

Town and County of Nantucket Select Board • County Commissioners

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



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Nantucket, Massachusetts 02554

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C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD DECEMBER 15, 2021 - 5:30 PM REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK:

<https://youtu.be/-SJfHKgyvY>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_ftMIsfaFTn2YQmJTDPWHzQ

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. COVID Vaccine Clinic: Sunday, December 19 is Final 1st and 2nd Dose Clinic of the Year from 12:00 to 3:00 PM at 131 Pleasant Street Trailer. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule.
3. Select Board/Planning Board: Joint Meeting for Applicant Introduction/Review of Applications for Appointment to Planning Board to Fill a Vacancy Scheduled for Wednesday, January 5, 2022, Pursuant to Select Board Committee Appointment Policy.
4. Applicant Introduction/Review of Applications for Appointment to Cannabis Advisory Committee and Nantucket Affordable Housing Trust to Fill Vacancies Scheduled for Wednesday, January 12, 2022, Pursuant to Select Board Committee Appointment Policy.
5. 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 8, 2021 at 5:30 PM.
2. Approval of Payroll Warrants for December 12, 2021.
3. Approval of Treasury Warrants for December 15, 2021.
4. Approval of Pending Contracts for December 15, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. REAL ESTATE MATTERS

1. Request for Approval and Execution of Consent for Subdivision and Conveyance of Portion of 9 Auriga Street Shown as Lots 2 and 3 on Plan Recorded with Nantucket County Registry of Deeds as Plan No. 2021-14.
2. Request for Approval and Execution of Consent for Subdivision and Conveyance of Portion of 10 Auriga Street Shown as Lot 1 on Plan Recorded with Nantucket County Registry of Deeds as Plan No. 2021-14.
3. Request for Approval and Execution of Consent and Release for Subdivision and Conveyance of Portion of Lot 5, Auriga Street; and, Release the Property at 10 Auriga Street from Restrictions in Deed of Lot 5, Auriga Street to be Recorded with Nantucket County Registry of Deeds.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Renewal of Annual Licensing Categories Including Common Victualler, Local Entertainment, Rental Car Agencies, Local Flower/Produce Vendors, Automatic Amusement Devices, Mobile Food Units, Motor Vehicle Class I, II and III and Open-Air Parking.

X. TOWN MANAGER'S REPORT

1. 2022 Fourth of July Activities Update.
2. Diversity Equity Inclusion (DEI) Director: End of Year Report.
3. Monthly Town Management Report.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Continued Review of FY 2023 General Fund Budget - As Needed.
2. Continued Review/Potential Votes on Select Board-Sponsored 2022 Annual Town Meeting Warrant Articles.
3. Committee Reports.

XII. ADJOURNMENT

**Identified on Agenda Protocol Sheet*

SELECT BOARD AGENDA PROTOCOL:

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

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

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

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

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

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

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

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

Approved on February 17, 2021

Planning Board - 5-yr terms

VACANT		2025
John F. Trudel III	Vice Chair	2026
Nathaniel Lowell		2022
Frederick McClure (Fritz)		2023
Dave Iverson		2024

Planning Board Alternates (3-yr terms)

Campbell Sutton	Alternate	2022
Stephen Welch	Alternate	2023
David Callahan	Alternate	2024

Via Email

December 6, 2021

The Inquirer and Mirror
ATTN: Legal Ads
PO Box 1198
Nantucket, MA 02554

Please place the following legal notice in the **December 9 and 16, 2021** issues of the Inquirer & Mirror and charge the advertising fee to the Select Board account.

Please send proof when ready.

Thank you,
Erika Mooney

PUBLIC NOTICE

The Nantucket Planning Board and the Select Board are seeking letters of interest to fill a vacant seat on the Planning Board through the May 10, 2022 Annual Town Election. Please submit letters of interest to the Planning Board at 2 Fairgrounds Road, Nantucket, MA 02554, no later than 4:00 PM on Thursday, December 23, 2021. Such letters should include the reasons why the candidate is interested in, and qualified for, membership on the Planning Board. The appointment will be jointly made by the Planning Board and the Select Board at the January 5, 2022 Select Board meeting which will be held at 5:30 PM via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For more information, candidates may contact the PLUS office at 508-325-7587.

PLANNING BOARD/SELECT BOARD

Procedure to fill a Planning Board (elected seat) vacancy

1. Pursuant to MGL Ch. 41, s. 81A, the “unexpired term shall be filled by appointment by the [Select Board] and the remainder members of the Planning Board until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term.”
2. The Planning Board vacancy is to be advertised for two weeks and the Select Board’s intent to fill the vacancy will be noted on its regular meeting agenda for two weeks prior to the date of appointment and applications will be included in the agenda packet material.
3. The Planning Office will forward all applications for the vacancy to Town Administration as soon as they are received.
4. The remaining members of the Planning Board will join the Select Board at a regularly scheduled meeting and will vote to make the appointment to fill the vacancy through the next annual election.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 41** OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS**Section 81A** Planning board; establishment; membership; tenure; vacancies

Section 81A. Any city except Boston, and, except as hereinafter provided, any town may at any time establish a planning board hereunder. Every town not having any planning board shall, upon attaining a population of ten thousand, so establish a planning board under this section. A planning board established hereunder shall consist of not less than five nor more than nine members. Such members shall in cities be appointed by the mayor, subject to confirmation by the city council and in towns be elected at the annual town meeting or be appointed in such manner as an annual town meeting may determine; provided, that a town which has a planning board established under section seventy may, at an annual town meeting or at a special town meeting called for the purpose, vote to establish a planning board under this section and may provide that the members of the planning board then in office shall serve as members of the planning board under this section until the next annual town meeting. When a planning board is first established or when the terms of members of the planning board established under section seventy serving as members of the planning board under this section expire, as the case may be, the members of the planning board under this section shall be elected or appointed for terms of such length and so arranged that the term of at least one member will expire each year, and their successors shall be elected or appointed for terms of three or five years each as determined by the city council in the case of a city and by the town meeting in the case of a town. Any member of a board so established in a city may be removed for cause, after a public hearing, by the mayor, with the approval of the city council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as an original appointment, and, in a town, if the members of the board are appointed, in the same manner as the original appointment. If the members of a planning board are elected, any unexpired term shall be filled by appointment by the board of selectmen and the remainder of the members of the planning board until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term. All appointments pursuant to this section shall be in the manner provided in section eleven. Such a board shall elect annually a chairman and a clerk from among its own number, and may employ experts and clerical and other assistants. It may appoint a custodian of its plan and records, who may be the city engineer or town clerk. No member of a planning board shall represent before such board any party of interest in any matter pending before it.

Towns of less than ten thousand inhabitants, having no planning board established under this section may, by vote of the town meeting, authorize the board of selectmen to act as a planning board under this section until such a board is established; provided, that any such town, upon attaining a population of ten thousand, shall establish a planning board hereunder.

NANTUCKET SELECT BOARD

Policy Statement and Procedures for Appointments to Committees, Commissions, Boards Adopted: May 19, 2021

BASIC GOAL

To encourage active citizen participation and involvement in local government affairs by encouraging local residents with expertise, skills, interest, and energy to seek appointment to the Town's Committees, Boards and Commissions. And, to expand the Town's outreach to its citizens to ensure that we engage as many diverse perspectives as possible to build and encourage awareness, understanding and appreciation through a lens of diversity, equity and inclusion.

POLICIES IN SUPPORT OF THE BASIC GOAL

- A. The Town will maintain a recruiting system, known as the Volunteer Talent Bank (Talent Bank), to find and appoint interested local residents who are best qualified by education, training and experience to contribute effectively to the work of the committee, commission or board. To the extent practical, the Select Board shall announce its intention to meet candidates for appointment and allow them to introduce themselves and review their applications no less than two weeks in advance of appointments.
- B. When an announcement is made by the Board regarding any vacancies, the Board will require that applicants file a Committee Appointment application. Following a public meeting with the applicant(s) at which the Board may ask questions, and/or the applicant may ask questions, a candidate shall be selected in accordance with the following procedure:

RECOMMENDED VOTING PROCEDURES FOR ANNUAL APPOINTMENTS

- 1. The Board reviews a list of openings for annual appointments with a committee appointment timeline in early April.
- 2. In mid-April, members of committees, commissions, boards whose terms are expiring are notified and asked if they would like to apply for reappointment. Incumbent Committee Interest Forms are mailed to all of these members and they are asked to respond in writing to indicate if they request re-appointment, or not. Incumbents need to meet the same deadlines as listed on the committee appointment timeline.
- 3. Annual committee openings are advertised in the local newspaper for four weeks, as well as on the Town website. Additionally, the openings are announced at the Board's weekly meetings starting in mid-April through the end of May.
- 4. Applications will be accepted only by the deadlines outlined in the annual Committee Appointments Timeline for all committees, commission and boards.

5. The Select Board holds two meetings to allow applicants to address the Board and review their applications.
6. Committee appointments are made at the last Select Board meeting of June, which date shall be at least one week after the names and applications of all applicants have been made public.
 - a. At this meeting, the Select Board may appoint, by majority vote, a candidate to fill any seat. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.
 - b. The Chair shall ask Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.
 - c. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
 - d. The candidate(s) with the majority of votes will be appointed.
 - e. Any committee seats not filled will continue to be posted on the Town website and routinely advertised as vacant.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

RECOMMENDED VOTING PROCEDURES FOR VACANCIES THROUGHOUT THE YEAR

The Board's intent to fill vacancies will be noted on its regular meeting agenda for at least two weeks and applications of prospective candidates will be included in the Board's agenda packet to allow the Board and the public to review the prospective candidates' credentials. The vacancy will also be advertised in the Inquirer & Mirror for a minimum of two weeks as well as on the Town's website. Applications will be accepted only by a certain deadline for all committees, commission and boards.

1. Immediately following a meeting with candidates for appointment, the Select Board may appoint, by majority vote, a candidate to fill any vacancy. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.
2. Immediately following a meeting with candidates for appointment, the Chair shall ask

Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.

3. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
4. The candidate(s) with the majority of votes will be appointed.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

ADMINISTRATION OF THE VOLUNTEER TALENT BANK

The Town Administration office shall be responsible for the Talent Bank data and all administrative materials, records and processes.

PUBLIC INPUT REGARDING CANDIDATES FOR APPOINTMENT

Any citizen may convey their support or objection of an individual's appointment/ reappointment through written notice to the Town Manager's Office. Town Administration shall forward any written comments concerning appointments/reappointments to the Select Board and to the person cited.

This policy may be amended by the Select Board at any time.

Cannabis Advisory Committee

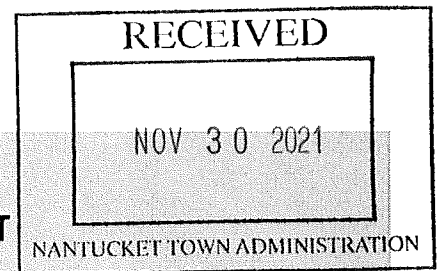
Melissa Murphy	SB member	6/30/2022
Dave Iverson	PB member	6/30/2022
Meredith (Meri) Lepore	BOH member	6/30/2022
Dorothy Hertz	Nantucket resident	6/30/2022
VACANT	Nantucket resident	6/30/2022
Barry Rector	Nantucket resident	6/30/2022
Jacques Zimicki	Nantucket resident	6/30/2022

Applicants:

Ruth S. Tonico
Joseph W. Plandowski



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Ruth S. Tonico Home Phone: 954-560-8668

Mailing Address: 11 Marble Way, Nantucket MA Alternate Phone: _____
Date Submitted: 11/30/2021

Email Address: rtanico@gmail.com

REQUESTING APPOINTMENT TO: Cannabis Advisory Committee

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission? NO
- Why are you interested in this committee/board/commission? yes
- Are you prepared to commit to the meeting schedule of the committee/board/commission? yes

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission? I will bring new insight and experience with safety measures and preventative measures to harm
- What would you hope to accomplish on the committee/board/commission?

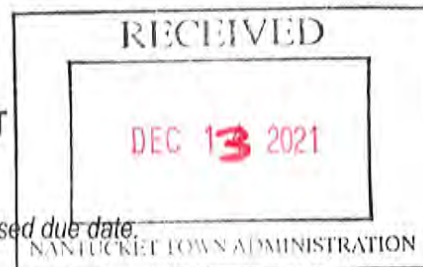
I would hope to accomplish multiple ways to implement necessary precautions to prevent harm, diversion in community based opinions and decisions on growth, finances, and culture in nantucket.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members. Department of Human Services
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? no



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Town Manager



Please return this form to the Town Administration offices by the advertised due date.

