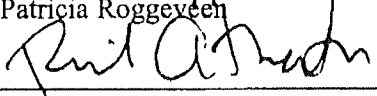
Michael Kopko



Allen B. Reinhard



Patricia Roggeveen

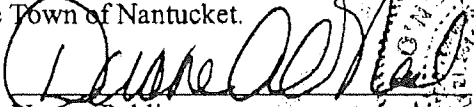


Rick Atherton

See Town Meeting
vote at doc 127332

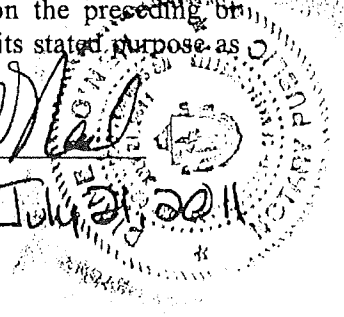
Commonwealth of Massachusetts
Nantucket County, ss

On this 27th day of May, 2009, before me, the undersigned notary public, personally appeared Brian J. Chadwick, Michael Kopko, Allen B. Reinhard, Patricia Roggeveen and Rick Atherton, as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which were ☐ photographic identification with signature issued by federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.



Notary Public

My commission expires: July 21, 2011



DOC No: 00127339

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Jun 03, 2009 at 10:33A

Document Fee: 150.00 Rec Total: \$1,050.00

CERTIFICATE No: 21728

CERT 17436

Also noted on

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



Cert: 16416 Doc: OOT
Registered: 06/04/2009 01:28 PM



Bk: 1186 Pg: 221 Page: 1 of 4
Doc: OOT 06/04/2009 01:29 PM

A TRUE COPY 12/12/2022-038
ATTEST: *Gennepi Ferreira*
REGISTER OF DEEDS NANTUCKET COUNTY

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF SURFSIDE BEACH PARCELS

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business of Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapters 40 and 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and Article 1 adopted at the Town's April 15, 2003 Special Town Meeting and by virtue of every other power and authority hereto enabling us, having complied with all of the preliminary requirements prescribed by law, having determined that common convenience and necessity require the taking of the fee in those certain parcels of land comprising portions of Nonantum Avenue as described below ("Parcels") for open space and conservation purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels and those who hold easements and other rights to the Parcels (and their successors, heirs and assigns, as their interests may appear), by the right of eminent domain, the fee in the Parcels, including any rights of passage, if any, as follows:

The land shown on a plan containing one (1) sheet and entitled "Plan To Acquire Land for Open Space and Recreational Beach Purposes in Surfside Area Prepared for The Town of Nantucket in Nantucket, MA" dated January 31, 2007, described as "Dwg. No. 1," prepared by Nantucket Surveyors LLC ("Plan") and filed with the Nantucket County Registry of Deeds herewith as Plan No. 2009-26 and consisting of the following parcels described on the Plan:

<u>Parcel</u>	<u>Street Address</u>	<u>Area (s.f.) ±</u>
Parcel 37C	55 Nobadeer Avenue	2,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 54	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust, Surfside Land Company, Henry Coffin, Charles Coffin, and owners unknown	Cert. No. 21728

<u>Parcel</u>	<u>Street Address</u>	<u>Area (s.f.) ±</u>
Parcel 40A	55 Nobadeer Avenue	2,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 55	Robert L. Anglund and Joan Walsh Anglund, Trustees of Fifty-Five Nobadeer Avenue Nominee Trust, Surfside Land Company, Henry Coffin, Charles Coffin, and owners unknown	Cert. No. 21728

<u>Parcel</u>	<u>Street Address</u>	<u>Area (s.f.) ±</u>
Parcel 41C	61 Nobadeer Avenue	4,800 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 57	Nancy H. Pierson, Trustee of Sixty-One Nobadeer Nominee Trust, Surfside Land Company, Henry Coffin, Charles Coffin, and owners unknown	Cert. No. 17436

<u>Parcel</u>	<u>Street Address</u>	<u>Area (s.f.) ±</u>
Parcel 42A	63 Nobadeer Avenue	2,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 58.1	Norine E. Powell, Surfside Land Company, Henry Coffin, Charles Coffin, and owners unknown	Cert. No. 16416

<u>Parcel</u>	<u>Street Address</u>	<u>Area (s.f.) ±</u>
Parcel 45A	65 Nobadeer Avenue	2,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Lot 59.1	Adele Wick, Surfside Land Company, Henry Coffin, Charles Coffin, and owners unknown	Cert. No. 22700

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Law Chapters 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

Adopted under seal this 27th day of May, 2009.

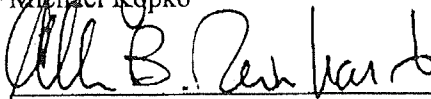
TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN



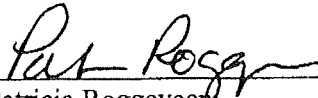
Brian J. Chadwick



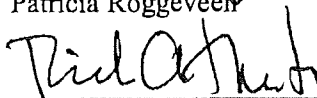
Michael Kopko



Allen B. Reinhard



Patricia Roggeveen

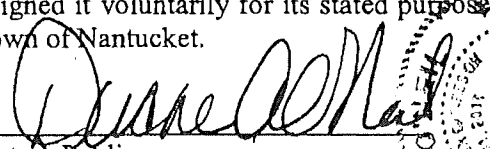


Rick Atherton

see Town meeting
vote at doc 127332

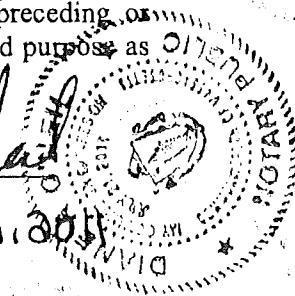
Commonwealth of Massachusetts
Nantucket County, ss

On this 27th day of May, 2009, before me, the undersigned notary public, personally appeared Brian J. Chadwick, Michael Kopko, Allen B. Reinhard, Patricia Roggeveen and Rick Atherton, as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which were ☐ photographic identification with signature issued by federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☒ personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.



Notary Public

My commission expires: July 21, 2011



DOC No: 00127346

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Jan 04, 2009 at 01:28P

Document Fee: 300.00 Rec Total: \$300.00

CERTIFICATE No: 16416

Also noted on

CERT 17436
CERT 21728
CERT 22700

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



Agenda Item Summary

Agenda Item #	IX. 3.
Date	12/21/2022

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Approval and execution by TOWN of the Supplementary Complaint for Approval of Plan, for the approval of the Subdivision Plan to be filed by the Complainant, for the property located at 68 Nobadeer Avenue.

Executive Summary

The Land Court requires that the Town assent to a Supplementary Complaint filed by the Nantucket Islands Land Bank, the owner of 68 Nobadeer Avenue, representing the Town recognizes the lines of Vernon Street and Waverly Street as described in the Order of Taking by Eminent Domain filed with Nantucket Registry District of the Land Court as Document No. 131681, and assent to the elimination of portions of Waverly Street and Vernon Street shown on Land Court Plan No. 43353-A, shown as Parcel "T" and Parcel "U", Parcel 6 and Parcel 7, and issue Certificates of Title in the name of the Nantucket Islands Land Bank for Parcel "T" and Parcel "U", and in the name of the Town of Nantucket for Parcel 6 and Parcel 7. The Supplementary Complaint and the Assent request the Land Court recognize the Takings and approve of the Subdivision Plan filed with the Supplementary Complaint.

Staff Recommendation

Recommend the Board approve the Assent and authorize Town Counsel to execute the Assent on behalf of the Town.

Background/Discussion

Town Counsel has reviewed the Assent, the Order of Taking, Taking Plan and the Subdivision Plan of 68 Nobadeer Avenue to be approved by the Land Court, and opines that this documentation does not adversely affect the Town's interests. Town Counsel approves of the form of the Assent and recommends its execution.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

Allows for the normal subdivision process to proceed in the Land Court.

Board/Commission Recommendation

N/A

Public Outreach

N/A



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

N/A

Attachments

Assent, Subdivision Plan, the Orders of Taking by Eminent Domain of Portions of Vernon Street and Waverly Street and Taking Plan.



COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

Land Court Department
Supplementary Complaint
No. 22-SBQ-43353-11-

_____	)	
Nantucket Islands Land Bank,	)	ASSENT TO
Plaintiff	)	COMPLAINT TO RECOGNIZE
_____	)	TAKING AND APPROVE PLAN

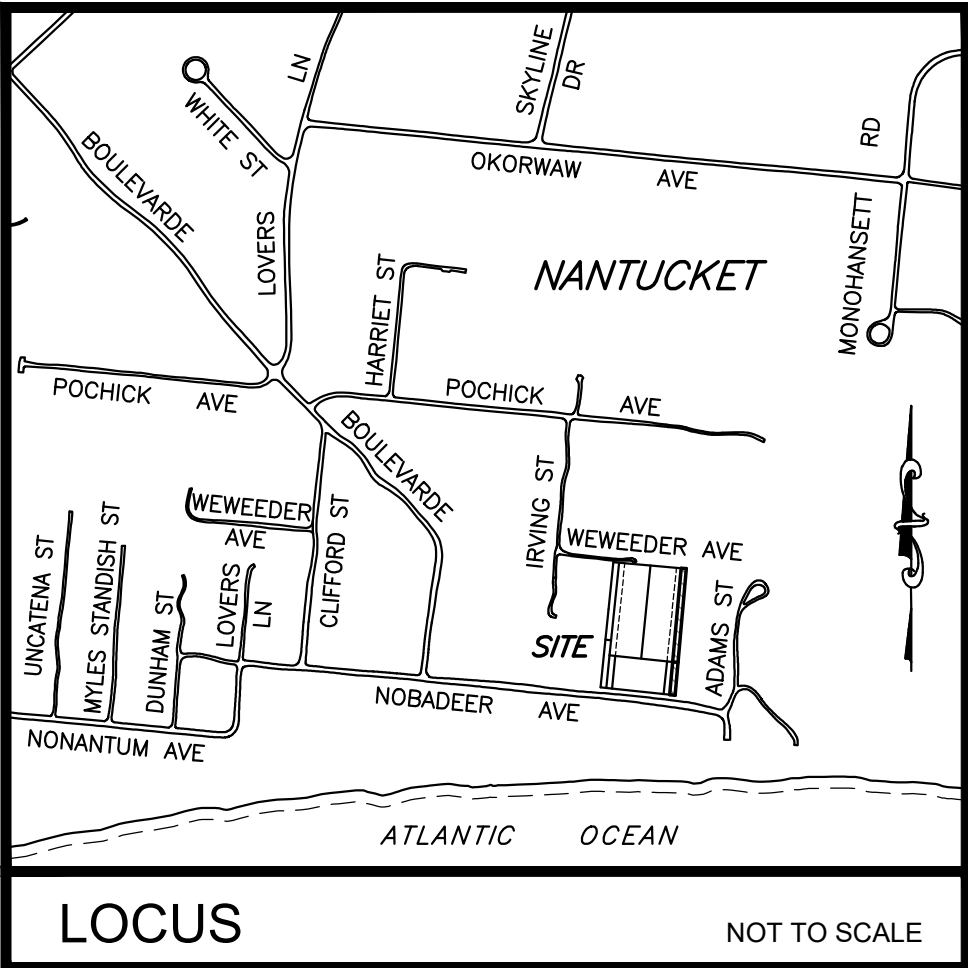
The Town of Nantucket hereby acknowledges receipt and sufficient notice of the Complaint to Recognize Taking and Approve Plan of Nantucket Islands Land Bank, which Petition is dated December __, 2022, and assents to the Petition, the Plan filed by the Plaintiff, and the lines of the takings of Vernon Street and Waverly Street shown on said plan and hereby assents that an Order may issue for the relief requested therein, namely (1) recognizing the Order of Taking by eminent domain of the fee in (Mount) Vernon Street and Waverly Street shown as Exhibit D attached to the Complaint; (2) eliminate those portions of Waverly Street shown on Land Court Plan No. 43353-A which are now shown as Parcel "T", Parcel "U", Parcel 6 and Parcel 7, (3) approve for registration the Subdivision Plan filed by the Plaintiff; and (4) issue Certificates of Title in the name of the Nantucket Islands Land Bank for Parcel "T" and Parcel "U", and in the name of the Town of Nantucket for Parcel 6 and Parcel 7, without further notice to it.

Executed and sealed on _____, 2022.

Town of Nantucket
By its attorneys
hereunto duly authorized:

KP Law, P.C.
By:

Vicki S. Marsh, Attorney
(BBO # 307040)
101 Arch Street
Boston, MA 02110
(617) 556-0007



LOCUS NOT TO SCALE

- NOTES**
1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE THE EXISTING PARCEL (BEING PARCEL W SHOWN ON LAND COURT PLAN 43353-C) TO CREATE LOT 6 AND LOT 7 AS SHOWN.
 2. THE SITE IS NOT LOCATED WITHIN ANY KNOWN SPECIAL FLOOD HAZARD AREAS AS DETERMINED FROM THE TOWN OF NANTUCKET FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 250230 0152 G (MAP EFFECTIVE DATE 6/9/2014).
 3. THIS PLAN AND ANY ACCOMPANYING CERTIFICATIONS DO NOT CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY DISPLAYED HEREON. THE OWNER OF LOCUS AND ADJUTING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.
 4. ALL DISTANCES WERE MEASURED BY EDM.

NANTUCKET BOARD OF SELECTMEN
APPROVED PURSUANT TO ARTICLES 102 & 103
OF ANNUAL TOWN MEETING APRIL 6, 2015

DATE: _____

TRAVERSE CLOSURE DATA

LENGTH OF TRAVERSE = 1195.02'
ANGULAR ERROR = 0'00"13"
CLOSURE DISTANCE = 0.075'
DIRECTION = N80°32'55"E
PRECISION = 1:16,022

INSTRUMENTATION

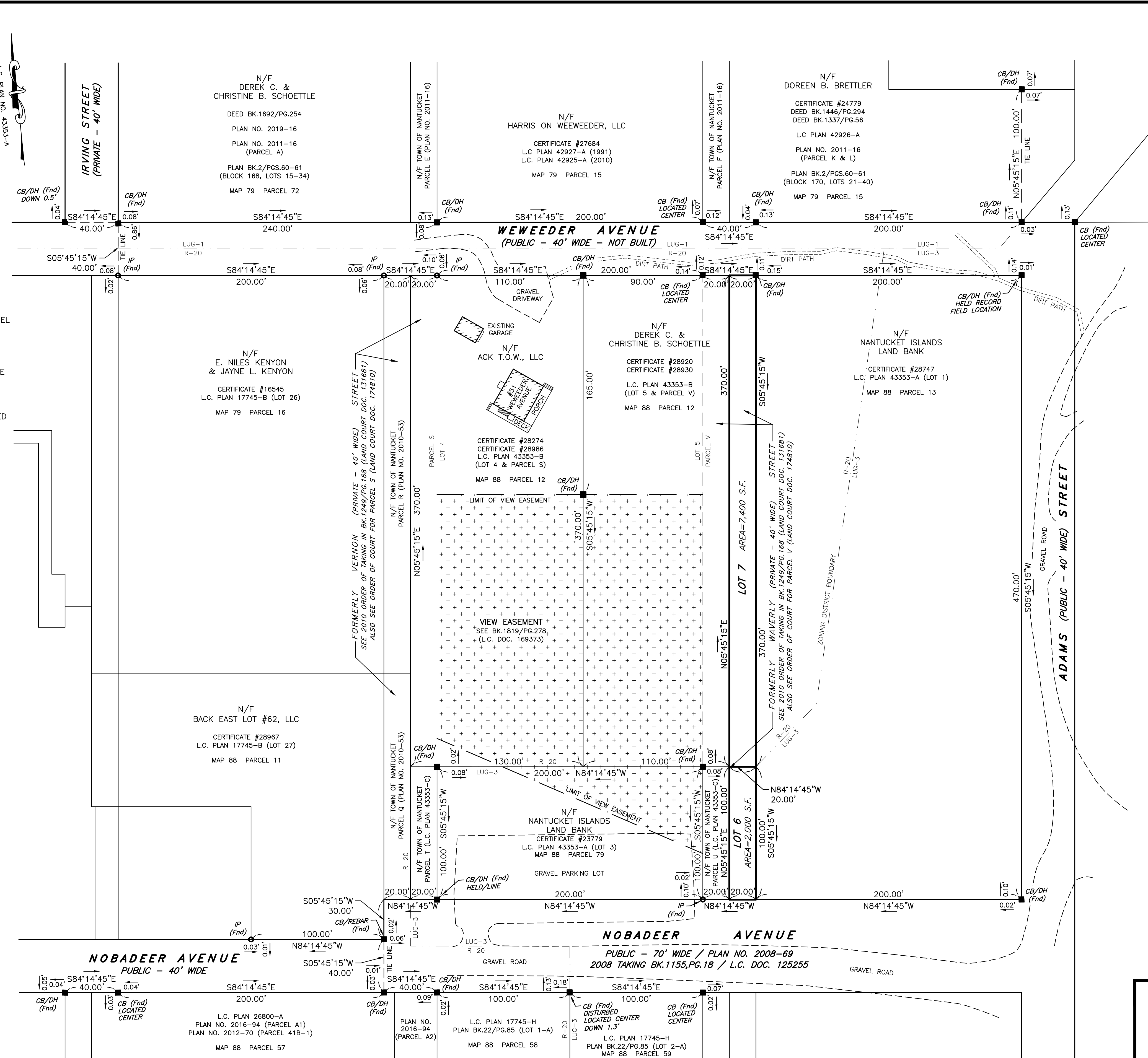
LEICA TS12 P 3 R400
SERIAL NO. 877939
EDM ACCURACY
±(1mm + 1.5ppm)
LEICA GEOSYSTEMS CALIBRATION
CERTIFICATE NO. 877939-02132021

I CERTIFY THAT AS OF THE DATE OF THIS SURVEY, THE MONUMENTS CONTROLLING PRIOR PLANS ARE IN THE GROUND AS SHOWN AND DESCRIBED HEREON. I FURTHER CERTIFY THAT ANY ADDITIONAL MONUMENTS SHOWN HEREON HAVE BEEN SET IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 AS OF THE DATE OF THIS SURVEY.

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 BETWEEN MAY 28, 2021 AND JUNE 18, 2021.

I FURTHER CERTIFY THAT THE CONDITIONS ON THE GROUND ARE THE SAME NOW AS AT THE TIME OF THE ORIGINAL SURVEY COMPLETED ON JUNE 18, 2021.

PROFESSIONAL LAND SURVEYOR DATE



LEGEND

- CB CONCRETE BOUND
- CB/DH CONCRETE BOUND W/DRILL HOLE
- IP IRON PIPE

OWNER & APPLICANT

TOWN OF NANTUCKET
16 BROAD STREET
NANTUCKET, MA 02554

TITLE REFERENCE:
ORDER OF TAKING
LAND COURT DOCUMENT 131681
(ALSO IN BK.1249/Pg.168)

PLAN REFERENCES:
L.C. PLAN 43353-C (PARCEL W)
PLAN NO. 2010-53 (PARCEL W)

SITE LOCATION:
FORMERLY WAVERLY STREET
NANTUCKET, MASSACHUSETTS

ASSESSORS REFERENCE:
MAP 88

**SITE DESIGN
ENGINEERING, LLC.**

11 CUSHMAN STREET
MIDDLEBORO, MA 02346
T: 508-967-0673 F: 508-967-0674
WWW.SDE-LDEC.COM

NO.	DATE	REVISIONS PER LAND COURT COMMENTS	RLM	APPROVED
1	12/2/22			

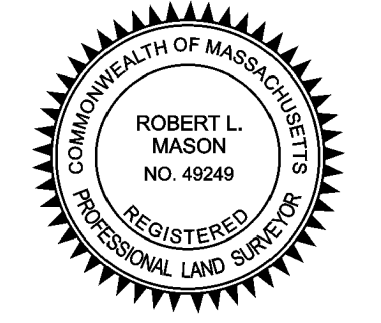
PLAN REVISIONS

DATE: SEPTEMBER 20, 2022

DRAWN BY: RLM COMPS. BY: RLM CHECK BY: RLM/DCM

PROJECT NO. 19109

ISSUED FOR: ANR ENDORSEMENT



PLAN OF LAND

BEING A SUBDIVISION OF PARCEL W
SHOWN ON LAND COURT PLAN 43353-C
WAVERLY STREET
NANTUCKET, MASSACHUSETTS

ASSESSORS MAP 88
PREPARED FOR
TOWN OF NANTUCKET

NANTUCKET PLANNING BOARD
APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED

DATE ENDORSED: _____

PLANNING BOARD FILE No. _____

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE
A DETERMINATION OF CONFORMANCE UNDER ZONING

DRAWING TITLE:

**APPROVAL NOT
REQUIRED PLAN**

SCALE: 1" = 40'

SHEET NO.

1 OF 1



Cert: 18780 Doc: OOT
Registered: 10/12/2010 02:40 PM



Bk: 1249 Pg: 168 Page: 1 of 10
Doc: OOT 10/12/2010 02:39 PM

A TRUE COPY 10/07/2022

ATTEST: KBeambh
REGISTER OF DEEDS NANTUCKET COUNTY

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

**ORDER OF TAKING BY EMINENT DOMAIN OF
PORTIONS OF (MOUNT) VERNON STREET AND WAVERLY STREET**

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business of Town and County Building, 16 Broad Street, Nantucket, Massachusetts ("Town"), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 76 adopted by the Town at its 2010 Annual Town Meeting (certified copy attached as Exhibit A), and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of (Mount) Vernon Street and Waverly Street as described below ("Parcels") is required for general municipal purposes and access purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan containing one (1) sheet and entitled "Plan To Acquire Land For General Municipal Purposes, (Mount) Vernon Street And Waverly Street in Nantucket, Massachusetts," prepared by Nantucket Surveyors, LLC, dated September 9, 2010 (the "Plan") and filed with the Nantucket County Registry of Deeds herewith as Plan No. 2010-53 and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel Q	62 Nobadeer Avenue (Lot 27, Land Court Plan 17745-B)	3,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 11	Susan P. Jarrell, as Trustee of the Susan P. Jarrell Trust	Certificate No. 18780

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel R	11 Irving Street (Lot 26, Land Court Plan 17745-B)	6,000 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 79, Parcel 16	E. Niles Kenyon and Jayne L. Kenyon, Surfside Land Company, Henry Coffin, Charles Coffin, Henry C. Everett and their heirs, successors and assigns, and owners unknown	Certificate No. 16545

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel S	51 Weweeder Avenue (Lot 1, Plan No. 2004-62)	7,400 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 12	Ellery B. Woodworth and Carol P. Woodworth, As Trustees of the Woodworth Realty Trust	Book 1046, Page 306

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel T	64 Nobadeer Avenue (Lot 2, Plan No. 2004-62)	2,000 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 79	Surfside Land Company, Henry Coffin, Charles Coffin, Henry C. Everett and their heirs, successors and assigns, and owners unknown (except for and excluding any interests of the Nantucket Islands Land Bank)	Book 933, Page 94

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel U	64 Nobadeer Avenue (Lot 2, Plan No. 2004-62)	2,000 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 79	Surfside Land Company, Henry Coffin, Charles Coffin, Henry C. Everett and their heirs, successors and assigns, and owners unknown (except for and excluding any interests of the Nantucket Islands Land Bank)	Book 933, Page 94

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel V	51 Weweeder Avenue (Lot 1, Plan No. 2004-62)	7,400 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 12	Ellery B. Woodworth and Carol P. Woodworth, as Trustees of the Woodworth Realty Trust	Book 1046, Page 306

<u>Parcel</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel W	68 Nobadeer Avenue (Lots 1-34, Block 192, Pl. Bk. 2, Pg. 60-61)	9,400 s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 88, Parcel 13	Ellery B. Woodworth and Carol P. Woodworth, as Trustees of the Woodworth Realty Trust	Book 1046, Page 306

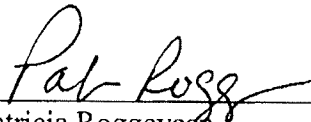
Any and all trees, vegetation, structures and improvements at the Parcels are included in this Order of Taking.

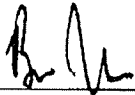
The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Law Chapter 79, as amended.

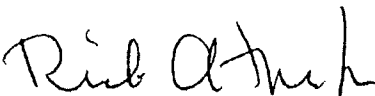
If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

Adopted under seal this 22nd day of September, 2010.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN


Patricia Roggeveen


Brian Chadwick

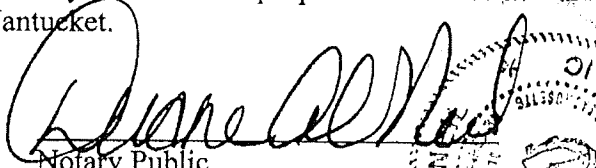

Rick Atherton


Michael Kopko


Whiting Willauer

Commonwealth of Massachusetts
Nantucket County, ss

On this ^{7th} ~~22nd~~ day of ^{October} ~~September~~, 2010, before me, the undersigned notary public, personally appeared Patricia Roggeveen, Brian Chadwick, Rick Atherton, Michael Kopko and Whiting Willauer, as members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Board of Selectmen of the Town of Nantucket.


Notary Public
My commission expires ^{July 31, 2011}

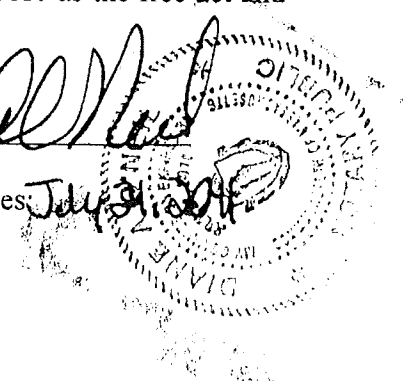
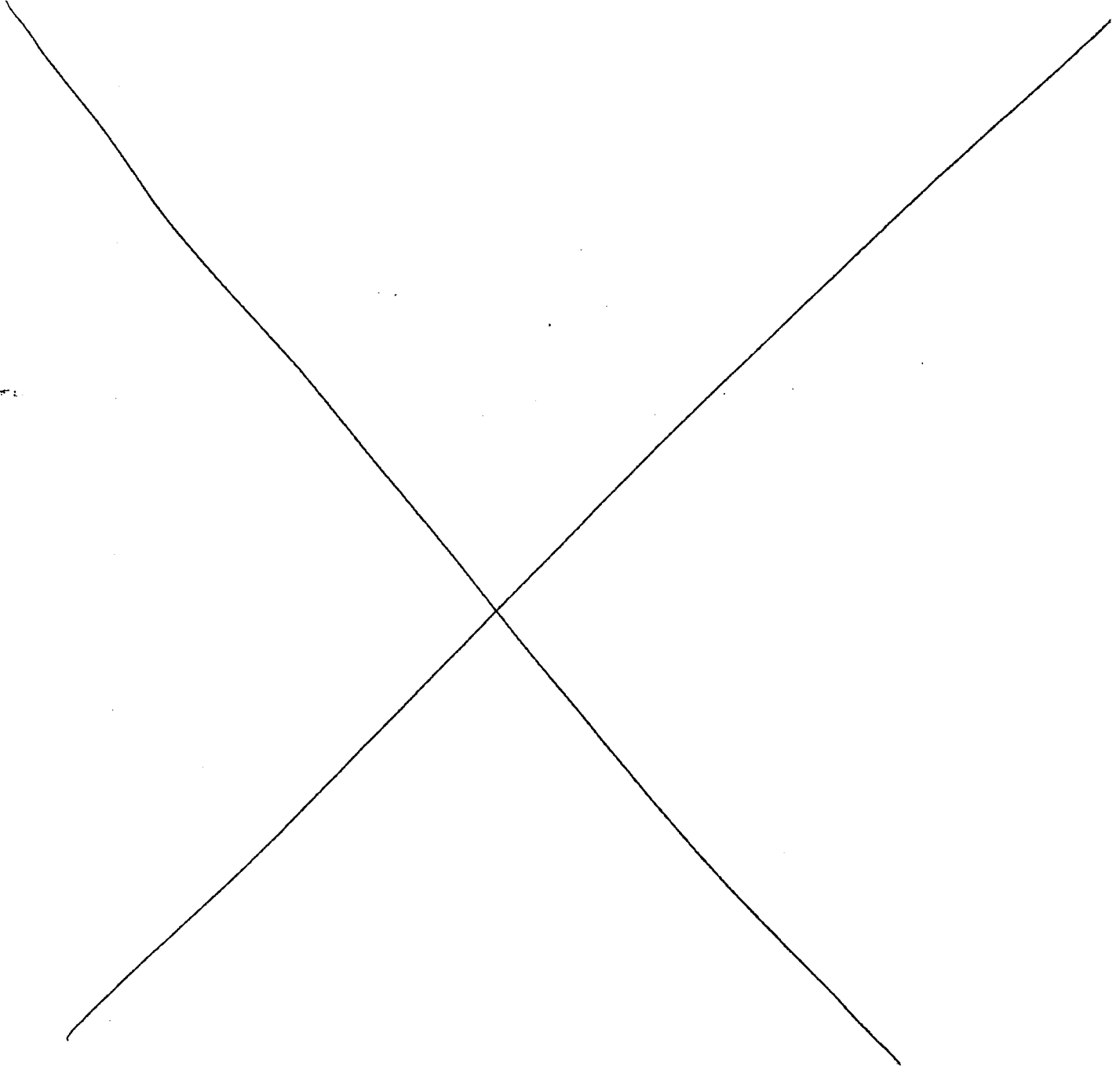


EXHIBIT A

Town Clerk Certified Copy of Town of Nantucket Vote on Article 76 of
the 2010 Annual Town Meeting of the Town of Nantucket



Town of Nantucket

♦♦♦♦♦

OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

(508) 228-7216
FAX (508) 325-5313
Home: (508) 228-7841

Email: cstover@nantucket-ma.gov
townclerk@nantucket-ma.gov

WEBSITE: <http://www.nantucket-ma.gov>

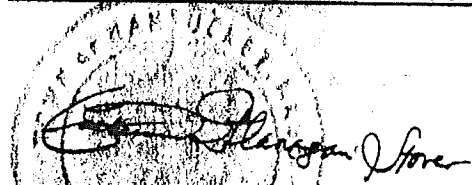
♦♦♦♦♦

May 6, 2010

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 5, 2010 ANNUAL TOWN MEETING adopted **Article 76: "Real Estate Acquisition: "Paper" Streets, Surfside"** at the April 6, 2010 adjourned session when ...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board was duly motioned and seconded.

VOTE: The vote on the motion pursuant to Article 76 as moved by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.



Catherine Flanagan Stover, MMC, CMMC
Town and County Clerk

ARTICLE 76

(Real Estate Acquisition: "Paper" Streets in Surfside)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain the fee or lesser interests in all or any portions of twenty (20) unconstructed rights of way in the Surfside area of Nantucket known as Surfside South and identified below, together with any public and private rights of passage, for public ways and/or general municipal purposes:

- Waverly, Mount Vernon, Harriet (formerly known as Prospect) and Hawthorne Streets between the northerly sideline of Nobadeer Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Weweeder, Pochick and Pocomo Avenues and Boulevarde);
- Central Street between the northerly sideline of Boulevarde and the southerly sideline of Okorwaw Avenue (excluding any portion of Pochick and Pocomo Avenues);
- Clifford Street between the northerly sideline of Pochick Avenue to the southerly sideline of Pocomo Avenue;
- Irving Street between the northerly sideline of Pochick Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Pocomo Avenue);
- Myles Standish (formerly known as Shimmo) and Plum Streets between the northerly sideline of Weweeder Avenue and the southerly sideline of Pochick Avenue;
- Masquetuck Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Pochick Avenue (excluding any portion of Nobadeer and Weweeder Avenues);
- Holly Street between the northerly sideline of Weweeder Avenue and a line 200 feet south and parallel to the southerly sideline of Pochick Avenue;
- Woodbine Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue);
- Poplar Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Nobadeer Avenue;
- Laurel Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nonantum and Nobadeer Avenues and between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- School Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue) and between the northerly sideline of Pochick Avenue and the southerly sideline of Mequash Avenue (excluding any portion of Masaquet Avenue);
- Copeland Street between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- Nobadeer Avenue between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Dunham Street (excluding any portions of Naushon Way (formerly known as Cherry Street) Plum Street, Holly Street, Pequot Street (formerly known as Orange Street), Uncatena Street (formerly known as Wannacommet Street), and Myles Standish Street (formerly known as Shimmo Street);
- Mequash Avenue: Between the easterly sideline of Copeland Street and the westerly sideline of Surfside Road (formerly known as Myrtle Street) and between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Naushon Way (formerly known as Cherry Street);

- Pocomo Avenue between the easterly sideline of Assessor Map 79, Parcel 27 to the easterly sideline of Central Street and from the westerly sideline of Hawthorne Street to the easterly sideline of Adams Street;
- Adams Street between the northern sideline of Weweeder Avenue and the southerly sideline of Pocomo Avenue (excluding any portion of Pochick Avenue);

to see if the Town will vote to appropriate, borrow pursuant to applicable statute or transfer from available funds, a sum of money for such purposes; and to take any other actions related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is authorized to acquire by purchase, gift or eminent domain the fee or lesser interests in all or any portions of twenty (20) unconstructed rights of way in the Surfside area of Nantucket known as Surfside South and identified below, together with any public and private rights of passage, for public ways and/or general municipal purposes:

- Waverly, Mount Vernon, Harriet (formerly known as Prospect) and Hawthorne Streets between the northerly sideline of Nobadeer Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Weweeder, Pochick and Pocomo Avenues and Boulevarde);
- Central Street between the northerly sideline of Boulevarde and the southerly sideline of Okorwaw Avenue (excluding any portion of Pochick and Pocomo Avenues);
- Clifford Street between the northerly sideline of Pochick Avenue to the southerly sideline of Pocomo Avenue;
- Irving Street between the northerly sideline of Pochick Avenue and the southerly sideline of Okorwaw Avenue (excluding any portion of Pocomo Avenue);
- Myles Standish (formerly known as Shimmo) and Plum Streets between the northerly sideline of Weweeder Avenue and the southerly sideline of Pochick Avenue;
- Masquetuck Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Pochick Avenue (excluding any portion of Nobadeer and Weweeder Avenues);
- Holly Street between the northerly sideline of Weweeder Avenue and a line 200 feet south and parallel to the southerly sideline of Pochick Avenue;
- Woodbine Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue);
- Poplar Street between the northerly sideline of Nonantum Avenue and the southerly sideline of Nobadeer Avenue;
- Laurel Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nonantum and Nobadeer Avenues and between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue);
- School Street between the northeasterly sideline of Atlantic Avenue and the southerly sideline of Weweeder Avenue (excluding any portion of Nobadeer Avenue) and between the northerly sideline of Pochick Avenue and the southerly sideline of Mequash Avenue (excluding any portion of Masaquet Avenue);
- Copeland Street between the northerly sideline of Masaquet Street and the southerly sideline of Mequash Avenue;
- Nobadeer Avenue between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Dunham Street (excluding any portions of

Naushon Way (formerly known as Cherry Street) Plum Street, Holly Street, Pequot Street (formerly known as Orange Street), Uncatena Street (formerly known as Wannacommet Street), and Myles Standish Street (formerly known as Shimmo Street);

- Mequash Avenue: Between the easterly sideline of Copeland Street and the westerly sideline of Surfside Road (formerly known as Myrtle Street) and between the easterly sideline of Surfside Road (formerly known as Myrtle Street) and the westerly sideline of Naushon Way (formerly known as Cherry Street);
- Pocomo Avenue between the easterly sideline of Assessor Map 79, Parcel 27 to the easterly sideline of Central Street and from the westerly sideline of Hawthorne Street to the easterly sideline of Adams Street; and
- Adams Street between the northern sideline of Weweeder Avenue and the southerly sideline of Pocomo Avenue (excluding any portion of Pochick Avenue).

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee Motion.



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

DOC No: 00131681

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Oct 12, 2010 at 02:40P

Document Fee: 150.00 Rec Total: \$150.00

CERTIFICATE No: 18780

CERT 16545

Also noted on



Agenda Item Summary

Agenda Item #	X. 1a.
Date	12/21/2022

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Order of Taking by Eminent Domain, of fee or lesser interests in portions of Masaquet Avenue and Atlantic Avenue, Surfside

Executive Summary

Article 98 of the 2011 ATM authorized the taking of portions of Masaquet and Atlantic Avenues shown as Lots A-D Masaquet Avenue and Atlantic Avenue on a plan entitled "Roadway Acquisition Plan in Nantucket, Mass. of Portions of Unconstructed 'Masaquet Avenue' 'Atlantic Avenue'," prepared by Bracken Engineering, Inc. and recorded with Nantucket Registry of Deeds as Plan No. 2022-48 for public way and/or general municipal purposes. The proposed area of the parcels to be taken is approximately 38,009 square feet.

Staff Recommendation

Recommend approving the taking by Eminent Domain. Town Counsel has reviewed, and drafted documentation.

Background/Discussion

This acquisition and a future subsequent disposition of a so called "paper street" in Surfside is part of the Yard Sale Program.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

To take the parcels for disposition pursuant to the Yard Sale Program and increase taxable land area.

Board/Commission Recommendation

REAC approved unanimously on December 12, 2022.

Public Outreach

Approved at Annual Town Meeting. Notice of taking published in paper and sent to abutters by certified mail.

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

Conforms with the intent of the Yard Sale program

Attachments

Order of Taking, Plan No. 2022-48



COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
SELECT BOARD

ORDER OF TAKING BY EMINENT DOMAIN OF
PORTIONS OF MASAQUET AVENUE AND ATLANTIC AVENUE

The undersigned being the majority of the duly elected and serving members of the Select Board of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 98 adopted by the Town at its 2011 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land shown as Lots A and B, Masaquet Avenue, Lot C, Masaquet Avenue and Atlantic Avenue and Lot D, Masaquet Avenue and Atlantic Avenue described below (“Parcels”) is required for general municipal purposes and public way purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Roadway Acquisition Plan in Nantucket, Mass. of Portions of Unconstructed “Masaquet Avenue” “Atlantic Avenue,” dated June 13, 2022, prepared by Bracken Engineering, Inc. recorded with the Nantucket County Registry of Deeds as Plan No. 2022-48 and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot A	Masaquet Avenue	1,442± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 179	Greta J. Kindermann and Wilfred R. Kindermann	Book 224, Page 212

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot B	Masaquet Avenue	3,100 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 194	Carmin DiSibio and Amy DiSibio	Book 934, Page 279. Book 1567, Page 7, Book 1672, Page 336

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot C	Atlantic Avenue and Masaquet Avenue	17,973± s. f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 145	Brian Zevnik and Georgene Zevnik	Book 373, Page 31 and Book 1681, Page 8

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
Lot D	Masaquet Avenue and Atlantic Avenue	15,494 ± s. f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 219	Nantucket Islands Land Bank	Book 1286, Page 126

Parcels

Lots A, B, C and D, Masaquet Avenue and Atlantic Avenue

Supposed Owners

William J. Braun, Robert F. Mooney and John E. O'Brien, Trustees of Surfside Realty Trust under a Declaration of Trust dated May 25, 1979 Recorded with said Deeds in Book 172, Page 338.

Any and all trees and vegetation on the Parcels are included in this Order of Taking. Any utility easements in the Parcels are to be excluded from this Order of Taking. The gravel driveway and the rights of the owner of 4 Masaquet Avenue to use the gravel driveway for the purposes to pass and re-pass over said driveway to 4 Masaquet Avenue as shown on said Plan are hereby excluded from this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

SIGNATURE PAGE FOLLOWS

Adopted under seal this day , 2022.

TOWN OF NANTUCKET
BY ITS SELECT BOARD

Jason Bridges

Dawn E. Hill Holdgate

Matthew G. Fee

Brooke Mohr

Malcolm W. MacNab

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this day of , 2022, before me, the undersigned notary public, personally appeared Jason Bridges, Dawn E. Hill Holdgate, Matthew G. Fee, Brooke Mohr and Malcolm W. MacNab as members of the Select Board of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Select Board of the Town of Nantucket.

Notary Public
My commission expires:

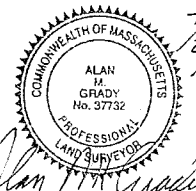


Bk: Pg: 0 Page: 0
Doc: PLAN 11/04/2022 02:28 PM

NANTUCKET REGISTRY
OF DEEDS
Date: November 4, 2022
Time: 2:28 PM
Plan No: 2022-48
Annot: # Ferreira
Register:
Sheet 1 of 1

RESERVED FOR REGISTRY USE

I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMANCE WITH THE
RULES AND REGULATIONS OF THE
REGISTRY OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.



ALAN M. GRADY, PLS
MASSACHUSETTS REG.
No. 37732

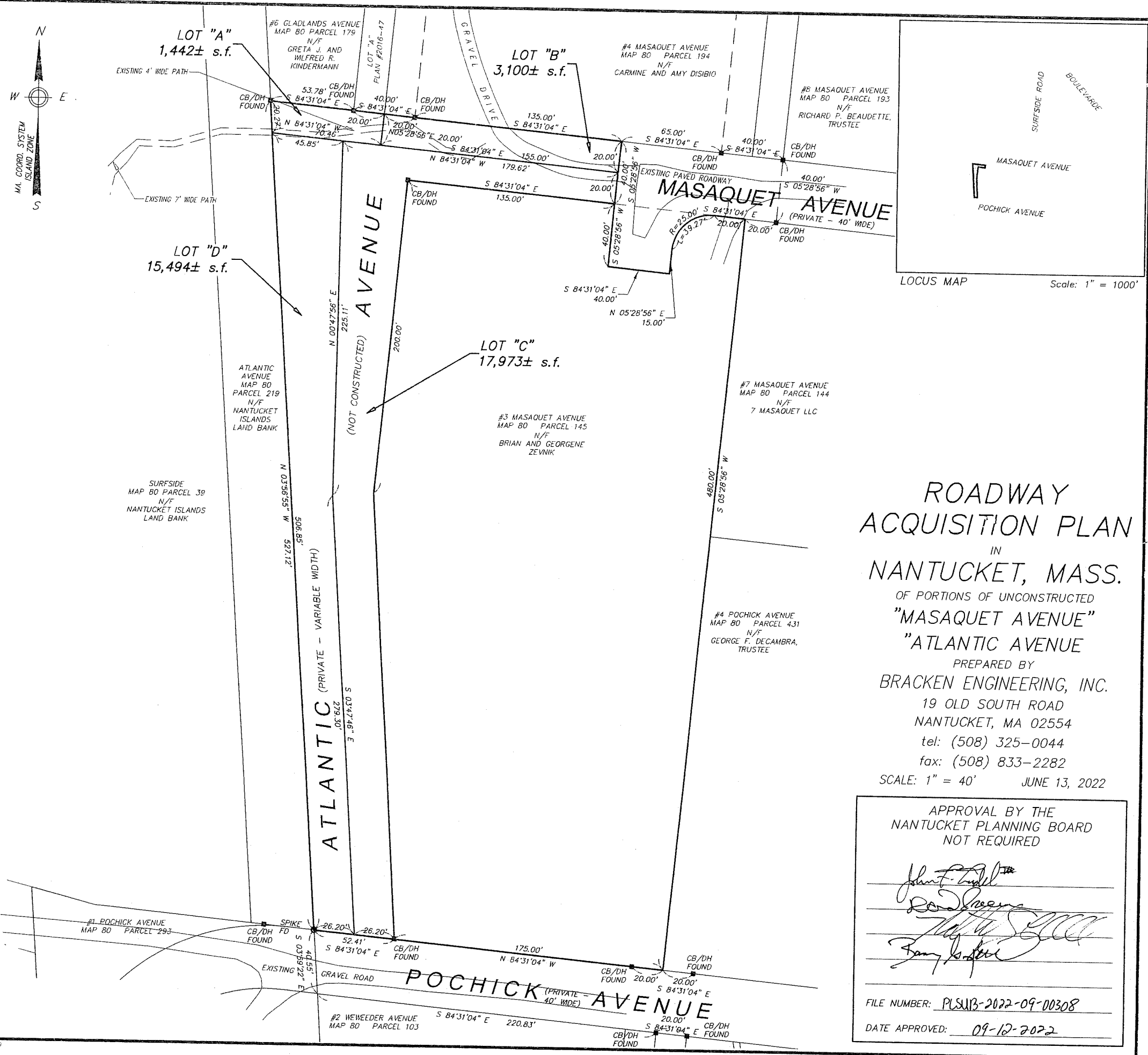
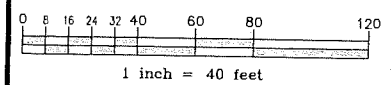
TOWN OF NANTUCKET
BOARD OF SELECTMEN

[Signature]
MFC
[Signature]

DATE APPROVED: _____

- NOTES:
- LOCUS: ATLANTIC AVENUE
MASAQUET AVENUE
(ON ASSESSORS MAP 80)
 - PLAN REFERENCES:
PLAN FILE # 3-D
PLAN FILE # 10-F
PLAN FILE # 11-Alan File:
PLAN NO. 2001-8
PLAN NO. 2003-21
PLAN NO. 2011-38
PLAN NO. 2016-47
PLAN NO. 2018-56
 - TOWN MEETING REFERENCE:
ARTICLES 98 AND 99 OF
THE 2011 ANNUAL
TOWN MEETING.