Name: Joseph W. Plandowski

Home Phone: _____

Mailing

Address: 10 Thistle Way, Nantucket

Alternate Phone: cell 847-840-3077

Email Address: jwpmail@gmail.com

Date Submitted: Sept. 11, 2021

REQUESTING APPOINTMENT TO: Cannabis Advisory Committee

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?
 - No to Cannabis Advisory Committee but Yes to many ZBA meetings
 - Strong background in clinical laboratory testing, including toxicology
 - Yes, a year-round Nantucket resident

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?
 - Have a BS in Mechanical Engineering and a Masters in Business Administration.
 - Spent over 30 years managing clinical and anatomic pathology laboratories across the U.S. Co-owner of two companies that provide cancer and clinical chemistry testing, including toxicology
 - Bring common sense to regulations based on science and economics

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen or the Town Manager, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
 - Nantucket Lightship Basket Museum (until merger with NHA)
 - Nantucket Historical Association
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?
 - No

From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Monday, June 28, 2021 4:27:38 PM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Ruth Tonico

- **Email:**

rstonico@gmail.com

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Tech

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

AS

- **Are you seeking a:**

Full member position

- **Committees of Interest:**

Board of Health, Cannabis Advisory Committee, Contract Review Committee, Human Services, Council for Human Services, Cultural Council, Nantucket Affordable Housing Trust, Scholarship Committee, Steamship Authority Governing Board, Steamship Authority Port Council, Real Estate Assessment Committee, Finance Committee

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**

Human Services

- **How long have you lived on Nantucket?**

4 years

- **Are you registered to vote on Nantucket?**

Yes

- **How did you hear about the Board/Committee?**

Someone told me about it and said I would bring diversity

- **Why are you seeking an appointment?**

To learn more, get more involved

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

Meetings to get goals accomplished to serve the wonderful city of Nantucket

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this**

Board/Committee:

I work for the town electoral department whenever we have elections. I am a tech currently working at the hospital and I am a people person who can bring diversity, motivation, and new ideas

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**
twice on YouTube
- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**
No
- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**
No
- **Please list all other Board/Committee's on which you have served in other towns:**
The election committee in Fort Lauderdale FL for about 6 to 7 yrs
- **New Committee - Not Listed Above:**
Mental Health

Log in to view or download your responses at
<https://admin.typeform.com/form/TFsmVsMW/results>

Typeform sent you this email on behalf of a typeform creator. We aren't responsible for its content. If you suspect abuse, like suspicious links, please report it [here](#).

This email was scanned by Bitdefender

Nantucket Affordable Housing Trust

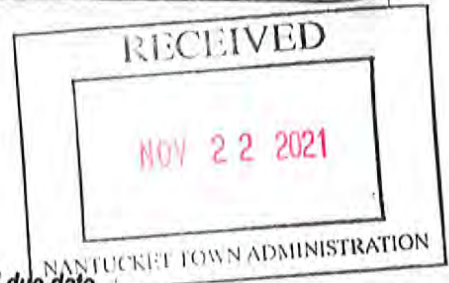
	Reema Sherry	At-large, 2 year term	2022
	VACANT	At-large, 2 year term	2022
	Brooke S. Mohr	At-large, 2 year term	2023
2 yr term	Brian Sullivan	Real Estate Agent/Broker	2022
	Dawn Hill Holdgate	SB Rep	2022
	Penny Dey	Housing Authority	2022
	David Iverson	NP&EDC	2022

Applicants:

Meg Browers
Julianne Kever
Tarji Cummings
Darcy Volpe
Ruth S. Tonico
Tara Restieri
Shantaw Bloise
RJ Turcotte



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Meg Browers Home Phone: 508 280 7021
Mailing Address: 45 Miacomet Ave Alternate Phone: n/a
Email Address: megbrowsers@gmail.com Date Submitted: 11/22/21
REQUESTING APPOINTMENT TO: Affordable Housing Trust

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I have not yet attended but I have been following agendas and minutes and plan to attend Dec 21 meeting. I am concerned about the lack of and disappearance of affordable year-round housing for our work force of teachers, nurses, trades people, doctors, and others. I am prepared to commit to one Tuesday per month at 1pm and others on an as-needed basis.

Relevant Experience

- I am dedicated to our community and want to be a part of a solution.
- What experience, skills or insight would you bring to the committee/board/commission?
 - What would you hope to accomplish on the committee/board/commission?

I have lived on Nantucket for 20 years, since 2001. I have rented here - seasonal shuffle and year-round situations, and I own my own home - purchased in 2011. I have friends and loved ones in all positions of the housing situation here - seasonal renters, year-round renters, homeowners, 2nd homeowners. I have many ideas for ways to support affordable year-round rentals. I am open minded. I hope to help provide more housing for year-round critical families.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
I am not a member of any other com'ites appointed by SB.
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?
I am on the NIS parent school council and hope to be of more service to our schools.

No, I was formerly an NPS school teacher but I stopped teaching when my son was born in 2011. I have two children in the Nantucket Public Schools, and I work for the Nantucket Land Council.



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT**

For Appointment by the Select Board

*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Julianne Kever

Home Phone: 508-221-7708

Mailing

Address: P O Box 1013, Nantucket, MA 02554

Alternate Phone: _____

Email Address: dunegrass@earthlink.net

Date Submitted: November 22, 2021

REQUESTING APPOINTMENT TO: _____ Nantucket Affordable Housing Trust _____

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I have not attended any related board meetings, but did take part in the Housing Program meetings done by 'Golden' in late winter and early spring, 2021. I'm interested in the housing dilemma on-island, especially for underserved islanders with disability issues, the homeless, and those who need affordable RENTAL choices. I don't see a problem attending the once-a-month Trust meeting.

Relevant Experience

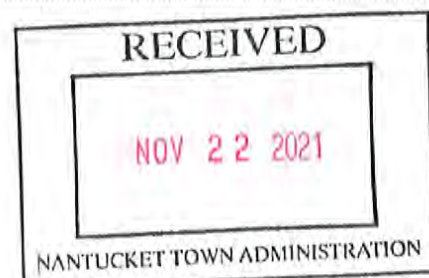
- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

I would like to provide input on many situations I know of where housing is a severe problem and learn what others know and how to work on improving the housing problem. Am willing to learn how to help.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

I'm not on any committees or local agencies. I work for the Nantucket Preservation Trust four days a week.



From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Wednesday, July 21, 2021 12:40:05 PM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Julianne Kever

- **Email:**

dunegrass@earthlink.net

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Administrative Assistant

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

Bachelors Degree; Notary Public for 16 years

- **Are you seeking a:**

Alternate position

- **Committees of Interest:**

Council for Human Services, Nantucket Affordable Housing Trust

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**

At this time, I don't have other preferences.

- **How long have you lived on Nantucket?**

I am a 12th. generation native, having lived here approximately 55 of my 71 years.

- **Are you registered to vote on Nantucket?**

Yes

- **How did you hear about the Board/Committee?**

I went looking for committees that address the human condition of living here for ordinary, disabled and homeless islanders.

- **Why are you seeking an appointment?**

To bring my knowledge and input on conditions of living here to the table.

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

I've had family members either disable, homeless or on the brink of losing housing, due to illness, injuries or low income.

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this Board/Committee:**

I'm an older generation Native who has seen many changes to available housing for ordinary people who are Natives or long-term Islanders, over the years. I've worked in a local bank for 7 years, witnessed the rising real estate sales second-hand, and know several individuals caught in the net of un-affordable housing options, or no options.

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**

I have not, because I did not know I could.

- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**

No

- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**

No

- **Please list all other Board/Committee's on which you have served in other towns:**

I haven't served on any Committee's anywhere. I was a volunteer for a couple of years with the Greenfield American Red Cross.

- **New Committee - Not Listed Above:**

N/A

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TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Tarji Cummings Home Phone: 862 899 4861
Mailing Address: 9 Amelia Drive, Nantucket Alternate Phone: _____
Email Address: tarji.roberts14@gmail.com Date Submitted: 11/24/21

REQUESTING APPOINTMENT TO: Nantucket Affordable Housing Trust

Reasons for Committee Interest

- 1 • Have you ever attended a meeting of the committee/board/commission? No.
 - 2 • Why are you interested in this committee/board/commission?
 - 3 • Are you prepared to commit to the meeting schedule of the committee/board/commission?
2. I would like to be an informed and involved member of this community that is doing so much for me.
3. I am prepared to honor this commitment, seeing that it does not conflict with any obligations I have as a single parent.

Relevant Experience

- 1 • What experience, skills or insight would you bring to the committee/board/commission?
 - 2 • What would you hope to accomplish on the committee/board/commission?
1. As a new member of this community I believe I would bring fresh perspective on the needs of persons in need of ~~see~~ affordable housing solutions. Additionally, clerical and administrative support.
2. Play my part in advancing the welfare of the year-round community in respect

Potential Conflicts of Interest to accessing affordable housing.

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

None.

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No.

From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Friday, June 4, 2021 6:55:59 PM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Tarji Cummings

- **Email:**

tarji.roberts14@gmail.com

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Receptionist

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

Associate Degree

- **Are you seeking a:**

Full member position

- **Committees of Interest:**

Board of Health, Council for Human Services, Nantucket Affordable Housing Trust, Real Estate Assessment Committee, Zoning Board of Appeals Alternate, Zoning Board of Appeals, Capital Program Committee

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**

Education

- **How long have you lived on Nantucket?**

10 months

- **Are you registered to vote on Nantucket?**

No

- **How did you hear about the Board/Committee?**

Facebook group

- **Why are you seeking an appointment?**

Nantucket has become a home for me and my daughter. It saved us and gave us a home, and a place to start over. I want to serve this community that has impacted me positively.

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

I have none, but willing to learn and adopt.

- **Please list any education, experience, professional achievement, previous**

occupation, skills, or special interests you may have that will assist you with this Board/Committee:

I am currently preparing to become a paralegal then onto law school. With a keen interest in family and the community I want to serve on any board that makes my hunger to see families of immigrant families and communities that protect and provide for them prosper.

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**

None

- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**

No

- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**

No

- **Please list all other Board/Committee's on which you have served in other towns:**

None

- **New Committee - Not Listed Above:**

None

Log in to view or download your responses at
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TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Darcy Volpe

Home Phone: 917-617-6082

Mailing

Address: 29 Goldfinch Drive, Nantucket, MA 02554

Alternate Phone: _____

Email Address: darcyv@msn.com

Date Submitted: 11.22.21

REQUESTING APPOINTMENT TO: _Nantucket Affordable Housing Trust_

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I regularly listen to the meetings and look forward to attending in person in the future. Preserving the fabric of the Nantucket community by ensuring low and moderate income housing is available for the many full-time Island residents is critical. If Nantucket is not able to attract teachers, health care workers, hospitality workers and civil servants due to the lack of affordable of housing, then the entire community loses. With its connected people, financial resources and philanthropic underpinning, Nantucket is fortunate to have more access than most solutions which will enable us to support a community that invites diversity and fosters inclusivity. That means providing moderate and affordable housing options is paramount. I would be honored to commit to the meeting schedule of the board, with the caveat that at times I may have to participate virtually.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

While I don't have exact experience sitting on this kind of board/committee, I'm confident that my experience serving on a non-profit board (Tada Youth Theater) and non-profit counsel (Make-A-Wish Women's Council of Metro NY) provide insight into the board process itself. My skillset, which I believe benefits this kind of committee, is one that focuses on finding and/or creating equitable, solution-based outcomes to complicated situations, generally involving multiple parties. I work for the largest asset manager in the world, managing a group called Corporate Solutions. My job is to suggest solutions (offered by BLK) to organizations, in order to help address some of world's most complex problems from decarbonization and energy transition to vaccine procurement in countries that need assistance. It's a match-making role, in which I engage with companies, to understand their challenges and determine ways in which we can collaborate and provide or create solutions that address their issue(s). I believe the attributes that make me successful at my work, will also add value to a this committee.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

None

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? No

From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Wednesday, June 30, 2021 8:17:51 AM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Darcy Volpe

- **Email:**

darcyv@msn.com

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Finance

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

Bachelors

- **Are you seeking a:**

Full member position

- **Committees of Interest:**

Nantucket Affordable Housing Trust, Cultural Council, Council for Human Services, Roads and Right of Way Committee, Scholarship Committee, Nantucket Historical Commission Alternate, Conservation Commission, Zoning Board of Appeals Alternate

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**
I'm open to helping on anything, provided you know there might be a learning curve..

- **How long have you lived on Nantucket?**

coming for 20 years, homeowner for 6, living full-time for the last 18 months

- **Are you registered to vote on Nantucket?**

Yes

- **How did you hear about the Board/Committee?**

Daybreak and Quahog Country

- **Why are you seeking an appointment?**

to help preserve and/or better Nantucket

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

I've sat on a board in NYC; my dad was a county commissioner in Collier County Florida during one of it's largest expansion periods in the late 80s/90s

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this**

Board/Committee:

I work for a large asset manager and am skilled at finance. I also review grants and make recommendations for our company. I've sat on the Board of a kids theater in NYC and I'm currently on the Make-A-Wish Foundation Women's Council.

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**

I've listed to them and watched some on YouTube

- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**

No

- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**

No

- **Please list all other Board/Committee's on which you have served in other towns:**

Make-A-Wish Foundation Women's Council. Tada Youth Theater Board Member (formerly)

- **New Committee - Not Listed Above:**

n/a

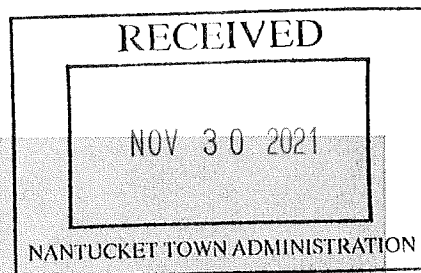
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TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Ruth S. Tonico Home Phone: 951 562-8668
Mailing Address: 11 Marde Way, Nantucket Ma 02554 Alternate Phone: _____
Email Address: rtanico@gmail.com Date Submitted: 11/30/2021
REQUESTING APPOINTMENT TO: Nantucket Affordable Housing Trust

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission? yes
- Why are you interested in this committee/board/commission? yes
- Are you prepared to commit to the meeting schedule of the committee/board/commission? yes

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission? Diversity, New fresh insight on community based opinions + experience.
- What would you hope to accomplish on the committee/board/commission?

I would hope to accomplish more insight on living on the island, the struggles and the benefits of living on the island, and ways to grow and improve the many obstacles this island faces. Also to overcome the many challenges with victories for the people of nantucket.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members. Human services
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? No

From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Monday, June 28, 2021 4:27:38 PM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Ruth Tonico

- **Email:**

rstonico@gmail.com

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Tech

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

AS

- **Are you seeking a:**

Full member position

- **Committees of Interest:**

Board of Health, Cannabis Advisory Committee, Contract Review Committee, Human Services, Council for Human Services, Cultural Council, Nantucket Affordable Housing Trust, Scholarship Committee, Steamship Authority Governing Board, Steamship Authority Port Council, Real Estate Assessment Committee, Finance Committee

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**

Human Services

- **How long have you lived on Nantucket?**

4 years

- **Are you registered to vote on Nantucket?**

Yes

- **How did you hear about the Board/Committee?**

Someone told me about it and said I would bring diversity

- **Why are you seeking an appointment?**

To learn more, get more involved

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

Meetings to get goals accomplished to serve the wonderful city of Nantucket

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this**

Board/Committee:

I work for the town electoral department whenever we have elections. I am a tech currently working at the hospital and I am a people person who can bring diversity, motivation, and new ideas

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**
twice on YouTube
- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**
No
- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**
No
- **Please list all other Board/Committee's on which you have served in other towns:**
The election committee in Fort Lauderdale FL for about 6 to 7 yrs
- **New Committee - Not Listed Above:**
Mental Health

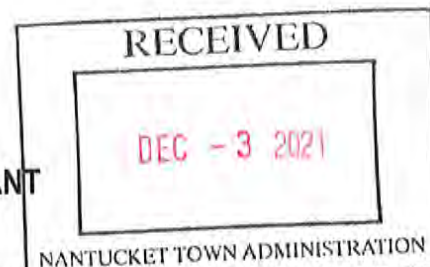
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TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board



*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Tara Restieri

Home Phone: 914-646-2233

Mailing

Address: 74A Madaket Road Nantucket, MA 02554

Alternate Phone: _____

Email Address: Tara.restieri@gmail.com

Date Submitted: _____

REQUESTING APPOINTMENT TO: _____ Nantucket Affordable Housing Trust _____

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I have listened to meetings, read a great deal about the issues from the Town and State Websites

What is clear to me is that there is an obvious increasing cost of housing in Nantucket and not enough reasonably affordable housing for those who work and wish to live here. While it is wonderful for real estate sales it is not wonderful for the generations of people who live, work, and wish to own homes on our beautiful island. Of equal concern are the number of people who have access to a home, but who were paying an excessive portion of their income for that access. The high cost of living on Nantucket has a profound effect on teachers, service staff, volunteer firemen, etc. are unable to afford to live in the island they work and had to commute long distances from an affordable town to their jobs. I am also concerned that children growing up in Nantucket may not be able to afford living on island once they leave their parents' homes.

Yes, I am prepared to commit to the Nantucket Affordable Housing Trust meeting schedule.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?

Since retiring from teaching I have given my time and life to civic service. I understand the issues that are important to the residents of Nantucket and believe that I am very qualified to serve on the Nantucket Affordable Housing Trust.

- What would you hope to accomplish on the committee/board/commission?

I would hope to help the NAHT reach its goals in reaching the state mandated SHI to 10% so that Nantucket's ZBA will have greater control in protecting development on island. In addition, I believe that it is important to maintain the historical districts and prevent the use of Chapter 40B from allowing developers to get away with overbuilding and destruction of such properties and neighborhoods. It is important to not only identify proposed areas to meet housing goals but, there should also be collaborative goals to address housing needs and development.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or

a member of your immediate family are current members.

Elected appointments: Greenwich Representative Town Meeting (two year term to begin Jan 1, 2022).

Appointed and elected: Greenwich Town Board of Human Services (two year term elected March, 2021).

Appointed, Greenwich Hospital Neighborhood Advisory Council as of October, 2021

Appointed, Town of Greenwich Citizens Police Department Advisory Committee, Appointment to begin 2022.

Emergency Medical Technician, Greenwich Emergency Medical Services and Stamford Emergency Medical Services

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No

From: notifications@typeform.com
To: [Erika Mooney](#)
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Wednesday, June 30, 2021 11:06:18 AM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

Tara Restieri

- **Email:**

tara.restieri@gmail.com

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

EMT

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

Master's level

- **Are you seeking a:**

Alternate position

- **Committees of Interest:**

Nantucket Affordable Housing Trust, Council for Human Services

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**

Anything not finance related

- **How long have you lived on Nantucket?**

Summer resident

- **Are you registered to vote on Nantucket?**

No

- **How did you hear about the Board/Committee?**

Newsletter

- **Why are you seeking an appointment?**

To volunteer on the island I love

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

Many boards and full-time volunteer

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this Board/Committee:**

Currently on Board of Human Services in CT

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**
0
- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**
No
- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**
No
- **Please list all other Board/Committee's on which you have served in other towns:**
Human Services. BoardYWCA Greenwich. Board, Greenwich EMS
- **New Committee - Not Listed Above:**
0

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TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board

RECEIVED

DEC - 6 2021

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Shantaw Bloise

Home Phone: _____

Mailing Address: 3 Spinnaker Circle, Nantucket

Alternate Phone: 774-236-0899

Email Address: Sbloise17@gmail.com

Date Submitted: 12/03/2021

REQUESTING APPOINTMENT TO: Nantucket Affordable Housing Trust

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission? no, I have not.
 - Why are you interested in this committee/board/commission? (see below)
 - Are you prepared to commit to the meeting schedule of the committee/board/commission? yes, I am.
- I am interested in this committee because I have experienced the difficulty in finding affordable housing first hand. I believe that affordable housing is a crucial part of maintaining a strong & capable workforce, therefore fueling our year-round community.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
 - What would you hope to accomplish on the committee/board/commission?
- I currently serve as the Business Manager of the Chamber of Commerce & can lend insight into the needs of the workforce. Additionally, I believe that the board lacks representation from a largely minority based community & from young people currently struggling with housing needs. I hope to be a voice for those under represented groups in our community.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

I am a member of the Nantucket Equity Advocates.

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

My husband is the Aquatics Director of the Nantucket Community School.



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Select Board

RECEIVED

DEC - 8 2021

NANTUCKET TOWN ADMINISTRATION

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: RJ Turcotte

Home Phone: 508-981-7908

Mailing

Address: 6 Ash Lane Nantucket, Ma 02554

Alternate Phone: —

Email Address: rj@nantucketlandcouncil.org

Date Submitted: 12/8/2021

REQUESTING APPOINTMENT TO: Affordable Housing Trust

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I researched the trust extensively in 2020/21 Since NLC was opposed to
Article 97 at the 2021 ATM.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

I would hope to bring insight to the Board from the environmental perspective
so that these two groups can work together in improving the community rather than
opposing each other at Town Meetings.

Potential Conflicts of Interest

- Please list any committees appointed by the Select Board, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

none.

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

no.

From: notifications@typeform.com
To: Erika Mooney
Subject: Typeform: New response for Town of Nantucket Volunteer Talent Bank
Date: Wednesday, December 8, 2021 2:43:23 PM

Your typeform Town of Nantucket Volunteer Talent Bank has a new response:

- **First and last name:**

RJ Turcotte

- **Email:**

rj@nantucketlandcouncil.org

- **Occupation / Title (Registered Nurse, Retired Engineer, etc.):**

Nantucket Waterkeeper

- **Education (i.e. Bachelors Degree, Certifications, etc.):**

B.S. Marine Biology

- **Are you seeking a:**

Full member position

- **Committees of Interest:**

Nantucket Affordable Housing Trust

- **If you are not appointed to this Board/Committee, please list in order of preference, what other Board/Committees you are willing to be considered for:**
Commission on Disability, Housing Authority, Cape & Islands Water Protection Fund Board

- **How long have you lived on Nantucket?**

Three years

- **Are you registered to vote on Nantucket?**

Yes

- **How did you hear about the Board/Committee?**

I follow their meetings

- **Why are you seeking an appointment?**

To be more involved in housing, accessibility issues

- **What is your experience or knowledge regarding the duties of this Board/Committee?**

Little other than work related to the Land Council and being a concerned citizen

- **Please list any education, experience, professional achievement, previous occupation, skills, or special interests you may have that will assist you with this Board/Committee:**

Protecting natural resources and dignified, affordable housing go hand in hand. The

housing crisis is an area that if repaired would help Nantucket's clean water goals.

- **How many times in the last year have you attended or watched a meeting of the Board/Committee to which you would like to be appointed?**

I learned much about them in 2021 specifically as they worked to gain consistent funding through Town Meeting. I have watched 5-10 of their recorded meetings.

- **Would there be a possible conflict of interest if you were appointed to this Board/Committee?**

No

- **Have you ever had an application before the Board/Committee to which you are requesting an appointment?**

No

- **Please list all other Board/Committee's on which you have served in other towns:**

I've never served on a Board/Committee.

- **New Committee - Not Listed Above:**

N/A

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NANTUCKET SELECT BOARD

Policy Statement and Procedures for Appointments to Committees, Commissions, Boards Adopted: May 19, 2021

BASIC GOAL

To encourage active citizen participation and involvement in local government affairs by encouraging local residents with expertise, skills, interest, and energy to seek appointment to the Town's Committees, Boards and Commissions. And, to expand the Town's outreach to its citizens to ensure that we engage as many diverse perspectives as possible to build and encourage awareness, understanding and appreciation through a lens of diversity, equity and inclusion.

POLICIES IN SUPPORT OF THE BASIC GOAL

- A. The Town will maintain a recruiting system, known as the Volunteer Talent Bank (Talent Bank), to find and appoint interested local residents who are best qualified by education, training and experience to contribute effectively to the work of the committee, commission or board. To the extent practical, the Select Board shall announce its intention to meet candidates for appointment and allow them to introduce themselves and review their applications no less than two weeks in advance of appointments.
- B. When an announcement is made by the Board regarding any vacancies, the Board will require that applicants file a Committee Appointment application. Following a public meeting with the applicant(s) at which the Board may ask questions, and/or the applicant may ask questions, a candidate shall be selected in accordance with the following procedure:

RECOMMENDED VOTING PROCEDURES FOR ANNUAL APPOINTMENTS

1. The Board reviews a list of openings for annual appointments with a committee appointment timeline in early April.
2. In mid-April, members of committees, commissions, boards whose terms are expiring are notified and asked if they would like to apply for reappointment. Incumbent Committee Interest Forms are mailed to all of these members and they are asked to respond in writing to indicate if they request re-appointment, or not. Incumbents need to meet the same deadlines as listed on the committee appointment timeline.
3. Annual committee openings are advertised in the local newspaper for four weeks, as well as on the Town website. Additionally, the openings are announced at the Board's weekly meetings starting in mid-April through the end of May.
4. Applications will be accepted only by the deadlines outlined in the annual Committee Appointments Timeline for all committees, commission and boards.