PLAN SCALE



ROADWAY
ACQUISITION PLAN
IN
NANTUCKET, MASS.

OF PORTIONS OF UNCONSTRUCTED
"MASAQUET AVENUE"
"ATLANTIC AVENUE"

PREPARED BY
BRACKEN ENGINEERING, INC.
19 OLD SOUTH ROAD
NANTUCKET, MA 02554
tel: (508) 325-0044
fax: (508) 833-2282
SCALE: 1" = 40' JUNE 13, 2022

APPROVAL BY THE
NANTUCKET PLANNING BOARD
NOT REQUIRED

[Signature]
[Signature]
[Signature]
[Signature]

FILE NUMBER: PLSUB-2022-09-00308
DATE APPROVED: 09-12-2022



Agenda Item Summary

Agenda Item #	X. 1b.
Date	12/21/2022

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Order of Taking by Eminent Domain, of fee and easements in portions of Magnolia Avenue, Siasconset

Executive Summary

Article 87 of the 2012 ATM authorized the taking of portions of Magnolia Avenue located between the southeastern sideline of Ocean Avenue to the Atlantic Ocean shown as Lots P-1 through P-5 inclusive and easements shown as E-1 and E-2 on a plan entitled "Taking & Disposition Plan, Magnolia Ave./East of Ocean Ave., Siasconset, Nantucket, Mass.," prepared by Blackwell & Associates, Inc. and recorded with Nantucket Registry of Deeds as Plan No. 2022-51 for open space purposes. The parcels and easements to be taken have a total area of approximately 12,714 square feet.

Staff Recommendation

Recommend approving the taking by Eminent Domain. Town Counsel has reviewed, and drafted documentation. REAC approved unanimously on December 12, 2022.

Background/Discussion

This acquisition and a future subsequent disposition of a so called "paper street" in Siasconset is part of the Yard Sale Program.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

To complete the taking of previously authorized acquisitions, increase taxable land area and convey interests to the Land Bank for open space and recreation purposes.

Board/Commission Recommendation

REAC approved unanimously on December 12, 2022.

Public Outreach

Approved at Annual Town Meeting. Notice of taking published in paper and sent to abutters by certified mail.

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

Conforms with the intent of the Yard Sale program

Attachments

Order of Taking, Plan No. 2022-51



COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
SELECT BOARD

ORDER OF TAKING BY EMINENT DOMAIN OF
PORTIONS OF MAGNOLIA AVENUE

The undersigned being the majority of the duly elected and serving members of the Select Board of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote on Article 87 adopted by the Town at its 2012 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land shown as Parcels P-1, P-2, P-3, P-4 and P-5, Magnolia Avenue described below (“Parcels”) and the easements in Magnolia Road shown as E-1 and E-2 described below (the “Easements”) is required for open space purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels and the Easements, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Taking and Easement Disposition Plan, Magnolia Ave./East of Ocean Ave., Siasconset, Nantucket, Mass., Prepared for Town of Nantucket,” dated October 26, 2022, prepared by Blackwell & Associates, Inc., recorded with the Nantucket County Registry of Deeds as Plan No. 2022-51 and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
P-1	Magnolia Avenue	998 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 73.2.4, Parcel 21	Danielle E. deBenedictis, Trustee of The Summer House of Nantucket Realty Trust under Declaration of Trust dated February 19, 1986, as amended, recorded with said Deeds in Book 244, Page 230 and filed with Nantucket Registry District of the Land Court as Document No. 34983	Book 244, Page 225

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
P-2	Magnolia Avenue	2,340 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 73.2.4, Parcel 21	Danielle E. deBenedictis, Trustee of The Summer House of Nantucket Realty Trust under Declaration of Trust dated February 19, 1986, as amended, recorded with said Deeds in Book 244, Page 230 and filed with said Registry District of the Land Court as Document No. 34983	Book 244, Page 225

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
P-3	Magnolia Avenue	2,512 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 73.2.4, Parcel 16	Nantucket Islands Land Bank	Book 283, Page 16

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
P-4	Magnolia Avenue	4,825 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 73.2.4 Parcel 20	Elizabeth Cohn Stuntz, Trustee of Ocean Avenue Nominee Trust under Declaration of Trust dated April 30, 2001, recorded with said Deeds in Book 703, Page 109 and filed with said Registry District of the Land Court as Document No. 93122	Book 703, Page 115

<u>Parcel</u>	<u>Address/Location</u>	<u>Area± s. f.</u>
P-5	Magnolia Avenue	995 ± s. f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 73.2.4	Elizabeth Cohn Stuntz, Trustee of Ocean Avenue Nominee Trust under Declaration of Trust dated April 30, 2001, recorded with said Deeds in Book 703, Page 109 and filed	Book 703, Page 115

with said Registry District of the Land Court
as Document No. 93122

<u>Easement</u>	<u>Address/Location</u>	<u>Area $\pm$ s. f.</u>
E-1	Magnolia Avenue	502 $\pm$ s. f.
	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
	Danielle E. deBenedictis, Trustee of The Summer House of Nantucket Realty Trust under Declaration of Trust, as amended, dated February 19, 1986, recorded with said Deeds in Book 244, Page 230 and filed with said Registry District of the Land Court as Document No. 34983	Certificate of Title No. 12345
E-2	Magnolia Avenue	542 $\pm$ s. f.
	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
	Elizabeth Cohn Stuntz, Trustee of Ocean Avenue Nominee Trust under Declaration of Trust dated April 30, 2001, recorded with said Deeds in Book 703, Page 109 and filed with said Registry District of the Land Court as Document No. 93122	Certificate of Title No. 19945

Any and all trees and vegetation on the Parcels and in the Easements are included in this Order of Taking. Any utility easements in the Parcels are to be excluded from this Order of Taking. The boardwalk and any other improvements as shown on said Plan are hereby excluded from this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels and Easements taken hereby is not a true owner of said Parcels and Easements, then the award is made only to the true owner(s) of said Parcels and Easements.

Adopted under seal this day , 2022.

TOWN OF NANTUCKET
BY ITS SELECT BOARD

Jason Bridges

Dawn E. Hill Holdgate

Matthew G. Fee

Brooke Mohr

Malcolm W. MacNab

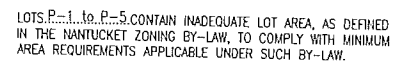
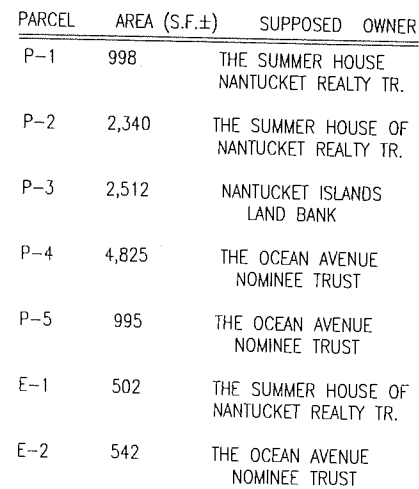
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

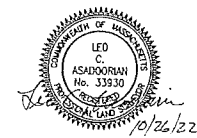
On this day of , 2022, before me, the undersigned notary public, personally appeared Jason Bridges, Dawn E. Hill Holdgate, Matthew G. Fee, Brooke Mohr and Malcolm W. MacNab as members of the Select Board of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free act and deed of the Select Board of the Town of Nantucket.

Notary Public
My commission expires:

2022 00000051
Pg: 0 Page: 0
PLAN 11/17/2022 09:01 AM



ACQUISITIONS OF MAGNOLIA AVENUE PARCELS and Easements per:
Articles 87 & 88 / ATM 2012



Jason Bridges, Chair

Dawn E. Hix, Vice-Chair

Walt Fee

Brooke Mohr

Date Signed

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

Don F. Pudel ²⁷⁶
John Pudel, II, Chair

Dore Iverson, Vice-Chair

Matthew Lofley
Matthew Lofley

Buffy G. Peltor
Buffy G. Peltor

Joseph Topham

PLSUB-2022-11-00520

FILE #

11-14-2022

DATE

[illegible]

Plon File: 41-L
Plon Book: 23, Page: 80
L.C.C. 9595-H / Lots 12 & 13

MINIMUM LOT SIZE: 120,000 S.F.
MINIMUM FRONTAGE: 200 FT.
FRONT YARD SETBACK: 35 FT.
REAR/SIDE SETBACK: 20 FT.
GROUND COVER % : 3%

Geo C. Anderson 10/26/22
PROFESSIONAL LAND SURVEYOR DATE

TAKING & EASEMENT DISPOSITION PLAN
MAGNOLIA AVE. / EAST of OCEAN AVE.
Siasconset, Nantucket, Mass.
prepared for: Town of Nantucket

SHEET 1 OF 1 B-9065

OCTOBER 26, 2022



Agenda Item Summary

Agenda Item #	X. 2.
Date	12/21/22

Staff

Katie Cabral

Subject

Verizon New England Inc. – Madaket Rd

Executive Summary

This petition proposes to place one new 4" conduit approximately 453' beginning at Manhole 3138 on Madaket Rd to Manhole 3138-1, and 377' to Manhole 3138-2 in order to provide service to 262 Madaket Rd.

Staff Recommendation

n/a

Background/Discussion

n/a

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

n/a

Board/Commission Recommendation

n/a

Public Outreach

Abutter notifications sent and 2 weeks of notices in I&M

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

n/a

Attachments

Departmental comments; Verizon New England petition



UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: Verizon New England Inc.
TYPE: Petition for Conduit Location
SITE ADDRESS: 262 Madaket Rd
HEARING DATE: December 21, 2022

COMMENTS

NPD: No Issues. -Deputy Gibson
FIRE: No Issues.
PLANNING: No Issues. – Holly Backus
DPW: No Issues.
SEWER: No issues. -David Gray
WWCo: Please call Wannacomet to mark out water. -Mark Willett

****Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.**



Outside Plant Network Engineering

October 20, 2022

Town of Nantucket
Town Clerk's Office
16 Broad St
Nantucket, MA 02554

Honorable Select Board,

Attached is a petition for Verizon New England Inc., to place conduit from MH 3138 to MH 3138-2, on Madaket Rd, Nantucket, MA.

Would you kindly consider this petition and return the executed copies.

Sincerely,

A handwritten signature in black ink that reads "Daryl Crossman". The signature is fluid and cursive, with the first name "Daryl" and last name "Crossman" clearly legible.

Verizon New England Inc.
Attn: Daryl Crossman - ROW
44 Old Townhouse Road
South Yarmouth, MA 02664

(508) 398-5754 - Office
daryl.crossman@verizon.com - Email

PETITION FOR CONDUIT LOCATION

October 20, 2022

To the **Select Board**

of **Nantucket**, Massachusetts

VERIZON NEW ENGLAND INC. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

Madaket Rd:

Place one new four-inch (4") conduit approximately four hundred and fifty-three feet (453') beginning at existing Manhole numbered MH 3138, which is situated on the southerly side of Madaket Rd, thence extending in a westerly direction along Madaket Rd to an existing Manhole numbered MH 3138-1 on the southerly side of Madaket Rd, thence extending westerly along Madaket Rd approximately three hundred and seventy-seven feet (377') to an existing Manhole numbered MH 3138-2, located on the southerly side of Madaket Rd.

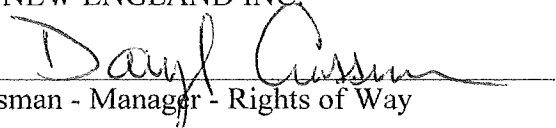
This petition is necessary in order to provide service to #262 Madaket Rd.

Also, for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked-VZ N.E. Inc. No. **MA2022-39** dated **October 6, 2022** showing location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND INC.

By


Daryl Crossman - Manager - Rights of Way

Dated this 20 day of OCT, 2022.

ORDER FOR CONDUIT LOCATION

By the Select Board of the Town of Nantucket, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
It is HEREBY ORDERED:

That permission be and hereby is granted VERIZON NEW ENGLAND INC. to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated the 20th day of **October 2022**.

Madaket Rd:

Place one new four-inch (4") conduit approximately four hundred and fifty-three feet (453') beginning at existing Manhole numbered MH 3138, which is situated on the southerly side of Madaket Rd, thence extending in a westerly direction along Madaket Rd to an existing Manhole numbered MH 3138-1 on the southerly side of Madaket Rd, thence extending westerly along Madaket Rd approximately three hundred and seventy-seven feet (377') to an existing Manhole numbered MH 3138-2, located on the southerly side of Madaket Rd.

This petition is necessary in order to provide service to #262 Madaket Rd.

Substantially as shown on plan marked- VZ N.E. Inc. No. **MA2022-39** dated **October 6, 2022** - filed with said petition. Also, that permission be and hereby is granted said VERIZON NEW ENGLAND INC. to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to such municipal officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the Town when the work is completed.
2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.
3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Ten Thousand Dollars (\$10,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of its duties under this permit.
5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of NANTUCKET, Massachusetts, held on the _____ day of _____ 2022.

Selectboard Clerk

ORDER FOR CONDUIT LOCATION

We hereby certify that on _____ 2022, at _____ o'clock ____ M. at _____
_____ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. for
permission to lay and maintain underground conduits, manholes and connection, with the wires and cables to be placed
therein, described in the order herewith recorded, and that we mail at least seven days before said hearing a written notice of
the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for
taxation) along the ways or parts of ways upon which the Company is permitted to construct the lines of said Company under
said order. And that thereupon said order was duly adopted.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Select Board of the Town of NANTUCKET, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of location order, and certificate of hearing with notice adopted by
the Select Board of the Town of NANTUCKET, Massachusetts, on the _____ day of _____ 2022,
and recorded with the records of location orders of said Town, Book _____ Page _____. This certified copy is made
under the provisions of Chapter 166 General Laws and any additions thereto or amendments thereof.

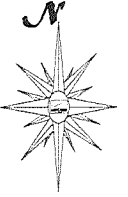
Attest:

Town Clerk

PETITION PLAN NANTUCKET

NO: MA2022-39
DATE: October 6, 2022

VERIZON NEW ENGLAND INC.
CONDUIT PLACEMENT



PARCEL 594_10
241 MADAKET RD

PARCEL 594_11
249 MADAKET RD

PARCEL 594_107
2 N CAMBRIDGE ST

PARCEL 594_210
253 MADAKET RD

PARCEL 594_265
255 MADAKET RD

EXISTING MH3138
TO REMAIN

EXISTING MH3138-1 TO REMAIN

PROPOSED CONDUIT
(2) 4" PVC 453'

PROPOSED CONDUIT
(2) 4" PVC 377'

PARCEL 594_211
252 MADAKET RD

PARCEL 594_212
254 MADAKET RD

PARCEL 594_213
250 MADAKET RD

PARCEL 594_268
261 MADAKET RD

PARCEL 594_319
265 MADAKET RD

MADAKET RD

69 WASHINGTON AV
PARCEL 594_266
259 MADAKET RD

PARCEL 594_267
259 MADAKET RD

EXISTING MH3138-2 TO REMAIN

PARCEL 594_269
262 MADAKET RD

PARCEL 594_215
260 MADAKET RD

PARCEL 594_271
264 MADAKET RD

N CAMBRIDGE ST

ARKANSAS AVE

S CAMBRIDGE ST

PARCEL 594_16
248 MADAKET RD

PARCEL 594_16
2 S CAMBRIDGE ST

—T-T-T-T— PROPOSED SOLELY OWNED CONDUIT

□ EXISTING SOLELY OWNED MANHOLE TO REMAIN

LEGEND

— — — — — EDGE OF PAVEMENT

- - - - - EDGE OF PROPERTY

————— CENTER OF ROAD

ABUTTERS LIST

PARCEL ID: 594_16
2 S CAMBRIDGE ST

WHALEN ROBERT M & PEGGY O
10 KENISTON ROAD
LYNNFIELD, MA 01940

PARCEL ID: 594_11
249 MADAKET RD

BETSY DILLARD TRUST
249 MADAKET RD
NANTUCKET, MA 02554

PARCEL ID: 594_10
241 MADAKET RD

DELACEY SANDRA TRST
609 W 114 ST APT 23
NEW YORK, NY 10025

PARCEL ID: 594_107
2 N CAMBRIDGE ST

LEVENTHAL MARVIN & ALICE S TRST
2 N CAMBRIDGE ST
NANTUCKET, MA 02554

PARCEL ID: 594_210
253 MADAKET RD

AIMLESS PURSUIT LLC
608 WEST BELDEN AVE #2
CHICAGO, IL 60614

PARCEL ID: 594_265
255 MADAKET RD

JENNISON EDWARD D TRUSTEE
35 TURNBULL RD
NEW HARTFORD, CT 06057

PARCEL ID: 594_266
69 WASHINGTON AV

DUNLEAVY CHARLES E JR & RITA E TRST
4384 MECHANICSVILLE RD
MECHANICSVILLE, PA 18934

PARCEL ID: 594_267
259 MADAKET RD

ODONNELL SYLVIE FORTIER TR ETAL
259 MADAKET RD
NANTUCKET, MA 02554

PARCEL ID: 594_268
261 MADAKET RD

SLATTERY CATHERINE M
20 N CAMBRIDGE ST
NANTUCKET, MA 02554

PARCEL ID: 594_319
265 MADAKET RD

265 MADAKET ROAD LLC
100 TOWER OFFICE PARK STE I
WOBURN, MA 01801

PARCEL ID: 594_269
262 MADAKET RD

LEGGETT DAVID J TRST ETAL
2408 NORTH QUANTICO ST
ARLINGTON, VA 22207

PARCEL ID: 594_215
260 MADAKET RD

MADAKET COTTAGE INTV OWNRS ASSC
PO BOX 70
WESTFIELD, NJ 07091

PARCEL ID: 594_213
250 MADAKET RD

JOHNSON BERTYL V JR TR
PO BOX 3270
NANTUCKET, MA 02584

PARCEL ID: 594_212
254 MADAKET RD

ROSS HENRY C & MARY ANNE
254 MADAKET RD
NANTUCKET, MA 02554

PARCEL ID: 594_211
252 MADAKET RD

SIMMONS ALAN & VIRGINIA A
11 HELMLOCK ROAD
WESTON, MA 02493

PARCEL ID: 594_271
264 MADAKET RD

MCPMAHON STACEY & JAMES M
557 LAUREL STREET
LONGMEADOW, MA 01106

PARCEL ID: 594_214
1 ARKANSAS AV

MCLEISH ROBERT H ETAL
1840 WEST ROAD
MANCHESTER, VT 05255

Town of Nantucket

Diversity, Equity and Inclusion Office

Kimal R. McCarthy, Ed.D.
Diversity, Equity & Inclusion Director
krmcCarthy@nantucket-ma.gov



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7200 ext 7344
Facsimile (508) 325-7556
www.nantucket-ma.gov

December 14, 2022

Year-in-Review, 2022

2022 was a productive year for the Town of Nantucket's Diversity, Equity and Inclusion Office. Throughout the year, the DEI director participated in internal and external opportunities that highlighted the importance of diversity, equity and inclusion in a variety of ways. The touchstones listed below provides a sample as to how town government is working towards becoming more equitable and inclusive for the island's diverse residents and visitors.

DEI Strategic Plan Update

Our work with Tangible Development LLC. to create a DEI Strategic Plan continues. With assistance from our consultants, the town received its first DEI Assessment Report in August 2022. The report highlights Nantucket's areas of success and areas for growth within the practice of municipal DEI. The assessment is available on the town website and a presentation on its findings and recommendations is available in the recording of the September 28, 2022 Select Board meeting. The consultation also helped to create an internal Diversity, Equity & Inclusion Committee (DEIC). The purpose of the DEIC is to share DEI education with town employees using a variety of opportunities. Looking ahead, several professional development opportunities on an array of DEI topics is one of the final stages of our DEI consultation with Tangible Development alongside operationalizing the strategic plan produced. Tangible Development has assisted the DEI Office and director significantly in developing a DEI path forward contextualized for Nantucket Island.

DEI Programs, 2022

The DEI Office produced several DEI programs throughout 2022. In collaboration with different departments and island organizations, the DEI Office acknowledged and celebrated a variety of identity-based heritage and federal holidays, with particular attention paid to highlighting Nantucket's history. For example, in May 2022, Dr. Frances Ruley Karttunen gave a virtual lecture that celebrated Nantucket's Asian American Pacific Islanders heritage. The lecture titled *Pacific Islanders on a Faraway Island* is available on the Town's YouTube channel. Other 2022 programs included a dissertation presentation in honor of Juneteenth and a brief but detailed write up with resources on the importance of Indigenous Peoples' Day. In December 2022, the DEI Office produced a program titled *Women in Science on Nantucket*, which featured Dr. Sarah Bois, Dr. Valerie Hall, Dr. Regina Jorgensen, and Dr. Jennifer Karberg and hosted by the Nantucket Atheneum. These events demonstrate that the DEI Office and town are working strategically to ensure that importance of DEI can reach a variety of audience and residents.