5. The Select Board holds two meetings to allow applicants to address the Board and review their applications.
6. Committee appointments are made at the last Select Board meeting of June, which date shall be at least one week after the names and applications of all applicants have been made public.
 - a. At this meeting, the Select Board may appoint, by majority vote, a candidate to fill any seat. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.
 - b. The Chair shall ask Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.
 - c. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
 - d. The candidate(s) with the majority of votes will be appointed.
 - e. Any committee seats not filled will continue to be posted on the Town website and routinely advertised as vacant.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

RECOMMENDED VOTING PROCEDURES FOR VACANCIES THROUGHOUT THE YEAR

The Board's intent to fill vacancies will be noted on its regular meeting agenda for at least two weeks and applications of prospective candidates will be included in the Board's agenda packet to allow the Board and the public to review the prospective candidates' credentials. The vacancy will also be advertised in the Inquirer & Mirror for a minimum of two weeks as well as on the Town's website. Applications will be accepted only by a certain deadline for all committees, commission and boards.

1. Immediately following a meeting with candidates for appointment, the Select Board may appoint, by majority vote, a candidate to fill any vacancy. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.
2. Immediately following a meeting with candidates for appointment, the Chair shall ask

Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.

3. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
4. The candidate(s) with the majority of votes will be appointed.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

ADMINISTRATION OF THE VOLUNTEER TALENT BANK

The Town Administration office shall be responsible for the Talent Bank data and all administrative materials, records and processes.

PUBLIC INPUT REGARDING CANDIDATES FOR APPOINTMENT

Any citizen may convey their support or objection of an individual's appointment/ reappointment through written notice to the Town Manager's Office. Town Administration shall forward any written comments concerning appointments/reappointments to the Select Board and to the person cited.

This policy may be amended by the Select Board at any time.

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
December 15, 2021

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Professional Services Agreement Amendment	Town Admin	Weston & Sampson Engineers, Inc.	\$26,000	Parks Master Plan - additional review re Tom Nevers; Delta Field property	Town Admin Budget & Article 10/2018 ATM	December 1, 2021 - June 30, 2022
Software Purchase Agreement	Human Resources	Neogov	\$52,265.96	Recruitment and onboarding software	HR Budget	December 1, 2021 - June 30, 2024
Professional Services Agreement	Human Resources	Raftelis	\$39,800	Development of a Succession Plan	HR Budget; Compact Community Grant (\$25,000)	December 15, 2021 - December 14, 2022
Software Service Agreement	Sewer	EleMech Inc.	\$14,670	Upgrade to septage receiving station software	Sewer Budget	December 15, 2021 - June 30, 2022
Professional Services Agreement	Sewer	Weston & Sampson Engineers, Inc.	\$350,000	Engineering construction services for S. Shore Road sewer extension project	Article 16/2021 ATM	December 15, 2021 - December 14, 2024
Construction Agreement	Sewer	LMC Contracting	\$379,292	Installation of new (replacement) security perimeter fencing and gates at Surfside Wastewater Treatment Facility	Article 20/2019 ATM	December 5, 2021 - June 30, 2024
Professional Services Agreement	Town Admin/Our Island Home	Eisenstein Flaherty Associates	\$197,600	Interim Nursing Home Administrator Services	Our Island Home Budget	December 13, 2021 - June 30, 2022

December 1, 2021

ATTORNEYS

Jennifer Cohen
Steven L. Cohen

Dawn E. Hill Holdgate, Chair
Nantucket Select Board
16 Broad Street
Nantucket, MA 02554

**Re: Request for Select Board Consent and Clarification of Restrictions
for 9 Auriga Street**

Dear Chair Hill Holdgate and Select Board,

Our clients, Michael M. Metz and Clare T. Casademont, own the property located at 9 Auriga Street per deeds recorded in Book 1000, Page 343, Book 1406, Page 282, and Book 1406, Page 275, which includes two parcels that were transferred to Mike and Clare as part of the Yard Sale Program. The deeds from the Town for the Yard Sale lots provide that the property cannot thereafter be divided without the consent of the Select Board.

Mike and Clare participated in a minor land swap with their neighbor, IAM Investments, LLC (owner of 10 Auriga Street), to adjust the common property boundary line to create a conforming zoning setback for the pool on 9 Auriga Street. The land swap between 9 Auriga Street and 10 Auriga Street did not create any new parcels or buildable lots, but should have been approved by the Select Board first.

Mike and Clare now ask the Select Board to approve of the transfers for the land swap with 10 Auriga Street, and to confirm that 9 Auriga Street will continue to be subject to the restrictions in the Yard Sale deeds recorded with the Nantucket Registry of Deeds in Book 1406, Page 275, and in Book 1406, Page 282.

Enclosed for your convenience are copies of the deeds for the land swap between 9 Auriga Street and 10 Auriga Street, the merger certificates, a plan of land showing the areas of land involved in the lot line adjustment, and a proposed Consent, which also clarifies the restriction applicable to 9 Auriga Street.

Cohen + Cohen Law PC
34 Main St., 2nd Fl.
Mail: P.O. Box 786
Nantucket, MA 02554
Tel. (508) 228-0337
Fax (508) 228-0970
www.cohenlegal.net

Very truly yours,



Steven L. Cohen, Esq.


Bk: 1800 Pg: 230 Page: 1 of 3
Doc: DD 02/03/2021 09:43 AM

QUITCLAIM DEED

IAM INVESTMENTS LLC, a Texas limited liability company registered to do business in Massachusetts, (f/k/a IAM VENTURES LLC), with a mailing address of 3207 Virginia Street, Houston, Texas 77098, for consideration provided, grant to MICHAEL M. METZ and CLARE T. CASADEMONT, husband and wife as joint tenants with rights of survivorship, of 1049 Kirby Drive, Houston, Texas 77019, with QUITCLAIM COVENANTS,

That parcel of vacant land, now known and numbered as a portion of 10 Auriga Street, as more particularly described as follows:

WESTERLY by land shown on Plan No. 2013-73 in an arc
 with a total of one hundred and 92/100
 (100.92) feet,

EASTERLY by land shown on Plan No. 2013-73, seventy-four
 and 87 (74.87) feet, and

Said land being shown as Lots 1 on Plan No. 2021-14 filed with the Nantucket Registry of Deeds.

Said land is conveyed subject to the real estate taxes assessed by the Town of Nantucket for the current fiscal year.

Grantor certifies no member, or a spouse, civil union partner, ex-spouse or ex-civil union partner of any member of IAM INVESTMENTS LLC, occupies or intends to occupy the land as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

Grantor hereby certifies that the grantor has not elected to be taxed as a corporation.

Said transfer is made as a gift without consideration between spouses and is a transfer where Grantee retains an interest in the Corporation that is equivalent to the interest the transferor held prior to the transfer.

For title, see Deeds recorded in Book 1473, Page 11 at the Nantucket Registry of Deeds.

{SIGNATURE PAGE TO FOLLOW}

Executed and sealed on JANUARY 29, 2021.

IAM INVESTMENTS LLC

By:

Michael M. Metz
MIKE METZ, Manager

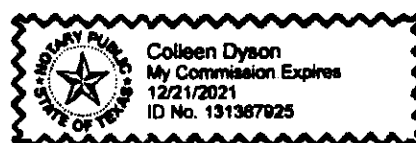
NANTUCKET LAND BANK CERTIFICATE	
☐ Paid \$	
☒ Exempt C	
☐ Non-applicable	
No. <u>42849</u>	Date <u>2/3/21</u>
Authorization <u>SC</u>	

STATE OF: Texas

County of: Harris

Then personally appeared the above-named Mike Metz, Manager of IAM INVESTMENTS LLC, personally known to me, or proved to me through satisfactory evidence of identification, which was Drivers License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it as their free act and deed, voluntarily for its stated purpose.

Colleen Dyson
Notary Public
Printed name: Colleen Dyson
My commission expires: 12/21/2021



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



Bk: 1800 Pg: 226 Page: 1 of 3
Doc: DD 02/03/2021 09:43 AM

QUITCLAIM DEED

We, MICHAEL M. METZ and CLARE T. CASADEMONT, of 1049 Kirby Drive, Houston, Texas 77019, for consideration provided, grant to IAM INVESTMENTS LLC (f/k/a IAM VENTURES LLC), a Texas limited liability company with a mailing address of 3207 Virginia Street, Houston, Texas 77098, with QUITCLAIM COVENANTS,

Two parcels of vacant land, now known and numbered as a portion of 9 Auriga Street (f/k/a 9 Nonantum Avenue), as more particularly described as follows:

Lot 2:

WESTERLY	by	land shown on Plan No. 2013-73, fifty-two and 18/100 (52.18) feet,
EASTERLY	by	land shown on Plan No. 2013-73, forty-eight and 31/100 (48.31) feet, and
SOUTHERLY	by	land shown on Plan No. 2014-70, twenty-two and 61/100 (22.61) feet.

Lot 3:

NORTHERLY	by	land shown on Plan No. 2013-73, twenty-four and 98/100 (24.98) feet,
WESTERLY	by	land shown on Plan No. 2013-73, twenty-nine and 08/00 (29.08) feet,
SOUTHERLY	by	land shown on Plan No. 2014-70, thirty-six and 41/100 (36.41) feet, and
EASTERLY	by	Lot A on Plan No. 2014-16, twenty-six and 50/100 (26.50) feet.

Said land being shown as Lots 2 & 3 on Plan No. 2021-14 filed with the Nantucket Registry of Deeds.

Said land is conveyed subject to the real estate taxes assessed by the Town of Nantucket for the current fiscal year.

Grantors certify that they do not have any ex-spouse, civil union, or ex-civil union partner who occupies or intends to occupy the land as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

Said transfer is made as a gift without consideration between spouses and is a transfer where Grantee retains an interest in the Corporation that is equivalent to the interest the transferor held prior to the transfer.

For title, see Deeds recorded in Book 1000, Page 343; Book 1406, Page 282; and Book 1406, Page 275 at the Nantucket Registry of Deeds.

{SIGNATURE PAGE TO FOLLOW}

Executed and sealed on this 29 day of JANUARY 2021.

CLARE T. CASADEMONT
CLARE T. CASADEMONT

Michael M. Metz
MICHAEL M. METZ

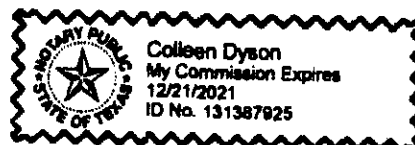
NANTUCKET LAND BANK CERTIFICATE	
☐	Paid \$
☒	Exempt <u>E/C</u>
☐	Non-applicable
<u>42848</u>	<u>2/3/21</u>
No.	Date
Authorization	<u>SL</u>

STATE OF: Texas

County of: Harris

Then personally appeared the above-named MICHAEL M. METZ and CLARE T. CASADEMONT, personally known to me, or proved to me through satisfactory evidence of identification, which was Drivers license to be the persons whose names are signed on the preceding or attached document and acknowledged to me that they signed it as their free act and deed, voluntarily for its stated purpose.

Colleen Dyson
Notary Public
Printed name: Colleen Dyson
My commission expires: 12/21/2021



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



Bk: 1802 Pg: 45 Page: 1 of 2
Doc: DOR 02/09/2021 02:42 PM

**DECLARATION OF RESTRICTION TO
MERGE LOTS FOR BUILDING AND ZONING PURPOSES**

We, MICHAEL M. METZ and CLARE T. CASADEMONT, being the owners of the following:

- A. 9 Auriga Street (formerly 1 Nonantum Avenue) in the Town and County Nantucket, Commonwealth of Massachusetts, shown on Plan No. 2014-70 at the Nantucket Registry of Deeds; and
- B. A former portion of 10 Auriga Street in the Town and County of Nantucket, Commonwealth of Massachusetts, shown as Lot 1 on Plan No. 2021-14 filed with the Nantucket Registry of Deeds. Said Lot containing 1,354± square feet.

for consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby impose, upon all of the above-referenced lots, the following:

The lots referenced above shall henceforth be considered merged as one lot for purposes of applicable building and zoning laws and by-laws.

For title to 9 Auriga Street, see Deeds recorded in Book 1000, Page 343; Book 1406, Page 282; and Book 1406, Page 275 at the Nantucket Registry of Deeds. For title to the portion of 10 Auriga Street, Lot 1, see Deed recorded in Book 1800, Page 230 at the Nantucket Registry of Deeds.

(SIGNATURE PAGE TO FOLLOW)

Executed and sealed on this 2 day of FEBRUARY 2021.

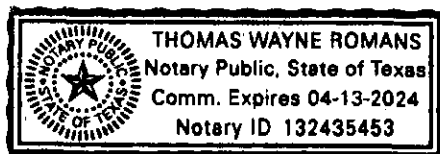
Clare T. Casademont
CLARE T. CASADEMONT

Michael M. Metz
MICHAEL M. METZ

STATE OF: TEXAS

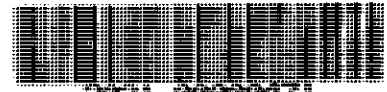
County of: HARRIS

Then personally appeared the above-named MICHAEL M. METZ and CLARE T. CASADEMONT, personally known to me, or proved to me through satisfactory evidence of identification, which was Driver ID, to be the persons whose names are signed on the preceding or attached document and acknowledged to me that they signed it as their free act and deed, voluntarily for its stated purpose.



Thomas W. Romans
Notary Public
Printed name: THOMAS W. ROMANS
My commission expires: 04-13-2024

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



Bk: 1800 Pg: 233 Page: 1 of 3
Doc: DOR 02/03/2021 09:43 AM

**DECLARATION OF RESTRICTION TO
MERGE LOTS FOR BUILDING AND ZONING PURPOSES**

IAM INVESTMENTS LLC, a Texas limited liability company registered to do business in Massachusetts, (f/k/a IAM VENTURES LLC), with a mailing address of 3207 Virginia Street, Houston, Texas 77098, being the owner of the following:

- A. 10 Auriga Street in the Town and County Nantucket, Commonwealth of Massachusetts, shown on Plan No. 2013-73 at the Nantucket Registry District for the Land Court; and
- B. A former portion of 9 Auriga Street in the Town and County of Nantucket, Commonwealth of Massachusetts, shown as Lot 2 and Lot 3 on Plan No. 2021-14 filed with the Nantucket Registry District of the Land Court. Said Lots contain 1,354± square feet.

for consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby impose, upon all of the above-referenced lots, the following:

The lots referenced above shall henceforth be considered merged as one lot for purposes of applicable building and zoning laws and by-laws.

For title to 10 Auriga Street, see Deed recorded in Book 1473, Page 11 at the Nantucket Registry of Deeds. For title to the portions of 9 Auriga Street, Lot 2 and Lot 3, see Deed recorded in Book 1800 Page 226 at the Nantucket Registry of Deeds.

(SIGNATURE PAGE TO FOLLOW)

Executed and sealed on this 29 day of JANUARY 2021.

IAM INVESTENTS LLC

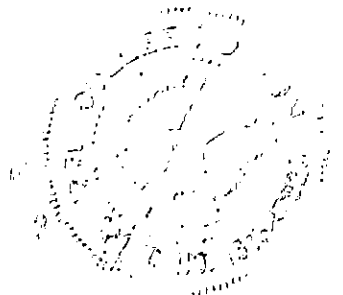
By:

Michael M. Metz
MIKE METZ, Manager

STATE OF: Texas

County of: Harris

Then personally appeared the above-named Mike Metz, Manager of IAM VENTURES LLC, personally known to me, or proved to me through satisfactory evidence of identification, which was Drivers license, to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it as their free act and deed, voluntarily for its stated purpose.

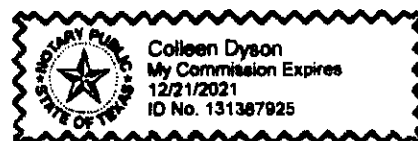


Colleen Dyson

Notary Public

Printed name: Colleen Dyson

My commission expires: 12/21/2021





Agenda Item Summary

Agenda Item #	VIII. 1.
Date	12/15/2021

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Approval and execution of Consent for subdivision and conveyance of portion of 9 Auriga Street shown as Lots 2 and 3 on plan recorded with Nantucket County Registry of Deeds as Plan No. 2021-14

Executive Summary

Pursuant to the Nantucket Yard Sale Program, the Town conveyed Lot 4, Curve Street and Station Street shown on a plan recorded with said Deeds as Plan No. 2012-60 and Parcel T, Atlantic Avenue shown on a plan recorded with said Deeds as Plan No. 2012-23 (together the "Yard Sale Parcels") to the owners of 9 Auriga Street. Each of the Deeds to the Yard Sale Parcels contains a restriction that the Yard Sale Parcels are to be merged into one lot, referred to as the "Combined Premises," and that any division or subdivision of any portion of the Combined Premises, and any conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises is prohibited without the prior written consent of the Select Board.

In order to comply with certain setback requirements for the pool located on the 9 Auriga Street property, the owner of 10 Auriga Street and 9 Auriga Street, subdivided their respective properties creating Lots 1, 2 and 3 on a plan recorded with said Deeds as Plan No. 2021-14. The owner of 9 Auriga Street then conveyed by Deed Lots 2 and 3 to the owner of 10 Auriga Street; and in exchange the owner of 10 Auriga Street conveyed Lot 1 to the owner of 9 Auriga Street. The subdivision and conveyance of these Lots was completed without the prior written consent of the Select Board.

The owner of 9 Auriga Street requests the Select Board, as the holder of certain rights and restrictions set forth in the Deeds to the Yard Sale Parcels, to consent and ratify the subdivision and conveyance of a portion of the Combined Premises of 9 Auriga Street, and to confirm that the Yard Sale Parcels shall continue to be subject to the restrictions in the Deeds to the Yard Sale Parcels.

Staff Recommendation

This request was reviewed by REAC at its meeting on December 9, 2021 which was continued until December 13, 2021. **REAC reviewed this request and voted at its meeting held on December 13, 2021 to recommend that the Select Board approve of and execute the Consent for 9 Auriga Street.**

Background/Discussion

Town Counsel reviewed and revised the Consent for the subdivision and conveyance of a portion of 9 Auriga Street and approves of its final form.



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

This Consent ratifies and confirms the subdivision and conveyance of a portion of the Combined Premises for 9 Auriga Street, namely the above-referenced Lots 2 and 3, which was done without the requisite prior written approval of the Select Board to subdivide and convey a portion of the Combined Premises, pursuant to the deed restrictions for the Yard Sale Parcels.

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

Nantucket Yard Sale Program

Attachments

Copies of Yard Sale Parcels Deeds recorded with said Deeds in Book 1406, Page 275 and Book 1406, Page 282

Copy of Yard Sale Plans recorded as Plan No. 2012-60 and Plan No. 2012-23

Copy of Subdivision Plan of Lots 1, 2 and 3 recorded as Plan No. 2021-14

Copy of Perimeter Plan of 9 Auriga Street to be recorded



CONSENT

Whereas, Michael M. Metz and Clare T. Casademont (the “9 Auriga Owners”) are the owners of 9 Auriga Street, Nantucket, Massachusetts by virtue of a Deed of 9 Auriga Street, Nantucket shown as Lot 1 on a plan of land recorded with Nantucket County Registry of Deeds in Plan Book 20, Page 62 said Deed being recorded in Book 1000, Page 343 and by Deeds from the Town of Nantucket (the “Town”), of the following two parcels of land:

Lot 4, Curve Street and Auriga Street containing 4,550± square feet, more or less, in Nantucket, Massachusetts, shown on a plan of land entitled “Plan to Convey Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket,” dated July 24, 2012, recorded with said Deeds as Plan No. 2012-60, said Deed being recorded with said Deeds in Book 1406, Page 275 (“Lot 4”); and,

Parcel T, Atlantic Avenue containing 7,887± square feet, more or less, in Nantucket, Massachusetts, shown on a plan of land entitled “Plan to Acquire Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket,” dated March 5, 2012, recorded with said Deeds as Plan No. 2012-23, said Deed being recorded with said Deeds in Book 1406, Page 282 (“Parcel T”);

Whereas, the Deeds to Lot 4 and Parcel T contain the following restrictions (the “Deed Restriction”): “[T]he Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor [the Town of Nantucket], forever restricting the Parcel [Lot 4 and Parcel T] and Combined Premises [Lot 4 and Parcel T and 9 Auriga Street] to residential use, prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises...These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Select Board and recorded with said Deeds;”

Whereas, in order to accommodate certain setbacks for the pool located on the 9 Auriga Street property, the 9 Auriga Owners and IAM Investments, LLC, the owner of 10 Auriga Street (the “10 Auriga Owner”) subdivided their respective properties into Lots 1, 2 and 3 as shown on a plan of land recorded with said Deeds as Plan No. 2021-14 and conveyed the portions of their respective properties to one another by Deeds recorded with said Deeds in Book 1800, Page 226 (conveyance of Lots 2 and 3 on Plan No. 2021-14 to 10 Auriga Owner), and in Book 1800, Page 230 (conveyance of Lot 1 on Plan No. 2021-14 to 9 Auriga Owners) without the prior written consent of the Town to subdivide and convey a portion of the Combined Premises;

Whereas, as a result of the conveyances of Lots 1, 2 and 3 shown on Plan No. 2021-14 between the 9 Auriga Owners and the 10 Auriga Owner, the 9 Auriga Street property presently consists of 32,439 ± square foot parcel of land, as shown on a plan of land entitled “Perimeter Plan of Land in Nantucket, MA Prepared for Owner: Michael M. Metz and Clare T. Casademont,” dated December 2, 2021, prepared by Michael Connolly & Associates, Inc. recorded with said Deeds as Plan No. _____ (the “Perimeter Plan”);

Whereas, the 9 Auriga Owners request that the Town, as the holder of certain rights and restrictions with respect to Lot 4 and Parcel T, (i) consent to, and ratify the subdivision and conveyance of a portion of the Combined Premises of 9 Auriga Street as reflected in the above-referenced Deeds between the 9 Auriga Owners and the 10 Auriga Owner, and (ii) confirm that the 9 Auriga Street property shall continue to be

subject to the restrictions set forth in the Deeds recorded with said Deeds in Book 1406, Page 275, and in Book 1406, Page 282;

Now, therefore, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the 9 Auriga Owners agree to the foregoing and as follows:

AGREEMENT

1. The Town hereby consents to, and ratifies, the subdivision and conveyance of a portion of the Combined Premises of 9 Auriga Street as effectuated by the Deeds recorded with said Deeds in Book 1800, Page 226, and in Book 1800, Page 230, and hereby confirms that the Combined Premises of 9 Auriga Street shown on said Perimeter Plan shall be subject to the restrictions set forth in those Deeds recorded with said Deeds in Book 1406, Page 275, and in Book 1406, Page 282.

2. Michael M. Metz and Clare D. Casademont hereby accept the terms of this Consent and agree to be bound by all of the terms and restrictions contained herein.

3. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

Signature Pages Follow

Executed as a sealed instrument this ____ day of December 2021.

TOWN OF NANTUCKET

By its Select Board

Michael M. Metz

Jason Bridges

Clare T. Casademont

Kristie L. Ferrantella

Matthew G. Fee

Dawn E. Hill Holdgate

Melissa K. Murphy

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Jason Bridges, Kristie L. Ferrantella, Matthew G. Fee, Dawn E. Hill Holdgate and Melissa K. Murphy 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:

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Michael M. Metz and Clare T. Casademont, proved to me through satisfactory evidence of identification, which was _____, 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 said persons.

Notary Public

My Commission Expires:



Bk: 1406 Pg: 275 Page: 1 of 7
Doc: DD 10/08/2013 10:23 AM

QUITCLAIM DEED

**Lot 4, Curve Street and Auriga Street
Nantucket, Massachusetts**

The **TOWN OF NANTUCKET**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the "Grantor"), in consideration of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00), the receipt of which is hereby acknowledged, pursuant to the authority of Article 99 voted upon at the 2011 Annual Town Meeting, a certified copy of which is attached hereto, grants to **Michael M. Metz and Clare T. Casademont**, husband and wife as joint tenants with rights of survivorship, of 3207 Virginia Street, Houston, Texas 77098 (the "Grantee"), with QUITCLAIM COVENANTS, a certain plot of land shown as Lot 4, Curve Street and Auriga Street containing 4,550 square feet, more or less, in Nantucket, Massachusetts shown on a plan of land entitled "Plan to Convey Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket," dated July 24, 2012, recorded with Nantucket County Registry of Deeds as Plan No. 2012-60. The premises hereby conveyed are a portion of Curve Street and Auriga Street and a vacant nonconforming lot (the "Parcel").