Massachusetts DEI Coalition & DEI Guide

Nantucket's affiliation with the Massachusetts DEI Coalition continues. With support from the Town Manager, the DEI Director participates in scheduled virtual meetings with other DEI practitioners throughout state. The Massachusetts DEI Coalition provides opportunities for practitioners to share ideas and challenges faced in municipal DEI-work and to seek advice from peers. The coalition recently produced the state's first ever DEI Guide, which was published in 2022 and the Town of Nantucket is a listed contributor in the guide's development. The MA DEI Guide was financially supported and coordinated by the Metropolitan Area Planning Council (MAPC).

Outreach & Collaborations

There were several opportunities for collaborations and public outreach throughout 2022. Apart from collaborations on DEI programs, the DEI director was granted an audience with the Community Foundation for Nantucket to give the group an update on our DEI efforts as well as an opportunity to talk with representatives from the University of Massachusetts Boston on ways to bring courses for life-long learners to Nantucket. In August 2022, Nantucket's DEI Director and Arlington's DEI Director jointly presented information on the Massachusetts Municipal DEI Coalition and DEI Guide. The presentation was for employees at Blue Cross Blue Shield who are a part of the Black Professional Network. And, more recently, in fall 2022 the Nantucket Historical Association, Museum of African American History, and DEI Office came together to start the conversation and steps necessary for developing an accessible curriculum about Nantucket's people of color. DEI-work is collaborative by nature and the DEI Office is happily working with local and state entities to reach DEI goals we envision for our community.

DEI-work & Select Board Pledge

It is important to contextualize the Town's DEI-work. In June 2020, the 'Select Board Pledge to the Nantucket Community' listed many priorities and commitments primarily to advance DEI-work on island. Some commitments included, "develop an Equity/ Diversity office in Town Administration – a cabinet level position...", "[doing] all we can to stand with the black community, as well as other minorities, to ensure that we do the work to make Nantucket a more just and equitable community...", and "continuing to be active participants in working hard to educate, train and effect change in our organizations and throughout the community." As demonstrated by the touchstones above, the DEI Office and town employees are working diligently to ensure that these commitments are fulfilled and prolonged. With community support, we will continue working towards the many commitments listed in the Select Board's pledge and unabashedly strive towards our DEI mission.

Sincerely,

Dr. Kimal McCarthy

Diversity, Equity & Inclusion Director



Town Administration Fiscal Year 2024 General Fund Budget Recommendations

As of December 14, 2022

Select Board Meeting

Select Board & Administration Goals and Priorities for FY2024

- Balanced budget – within projected revenue
- Strategic Plan
 - Housing, Housing, Housing
 - Environmental Leadership
 - Efficient Town Operations
 - Transportation
 - Quality of Life
- Capital and operational investment in infrastructure/facilities
- Sustainability
 - Storm Water
 - Coastal Resiliency
 - Water Quality
- Staffing
 - Employee retention

Strategic Plan Implementation Addressed with Budget Recommendations

- Strategic Plan
 - Housing
 - Increase opportunities to house Town employees
 - Environmental Leadership
 - Sustainability
 - Coastal Resiliency/Hazard Mitigation
 - Storm Water
 - Solid Waste
 - Transportation
 - Continued evaluation of demand management parking (Paid parking)
 - Parking enforcement
 - Quality of Life
 - Diversity Equity Inclusion (DEI) development of strategic plan
 - Park & Rec Division (Public Works)
 - Efficient Town Operations
 - Continued Investment in Technology
 - Investment in Infrastructure Maintenance
 - Central Fleet management
 - Employee retention strategies
 - E-document program continuation
 - Communications plan implementation

Additional Priorities

- Our Island Home Operations
- Municipal Facilities Project Implementation
- Parks Master Plan Activities
- Sustainability Office Development
- Capital Planning & Project Management
- Baxter Road Alternative Access
- DPW Campus Relocation
- Surfside Area Water Main Extension & Transportation Improvements
- Public Safety: Staffing, Equipment Maintenance, Call Firefighter Program

Efforts to Enhance Recruitment and Retention of Town Employees

- Succession planning
- Cross-train staff where appropriate
- Increase training and professional development opportunities
- Classification and compensation study
- Review and refine remote working options
- Review potential options for Town employee housing
- Evaluate employee benefits

FY2024 General Fund Budget Overview

- Revenue – Total Projected Revenue of \$139,245,361
Net of Property Tax Abatements
- Expenses – Total Projected Expenses of \$138,337,526
- Projected FY2024 Unused Levy Capacity \$907,835

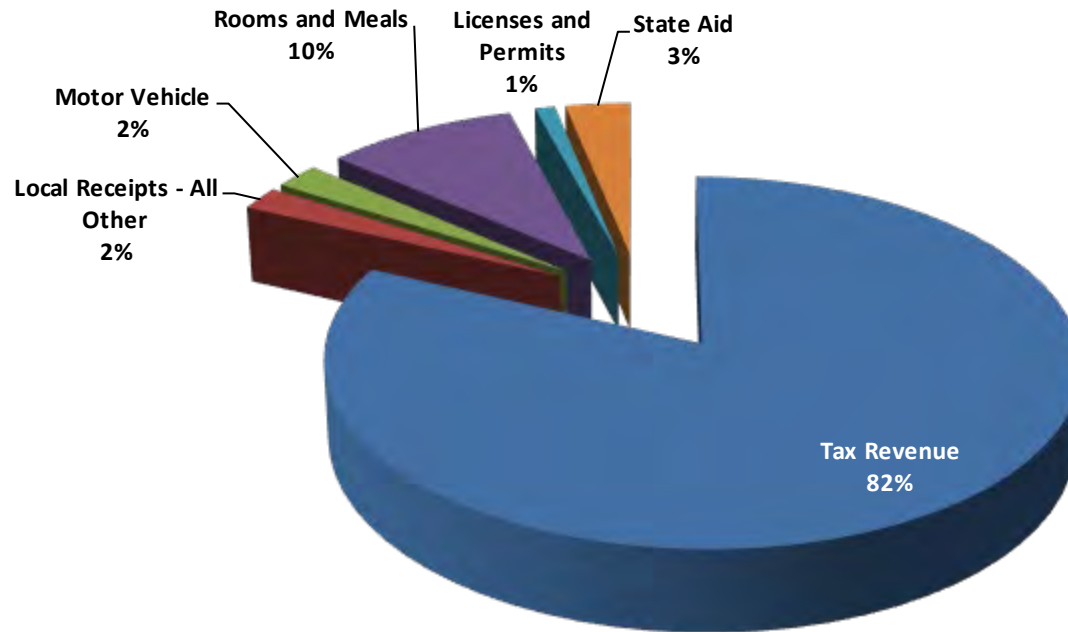
FY2024 General Fund Budget Summary Comparison

REVENUES	FY2023	FY2024	\$ Change	% Change
Property Tax	102,260,684	111,849,584	9,588,900	9.4%
Local Receipts (All other)	3,028,774	2,905,300	(123,474)	(4.1%)
Motor Vehicle Excise	2,750,000	3,100,000	350,000	12.7%
Rooms and Meals Tax	7,450,000	13,000,000	5,550,000	74.5%
Licenses and Permits	1,250,000	1,350,000	100,000	8.0%
State Aid (1)	4,385,979	4,385,979	-	-
Free Cash	6,762,559	1,571,663	(5,190,896)	(76.8%)
Other Available Funds	175,000	175,000	-	-
TOTAL REVENUES	128,062,996	138,337,526	10,274,530	8.0%
EXPENDITURES				
Municipal Departments	33,691,194	36,498,320	2,807,126	8.3%
School Department	34,976,987	37,126,987	2,150,000	6.1%
Non-Departmental	36,855,185	41,683,792	4,828,607	13.1%
Special Appropriations	22,539,630	23,028,427	488,797	2.2%
TOTAL EXPENDITURES	128,062,996	138,337,526	10,274,530	8.0%

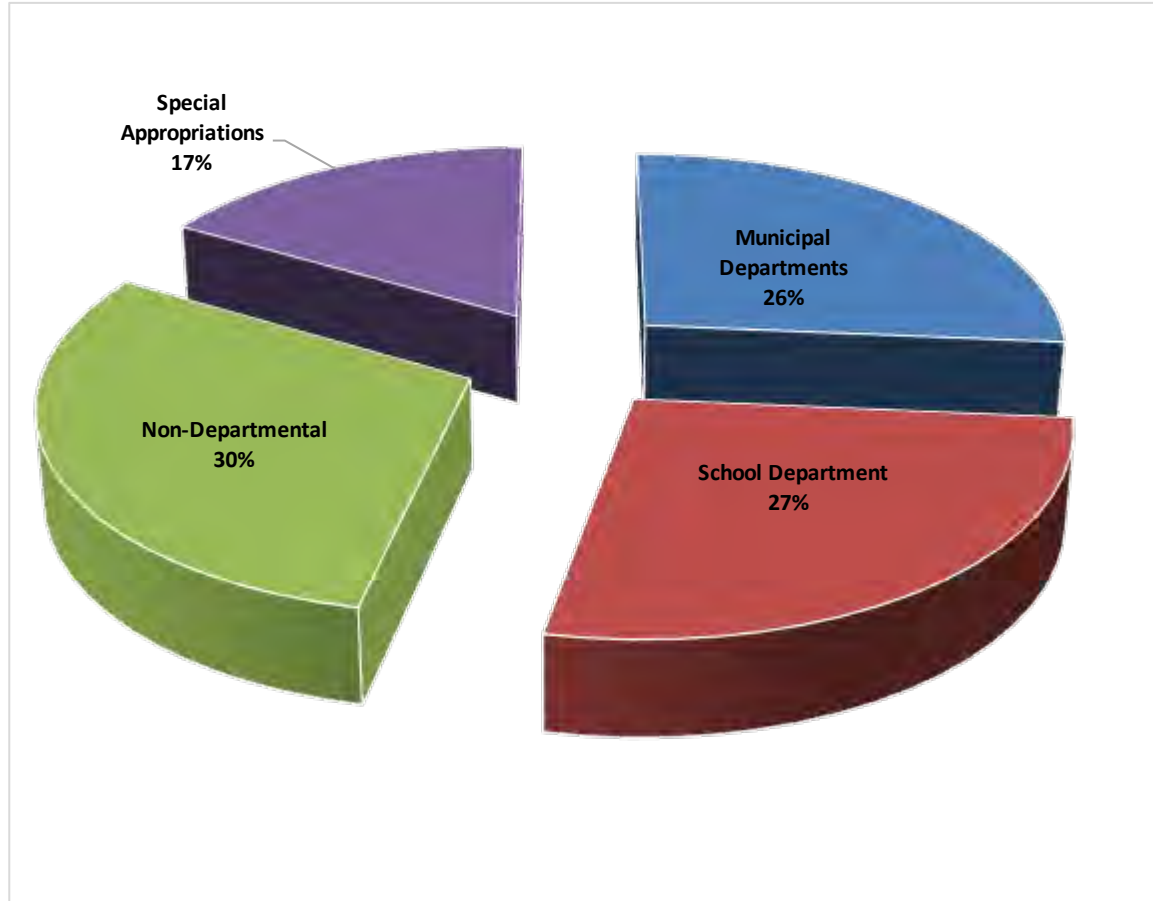
- See Appendix A for detailed breakdown.

(1) FY 2024 state aid represents level funding from FY 2023 approved figure.

FY2024 General Fund Projected Revenue



FY2024 General Fund Projected Expenses



FY2024 General Fund Budget

Expense Categories

Category	FY2024 Current Projection	Notes
Town Operational Expenses	\$11,237,109	
Town Operational EIRs ⁽¹⁾	\$3,236,395	<i>Included in Town expenses</i>
Town Salaries	\$25,079,753	<i>Contracts in negotiations; c/b allowance</i>
Town Personnel EIRs	\$769,238	<i>Included in Town salaries</i>
School Operational Expenses	\$6,230,385	
School Operational EIRs	\$641,858	<i>Included in School expenses</i>
School Salaries	\$30,296,602	<i>Contracts in negotiations; collective bargaining allowance</i>

(1) EIR = Expense Increase Request.

FY2024 General Fund Budget

Fixed Costs

Category	FY2024 Current Projection	% Change over FY2023 Budget
Health Insurance		
Active	\$12,251,348	3.3% increase
Retiree	\$4,083,783	3.3% increase
General Insurance	\$4,091,932	15% increase
Debt Service	\$14,422,131	<i>per established schedule</i>
Retirement	\$6,834,598	8.5% increase
Enterprise Fund Subsidies*	\$17,585,335	2.5% Increase

* See Appendix A for detailed breakdown.

FY2024 General Fund – Special Appropriations

Category	FY2024 Current Projection	% Change over FY2023 Budget
Mosquito Control	\$181,458	2.5% increase
Health & Human Services	\$825,000	No change
County Assessment	\$179,075	2.5% increase
Reserve Fund	\$500,000	No change
Unpaid Bills	\$12,163	87% decrease
Other Post Employment Benefits (OPEB)	\$500,000	50% decrease
Affordable Housing Trust Fund	1,013,044	37.7% decrease
Overlay & Other Deficits	\$0	\$0
Cherry Sheet Charges	\$1,213,219	No change
Community School	\$600,000	9.1% increase
Min Cap Funding Req.	\$1,200,592	n/a - 1% of prior year revenue
TOTAL EXPENSES	\$138,337,526	

FY2024 Town Expense Increase Requests

(included in recommended budget, excluding school)

- \$4,996,133 Submitted Requests
 - One-time \$1,559,500
 - On-going \$3,436,633
- \$4,368,633 Recommended
 - One-time \$1,559,500
 - On-going \$2,809,133
- To be funded through available tax levy, budget adjustments, alternate funding sources, free cash, potential revenue increases

FY2024 Recommended Town Personnel Expense Increase Requests

Department	Description of Expense Request	One- Time or Ongoing	Approved EIRs (1)
Personnel Expense Increase Requests (EIRs)			
DPW	Addition of 2 Facility Technicians	Ongoing	188,886
DPW	Central Fleet Admin	Ongoing	102,742
Finance	Addition of 1 Accounting Clerk	Ongoing	102,742
Fire	Addition of 4 Lieutenants	Ongoing	406,403
Housing	Rental Property Manager	Ongoing	*
HHS	Volunteer Coordinator part-time	Ongoing	67,871
Marine	Deputy Harbormaster	Ongoing	119,922
PLUS	Senior Planner	Ongoing	128,671
PLUS	Overtime increase	Ongoing	15,000
Department Personnel EIR			\$ 1,132,238

*The funding for this position already exists in the Housing Department's budget. Professional services will be reduced.

FY2024 Recommended Town Operating Expense Increase Requests

Operating Expense Increase Requests (EIRs)

IT	IT Assessment and Strategic Plan	One-Time	100,000
Housing	Employee housing property rent	One-Time	200,000
Housing	Housing subsidy program	One-Time	1,000,000
NR	Upgrades and repairs to Hatchery equipment	One-Time	25,000
Town Admin	Facilities maintenance study	One-Time	75,000
Town Admin	Baxter Rd alternative access	One-Time	150,000
Town Clerk	High Speed Tabulator and Poll Pad for Town elections	One-Time	9,500
DPW/Central Fleet	Increase in repairs & maintenance vehicle	Ongoing	100,000
DPW/Central Fleet	Increase in repairs & maintenance equipment	Ongoing	100,000
DPW/Central Fleet	Central Fleet management platform	Ongoing	12,000
DPW/Central Fleet	Increase in professional services	Ongoing	15,000
DPW/Central Fleet	Increase in repairs & maintenance consumables	Ongoing	30,000
DPW/Central Fleet	Increase in state travel	Ongoing	20,000
Finance	Additional OpenGov Services	Ongoing	65,000
FinCom	Increase in printing	Ongoing	5,000
HR	Increase in funding for employee recognition and training	Ongoing	36,500
HR	Increase in funding for other recruiting expenses	Ongoing	30,000
HR	Increase in professional services NeoGov services	Ongoing	20,000
HR	Increase in professional services employee pre-employment physical	Ongoing	10,000
IT	Increase 5% Annual Professional Services	Ongoing	32,395
Park & Rec	Increase in repairs & maintenance buildings	Ongoing	30,000
Park & Rec	Increase in repairs & maintenance equipment	Ongoing	30,000
Park & Rec	Increase in repairs & maintenance grounds	Ongoing	150,000
Park & Rec	Consolidation of Town Landscape contracts	Ongoing	200,000
Public Facilities	Property Management	Ongoing	150,000
Street Lighting	Street lights maintenance	Ongoing	100,000
Town Admin	Communications division	Ongoing	125,000
Town Admin	Professional services	Ongoing	50,000
Town Admin	Employee retention strategies	Ongoing	300,000
Town Admin	NCTV additional services	Ongoing	30,000
Town Admin	Out of state travel increase	Ongoing	8,000
Town Admin	Professional services in DEI division	Ongoing	13,000
Town Clerk	Sound services for ATM	Ongoing	5,000
Town Clerk	Binding of vital records	Ongoing	10,000

Total Operating Expense Increase Requests		\$ 3,236,395
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Total Town Personnel & Operational Expense Increase Requests		\$ 4,368,633
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FY2024 Town Expense Increase Requests

Funding Source Detail

Funding Source	Amount
Tax Levy & Other General Revenues	\$2,809,133
Free Cash	\$1,559,500
Capital Exclusion	\$0
Special Revenue Funds	\$0
Borrowing	\$0
Total - All Funding Sources	\$4,368,633

Preliminary Free Cash Recommendation (Subject to Change)

General Fund Certified Free Cash*	\$15,250,000*
Fund Town Expense Increase Requests (one-time)	\$1,559,500
Fund School Expense Increase Requests (one-time)	\$250,000
Fund Town and School Capital Requests	10,000,000
Unpaid Bills	\$12,163
Stabilization Fund	TBD
Capital Stabilization Fund	TBD
Other Post Employment Stabilization Fund	TBD
OPEB Trust Fund Contribution	TBD
Unallocated Free Cash	\$3,428,337

*Free Cash for use in FY2023 and FY2024 is pending certification by the Department of Revenue as of December 1, 2022. Full certification is expected in late December 2022 or early January 2023. This amount is expected to exceed budget projections due to a better operating result than FY2022 Pursuant to Town policy and best management practices, Free Cash is used for non-recurring items such as capital projects or items or other one-time expenses.

FY2024 Outstanding Items and Current Unknowns

- State Aid Impact
- Harbor Place Project
- Citizen Warrant Articles Potential Cost Impact
- PFAS Costs
- Short-term Rentals
- Supply Chain & Labor Issues
- Implementation of Coastal Resilience Plan and Budget Implication
- Solid Waste
- Free Cash
- Collective Bargaining Negotiations
- Retirement Assessment

Future Potential Costs

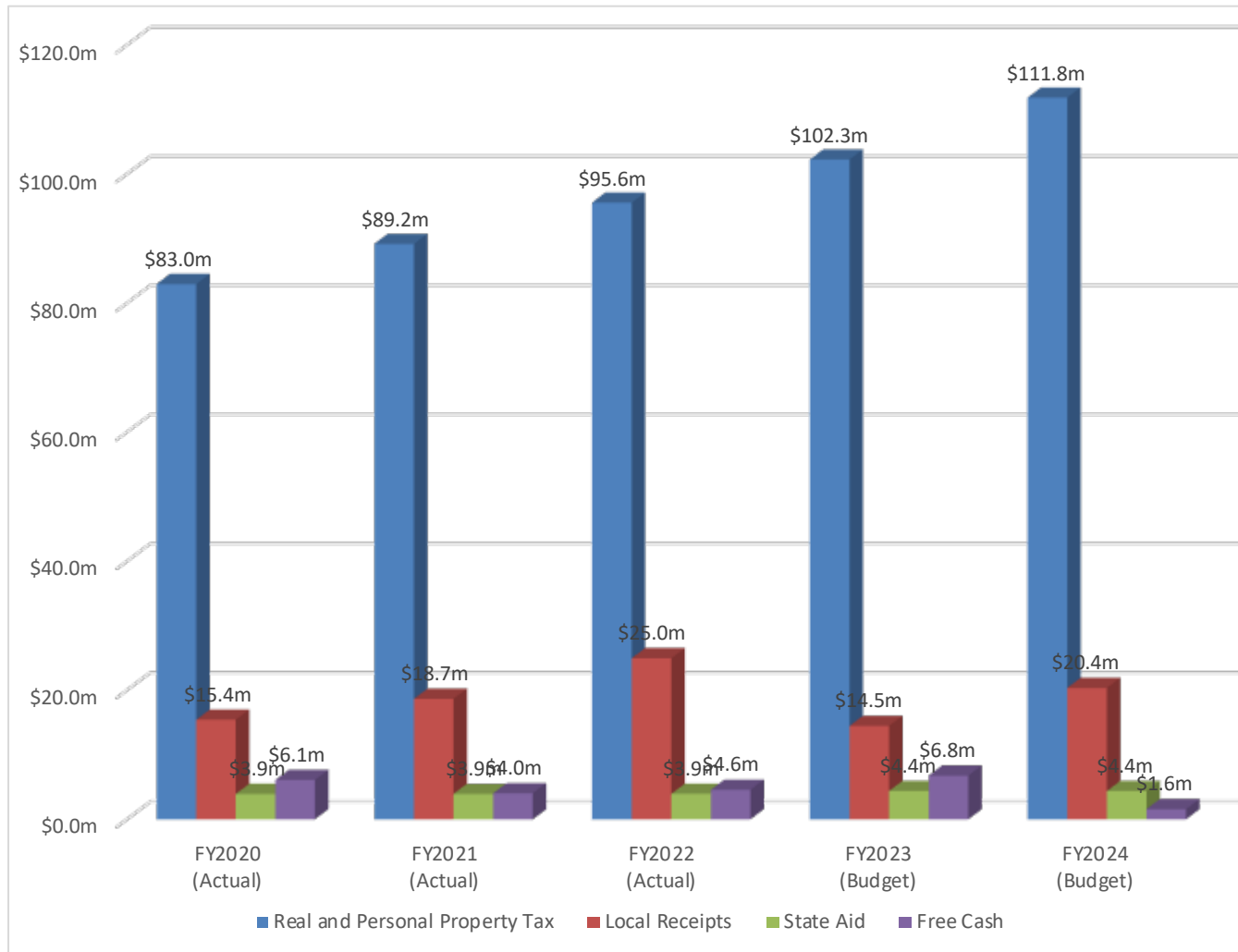
- Integration and implementation of plans
 - Strategic Plan
 - Coastal Resilience Plan
 - Master Plan
 - Parks Master Plan
 - Capital Improvement Plan
 - Hazard Mitigation Plan
 - Harbors Plan
 - Open Space and Recreation Plan
- Employee recruitment and retention, including housing
- Affordable Housing
- Cyber security measures
- Update of 5-year General Fund Forecast
- Solid Waste
 - Current Contract Expires in 2025
- NRTA
 - Service Modifications
- PFAS
- Baxter Road Alternative Access