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 9 Auriga Street and shown on Town Assessor's Map 87 as Parcel 113.1 previously acquired by Grantee pursuant to Deed recorded with said Deeds in Book 1000, Page 343 (collectively with the Parcel, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes nor divided, subdivided or conveyed as a separate parcel or parcels, unless prior written permission is granted by the Town of Nantucket Board of Selectmen and such permission is recorded at the Registry. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use, prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Board of Selectmen and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking recorded with said Deeds in Book 1324, Page 114.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

EXECUTED under seal this 25 day of September, 2013.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

Rick Atherton

Rick Atherton

Robert DeCosta

Robert DeCosta

Bruce D. Miller

Bruce D. Miller

Matthew G. Fee

Matthew G. Fee

Tobias B. Glidden

Tobias B. Glidden

NANTUCKET LAND BANK CERTIFICATE	
☒ Paid \$ <u>50.00</u>	
☐ Exempt	
☐ Non-applicable	
No. <u>34556</u>	Date <u>10/8/13</u>
Authorization <u>822</u>	

COMMONWEALTH OF MASSACHUSETTS

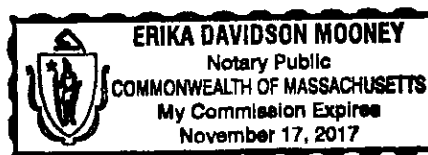
Nantucket, ss

On this 26 day of September, 2013, before me, the undersigned Notary Public, personally appeared Rick Atherton, Robert DeCosta, Bruce D. Miller, Matthew G. Fee and Tobias B. Glidden 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 and deed of the Board of Selectmen of the Town of Nantucket.

Erika Davidson Mooney
Notary Public

My Commission Expires:

482137/NANT19712/0001





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>

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 99: "Real Estate Conveyance: "Paper" Streets, Surfside"** at the April 4, 2011 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 99 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 99**(Real Estate Conveyance: "Paper" Streets, Surfside)**

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Plum, Poplar and Holly Streets between the northern sideline of Pochick Avenue and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue; excluding any portion of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue));
- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street;
- Miacomet, Monomoy and Massasoit Avenues between the centerline of Irving and Hawthorne Streets;
- Masquetuck and Dunham Streets between the northern sideline of Pochick Avenue and the southern sideline of Boulevarde;
- Dunham Street and Irving Street: between the northern sideline of Nobadeer Avenue and the southern sideline of Weweeder Avenue;
- Irving Street and Hawthorne Street: between the northern sideline of Massasoit Avenue and the southern sideline of Miacomet Avenue (excluding any portion of Monomoy Avenue);
- Holly Street between the northern sideline of Nonantum Avenue to the southern sideline of Pochick Avenue (excluding any portion of Weweeder and Nobadeer Avenues);
- Maclean Street between the eastern sideline of Fairgrounds Road and the eastern sideline of Myrtle Street;
- Mequash Avenue (f.k.a. Sechacha Avenue) between the western sideline of Pequot Street (formerly or also known as Orange Street) and the eastern sideline of Naushon Way (f.k.a. Cherry Street);
- Pochick Avenue between the eastern sideline of Naushon Way (f.k.a. Cherry Street) to the western sideline of Masquetuck Street (excluding any portion of Pequot and Woodbine Streets);
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern sideline of Pequot Avenue (formerly or also known as Orange Street) and the western sideline of Masquetuck Street and the terminus of a turning tee and the eastern sideline of Atlantic Avenue;
- Woodbine Street between the northern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue);
- Myles Standish Street (f.k.a. or a.k.a. Shimmo Street) between the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a north and east sideline of a property at 36 Pochick Avenue (Assessor Map 80, Parcel 285) and the southern sideline of Boulevarde;
- Copeland Street between the southern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the eastern sideline of Atlantic Avenue;

- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western sideline of Surfside Road (f.k.a. Myrtle Street);
- Station Avenue between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) west to the western sideline of Station Avenue;
- Curve Street between the northeastern sideline of Station Avenue and the western sideline of Cononicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Nonantum Avenue: between the western sideline of Laurel Street and the eastern sideline of Atlantic Avenue;
- Lovers Lane between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue;
- Weweeder Avenue between the western sideline of Irving Street to the eastern sideline of Surfside Road (f.k.a. Myrtle Street); excluding any portion of Boulevarde (f.k.a. Central Street), Clifford Street, Pequot Street and Cherry Street (a.k.a. Naushon Way);
- Western Avenue between the eastern sideline of Surfside Road and its eastern terminus;
- Poplar Street between the northern sideline of Western Avenue and the southern sideline of Atlantic Avenue;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Cononicus Street and the southern sideline of Atlantic Avenue;
- Boulevarde from the western sideline of Russell Street to the western lot line of Assessor Map 88 Parcel 31.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

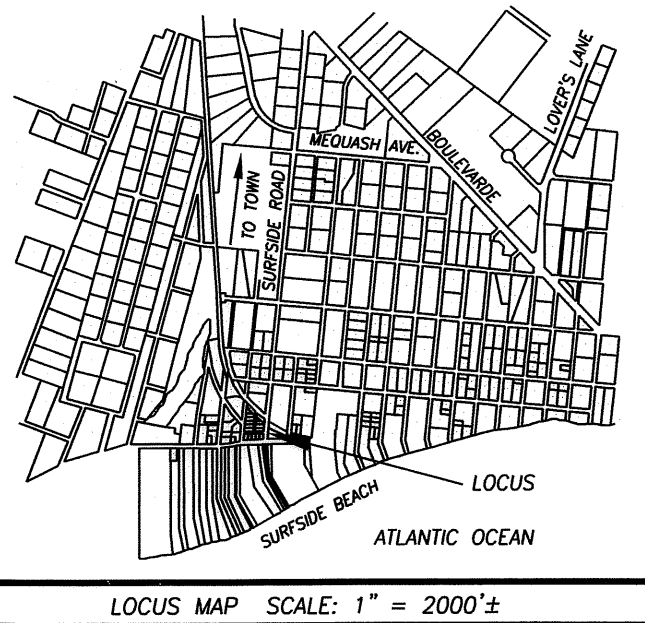
FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified in the Warrant under Article 99, as amended below, and subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street, and Laurel Street (n.k.a. Canoncus Street) between the northern sideline of an unnamed way and the southern sideline of Atlantic Avenue;
- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western ~~northern~~ sideline of Western Avenue ~~excluding any portion of~~ Surfside Road (f.k.a. Myrtle Street);

- Station Avenue Street between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) then west to the western sideline of Station Avenue Street;
- Curve Street between the northeastern sideline of Station Avenue Street and the western sideline of Canonicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Aunga Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Canonicus Street and the southern sideline of Atlantic Avenue.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011.

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



LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND

CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)

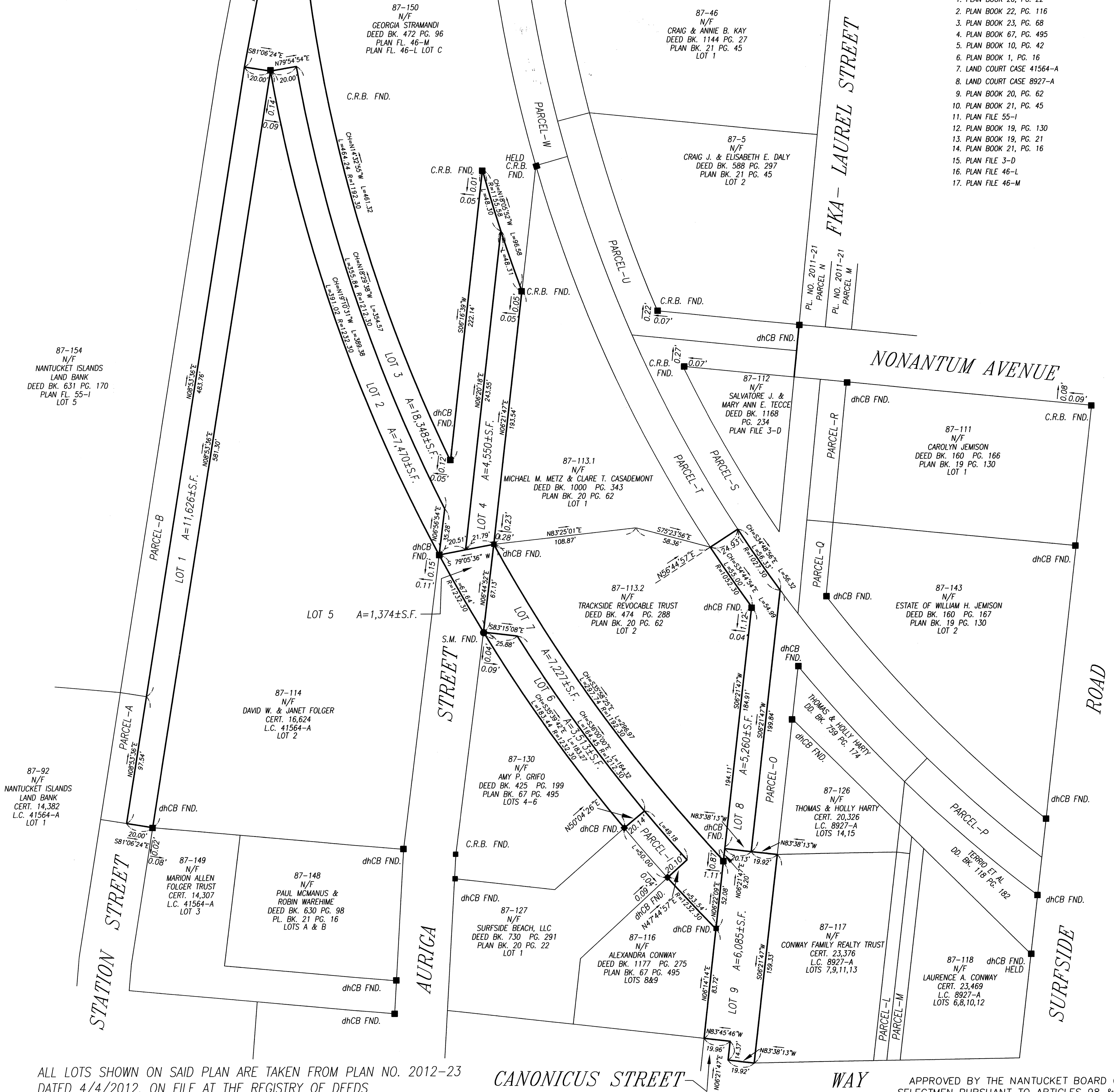
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

THIS ROAD TAKING PLAN HAS BEEN COMPILED TAKING INTO ACCOUNT THE BOUNDARY AGREEMENT RECORDED AT THE NANTUCKET REGISTRY OF DEEDS IN DEED BOOK 535 PAGE 349. ALL ROAD CURVES SHOWN HEREON INDICATE A CHORD BEARING AND A CHORD DISTANCE FOR MATHEMATICAL CLOSURE. BECAUSE OF THE COMPILATION OF MANY RECORD PLANS MOST CIRCULAR CURVES HEREON ARE NOT CONCENTRIC.

NANTUCKET REGISTRY OF DEEDS
Date: 08/24/2012
Time: 9:20 AM
Plan Bk.: Pg.:
No. 2012-60
Plan File: 2012-60
Sheet 1 of 1
RESERVED FOR REGISTRY USE

PLAN REFERENCES:

1. PLAN BOOK 20, PG. 22
2. PLAN BOOK 22, PG. 116
3. PLAN BOOK 23, PG. 68
4. PLAN BOOK 67, PG. 495
5. PLAN BOOK 10, PG. 42
6. PLAN BOOK 1, PG. 16
7. LAND COURT CASE 41564-A
8. LAND COURT CASE 8927-A
9. PLAN BOOK 20, PG. 62
10. PLAN BOOK 21, PG. 45
11. PLAN FILE 55-1
12. PLAN BOOK 19, PG. 130
13. PLAN BOOK 19, PG. 21
14. PLAN BOOK 21, PG. 16
15. PLAN FILE 3-D
16. PLAN FILE 46-L
17. PLAN FILE 46-M



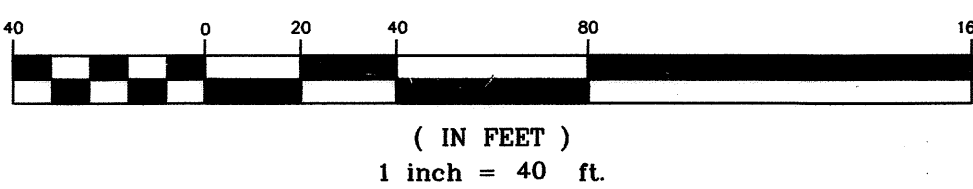
ALL LOTS SHOWN ON SAID PLAN ARE TAKEN FROM PLAN NO. 2012-23 DATED 4/4/2012, ON FILE AT THE REGISTRY OF DEEDS AND RECONFIGURED TO CONVEY TO ABUTTERS

PLAN TO CONVEY LAND FOR
GENERAL MUNICIPAL PURPOSES
IN
NANTUCKET, MA.