Next Steps

- January 10: Town Administration FY2024 Budget presentation to School Committee
- January 11: Select Board public hearing; endorsement of recommended FY2024 General Fund Budget
- Mid-January – mid-March: Finance Committee review of General Fund & Enterprise Fund budgets; other financial appropriations
- Saturday, May 6: Annual Town Meeting (2023)

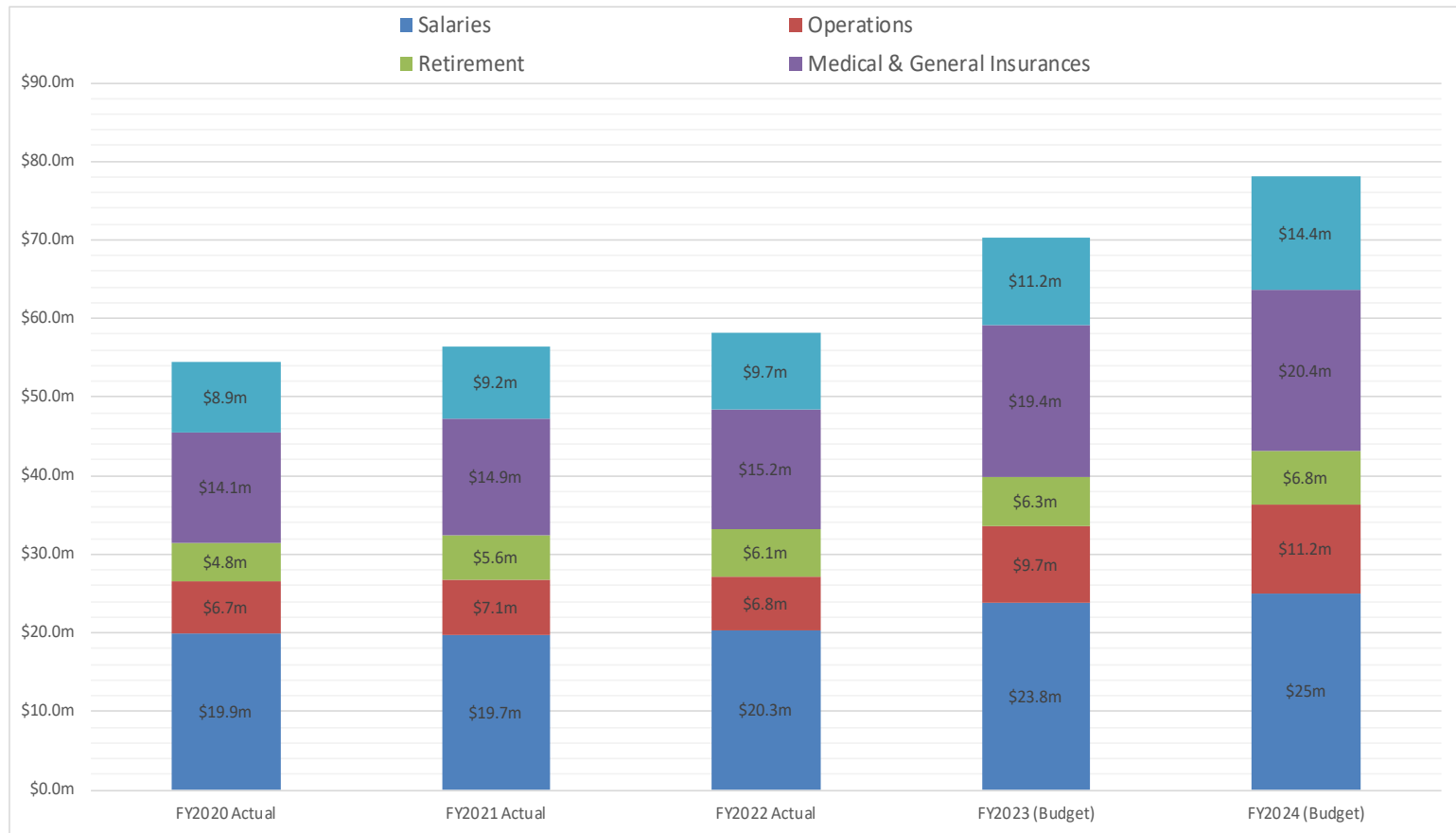
General Fund Revenue Breakdown

FY2020 - FY2024



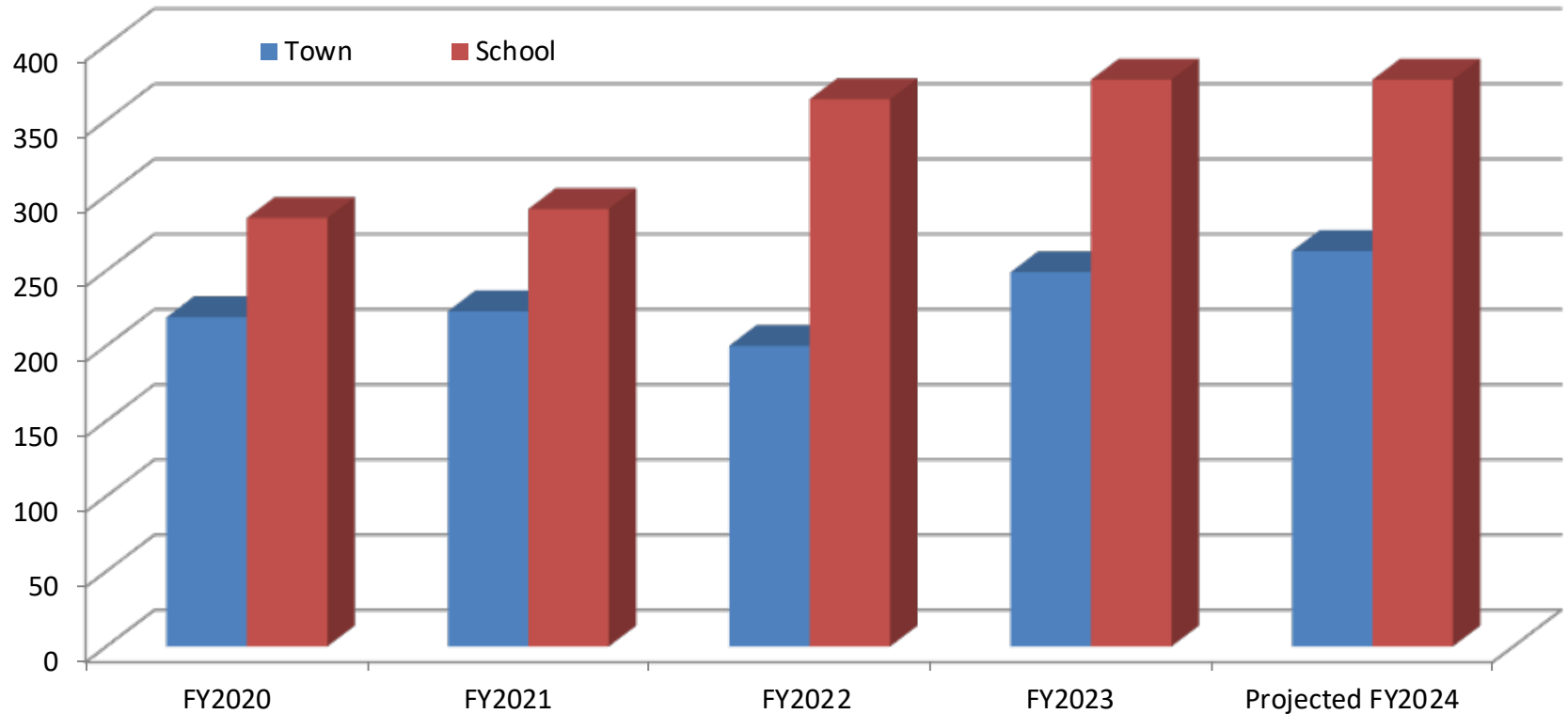
Town Expense Breakdown

FY2020 - FY2024



General Fund Personnel History

FY2020 - FY2024



* Full Time Equivalent Calculation = 33-40 Hrs 1.0; 20-32 Hrs 0.50; Seasonal = 0.25

**For comparative purposes, Town Personnel History does not include Our Island Home

*** Education Personnel History includes Community School Employees

FY2024 General Fund Budget Breakdown – Revenues

	Budget FY2023	Budget FY2024	\$ Change	% Change
<u>Tax Revenue Limitations</u>				
Levy Limit from Prior Year	\$ 89,231,193	\$ 92,436,973	\$ 3,205,780	3.6%
Add: 2 1/2 % increase	2,230,780	2,310,924	80,144	3.6%
Add: Prop 2.5% operating override	-	-	-	na
Add: new growth <i>estimate</i>	975,000	1,000,000	25,000	2.6%
Add: operating override	-	5,000,000	5,000,000	na
Levy Limit for Current Year	92,436,973	100,747,897	\$ 8,310,924	9.0%
Add: Debt Exclusion	10,391,813	11,559,522	1,167,709	
add: Capital Exclusion	1,016,000	850,000	(166,000)	
Maximum Allowable Levy for Current Year	\$ 103,844,785	\$ 113,157,419	\$ 9,312,634	9.0 %
OVERLAY	(400,000)	(400,000)	-	-
Net available:	\$ 102,260,684	\$ 111,849,584	\$ 9,588,900	9.4 %
State Aid	\$ 4,385,979	\$ 4,385,979	\$ -	-
Local Receipts:				
Motor Vehicle Excise	2,750,000	3,100,000	350,000	12.7%
Rooms and Meals Tax	7,450,000	13,000,000	5,550,000	74.5%
Licenses and Permits	1,250,000	1,350,000	100,000	8.0%
Local Receipts - All Other	3,028,774	2,905,300	(123,474)	(4.1%)
Total Local Receipts	14,478,774	20,355,300	5,876,526	40.6 %
Total Revenue	\$ 121,125,437	\$ 136,590,863	\$ 15,465,426	12.8 %
Other Sources				
Other Sources	175,000	175,000	-	-
Free Cash Used	6,762,559	1,571,663	(5,190,896)	(76.8%)
Excess Overlay	-			
Total Revenue and Other Sources	\$ 128,062,996	\$ 138,337,526	\$ 10,274,530	8.0 %
Total Expenses and Other Uses	\$ 128,062,996	\$ 138,337,526	\$ 10,274,530	8.0 %

FY2024 General Fund Budget Breakdown – Expenses

	Budget FY2023	Budget FY2024	\$ Change	% Change
General Fund Operating Budget Items:				
Salaries - Town (includes allowance for collective bargaining)	\$ 22,236,165	\$ 24,310,515	\$ 2,074,350	9.3%
<i>Town Expense increase Requests- Salaries</i>	1,575,962	\$ 769,238	(806,724)	(51.2%)
Salaries - School (includes allowance for collective bargaining)	27,276,082	\$ 28,638,460	1,362,378	5.0%
<i>School Expense increase Requests- Salaries</i>	1,362,378	\$ 1,658,142	295,764	21.7%
Transfers to community school	550,000	\$ 600,000	50,000	9.1%
Subtotal Salaries	\$ 53,000,587	\$ 55,976,355	\$ 2,975,768	5.6%
Operating Expenses, Town:	7,365,135	\$ 8,000,714	635,579	8.6%
<i>+Town Expense Increase Requests-Operating</i>	2,336,900	\$ 3,236,395	899,495	38.5%
Operating Override - 2011 Mosquito Control	177,032	\$ 181,458	4,426	2.5%
Operating Expenses, School	5,600,905	\$ 5,588,527	(12,378)	(0.2%)
<i>+School Expense Increase Requests-Operating</i>	187,622	\$ 641,858	454,236	242.1%
Subtotal Expense	\$ 15,667,594	\$ 17,648,952	\$ 1,981,358	12.6%
Group Medical Insurance- Active Employees	11,857,399	\$ 12,251,348	393,950	3.3%
Group Medical Insurance- Retired Employees	3,952,466	\$ 4,083,783	131,317	3.3%
General Insurance (all other insurance)	3,556,680	\$ 4,091,932	535,252	15.0%
Subtotal Insurance	\$ 19,366,545	\$ 20,427,063	\$ 1,060,518	5.5%
Debt Service	\$ 11,189,470	\$ 14,422,131	\$ 3,232,660	28.9%
Retirement	\$ 6,299,169	\$ 6,834,598	\$ 535,429	8.5%
Total General Fund Operating Budget Items	\$ 105,523,366	\$ 115,309,099	\$ 9,785,733	9.3%
Other Articles				
Unpaid Bills	90,154	\$ 12,163	(77,992)	(86.5%)
Special Purpose Stabilization Fund for Town Employee Accrued Liabilities	1,500,000	\$ -	(1,500,000)	(100.0%)
Reserve Fund	500,000	\$ 500,000	-	-
Health and Human Services	650,000	\$ 650,000	-	-
Special Purpose Stabilization for Substance Abuse	175,000	\$ 175,000	-	-
County Assessment	174,707	\$ 179,075	4,368	2.5%
Other Post Employment Benefits (OPEB / GASB45)	1,000,000	\$ 500,000	(500,000)	(50.0%)
Capital Project Stabilization Fund	1,250,000	\$ -	(1,250,000)	(100.0%)
Stabilization fund	1,500,000	\$ -	(1,500,000)	(100.0%)
Affordable Housing Trust Fund	1,625,000	\$ 1,013,044	(611,956)	(37.7%)
Capital			-	na
General Fund budgeted from revenue (Town Bylaw 11-12.1)			-	na
Town Capital (Non-Recurring)	1,070,980	\$ 1,200,592	129,612	12.1%
Enterprise Fund Transfers				
Transfer to Enterprise Fund (Our Island Home - Beginning FY2011)	5,125,000	\$ 5,253,125	128,125	2.5%
Add: Additional Subsidy from Free Cash (Our Island Home)			-	na
Transfer to Enterprise Fund (SWEF Operating Overrides 1999/2006)	3,839,103	\$ 3,935,081	95,978	2.5%
Add: Additional General Fund Subsidy to SWEF 2012-Forward	2,826,467	\$ 2,897,129	70,662	2.5%
Add: SWEF override		\$ 5,000,000	5,000,000	na
Transfer to Enterprise Fund (Stormwater)		\$ 500,000	500,000	na
Total Other Article Appropriations	\$ 21,326,411	\$ 21,815,208	\$ 488,797	2.3%
Other Statutory Expenditures				
Overlay and other deficits	-	\$ -	-	na
Cherry Sheet Offsets and Charges	1,213,219	\$ 1,213,219	-	-
Total Appropriations and Other Statutory Expenditures	\$ 128,062,996	\$ 138,337,526	\$10,274,530	8.0%

Historical Information

Stabilization and Trust Funds

	2018	2019	2020	2021	2022
General Stabilization	5,059,485	5,411,964	5,541,745	5,770,018	5,761,339
Capital Stabilization	1,250,000	1,250,000	1,250,000	1,302,038	1,299,800
OPEB Trust Fund	2,390,558	3,130,312	3,681,241	4,248,650	4,885,113

Certified Free Cash

	2018	2019	2020	2021
Certified Free Cash	\$9,593,671	\$10,334,761	\$9,655,001	\$19,281,934

Historical Information

Our Island Home

Our Island Home	FY2018	FY2019	FY2020 (2)	FY2021 (3)	FY2022 (4)
General Fund Subsidy	1,511,446	1,511,446	2,687,245	3,500,000	5,000,000
Certified Retained Earnings	2,687,275	1,619,047	2,046,379	6,188,036	-
CPE Payment	1,515,353	1,448,300	-	2,822,647	-

(2) In FY2020 the Town didn't receive CPE payment

(3) Two years of CPE were received in FY2021

(4) In FY2022 the Town didn't receive CPE payment

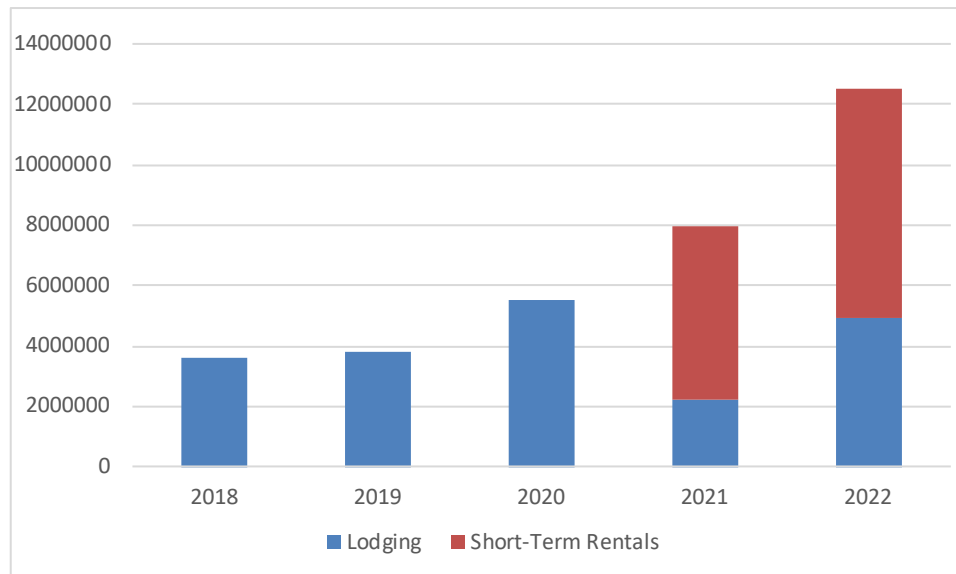
Solid Waste Enterprise

Solid Waste Enterprise Fund	FY2018	FY2019	FY2020	FY2021	FY2022
Landfill Operations	5,894,930	6,039,524	6,189,664	6,343,105	6,502,995
Landfill Mining	700,000	700,000	-	-	-
End of year Budget Transfer					500,000
Reserve Transfer					500,000
Section 33B Transfer					800,188
Certified Retained Earnings	2,099,354	1,453,694	932,731	722,202	-

Historical Information

Local Option Rooms Tax 5 Year History

	2018	2019	2020	2021	2022
Lodging	\$ 3,622,241.64	\$ 3,807,929.59	\$ 5,553,748.52	\$2,213,648.00	\$ 4,915,728.00
Short-Term Rentals	\$ -	\$ -	\$ -	\$5,766,637.00	\$ 7,582,789.00
Total	\$ 3,622,241.64	\$ 3,807,929.59	\$ 5,553,748.52	\$7,980,285.00	\$ 12,498,517.00



Fiscal Year 2024

Town Manager's Budget Message

(July 1, 2023 – June 30, 2024)



Town of Nantucket, Massachusetts
16 Broad Street
Nantucket, MA 02554

<https://www.nantucket-ma.gov/>



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APPENDICES

- A. Enterprise Funds Subsidies and Retained Earnings
 - a. Our Island Home
 - b. Solid Waste
- B. FY 2023 Cherry Sheet
- C. Strategic Plan Summary (Adopted October 24, 2018, updated September 11, 2019, and pending November 2020)
- D. Moody's Credit Rating Opinion
- E. Unused Levy Capacity and Free Cash
- F. Stabilization and Reserve Funds
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 - a. Nantucket Real Estate Market Insights by Fisher Real Estate
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- M. FY 2024 General Fund Revenue Breakdown
- N. General Fund Debt Service Schedule
- O. FY 2024 General Fund Expenditure Breakdown
- P. FY 2024 Approved Expense Increase Requests
- Q. List of Collective Bargaining Agreements
- R. FY 2024 Expense Increase Requests



**TOWN OF NANTUCKET
Office of Town Manager**

16 Broad street
Nantucket, Massachusetts 02554
508-228-7200

C. Elizabeth Gibson, Town Manager

December 14, 2022

Chairperson Bridges and Members of the Select Board:

Enclosed please find the Town Manager's Proposed General Fund Budget for Fiscal Year 2024 (July 1, 2023 - June 30, 2024) in accordance with the requirements of the Town Charter. The proposed budget as presented would increase by 9.27% over the FY 2023 budget.

The Proposed FY 2024 Town Government budget of \$115,309,099 represents an increase of \$9,785,733, as follows:

The Nantucket Public Schools budget is proposed to increase \$2,150,000 which will continue the strong commitment and investment in public education on the island and address emerging issues and regulatory requirements.

Overall, General Fund expenditures are projected to increase by 7.00%. If approved as presented, Unused Levy Capacity (the amount that the property tax levy can increase above of limit set by Proposition 2 ½) is projected to be approximately \$907K, which is less than 1% of the projected Levy for FY 24. Unused Levy Capacity provides a buffer should the Town need to increase future spending by more than 2.5% and/or address unexpected occurrences.

Each year, Free Cash is certified as of June 30 for appropriation as of July 1. At the time of printing, the Town is still awaiting the June 30, 2022 certification, but estimates it to be approximately \$15 million. Free Cash, in accordance with the Town's financial policy as adopted by the Select Board, is to be used for one-time operating expenses, capital, or to continue to fund the stabilization accounts.

As has historically been the case, Nantucket is dependent on Property Taxes as a source of funding for Town operations with 82.0% of its revenues coming from this source. Other sources include Rooms and Meals (10%) State Aid (3.0%), Other Local Revenues (such as licenses and permits) (5.0%).

The financial health of a municipality is partly reflected in its credit rating for borrowing funds as determined by rating agencies. Since 2018, Nantucket has earned a Aaa credit rating, the highest possible, by Moody's Investors Service. The proposed budget maintains the sound fiscal practices that earned this rating.

Major expense categories include debt service, pension, and health insurance. With the addition of debt service related to the Affordable Housing Trust, continued work within the downtown corridor on sidewalks, additional seasonal employee housing, necessary improvements and repairs to the Town pier and the acquisition of 10-12 Washington Street, debt service is projected to increase from \$11,189,470 to \$14,422,131. Major contributors to the increase include:

- \$1,663,861 for debt-excluded projects including the acquisition of 10-12 Washington Street, affordable housing development, work associated with the Harbor Master Building, and design of the new DPW Campus.
- \$1,499,082 for projects funded within the Levy for work associated with the downtown sidewalk plan, employee housing maintenance, construction of Waitt Drive, and continued investment in affordable housing.

With the increase in value of the stock market, and the Town's continued commitment to funding long-term liabilities, its funded status of both Nantucket's portion of the Barnstable County Retirement System and Other Post-Employment Benefits (OPEB) Trust fund has improved.

Town of Nantucket status within Barnstable County Retirement System

- As of the January 1, 2022, Actuarial Valuation, the Town of Nantucket has a Net Pension Liability of \$56,934,193 million - this represents 10.35% of the total pension liability of the Barnstable County Regional Retirement System. The pension system is still on track to be fully funded by 2038.

Town of Nantucket OPEB Liability

- As of the June 30, 2022, Actuarial Valuation, Nantucket has a Net OPEB Liability of \$125,173,141. Nantucket continues to allocate money annually to be put into the OPEB Trust Fund and in accordance with the policy adopted by the Select Board, the savings generated once the pension system is fully funded will be directed into the OPEB Trust Fund.

For the past few years, health care costs and associated health care premiums have risen at a pace greater than inflation. The Town has been fortunate in its ability to maintain rates that have been lower than medical rate inflation. This was achieved through adjustments to plan design, as well as decreased utilization.

Total Budget Plan

The Total General Fund Budget includes funding for all Town programs and services with the exception of those Enterprise Fund operations supported by user fees, such as Nantucket Memorial Airport, Nantucket Sewer Department, and the Nantucket Water Department.

Town Government Budget

As part of the budget process, the Town has identified the following priorities that help shape the formation of the FY 2024 Town Government budget:

- Housing: Town employee and community workforce;
- Ensuring competitive wage and benefits for employees;
- Providing an increased level of funding for public works, facilities, coastal resiliency;

- Enhancing government services by increasing staff support to town departments to meet the needs of the community and its visitors.

Conclusion

The FY 2024 General Fund Budget continues Nantucket's proud tradition of being financially sound while providing funds for important programs and services. I would like to thank all of the Department Heads and their staff members who worked with us throughout this budget process.

Sincerely,

C. Elizabeth Gibson
Town Manager

DRAFT

I. Introduction

Challenges. Continuity. Caution. These three “C’s” have formed the basis of the past several budget recommendations, and they continue to shape our approach moving into FY24. An emerging “C”, “Civility”, or more specifically the lack thereof, has begun to impact *how* and how efficiently the Town is able to operate.

The Select Board has deemed its top 3 priorities as Housing, Housing and Housing, and the crisis surrounding affordable, safe and stable housing has most certainly impacted the Town’s ability to deliver services. Stable housing is generally positively correlated with a stable workforce, and we have a lot of work to do on both.

Legacy impacts of COVID, staffing shortages, PFAS remediation and integration of coastal resilience recommendations are just a few external factors that add challenges to day-to-day execution. In last year’s budget message, we flagged the backlog of projects as a result of the impact of COVID. That backlog continues to be addressed, but supply-chain issues and labor shortages continue to complicate our efforts. Tires, boat engines, vehicles, chemicals for the wastewater treatment facility and many, many more items are still unavailable or severely delayed at times.

According to the Bureau of Labor Statistics there are still 3 million Americans who have yet to return to the workforce post-COVID. The Town has been greatly impacted by workforce challenges with numerous vacancies in Town Departments and a high “quit-rate” of staff. In the past year our resignation rate is more than twice that of state and local governments across the nation, with more than 30% of staff having resigned from Town employment in the past year. In our 2022 spring State of the Town Address, we highlighted the need for patience as the Town adjusts to this more challenging environment and we need to remain mindful and cautious of this constraint.

Global economic challenges also dictate a cautious approach to budget development. A hawkish Federal Reserve Bank is committed to reducing inflation. Stock markets entered bear market territory and nationally there has been a cooling of the housing market. The Federal Reserve Bank faces the delicate balance of containing inflation without tipping the economy into recession. We must be realistic and cautious that declining discretionary income as a result of recession could lead to reduced economic activity on the island in the coming year. Locally we see mixed indicators, where despite higher interest rates, the Island’s real estate market and associated activities (building permits, sewer permits) remain robust. The Registry of Deeds in FY 2023 continues to benefit from the robust housing market, with receipts on par with the prior year. Room occupancy tax revenue for the first quarter of FY 2023 has exceeded the amount collected last year, however, we have not yet had what we could call a “normal” year of that revenue since it expanded to include short-term rentals in 2019. We are cautious about becoming reliant on the room occupancy tax as a predictable source of revenue.

Below we elaborate on the 4 C's (Challenges, Civility, Continuity and Caution) and their impact on construction of the Town budget.

Challenges.

Strategic Plan Initiatives

With COVID largely in the rear-view mirror, the Select Board held its annual retreat on November 29, 2022, to update its Strategic Plan. The existing plan (Summary found in Appendix C) contains several initiatives that continue to require funding. The updated plan will be available on the Town website in the coming days.

The Select Board recognizes the challenge of operating the Town when its employees have unreliable housing circumstances. Unstable housing leads to employee turnover which reduces productivity and increases costs. Adequate and affordable housing is considered fundamental to ongoing operation of the Town. As new initiatives are approved and ready for execution, the challenge is not only to fund the new initiatives, but to have sufficient staffing in place to oversee and implement the initiatives in a timely manner. We have staff work groups focused on ways to improve recruitment and retention, as well as improving housing access for town employees and emergency placement. We will be seeking funding in FY24 for town employee housing initiatives and will likely need to seek additional funds in subsequent years. Employee housing is a long-term challenge on the island, and we are considering alternatives such as remote work, off-island housing, off-island office space and increased compensation.

Our Island Home (OIH)

In recent years we have noted the financial challenges of operating the Town's municipally-operated nursing home (the only municipally-operated skilled nursing facility in Massachusetts). While the financial challenges remain, we are also experiencing severe staffing issues, exacerbated by housing shortages and wage pressure. The regulatory environment for skilled nursing facilities remains as challenging as ever and we have outsourced a very competent management team that is engaged in the day-to-day operation of the facility. As noted in previous budget messages, OIH does not generate enough revenue to fully fund its operations. There are a variety of reasons for this including the relatively small number of beds (licensed for 45), collective bargaining agreements, regulatory requirements, and maintenance and repair of an aging facility. Most significantly, Federal and State reimbursements do not cover the daily cost of care for a resident. Currently, for FY 2023, the budgeted OIH subsidy from the General Fund is \$5,125,000.

On a positive note, at the 2022 Annual Town Meeting, \$8,500,000 was appropriated for the design phase and associated costs for a new OIH. The planning is occupying a significant amount of staff and volunteer time, but we are making headway. The group is also looking at potential options for a new senior center as we plan for a continuum of care for our older population.

Solid Waste

The Waste Services Agreement (WSA) with our landfill operator, Waste Options, expires in 2025. For several years, we have been working internally on various scenarios, options and cost

projections for consideration as the contract expires. That work continues with one Select Board representative and one Finance Committee representative providing valuable policy input and guidance.

Last year we outlined some of the areas of investigation with respect to the solid waste operation. We continue to grapple with many of the following questions and have come to realize that many are significantly impacted by changing, or potentially changing, technological innovations or regulatory change. An issue we thought we may have decided upon a year ago, may very well be an open issue today because of the dynamics of technology.

1. What goals, programs and/or incentives should be adopted with respect to waste reduction, including recycling?
2. Should Compost Facility operations continue after 2025; and what are the alternatives to composting?
3. If the Town continues with the composting operation, should the Town buy/own the Composter? Should the Town own/operate/lease the Transfer Station?
4. What waste disposal alternatives are realistic, including pyrolysis, shipping off-island, incineration?
5. Should the solid waste operation remain at Madaket Road, given sea level rise and climate change impact projections? What would it take to relocate it?
6. Is there one vendor; or more than one who could realistically operate one or more components to the Town's solid waste facility?

We continue with regular workshops with the Select Board to share and review information we have gathered and to seek policy input.

Coastal Resiliency

Another priority of the Select Board which has significant budgetary implications is Sustainability. Within the Sustainability Focus Area, are goals relating to Coastal Resiliency. The Town has a portfolio of projects within the Hazard Mitigation and Coastal Resilience Plans that seek to protect the Island from climate change impacts. In March 2022 we held a two-day conference for staff, Select Board and members of the public to workshop priorities of the Coastal Resilience Plan. Serious financial hurdles are on the horizon.

The scope and cost of these plans are likely to present serious challenges to the Island's taxpayers. There are projects identified between now and 2035 that may cost the Town as much as \$500,000,000. While some financial grants are likely, they will not significantly offset the costs to protect Nantucket from the impacts of climate change and sea-level rise. As of the preparation of this Budget Message, the Coastal Resilience Plan is being integrated into the 10-year Capital Improvement Plan to provide a more robust forecast of future financial requirements upon the Town.

We also created a new position, Sustainability Program Manager, and have successfully filled the position, paving the way for increased focus on ensuring the actions we take today do not negatively impact future generations.

Civility.

Unproductive, mean-spirited civil discourse has become mainstream nationally and has also found its way to our island. It has caused distraction, created delays, and divided our community and without question comes at a cost. A Harvard Business Review study found that when treated in an uncivil manner, nearly 80% of employees lost work time worrying about the situation, and their job commitment declined. Nearly 50% of workers stated they intentionally reduced their work effort and their time spent at work. Our challenges around housing, staffing, and the escalating cost of living are large enough on their own, we do not need unhelpful, uncaring and often personal attacks, permeating how we engage as a community of islanders. We all must do better.

Continuity and Financial Strengths.

- The Town's bond rating was maintained at the Aaa level by Moody's Investor Services in June of 2022 (Appendix D) with a Stable Outlook. The Town continues to have a rating of Aa+ from S&P Global. The Aaa rating is Moody's highest rating for a municipality and Nantucket is one of 15 (out of 351) cities and towns in Massachusetts to achieve this rating. A benefit of these high ratings includes the opportunity to borrow at lower interest rates.
- Free Cash for use in FY 2023 and FY 2024 is pending certification by the state Department of Revenue as of December 1, 2022. Full certification is expected in late December 2022 or early January 2023. Pursuant to Town policy and best management practices, Free Cash is used for non-recurring items such as capital projects or other one-time expenses. See Appendix E for a five-year history of certified Free Cash.
- The Stabilization Fund remains strong with a balance of \$5,761,339 at the end of FY 2022 (Appendix F). A best management practice is to have reserves that are 10% of the budget. Using an approximate budget of \$115,000,000 the Stabilization Fund balance is approximately 5% of the budget. A transfer from Free Cash to the Stabilization Fund was authorized at the 2022 ATM in the amount of \$1,500,000 to be made in FY 2023. Combined with the pending Certified Free Cash (undesignated reserves), we expect the reserve amount to exceed the best management practice guideline as per the Town of Nantucket Financial Reserves Policy (Appendix G).
- The Town maintains a balance of \$1,299,800 in its Capital Projects Reserve Fund at the end of FY 2022. The current balance represents 0.94% of expenditures. A best management practice is to have capital projects reserves meet or exceed 3% of the budget. At 2022 Annual Town Meeting the Town approved \$1,250,000 to be transferred in FY23 into the Capital Projects Stabilization Fund from Free Cash as of July 1, 2022. This transfer better positions the Town relative to its Financial Policies and Procedures.
- Short-term and long-term capital project planning continues. In the fall of 2017, the Capital Program Committee, working with Town Administration began to develop a

more robust review process, involving a standardized ranking system that allows for a consistent approach to prioritizing capital projects in a systematic manner, and provides additional transparency as well accommodates anomalies or unusual circumstances. Software was developed for the Town to more efficiently review and process capital requests for all stakeholders involved in the capital planning process. The process continues for FY 2024 capital planning. The Capital Improvement Plan (CIP) is updated annually (Appendix H).

- Increased focus on Town infrastructure continues to be a Select Board priority. Work to compile a comprehensive list of all town-owned facilities, along with condition assessments, current maintenance needs, and a maintenance schedule continues. The FY 2024 Capital Project and General Fund recommendations will continue the focus on infrastructure maintenance and improvement.
- Local receipts, including meals excise tax and room occupancy tax revenues remain stable after a strong growth period in the aftermath of the Financial Crisis of 2007-2008. New growth may be showing signs of increasing.
- In FY 2023, new growth was certified at \$1,398,303 – this represents a \$286,079 increase from FY 2022 (26% increase). The increase can be attributed to the increase in building on the island as projects that were started during COVID-19 were being completed during 2022.
- In January of 2019, the state enacted new legislation that expanded the hotel/motel room occupancy tax to cover certain short-term rentals. Link: <https://www.nantucket-ma.gov/1327/Short-Term-Rentals>. Collections for the first quarter of FY 2023 remain strong. The Select Board has discussed reserving some amount for specific purposes, including affordable housing, human services, infrastructure improvements/maintenance. It would be prudent to have a better picture of how much additional revenue we may be realizing from this expanded tax before commitments for its use are made. Room occupancy tax revenue for the period of June 2022 through September 2022 was higher than the same period a year ago.
- The Town has maintained its commitment to funding the OPEB Trust Fund (Other Post-Employment Benefits) with annual contributions of \$500,000 since 2015, therefore lowering its net liability. The balance of the OPEB Trust Fund at the end of FY 2022 is \$4,885,113 (Appendix J). At 2022 Annual Town Meeting the Town approved \$1,000,000 to be deposited into the OPEB Trust Fund from the FY 2023 tax levy and other general revenues and Free Cash as of July 1, 2022.
- The Town continues to make its annual required contribution to the Barnstable County Retirement System. When compared to the rest of the Commonwealth's municipalities, Nantucket remains in the top half in terms of retirement funding levels.

- The COVID-19 pandemic has slowed the utilization of healthcare across the country and Nantucket. While the town did experience lower utilization of health insurance during the pandemic, it is now seeing a movement towards higher utilization at the end of FY 2022 and into the beginning of FY 2023. The Town continues to work with its health insurance consultant, monitoring utilization and exploring ways to mitigate the risk and reduce the overall cost of the insurance. (See Appendix K, Price Waterhouse Cooper (PWC) article June 2021).
- For the eighth consecutive year, the Town was awarded the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the Town's Fiscal Year 2021 Annual Comprehensive Financial Report (ACFR). Our Fiscal Year 2022 ACFR has been submitted to the GFOA, currently the town is awaiting the results of that review.

Caution.

In the same way we cautioned about revenues and expenses in last year's budget, we are closely monitoring economic trends and continuing with our cautious approach to both revenue and expense projections. Revenue projections are clouded by the possibility of a recession and expense projections are meaningfully impacted by stubbornly high inflation. We are also entering a period of collective bargaining at a time when wage settlements are higher than any time since 2002 according to Bloomberg Law survey in March, 2022. Rising wage demands are impacting the financial positions of public companies and municipalities alike.

While we all hope a recession can be avoided, warnings signs loom. According to the World Bank, *"several historical indicators of global recessions are already flashing warnings. The global economy is now in its steepest slowdown following a post-recession recovery since 1970. Global consumer confidence has already suffered a much sharper decline than in the run-up to previous global recessions. The world's three largest economies—the United States, China, and the euro area—have been slowing sharply. Under the circumstances, even a moderate hit to the global economy over the next year could tip it into recession."* On the opposite side of that ominous warning is a more optimistic scenario where very recent inflation data suggests a slight trend lower, natural gas prices are well down from their highs which is important as we head into the winter months and some supply-chain issues seem to be dissipating.

Just as central banks have a balancing act between subduing inflation and tipping the global economy into recession, so too, the Town faces a delicate balance of managing the increasing demands of a growing island community while remaining within the levy limit. As we head into FY 2024, the Town's ability to fund expanding demand for programs, provide ever more services, maintain quality of life, and maintain facilities and infrastructure will be stretched. Addressing the expanding demand requires a stable workforce and we must acknowledge the difficulty of attracting, retaining and housing employees.

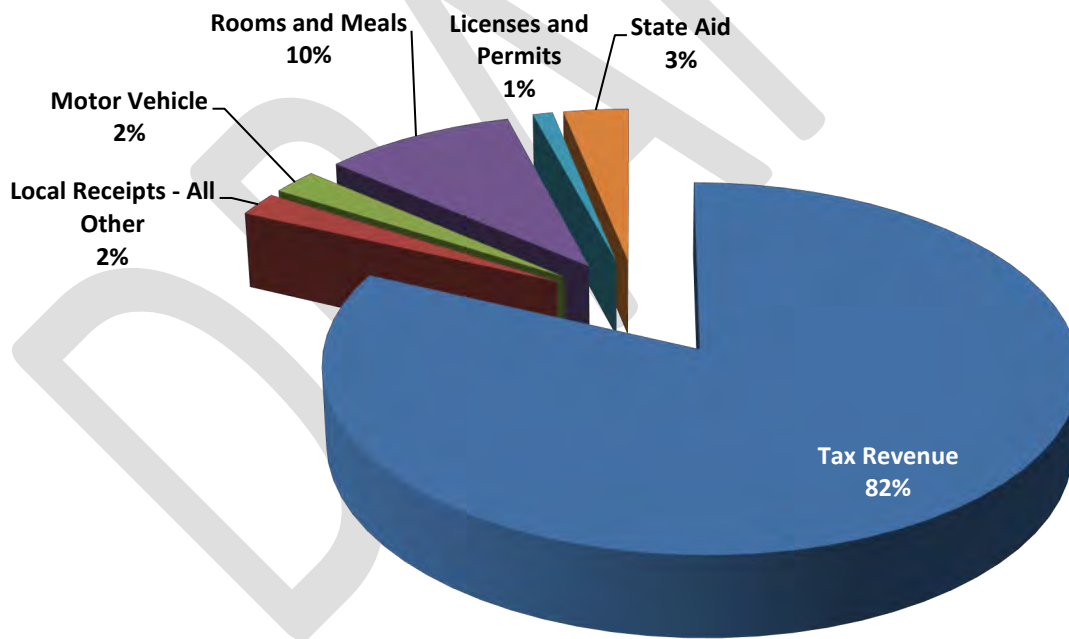
In summary, the FY 2024 budget is particularly challenging due to its many "unknowns". What will inflation do to our already existing project plans? Will we still have sufficient funding for our capital plans? Will wage negotiations further constrain funding for other important service provisions? How quickly can we bring more housing online? Will we come together as a

community, or will we succumb to incivility? One of the few things we can say with certainty is that difficult choices will need to be made.

Each year, we must present a balanced budget which represents a plan of service for the community. Not all requests and needs can be met to the degree desired by individual groups and departments. We continue to be impacted by the effects of the current growth period on the Island, which is straining Town resources. Fixed costs are always increasing, especially employee benefits, service contracts, supplies and equipment, insurance and utilities. The Town's levy capacity for FY 2024 allows for some increases to existing Town and School operations after allocations to Our Island Home, Solid Waste Enterprise Fund and Nantucket Regional Transit Authority (NRTA).

II. Overview of FY 2024 General Fund Budget Projection

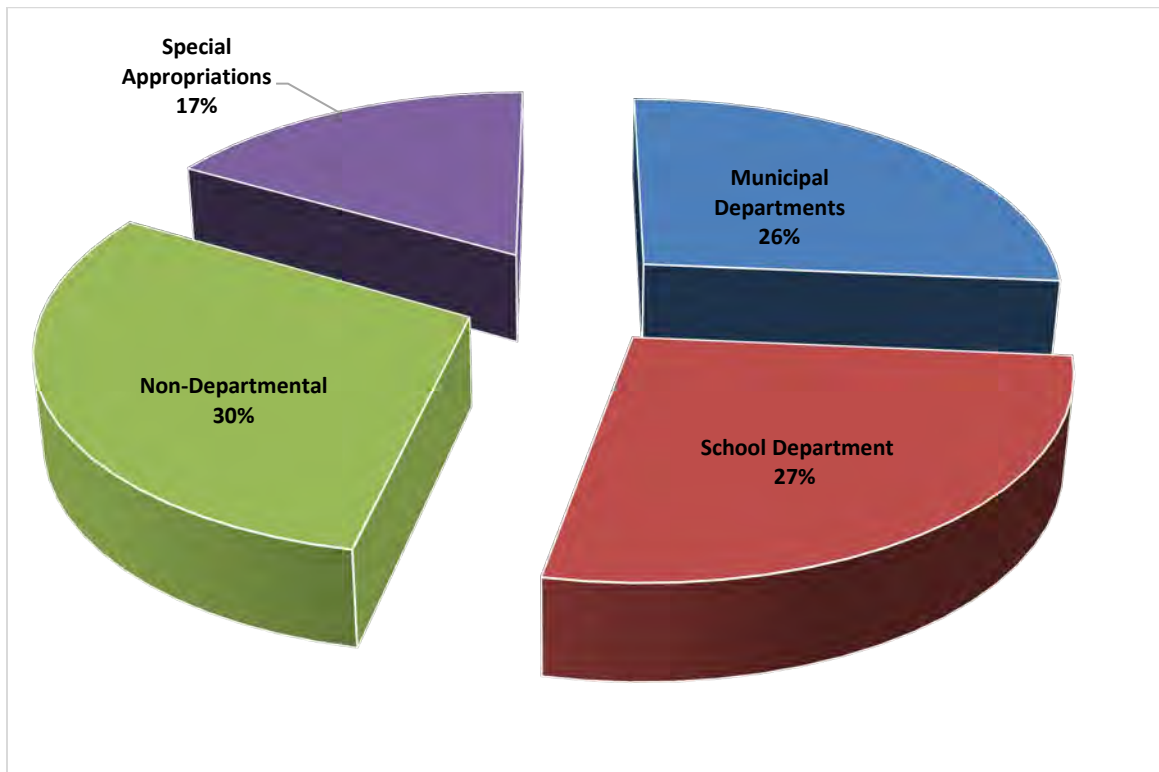
A. Projected FY 2024 General Fund Revenue



Refer to Appendix M for a detailed breakdown of the FY 2024 proposed General Fund revenue as

compared to the FY 2023 approved budget.