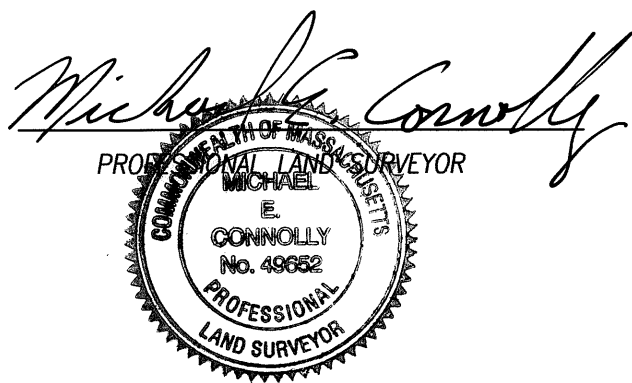
PREPARED FOR
TOWN OF NANTUCKET
SCALE: 1"=40' DATE: JULY 24, 2012

CHARLES W. HART and ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910

GRAPHIC SCALE



"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 1 THRU 9 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

APPROVED BY THE NANTUCKET BOARD OF SELECTMEN PURSUANT TO ARTICLES 98 & 99, 2011 ANNUAL TOWN MEETING

[Signatures]

DATE SIGNED FILE #

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

Nantucket Planning Board

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

[Signatures]

DATE SIGNED FILE #

H-7477



Bk: 1406 Pg: 282 Page: 1 of 7
Doc: DD 10/08/2013 10:23 AM

QUITCLAIM DEED

**Parcel T, Atlantic Avenue
Nantucket, Massachusetts**

The **TOWN OF NANTUCKET**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the "Grantor"), in consideration of Five Thousand and 00/100 Dollars (\$5,000.00), the receipt of which is hereby acknowledged, pursuant to the authority of Article 99 voted upon at the 2011 Annual Town Meeting, a certified copy of which is attached hereto, grants to **Michael M. Metz and Clare T. Casademont**, husband and wife as joint tenants with rights of survivorship, of 3207 Virginia Street, Houston, Texas 77098 (the "Grantee"), with QUITCLAIM COVENANTS, a certain plot of land shown as Parcel T, Atlantic Avenue containing 7,887 square feet, more or less, in Nantucket, Massachusetts shown on a plan of land entitled "Plan to Acquire Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket," dated March 5, 2012, recorded with Nantucket County Registry of Deeds as Plan No. 2012-23. The premises hereby conveyed are a portion of Atlantic Avenue and a vacant nonconforming lot (the "Parcel").

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 9 Auriga Street and shown on Town Assessor's Map 87 as Parcel 113.1 previously acquired by Grantee pursuant to Deed recorded with said Deeds in Book 1000, Page 343 (collectively with the Parcel, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes nor divided, subdivided or conveyed as a separate parcel or parcels, unless prior written permission is granted by the Town of Nantucket Board of Selectmen and such permission is recorded at the Registry. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use, prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Board of Selectmen and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the

Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking recorded with said Deeds in Book 1324, Page 114.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

EXECUTED under seal this 25 day of September, 2013.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

Rick Atherton

Rick Atherton

Robert DeCosta

Robert DeCosta

Bruce D. Miller

Bruce D. Miller

Matthew G. Fee

Matthew G. Fee

Tobias B. Glidden

Tobias B. Glidden

NANTUCKET LAND BANK CERTIFICATE	
☒	Paid \$ <u>100.00</u>
☐	Exempt
☐	Non-applicable
<u>34555</u>	<u>10/8/13</u>
No.	Date
Authorization	<u>8a</u>

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

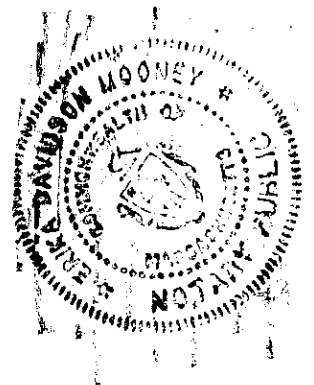
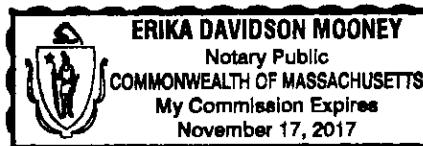
On this 26 day of September, 2013, before me, the undersigned Notary Public, personally appeared Rick Atherton, Robert DeCosta, Bruce D. Miller, Matthew G. Fee and Tobias B. Glidden as Members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, 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 and deed of the Board of Selectmen of the Town of Nantucket.

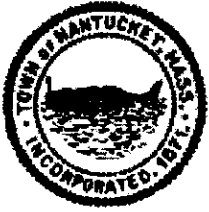
Erika Davidson Mooney

Notary Public

My Commission Expires:

482131/NANT19712/0001





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

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townclerk@nantucket-ma.gov

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

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 99: "Real Estate Conveyance: "Paper" Streets, Surfside"** at the April 4, 2011 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 99 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 99**(Real Estate Conveyance: "Paper" Streets, Surfside)**

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Plum, Poplar and Holly Streets between the northern sideline of Pochick Avenue and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue; excluding any portion of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue));
- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street;
- Miacomet, Monomoy and Massasoit Avenues between the centerline of Irving and Hawthorne Streets;
- Masquetuck and Dunham Streets between the northern sideline of Pochick Avenue and the southern sideline of Boulevarde;
- Dunham Street and Irving Street: between the northern sideline of Nobadeer Avenue and the southern sideline of Weweeder Avenue;
- Irving Street and Hawthorne Street: between the northern sideline of Massasoit Avenue and the southern sideline of Miacomet Avenue (excluding any portion of Monomoy Avenue);
- Holly Street between the northern sideline of Nonantum Avenue to the southern sideline of Pochick Avenue (excluding any portion of Weweeder and Nobadeer Avenues);
- Maclean Street between the eastern sideline of Fairgrounds Road and the eastern sideline of Myrtle Street;
- Mequash Avenue (f.k.a. Sechacha Avenue) between the western sideline of Pequot Street (formerly or also known as Orange Street) and the eastern sideline of Naushon Way (f.k.a. Cherry Street);
- Pochick Avenue between the eastern sideline of Naushon Way (f.k.a. Cherry Street) to the western sideline of Masquetuck Street (excluding any portion of Pequot and Woodbine Streets);
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern sideline of Pequot Avenue (formerly or also known as Orange Street) and the western sideline of Masquetuck Street and the terminus of a turning tee and the eastern sideline of Atlantic Avenue;
- Woodbine Street between the northern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue);
- Myles Standish Street (f.k.a. or a.k.a. Shimmo Street) between the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a north and east sideline of a property at 36 Pochick Avenue (Assessor Map 80, Parcel 285) and the southern sideline of Boulevarde;
- Copeland Street between the southern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the eastern sideline of Atlantic Avenue;

- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western sideline of Surfside Road (f.k.a. Myrtle Street);
- Station Avenue between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) west to the western sideline of Station Avenue;
- Curve Street between the northeastern sideline of Station Avenue and the western sideline of Cononicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Nonantum Avenue: between the western sideline of Laurel Street and the eastern sideline of Atlantic Avenue;
- Lovers Lane between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue;
- Weweeder Avenue between the western sideline of Irving Street to the eastern sideline of Surfside Road (f.k.a. Myrtle Street); excluding any portion of Boulevarde (f.k.a. Central Street), Clifford Street, Pequot Street and Cherry Street (a.k.a. Naushon Way);
- Western Avenue between the eastern sideline of Surfside Road and its eastern terminus;
- Poplar Street between the northern sideline of Western Avenue and the southern sideline of Atlantic Avenue;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Cononicus Street and the southern sideline of Atlantic Avenue;
- Boulevarde from the western sideline of Russell Street to the western lot line of Assessor Map 88 Parcel 31.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

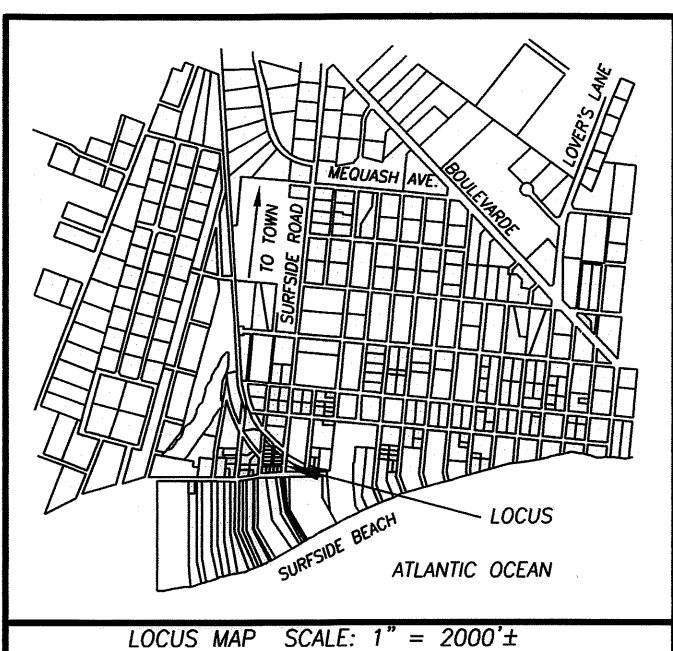
FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified in the Warrant under Article 99, as amended below, and subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street, and Laurel Street (f.k.a. Cononicus Street) between the northern sideline of an unnamed way and the southern sideline of Atlantic Avenue;
- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western-northern sideline of Western Avenue excluding any portion of Surfside Road (f.k.a. Myrtle Street);

- Station Avenue ~~Street~~ between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) then west to the western sideline of Station Avenue ~~Street~~;
- Curve Street between the northeastern sideline of Station Avenue ~~Street~~ and the western sideline of Canonicus Street (f.k.a. or a.k.a. Laurel Street);
- Arugia ~~Aunga~~ Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Canonicus Street and the southern sideline of Atlantic Avenue.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011.

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



LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND
- SHIPS SPIKE FND. DENOTES SHIPS SPIKE FOUND

CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

2012 00000023
Bk: Pg: 0 Page: 0
Doc: PLAN 04/04/2012 01:51 PM
NANTUCKET REGISTRY OF DEEDS
Date: 04/04/2012
Time: 1:51 PM
Plan Bk.: — Pg.: —
Plan File: NO. 2012-23
Charles W. Hart
Attest: Register
Sheet 1 of 1
RESERVED FOR REGISTRY USE

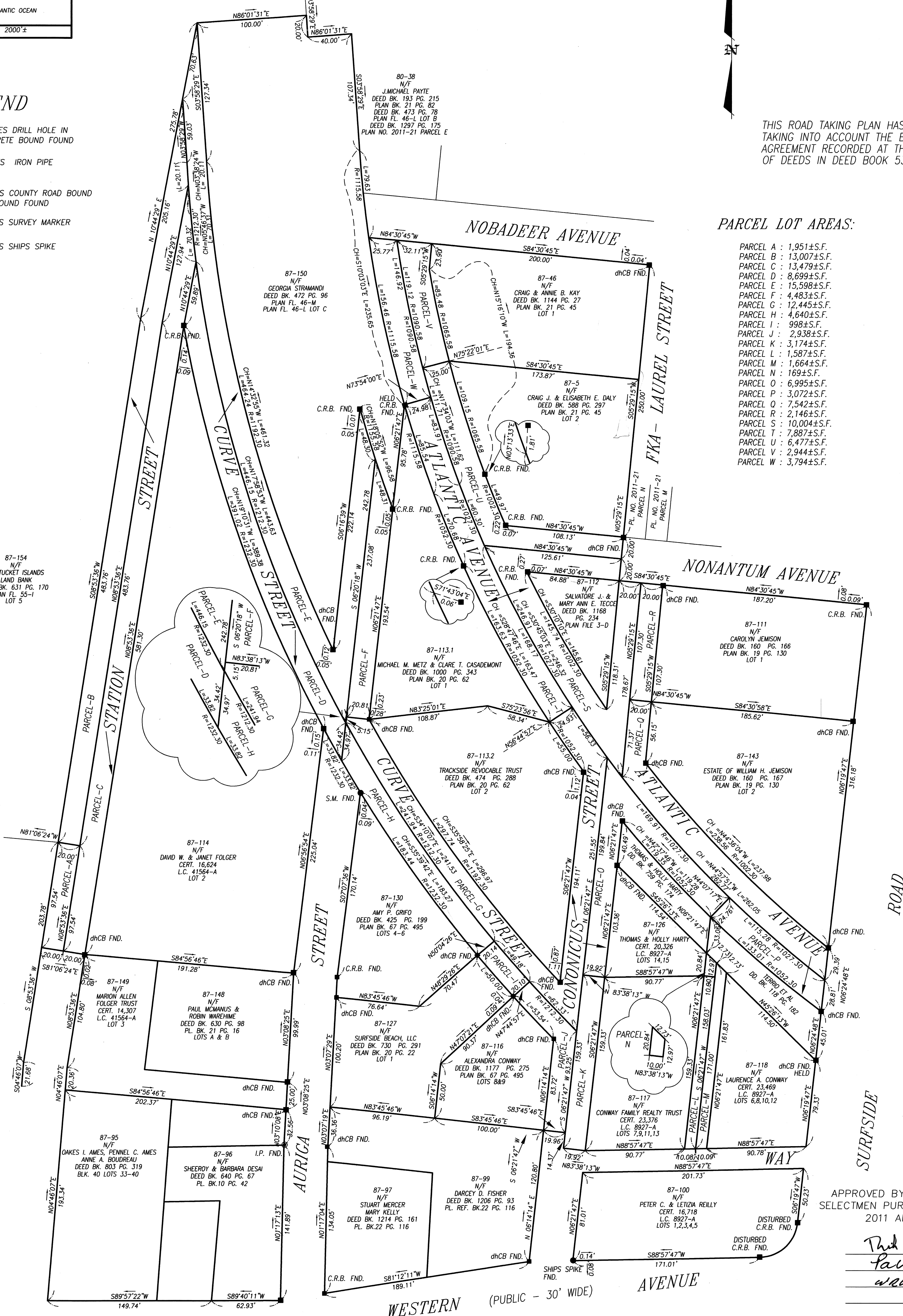
THIS ROAD TAKING PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE BOUNDARY
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 535 PAGE 349.