B. Projected FY 2024 General Fund Expenses



The proposed FY 2024 General Fund budget will fund:

- Projected Town and School salaries and fixed/current operational expenses – with some additional positions and programs.
- Fixed costs allocated between several expense categories including:
 - Health Insurance for active and retired employees is projected to rise at a rate of ~10% for FY 2024. While the Town did realize cost savings because of plan design changes in FY 2019, and while utilization rates are lower in the last quarter of FY 2022 and into FY 2023, we do expect them to rise near the end of FY 2023 and into the beginning of FY 2024. The continued rise of medical rates inflation has had an impact on the FY 2023 health insurance budget. The pandemic has made budgeting for health insurance much more difficult than in previous years, as people were not able to physically go to their doctors for routine medical care for much of the year in 2020 and 2021.
 - General Insurance is projected to increase 18.5% from FY 2023 actuals, based on current trends. The increase is resulting from the large losses that carriers have faced across the nation due to severe natural disasters over the past few years.
 - Debt service is established by the current repayment schedule. Debt service will

increase in FY 2024 because of the Town issuing debt for Affordable Housing, Waitt Drive improvements, sidewalk improvements and more. The Town will see an upward trend over the next 2-3 years in debt service, as new borrowings are undertaken for prior approved projects. (Appendix N)

- The Barnstable County retirement assessment is assumed to increase 8.5% in FY 2024.

■ General Fund subsidies to the following Enterprise Funds are projected for FY 2024:

- Our Island Home - \$5,253,125
- Solid Waste - \$6,832,210 for landfill operations
- Solid Waste - \$5,000,000 override
- Storm Water - \$500,000

■ Minimum capital funding requirement of \$1,200,592, allocated equally between the Town and School departments for capital improvements, pursuant to a requirement of the Town Code:

The Town shall spend on capital projects a minimum of 1% of total Town local receipts collected in the prior fiscal year plus 1% of the total real estate and personal property taxes collected in the prior fiscal year. If local receipts fall below the 1% minimum, the Town may forego the funding requirement. Nantucket Town Code Chapter 11, § 11-12.1

■ Other Annual Appropriations for the following:

- \$500,000 to the Other Post-Employment Benefits (OPEB) Trust Fund, in accordance with the Town's OPEB policy. FY 2024 will be the 8th consecutive year in which a contribution to this Trust Fund is made. The balance of the fund at the end of FY 2022 is \$4,885,113 (Appendix J);
- \$500,000 to the Reserve Fund (see Appendix F);
- State Cherry Sheet charges, the County Assessment and unpaid bills from prior fiscal years;
- Annual Health and Human Services appropriation is funded at \$825,000 for FY 2024. The funding is split between a \$650,000 contribution from the General Fund and \$1750,000 from the Special Purpose Stabilization Fund for Substance Abuse.

Refer to Appendix O for a detailed breakdown of the FY 2024 proposed General Fund expenses as compared to the FY 2023 approved budget.

III. Town Administration Expense Increase Recommendations

Background

Over the past 7-8 years, Nantucket has experienced significant growth and the Town's scope of responsibility has increased. We have taken on and/or funded new initiatives in response to needs, requests and mandates, yet staffing and service levels have not all kept up with the Island's growth, particularly in areas such as: infrastructure and public building maintenance, project management, code enforcement and community and town employee housing efforts.

In addition, global, national and regional issues of coastal resiliency, solid waste management and energy use are becoming more and more critical in terms of climate change, sea level rise and sustainability of natural resources. The Select Board's Strategic Plan is intended to help focus Select Board initiatives and budgetary allocations toward the goals contained within the Plan. Information as to the specifics of the current Strategic Plan may be found on the Town website at <https://nantucket-ma.gov/1530/Strategic-Planning>. Many other mandated and goal-oriented plans and studies have been developed in the past several years which are taken into consideration during budget development, these include:

- 2018 Staffing Study
- Hazard Mitigation Plan
- Coastal Resiliency Plan
- Green Community Requirements
- Town-wide PFAS Assessment
- Parks Master Plan
- Capital Improvement Plan
- Facilities Master Plan
- Diversity Equity and Inclusion Assessment

FY 2024 Expense Increase Requests

Departmental expense increase requests (EIR) for FY 2024 are shown in Appendix P, separated into categories of:

- Personnel Requests
- Expense Requests – One-time
- Expense Requests – On-going

Using a point system, with “Legal Mandate” being automatically supported, the requests were individually ranked and prioritized in accordance with the following criteria:

<u>Ranking Criteria</u>	<u>Scale</u>	<u>Description</u>
Legal Mandate	Y/N	Required by State/Fed or Local Bylaw (Y = Automatically Fund; Score of 9.0)
Staffing Study	0-2	Is it within the Staffing Study? If yes, 1 or 2 score would be determined by priority level (2 for higher priority)
Strategic Plan	0-2	Is it within the Strategic Plan? If yes, 1 or 2 score would be determined by priority level (2 for higher priority)
Staffing Study & Strategic Plan	0-1	Is it in <i>both</i> Staffing Study and Strategic Plan then 1 additional point to weight it higher
Department Operations & Efficiency	0-1	Funding necessary to support provide a department with necessary support for existing <i>or</i> new program
Approved New Programming	0-1	Funding necessary to support a new initiative
Necessary for Existing Programming	0-1	Funding necessary to support or expand ongoing initiatives
Continuation of Operations	0-1	Funding necessary to support unexpected increases or items already operationalized (e.g., software licenses)

Since it will not be possible to fund most of the requests without either additional revenue or reductions elsewhere, we have:

- focused our recommendations on the Select Board's Strategic Plan, and the other studies and plans referenced above; as well as critical Town operational issues;
- recommended use of funds from other sources (such as fund the one-time expenses from Free Cash and/or borrowing);
- reallocated existing resources;
- not recommended funding and/or will take a different approach; or, funded a reduced request.

We have prioritized the EIRs using the system noted above, and recommendations follow:

Department	Description of Expense Request	One-Time or Ongoing	Approved EIRs (1)
Personnel Expense Increase Requests (EIRs)			
DPW	Addition of 2 Facility Technicians	Ongoing	188,886
DPW	Central Fleet Admin	Ongoing	102,742
Finance	Addition of 1 Accounting Clerk	Ongoing	102,742
Fire	Addition of 4 Lieutenants	Ongoing	406,403
Housing	Rental Property Manager	Ongoing	*
HHS	Volunteer Coordinator part-time	Ongoing	67,871
Marine	Deputy Harbormaster	Ongoing	119,922
PLUS	Senior Planner	Ongoing	128,671
PLUS	Overtime increase	Ongoing	15,000
Department Personnel EIR			\$ 1,132,238

*The funding for this position already exists in the Housing Department's budget. Professional services will be reduced.

Operating Expense Increase Requests (EIRs)			
IT	IT Assessment and Strategic Plan	One-Time	100,000
Housing	Employee housing property rent	One-Time	200,000
Housing	Housing subsidy program	One-Time	1,000,000
NR	Upgrades and repairs to Hatchery equipment	One-Time	25,000
Town Admin	Facilities maintenance study	One-Time	75,000
Town Admin	Baxter Rd alternative access	One-Time	150,000
Town Clerk	High Speed Tabulator and Poll Pad for Town elections	One-Time	9,500
DPW/Central Fleet	Increase in repairs & maintenance vehicle	Ongoing	100,000
DPW/Central Fleet	Increase in repairs & maintenance equipment	Ongoing	100,000
DPW/Central Fleet	Central Fleet management platform	Ongoing	12,000
DPW/Central Fleet	Increase in professional services	Ongoing	15,000
DPW/Central Fleet	Increase in repairs & maintenance consumables	Ongoing	30,000
DPW/Central Fleet	Increase in state travel	Ongoing	20,000
Finance	Additional OpenGov Services	Ongoing	65,000
FinCom	Increase in printing	Ongoing	5,000
HR	Increase in funding for employee recognition and training	Ongoing	36,500
HR	Increase in funding for other recruiting expenses	Ongoing	30,000
HR	Increase in professional services NeoGov services	Ongoing	20,000
HR	Increase in professional services employee pre-employment physical	Ongoing	10,000
IT	Increase 5% Annual Professional Services	Ongoing	32,395
Park & Rec	Increase in repairs & maintenance buildings	Ongoing	30,000
Park & Rec	Increase in repairs & maintenance equipment	Ongoing	30,000
Park & Rec	Increase in repairs & maintenance grounds	Ongoing	150,000
Park & Rec	Consolidation of Town Landscape contracts	Ongoing	200,000
Public Facilities	Property Management	Ongoing	150,000
Street Lighting	Street lights maintenance	Ongoing	100,000
Town Admin	Communications division	Ongoing	125,000
Town Admin	Professional services	Ongoing	50,000
Town Admin	Employee retention strategies	Ongoing	300,000
Town Admin	NCTV additional services	Ongoing	30,000
Town Admin	Out of state travel increase	Ongoing	8,000
Town Admin	Professional services in DEI division	Ongoing	13,000
Town Clerk	Sound services for ATM	Ongoing	5,000
Town Clerk	Binding of vital records	Ongoing	10,000
Total Operating Expense Increase Requests			\$ 3,236,395
Total Town Personnel & Operational Expense Increase Requests			\$ 4,368,633

FY 2024 Personnel Expense Increases

1. Department of Public Works

Facility Technicians (2 Additional positions)

Proper, scheduled maintenance of facilities is commonly considered the most cost-effective method to protect assets. The Town owns numerous facilities, including a growing stock of rental housing properties. Our Facilities division has just 4 staff to maintain all Town-owned properties, including items like streetlights and public restrooms. It is imperative that we build our capabilities to properly maintain facilities. For an inventory of Town-owned buildings, please see Appendix T.

Central Fleet Admin (New position)

In FY 2023 an outside consultant performed a study to determine the capabilities of our central fleet division. While the full report is not yet available, one of the preliminary recommendations is to add an administrative position. The position would be responsible for activities such as data collection and input of vehicle usage, managing the keys inventory, fuel and mileage usage, checking in/out vehicles, ensuring maintenance schedules are kept up-to-date and managing the vehicle data base.

2. Finance Department

Accounting Clerk (Additional position)

This request is to increase the staff in the Accounting Office by one Accounting Clerk. The Finance Office, in conjunction with the Treasurer's office, processes the cash turnovers from all departments in the town. The accounting department posts the turn-over receipts into the accounting software. During the last 3 Fiscal Years the office has processed on average approximately 9,216 turnovers per year. We currently have 1 person processing turnovers and reconciling accounts receivable. For operational efficiency the office would be able to function more efficiently with a separate position responsible for posting turnovers. The addition of this position would also bring the accounting department back to the level as was recommended in the 2018 staffing study.

3. Fire Department

Lieutenant (4 New positions)

The positions will be filled through a rigorous competitive examination process. These positions, when filled, will allow for a second-in-command on each shift. This provides additional span of control on each shift which is considered essential. Adding another officer to each shift will ensure that there is at least one officer on duty at all times. This provides an increased level of safety, ensures accountability, and helps the department to operate more efficiently. These new officers will help to accomplish many of the collateral duties that the Captains are currently managing. In addition, these new officers will play a major role in moving the Advanced Life Support program forward in the department.

4. Housing Department

Rental Property Manager (New position)

Providing stable housing for employees is an important retention strategy of Town Administration. The Town both owns properties that it rents to employees and also rents properties that are then licensed to Town employees. We have a growing inventory of rental properties (currently ~15) that requires management, and this role will be responsible for that management. Whether the Town “rents to” or rents from”, there is a significant amount of oversight that is necessary to manage the properties and processes. Key activities of this role include managing lease and license agreements, ensuring maintenance items are addressed by Facilities division, ensuring proper rent collection, investigating discrepancies, working with payroll to set up automatic deductions, and much more. For information on Town-owned rental properties, please see Appendix S.

5. *Health & Human Services Department: Part-time*
Volunteer Coordinator (New position/part-time)

The Town seeks to provide higher quality services to its older population and therefore requires additional resources. The responsibilities of this role include managing administrative tasks related to the on-going Nantucket Behavioral Health Initiative, maintaining communications and monitoring administrative needs for Behavioral Health Aid Corps, surveying and communicating with a Human Services volunteer group, scheduling and administering Council for Human Services meetings, and incidental support at Saltmarsh Senior Center.

6. *Marine Department*

Deputy Harbormaster (New position)

The 2018 Staffing Study recommended a four assistant Harbor Master positions. Recent discussions determined that it would create more efficiency within the Harbor Master team if the recommended 4th position (three are currently funded) was in more of a leadership role. The deputy will provide continuity and leadership in the absence of the Harbor Master and/or in the execution of simple day-to-day activities of the team.

7. *Planning & Land Use Services*

Senior Planner (Reinstated position)

Substantial long-range and advanced planning initiatives are underway and additional high-level staff resources are needed. The Senior Planner will also assist Land Use Planners and Zoning Enforcement Officers with the more complicated permitting matters that currently require attention from the Deputy Director and Director of Planning.

FY 2024 Operational Expense Increases (One-Time) The items listed below are considered one-time and as such, may be funded through Free Cash.

1. *Information Technology*

IT Assessment and Strategic Plan - \$100,000

2. *Housing Department*

Employee housing property rent - \$200,000

Employee housing subsidy program - \$1,000,000

3. *Natural Resources*
Upgrades and repairs to Hatchery equipment - \$25,000
4. *Town Administration*
Facilities maintenance study - \$75,000
Baxter Road alternative access management - \$150,000
5. *Town Clerk*
High Speed Tabulator and Poll Pad for Town elections - \$9,500

FY 2024 Operational Expense Increases (On-going)

1. *DPW/Central Fleet*
Increase in vehicle repairs and maintenance - \$100,000
Increase in equipment repairs maintenance - \$100,000
Central Fleet software management platform - \$12,000
Increase in professional services - \$15,000
Increase in supplies for repairs and maintenance - \$30,000
Increase in travel - \$20,000
2. *Finance/FinCom*
Additional OpenGov software financial services - \$65,000
Increase in printing costs - \$5,000
3. *Human Resources*
Increase in funding for employee recognition and training - \$36,500
Increase in funding for other recruiting expenses - \$30,000
Increase in professional services NeoGov human resources management software services - \$20,000
Increase in employee pre-employment physical and inoculation requirements - \$10,000
4. *Information Technology*
Increase license fees and associated professional services by 5% - \$32,395
5. *Parks and Recreation*
Increase in building repairs and maintenance - \$30,000
Increase in equipment repairs and maintenance - \$30,000
Increase in ground maintenance and repairs - \$150,000
Consolidation of Town Landscape contracts* - \$200,000
*Please see Appendix V
6. *Public Facilities*
Contracted property management services - \$150,000

7. *Street Lighting*

Street light maintenance - \$100,000

8. *Town Administration*

Professional services for communications division - \$125,000

Professional services as needed - \$50,000

Employee retention strategies - \$300,000

NCTV additional services - \$30,000

Out of state travel increase - \$8,000

Professional services in DEI division - \$13,000

9. *Town Clerk*

Sound services for Annual Town Meeting - \$5,000

Binding of vital records - \$10,000

IV. *Current and Future Year Considerations*

Sustainability

In October 2018 the Select Board adopted “Sustainability” as a guiding principle of the Town’s Strategic Plan:

Sustainability is how the Town of Nantucket, with a focus on historic preservation, natural resources, hazard mitigation, solid waste management, energy, public health, and education, institutionalizes practices in municipal operations that support a balance of the economic, environmental, and social health of our Island, which meet the needs of current residents and visitors without compromising the ability of future generations to meet evolving needs.

We have hired a Sustainability Program Manager to begin the development of a Sustainability Division within the Town and to develop a plan to operationalize a Sustainability “lens” for applicable Town projects and programs.

Coastal Resiliency/Infrastructure/Planning

Global warming, climate change and sea level rise have been more and more frequently appearing in the news media as growing issues for municipalities. In FY 2019, we completed an update to the Town’s Hazard Mitigation Plan, which can be found here <https://www.nantucket-ma.gov/1373/Hazard-Mitigation-Plan>. The plan recommends over 50 projects for implementation over the next five years. The Select Board established a Coastal Resiliency Advisory Committee to make recommendations about a variety of coastal resiliency issues, including a Coastal Resiliency Plan (CRP). (<https://www.nantucket-ma.gov/1391/Coastal-Resiliency-Advisory-Committee>). In mid FY 2022 Coastal Resiliency Plan was issued through the efforts of the Coastal Resilience Advisory Committee with its consultant, Arcadis. In early 2022, Select Board members, Town staff and members of the public participated in a two-day Design Thinking Workshop to increase familiarity with the CRP and associated issues and to build consensus among staff and boards around the CRP and ways to move forward. The group of ~35 attendees first defined opportunities within the CRP and then on the second day

established success metrics for each opportunity.

Parks Master Plan

A Parks Master Plan was finalized in winter of 2020 and projects were integrated into the Capital Improvement Plan. Subsequently, updated FEMA sea level rise projections were issued, indicating that certain areas, such as Tom Nevers Park where significant infrastructure was recommended, should be reconsidered. Overlapping projects, including the School Department Campus Improvement Plan and the Public Works facility potential relocation to the Delta Fields area, have caused portions of the Parks Master Plan to be reconsidered. That process is on-going in FY 2023 and into FY 2024 and may result in modifications to certain projects in the Plan in these areas.

All of these are likely to include recommendations for capital or other expenditures to address ways in which the Town can be responsive to the impacts of environmental change on Town infrastructure. We need to pay attention to this because expenditures and/or impacts are imminent. Other impacts could include the loss of taxable real estate and a reduction in the Town's bond rating.

Collective Bargaining

In FY 2022, the Town completed negotiations with most Collective Bargaining units for contracts through June 30, 2023. Negotiation for contracts expiring in FY 2023 will commence in FY 2023 when we will again begin work with the Select Board and other voting agencies (Airport Commission, Nantucket Water Commission, School Committee) to develop our approaches to upcoming collective bargaining and to review financial projections, employee benefit costs and universal union contract language issues. Appendix Q shows the list of collective bargaining contracts. The contracts can be found at <https://www.nantucket-ma.gov/2384/Labor-Agreements>

Police Reform

The Police Department is actively working to implement the measures contained in the Police Reform Act enacted on December 31, 2020. There will be costs associated with measures such as additional and/or new certification and training requirements, body cameras and associated equipment and staff to manage this program. Some of the measures have not yet been fully defined through the necessary regulations; and will need to be collectively bargained. We are working to plan for these expenses. Please see Appendix U for the department's progress toward reform.

Harbor Place

Discussions with the Harbor Place owners' group continued into FY 2022 after a COVID delay. Depending on how the project develops, there may be an impact on Town resources in connection with future infrastructure maintenance and capital costs. At the 2020 Annual Town Meeting, an appropriation of \$150,000 was approved for the engagement of a consultant to assist the Town with developing concepts for transportation-related improvements. That effort remained underway in FY 2022 and at the time this Message is being prepared, it was not clear when recommendations will be brought to Town Meeting.

Per and Polyfluoroalkyl Substances (PFAS)

Per-and polyfluoroalkyl substances, also known as PFAS, are a group of manmade chemicals that have been manufactured and used in a variety of industries since the 1950s. They are referred to as ‘forever chemicals’ – they are persistent in our bodies, mobile in the environment and many will not naturally degrade. PFAS chemicals are most often commercially used to create grease, water, and stain resistant barriers for materials, including Teflon, grease-resistant take-out containers, and upholstery and carpet treatments; these chemicals are also found in firefighting foam.

Concerns have been raised regarding human health and ecological risks associated with certain PFAS chemicals. The Town of Nantucket is following the guidance and testing requirements of Massachusetts Department of Environmental Protection (MassDEP) as it pertains to PFAS. More information is available at <https://www.mass.gov/info-details/per-and-polyfluoroalkyl-substances-pfas>

Like other municipal governments, the Town is working to understand the sources and receptors of PFAS in the environment. Since July 2020, the Town has engaged in multiple contracts with CDM Smith, Inc, an environmental engineering and construction firm, with costs totaling \$990,100 to assist the Town in various efforts regarding its long-term voluntary PFAS assessment and analysis. Projects include a multi-phase island-wide PFAS assessment of municipal properties, a public water system model and expansion study, a MassDEP for a State Revolving Loan (SRF) application, an SRF water main expansion project, a contaminated material handling protocol project, and a wastewater influent testing program at the Surfside Wastewater Treatment Facility.

The Town’s PFAS-related efforts are expected to span several years and there are likely budgetary impacts in both the General Fund and Enterprise Funds. As more information is collected and assembled, the scope and cost of PFAS containment, source reduction and cleanup will be better understood. It is unclear whether outside funding will be available to help offset what could be a substantial financial impact to cities and towns. The Town’s response to PFAS can be found at <https://nantucket-ma.gov/1574/PFAS>

Diversity Equity and Inclusion (DEI) Initiatives

The Town of Nantucket’s Diversity, Equity and Inclusion Office (DEI) continues to work towards its many objectives. Work with our DEI consultants, Tangible Development LLC, continues and several milestones have already been accomplished. As part of our strategic plan development, the Town received its first DEI Assessment Report in August 2022. The report highlights Nantucket’s areas of success and areas for growth within the practice of municipal DEI. The consultation also helped to create an internal Diversity, Equity & Inclusion Committee (DEIC). The purpose of the DEIC is to share DEI education with town employees using a variety of opportunities. Nantucket’s affiliation with the Massachusetts DEI Coalition continues and the Town is a listed contributor in the state’s first ever DEI Guide, which was published in 2022 and supported by the Metropolitan Area Planning Council (MAPC). The DEI Office continues to provide and engage in a variety of internal and external opportunities that promote DEI. The Town of Nantucket is committed to doing the foundational work necessary to truly implement and practice the principles of diversity, equity and inclusion.

Health and Human Services Funding

We propose to allocate \$825,000 to local health and human service agencies in the community for FY 2024. This funding allocation is the same as FY 2023 and continues to be among the highest of all towns in Massachusetts. The funding consists of a \$650,000 commitment from the Town's General Fund along with funding in the amount \$175,000 being recommended to come from the Special Purpose Stabilization Fund for Substance Abuse paid to the Town by the Island's marijuana dispensaries and/or marijuana retail establishments. Each year, agencies apply for funding and applications are reviewed by the Human Services Contract Review Committee which makes recommendations regarding appropriations to the Finance Committee and Select Board.

New/Expanded Revenue Possibilities

Other areas to potentially look toward in the future for generating new revenue to cover needs and priorities include (several of these are part of a 2009 Ad Hoc Fiscal Committee Report - <https://www.nantucket-ma.gov/170/Ad-Hoc-Fiscal-Committee>):

- PILOT possibilities (Payment-in-Lieu-of-Taxes) for entities that do not pay property tax, such as certain tax-exempt organizations such as hospitals, posts and churches – if all of these were taxed in FY 2022, taxes due would have exceeded \$16,650,000;
- parking fees (increase parking fines; implement paid parking downtown – use funds for transportation-related improvements);
- taxi transaction fee (requires meters);
- increase Town permit fees other than those already at statutory maximum allowance (over the road permits, road closing, etc.);
- increase to the ferry embarkation fee (requires substantial political work and coordination with the other ports);
- increase of real estate transfer tax for housing initiatives or another dedicated purpose (requires special legislation which was approved at 2016, 2017, 2018, 2019 and 2020 Town Meetings - efforts continue to further the legislation);
- new local option surcharge on tax bills of up to 3% (similar to how the Community Preservation Act surcharge is applied) called the Municipal Water Infrastructure Investment Fund ("WIIF") – we began to examine how this could be used for Nantucket in late 2019; however discussions stalled due to COVID and we are working to resume an evaluation as to how this could benefit Nantucket, as well as an evaluation of the Cape & Islands Water Protection Fund which derives revenue from the recent expansion of the room occupancy tax to short-term rentals.

Some of the above noted items are being developed and others are noted only for informational purposes. In addition to potential ways to generate additional revenue, we are continuously reviewing actions that would allow us to address a slow-down in economic activity. These include:

- review all municipal services for reduction or elimination – in other words, an “Austerity Budget”
- reduction-in-force of personnel
- enforce a hiring “freeze” or “chill”
- eliminate unexpended expense increases, including vacant positions
- reduce the NRTA year-round service (would have a delayed impact because of how/when NRTA is funded through the state)
- defer capital projects.

V. Conclusion

The proposed FY 2024 General Fund budget can be funded within available revenue, while supporting new and on-going initiatives and positions and providing continuity of services. The list of challenges is long and includes funding the growing priorities and increasing demands for services from the community; retaining, attracting and housing qualified employees; and, maintaining infrastructure while making it more resilient. Solid waste management, storm water, and PFAS issues will all require significant focus in FY 2024. It will take additional resources in the coming year(s) to address these, as we have noted in this Message and in prior Messages.

Thanks to the Select Board, Town departments, Finance Committee, Capital Program Committee, and especially to the staff who spend many, many hours putting together the information necessary to develop these budget recommendations, especially Assistant Town Manager for Strategic Projects Gregg Tivnan, Director of Municipal Finance Brian E. Turbitt, Assistant Town Manager Rick Sears and Assistant Town Accountant Mariya Basheva.

Prepared by:

Town Manager, pursuant to Article IV, Section 4.2(d)(3) of the Charter of the Town of Nantucket

Outline #7 for 2023 Annual Town Meeting Warrant

For 12/21/22 SB review

As of 12/16/22

NOTE: Numbering & Order is NOT FINAL

Annual Articles

1. Receipt of Reports
2. Appropriation: Unpaid Bills
3. Appropriation: Prior Year Articles
4. Revolving Accounts: Annual Authorization (NOTE: change "Public Works Housing" to "Sewer"; add "Town Housing")
5. Appropriation: Reserve Fund
6. FY 2023 General Fund Budget Transfers
7. Personnel Compensation Plans for FY 2024 (NOTE: review seasonal salary schedules; call firefighter)
8. Appropriation: FY 2024 General Fund Operating Budget
9. Appropriation: Health & Human Services
10. Appropriation: General Fund Capital Expenditures
11. Appropriation: FY 2024 Enterprise Funds Operations (ADD: Storm Water Enterprise Fund)
12. Appropriation: Enterprise Funds Capital Expenditures
13. FY 2023 Enterprise Funds Budget Transfers
14. Appropriation: Waterways Improvement Fund
15. Appropriation: Ferry Embarkation Fee
16. Appropriation: Ambulance Reserve Fund
17. Appropriation: County Assessment
18. Appropriation: Finalizing FY 2024 County Budget
19. Rescind Unused Borrowing Authority (*if needed*)
20. Appropriation: OPEB Trust Fund
21. Appropriation: Free Cash
22. Appropriation: Stabilization Fund
23. Appropriation: CPC (will be Town-sponsored)

Other Select Board Sponsored Articles

NOTE: most of these were reviewed/discussed by SB and/or Town Administration since the 2022 ATM

ZONING* BYLAW & GENERAL BYLAW AMENDMENTS

*Board discussion occurred in January 2018 regarding a request/directive that all zoning articles must be accompanied by a narrative explanation as to why the item is being put forward, along with any operational or financial impacts

Zoning Bylaws

See attached from Planning (includes Zoning and other) NOTE: HDC advisory committees TBD

- Short-term Rental Zoning → Fall 2023 STM

General Bylaws

- ~~Micro-mobility devices on multi-use paths (NOTE: there is a potential citizen article to restrict/limit these; and, the attached is to allow them but regulate them) (also attached is the current bylaw); need Town Counsel to prepare article for bylaw amendment and/or HRP? OR, are we waiting on BPAC for a recommendation(s))~~ Town Counsel looking into Regulations vs warrant article

- ~~Paid parking (see vote on Article 66 of 2020 ATM — attached) (NOTE: at 9/28/22 SB meeting this topic came up and it was generally determined to get a Parking Commission in place before proceeding further with this at this time) (Yes?) (“Yes” per SB 10/12/22)~~
- Short-term Rental General Bylaw → Fall 2023 STM
- Display of Merchandise & Wares (c. 97) – under review (*issue with display of items in certain locations*)
- Street Musician volume (c. 105) – under review (*limit amplification; reviewing with Town Counsel, SOME amplification already prohibited*)

HOME RULE PETITIONS

Resubmittal of Pending HRP's from prior ATMs (if these have not been acted upon by the Legislature)

- Community Housing Bank (Article 76/2022 ATM; Article 79/2019 ATM; Article 70/2018 ATM; Article 88/2017 ATM; Article 82/2016 ATM)
- Sewer Act Amendment (Article 77/2022 ATM)
- Gov't Study Committee Recommendations (Article 78/2022 ATM)
- Fertilizer Ban (Article 79/2022 ATM) **Per SB 11/16/22 will use motion from Article 79**
- Real Estate Conveyances x 2 (1 - Article 94/2022 ATM: 50 Altar Rock Rd to NCF; 2 – Article 95/2022 ATM: Portion of Ames Ave)
- Special Act/HRP for 5-year terms for SB (Per 10/12/22 SB discussion) OR hold for re-established Govt Study? Per 10/26/22 SB meeting – proceed to prepare for 5-year terms
- Authorization to Issue Pension Obligation Bonds (Article 95 of 2021 ATM)

New

- Add wording re: “Attainable” housing to Affordable Housing Trust Fund enabling legislation

MGL ACCEPTANCES

- Town Clerk – MGL c 41, s 110A (*re: Voter Registration deadline*)

REAL ESTATE RELATED

- Potential long-term lease authorization for landfill operator
- Dartmouth Lane (near Delaney Rd) taking (need further info)
- Baxter Road – potential takings/conveyances – TBD
- Easement to NGrid for new Surfside Rd sewer pump station
- Easement to Land Bank at E Creek Rd (boardwalk project; handicap parking)
- Transfer parcels to Land Bank: 6 Goose Pond Ln (related to Consue Springs projects); Spruce Street (bike/pedestrian connection from 19 E Creek to Spruce to Consue);
- Easement for National Grid in connection with L1 project (triangle parcel at Wilkes Sq)

OTHER

- Amend description in Article 16 of 2018 ATM (Appropriation: Public Works Facility Improvements – Design) to allow for design at other location(s)
- Update Financial Assurance Mechanism (Landfill Closure)
- Renew Septic Loan Fund Authorization for Add'l \$2m

BALLOT QUESTIONS

- possible debt exclusion(s) and/or capital exclusion(s) for capital projects; real estate
- override for Solid Waste

CITIZEN ARTICLES

26 articles submitted

[2023-Annual-Town-Meeting---Citizen-Warrant-Articles-PDF \(nantucket-ma.gov\)](#)

DRAFT



As of 12/19/22

Agenda Item Summary

Agenda Item #	XI. 4.
Date	12/21/22

Staff

Town Manager, Assistant Town Managers, Administration Staff, Others

Subject

Town Manager Monthly Management Report

Highlighted Activity

- **2022 ATM/ATE continuing follow-up**
 - Active items:
 - Article 39: STR registration program set-up underway; may have to adjust January 1, 2023 implementation date
 - Notification has gone out about the Nip Bottle Ban – effective Jan 1, 2023
- **2023 ATM**
 - Prep underway; legal review of citizen warrant articles complete; Town Admin review underway; FinCom public hearing held on 12/15/22; draft warrant underway
- **FY 2024 Budget**
 - Town Admin recs given to SB at 12/14 SB meeting; SB further discussion scheduled for 12/21; public hearing scheduled for 1/11
 - Enterprise Fund budget review underway; presentations scheduled for SB later in Jan
- **Baxter Road long-term planning**
 - On-going; working on update for SB for 1/11
- **SBPF Erosion Control Project** – joint meeting with SB and ConCom requested
- **New Marijuana Law** – still working on methodology to determine municipal cost impacts
- **Solid Waste Long-term Planning**
 - Monthly meetings, including SB member and a FC member
 - Funding for a Solid Waste Manager position was approved in FY 23 budget; a position description has been developed and is underway to go through union review, advertising/hiring
 - Updates to Solid Waste long-term planning website and other information to correct publicized inaccurate information

- **Strategic Plan**
 - 11/29/22 SB workshop; follow-up in progress with updates to Plan
- **PFAS Town-wide Risk Assessment**
 - On-going & active
 - Water main extension project west of Airport
- **Sustainability**
 - Hire of new Sustainability Program Manager
 - On-going review and implementation of Coastal Resilience Plan, Green Communities requirements and other sustainability-related projects, plans and initiatives
- **WIIF vs CCIWPF**
 - Reviving internal evaluation (and staff to work on developing matrix to show:
 - How each fee is assessed
 - Approval process
 - Revenue projections
 - Allowable uses/restrictions
 - Types of projects/programs that could be funded
- **DEP Title V Regulation Changes** – comment period extended; need to determine what impact on property owners will be; outreach; municipal responsibilities
- **Stormwater/drainage issues**
 - Regs
 - 18-item mini project list
 - Children's Beach watershed evaluation
 - CMOM development
 - Stormwater division within sewer dept
- **Personnel:**
 - Hiring key positions approved at ATM2022
 - Classification & Compensation Study – project underway
 - Succession Planning and Retention long-term strategy – underway with internal department plan development
 - Nursing shortage at OIH continues
 - Continuing work on recruitment and retention strategies; employee on-boarding
 - Met with union reps re \$1m rental housing assistance program; working on responses to questions
 - Collective Bargaining Negotiations
 - Prep and some negotiations underway for contracts that will expire 6/30/23
 - Lots of people out sick!
 - NRTA Admin replacement (NOT a Town position but Town involvement by default)
 - Upcoming retirements: Minute Taker/Terry Norton; Health Dept/Anne Barrett

- **Project management**
 - Project Management position – advertised; interviews this week
 - Current projects to be handled by outside firm:
 - Pleasant St (Silver to Main)
 - Pleasant St (Williams to Mid-Island Roundabout)
 - Somerset Rd – Raceway Dr stormwater drainage
 - Millie’s Bridge (coastal resiliency)
 - Newtown Rd (reconstruction plus side path, traffic calming)
 - Stormwater projects at several locations
 - Greenhound building modifications
- **Projects**
 - OIH/Senior Center
 - PFAS water main ext and transportation improvements (Lovers Lane, Okorwaw Ave and Monohansett Rd roadway improvements and sidepaths projects), west of Airport
 - Central fleet management
 - DEI Assessment completed – working on elements of DEI Strategic Plan
 - DPW Facility relocation planning

Housing

- Still finalizing \$1m Town Employee Housing Assistance pilot program
- Working on plan for how Town maintains/manages its own rental properties; and, the properties it rents
- Ticcoma lots development

From: [Libby Gibson](#)
To: [John Giorgio](#)
Cc: [Erika Mooney](#)
Subject: RE: Conflict Waiver Request
Date: Wednesday, December 14, 2022 4:09:44 PM
Attachments: [image001.png](#)

Jason agreed to put this on the 12/21 agenda. Unless you think it can wait until Jan 4 – and also can you pls provide me Agenda Item wording AND can you pls be at the meeting?

C. Elizabeth Gibson, ICMA-CM
Town Manager
Town of Nantucket
(508) 228-7255

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From: John Giorgio <JGiorgio@k-plaw.com>
Sent: Monday, December 12, 2022 2:28 PM
To: Libby Gibson <LGibson@nantucket-ma.gov>
Subject: FW: Conflict Waiver Request

Dear Libby;

As we discussed on Friday, please find an email from airport counsel seeking permission from the Select Board to allow another attorney at Anderson & Krieger to represent an organization known as Keep Nantucket Real and provide an opinion on the authority of the HDC to appoint advisory committees. The Select Board will have to determine whether to grant this permission.

John

John W. Giorgio, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
D: (617) 654 1705
F: (617) 654 1735
C: (617) 785 0725
jgiorgio@k-plaw.com
www.k-plaw.com

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From: Mina S. Makarious <mina@andersonkreiger.com>
Sent: Thursday, December 8, 2022 10:27 PM
To: John Giorgio <JGiorgio@k-plaw.com>
Cc: David S. Mackey <dmackey@AndersonKreiger.com>; Paul Kominers <pkominers@andersonkreiger.com>; 'Noah Karberg' <nkarberg@nantucketairport.com>
Subject: Conflict Waiver Request

Hi John,

I hope you've been well.

The Keep Nantucket Real Fund (which is under the fiscal sponsorship of the Community Foundation for Nantucket) has asked one of our colleagues, Paul Kominers, for his opinion on whether the HDC has the authority to appoint advisory committees. I understand that you have previously advised the Select Board on this issue.

In addition to the relationship working on the PFAS matter and other matters for the airport, A&K previously represented the Town in the *Gatto* eminent domain case, which is now complete. As you may recall, that representation was truly on behalf of the airport and representing the airports' interests through the Town.

We are asking, as we had with a prior matter, that the Town formally waive the potential conflict as required by Mass. R. Prof. C. 1.7(b)(4). Rule 1.7 states:

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

- (1) the representation of one client will be directly adverse to another client; or
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in writing.

We believe, and I think you agree, that A&K will be able to proceed with its work for the airport unaffected by Paul's representation of the Keep Nantucket Real Fund/Community Foundation for Nantucket. Different groups of lawyers would be working on these matters. (In the interest of full disclosure, Paul did a few hours of work on the *Gatto* case in 2019, but has not been involved since.) And the representation is not prohibited by law. Can you please confirm the Town's consent, or bring the matter to the Select Board's attention?

Please feel free to reach out to Paul or me if you would like to discuss.

Thanks,

Mina



Mina S. Makarious (he/him/his)

T. 617.621.6525 | F. 617.621.6625

Anderson & Kreiger LLP | 50 Milk Street, 21st Floor, Boston, MA 02109

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- Board of Health Orders. No updates.

- Select Board Comments/Questions. Nothing further from the Board.

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

Tobias Glidden said he met recently with Pete Kaizer, Jeff Carlson and Pat Johnson from Senator Cyr's office about moving forward with a 3-mile limit for commercial draggers around Nantucket, adding they feel it would be helpful to resubmit a prior "Sense of the Meeting" vote. Mr. Glidden also thanked the Board for its comments at last week's appeal of an Historic District Commission (HDC) decision to deny solar panels on a home at 9 Dennis Drive. He said he heard a lot of positive feedback from the Board that more reasonable solar regulations are needed in Nantucket. Mr. Glidden encouraged the Board to put forward a warrant article to make that happen, in conjunction with the HDC.

VI. NEW BUSINESS.

There was no new business.

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of January 27, 2021 at 5:00 PM. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Approval of Treasury Warrants for February 3, 2021. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Approval of Pending Contracts for February 3, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Fee moved approval on all contracts except Arcadis, which was moved to next week's agenda; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

VIII. PRESENTATIONS

1. Per- and Polyfluoroalkyl Substances (PFAS) Special Counsel Presentation/ Recommendation. Attorney John Giorgio of Town Counsel's office introduced this matter, noting a few months ago the Board held a meeting about various aspects of PFAS issues on island. He said the Town is still awaiting a final report from its consultant, CDM, but that there had been some additional discussion as to the Board entering into a retainer agreement with special counsel to initiate legal action against manufacturers of PFAS. Attorney Giorgio said that the Airport recently negotiated a retainer agreement with Napoli Sckolnik PLLC. Hank Naughton of Napoli Sckolnik PLLC noted that they are lead counsel in a multi-district litigation that has been consolidated in Charleston, SC against the makers of PFAS with 500 plaintiffs. He reviewed his firm's background in environmental law, noting their bench is "deep and wide" with legal expertise. Walter Hang, executive director of Toxic Targeting, Inc., a consultant working with Napoli Sckolnik PLLC to review data, spoke on his firm's capabilities, noting they will help quantify the numbers. Mr. Naughton discussed numerous types of cancer from PFAS contamination and stated the purpose of the lawsuit is cost recovery. They are trying to get makers of PFAS to the table prior to trial to come to a settlement and that funding from a settlement would be put in a trust fund and used for remediation by plaintiffs. Mr. Bridges asked if there are any impacts or a downside to the Town for signing on to the litigation. Attorney Giorgio said there is no financial cost to Town for pursuing this; however, 25% of any settlement is kept by special counsel for

its work. He said there are no up-front costs to the Town and that any expenses would be deducted from a settlement. Attorney Giorgio asked what the next steps are in terms of joining litigation. Mr. Naughton explained that his firm would draft a complaint specific to Nantucket and make a decision whether to file in Federal District Court in Massachusetts and then move to remove it to the multi-district litigation in Charleston, or they could apply directly to Charleston to add Nantucket as a plaintiff. Attorney Giorgio said he feels Town Counsel will have to assist special counsel in preparing the case which will be a cost to the Town. Ms. Ferrantella asked if the Airport would drop off the lawsuit if the Town signs on. Attorney Giorgio stated that the Airport lawsuit is independent and that both would move forward separately.

Bruce Mandel thanked Mr. Hang and Mr. Naughton for their clear presentations. He spoke about public drinking water contamination and noted he is a cancer victim and said there are cancer clusters in Madaket which he said is downgradient from the landfill. Mr. Mandel said he has had his own well tested with a certified in-state lab and two PFAS elements were detected. He said he contacted the state Department of Environmental Protection (DEP) but was told that Nantucket is not on a list of counties that could get assistance from DEP. Mr. Mandel asked if the scope of work being proposed could include the Madaket landfill and potential contamination of wells surrounding it. He noted private testing is expensive. Mr. Naughton said that in 2020 DEP adopted an advisory status for certain contaminants and advised towns to start testing public water supplies. He said that on October 2, 2021 such testing will become mandatory. He said regarding potential landfill contamination, that would be part of the research Mr. Hang's firm would do and work with Town personnel to determine testing there. Mr. Hang explained that his firm has been doing a great deal of work on "ancient" landfills, noting they are typically not constructed to hold their contents securely and that PFAS can leach out. Mr. Mandel said as the Board moves forward reviewing budgets, the Solid Waste Enterprise Fund budget contains no funding for expanding ground water/surface water testing to include testing for PFAS; he encouraged the Board to modify the budget so funding for PFAS testing can be earmarked, especially considering upcoming testing requirements. Mr. Mandel thanked the Board for "not sweeping PFAS under the rug" and trying to address the issues. Mr. Bridges moved to authorize the chair to execute the retainer agreement with Napoli Skolnik PLLC; Ms. Ferrantella seconded. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

~~IX. CONSENT ITEMS~~

~~1. Gift Acceptance: Human Services (Saltmarsh Senior Center); Our Island Home. Ms. Ferrantella moved approval; Ms. Murphy seconded. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.~~

~~X. PUBLIC HEARINGS I~~

~~1. Public Hearing to Consider Application for Transfer of Seasonal Wine and Malt Beverages Restaurant License from Nantucket Rotary, LLC d/b/a Lola Burger, Clovett Miller, Manager to Lola Burger Restaurant Nantucket, LLC d/b/a Lola Burger, Heather Weyandt, Manager, for Premises Located at 1 Sparks Avenue. Chair Holdgate opened the public hearing. Ms. Baxter reviewed the application for a transfer of the liquor license for Lola Burger, noting it is not a complete transfer to new entity, that new LLC members are being added. There was no public comment. Chair Holdgate closed the public hearing. Mr. Fee moved approval; Ms. Ferrantella seconded. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.~~

~~2. Public Hearing to Consider Application for Transfer of Annual All Alcoholic Beverages Restaurant License from Lola 41 Restaurant, LLC d/b/a Lola 41, Joseph Burgess, Manager to Lola 41 Restaurant~~