PARCEL LOT AREAS:

PARCEL A : 1,951±S.F.
PARCEL B : 13,007±S.F.
PARCEL C : 13,479±S.F.
PARCEL D : 8,699±S.F.
PARCEL E : 15,598±S.F.
PARCEL F : 4,483±S.F.
PARCEL G : 12,445±S.F.
PARCEL H : 4,640±S.F.
PARCEL I : 998±S.F.
PARCEL J : 2,938±S.F.
PARCEL K : 3,174±S.F.
PARCEL L : 1,587±S.F.
PARCEL M : 1,664±S.F.
PARCEL N : 169±S.F.
PARCEL O : 6,995±S.F.
PARCEL P : 3,072±S.F.
PARCEL Q : 7,542±S.F.
PARCEL R : 2,146±S.F.
PARCEL S : 10,004±S.F.
PARCEL T : 7,887±S.F.
PARCEL U : 6,477±S.F.
PARCEL V : 2,944±S.F.
PARCEL W : 3,794±S.F.

PLAN REFERENCES:

1. PLAN BOOK 20, PG. 22
2. PLAN BOOK 22, PG. 116
3. PLAN BOOK 23, PG. 68
4. PLAN BOOK 67, PG. 495
5. PLAN BOOK 10, PG. 42
6. PLAN BOOK 1, PG. 16
7. LAND COURT CASE 41564-A
8. LAND COURT CASE 8927-A
9. PLAN BOOK 20, PG. 62
10. PLAN BOOK 21, PG. 45
11. PLAN FILE 55-I
12. PLAN BOOK 19, PG. 130
13. PLAN BOOK 19, PG. 21
14. PLAN BOOK 21, PG. 16
15. PLAN FILE 3-D
16. PLAN FILE 46-L
17. PLAN FILE 46-M



APPROVED BY THE NANTUCKET BOARD OF
SELECTMEN PURSUANT TO ARTICLES 98 & 99,
2011 ANNUAL TOWN MEETING

Paul A. Hart
Paul A. Hart
W. Hart

MARCH 28, 2012
DATE SIGNED

PLAN TO ACQUIRE LAND FOR GENERAL MUNICIPAL PURPOSES IN NANTUCKET, MA.

PREPARED FOR

TOWN OF NANTUCKET

SCALE: 1"=50' DATE: MARCH 5, 2012

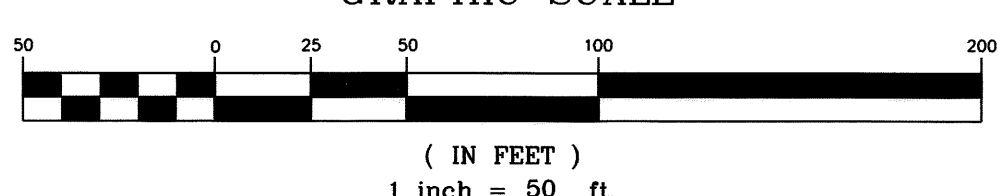
Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

Charles W. Hart
Charles W. Hart
Charles W. Hart
03-13-12
DATE SIGNED
7408
FILE #

CHARLES W. HART and ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910

GRAPHIC SCALE



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) A THRU W DO NOT CONTAIN AREAS SUBJECT TO PROTECTION
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED
TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW
BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND
BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH
APPLICATION TO THE CONSERVATION COMMISSION.



CURRENT ZONING CLASSIFICATION
RESIDENTIAL 20 (R-20)

MINIMUM LOT SIZE 20,000 S.F.
MINIMUM FRONTAGE 25 FT.
FRONT YARD SETBACK 30 FT.
REAR YARD SETBACK 10 FT.
SIDE YARD SETBACK 10 FT.
COVERED COVER 5% 12.5%

NANTUCKET REGISTRY OF DEEDS
Date: February 3, 2021

Time: 9:43 AM

Plan No.: Pg. 1

Plan No. 2021-14

County: Nantucket

Sheet 1 of 1

RESERVED FOR REGISTRY USE



BN: Pg. 0 Page: 0
Date: PLAN 02/03/2021 09:43 AM

THIS SUBDIVISION PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE NANTUCKET
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 333 PAGE 310.
ALL ROAD CURVES SHOWN HEREIN INDICATE A CHORD
BEARING AND A CHORD DISTANCE FOR NOTIFICATION.
CLOSURE RECORDS OF THE COMPLETION OF ANY
RECORD PLANS MUST INDICATE CURVES HEREIN
ARE NOT CONCERNING.

PLAN REFERENCES
PLAN FILE 10-M
PLAN FILE 10-L LOT C
PLAN NO. 2017-23 PARCEL W
PLAN NO. 2017-23 LOT 1
PLAN NO. 2017-23
PLANNING BOARD FILE #1321

DEED REFERENCES
DEED BK. 412 PG. 16
DEED BK. 1367 PG. 125
DEED BK. 1287 PG. 168

NOBADDER AVENUE
(PRIVATE - 40' WIDE)

87-49
NOT
DANIEL J. DOONAN & JAMES S. DOONAN, REVOCABLE TRUST
DEED BK. 1460 PG. 343
PLAN NO. 2018-63
PARCEL A

87-5
NOT
2 NANTUCKET AVE, LLC
DEED BK. 1463 PG. 254
PLAN NO. 2018-18
LOT 4

87-122
NOT
BRUCE E. METZ
DEED BK. 1044 PG. 131
PLAN NO. 2010-23
PARCEL A

ASSESSORS MAP 87 PARCEL 113.1
LOCUS: 9 AURICA STREET

MOHAMED M. METZ & CLARE T. CASADEMONT
DEED BK. 1003 PG. 343
PLAN NO. 20 PG. 61
LOT 1
DEED BK. 1408 PG. 242
PLAN NO. 2017-23
PARCEL E
DEED BK. 1408 PG. 275
PLAN NO. 2017-23
LOT 1
PERMETER PLAN
PLAN NO. 2011-10

ASSESSORS MAP 87 PARCEL 150
LOCUS: 10 AURICA STREET

IAN VENTURES, LLC
PERMETER PLAN
PLAN NO. 2013-73
DEED BK. 1473 PG. 11

PROPOSED PLAN INTENTION
IS AN EQUAL AREA LAND SWAP
BOTH PARCELS PARTICIPATED IN
THE NANTUCKET YARD SALE PROGRAM

LOT 1 IS TO BE CONVEYED AND
COMBINED WITH THE REMAINDER OF
PERMETER PLAN NO. 2014-70

LOTS 2 & 3 ARE TO BE CONVEYED AND
COMBINED WITH THE REMAINDER OF
PERMETER PLAN NO. 2013-73

SUBDIVISION PLAN
OF LAND

IN
NANTUCKET, MA.

PREPARED FOR
MICHAEL M. METZ,
CLARE T. CASADEMONT
& IAN VENTURES, LLC

SCALE: 1"=40' DATE: DECEMBER 28, 2020

MICHAEL CONNOLLY & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MA 02554
(508) 228-8910

Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
IS REQUIRED

DATE SIGNED FILE #

DATE SIGNED FILE #

DATE SIGNED FILE #

DATE SIGNED FILE #

DATE SIGNED FILE #

DATE SIGNED FILE #

LEGEND

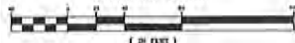
- INCH FND DENOTES DRILL HOLE IN CONCRETE (BAND FOUND)
- LF FND DENOTES IRON PIPE FOUND
- C.R.B. FND DENOTES COUNTY ROAD BOUND ONCE BOUND FND
- SM FND DENOTES SURVEY MARKER FOUND
- SPK SET DENOTES 12" GALVANIZED SPIKE SET

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

Michael M. Metz
PROFESSIONAL LAND SURVEYOR

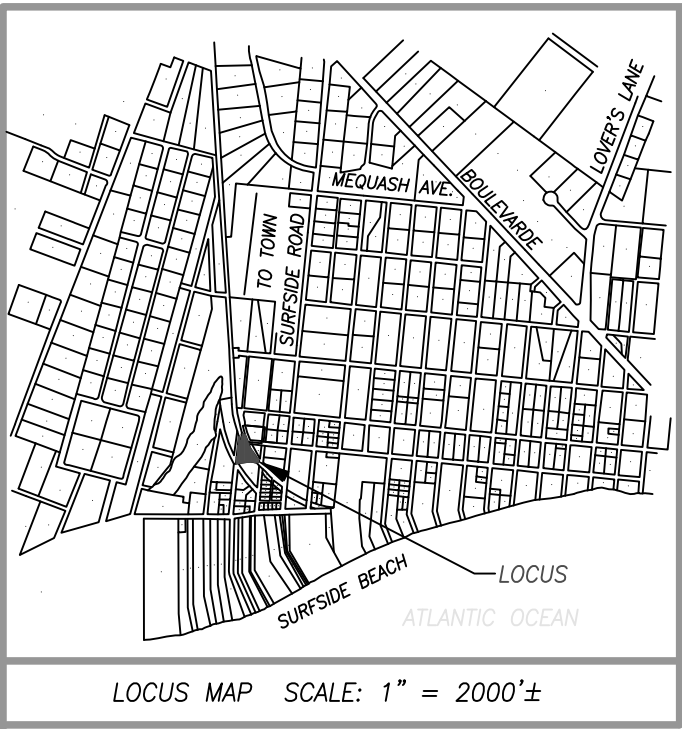


GRAPHIC SCALE



1" = 40'

C-7537



THIS PERIMETER PLAN HAS BEEN COMPILED TAKING INTO ACCOUNT THE BOUNDARY AGREEMENT RECORDED AT THE NANTUCKET REGISTRY OF DEEDS IN DEED BOOK 535 PAGE 349. ALL ROAD CURVES SHOWN HEREON INDICATE A CHORD BEARING AND A CHORD DISTANCE FOR MATHEMATICAL CLOSURE. BECAUSE OF THE COMPILATION OF MANY RECORD PLANS MOST CIRCULAR CURVES HEREON ARE NOT CONCENTRIC.

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR DATE

87-150
N/F
IAM INVESTMENTS, LLC
DEED BK. 1473 PG. 11
DEED BK. 1864 PG. 47
PLAN NO. 2013-73

LOT AREA
32,439±S.F.

EXISTING
DWELLING

87-5
N/F
2 NONANTUM AVE LLC
DEED BK. 1489 PG. 254
PLAN NO. 2014-16
LOT A

LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND
- SPK SET DENOTES 12" GALVINIZED SPIKE SET

87-112
N/F
WAYNE D. PETTY
DEED BK. 1344 PG. 131
PLAN FL. 3-D
PLAN NO. 2012-23
PARCEL S

87-113.2
N/F
TRACKSIDE REVOCABLE TRUST
DEED BK. 472 PG. 288
DEED BK. 1355 PG. 287
PLAN NO. 2014-17

ASSESSORS MAP 87 PARCEL 113.1
LOCUS: 9 AURIGA STREET
MICHAEL M. METZ & CLARE T. CASADEMONT

DEED BK. 1000 PG. 343
PLAN BK. 20 PG. 62
LOT 1

DEED BK. 1406 PG. 282
PLAN NO. 2012-23
PARCEL T

DEED BK. 1406 PG. 275
PLAN NO. 2012-60
LOT 4

PERIMETER PLAN
PLAN NO. 2014-70

DEED BK. 1800 PG. 230
PLAN NO. 2021-14
LOT 1

PERIMETER PLAN OF LAND IN NANTUCKET, MA.

PREPARED FOR OWNER:

MICHAEL M. METZ & CLARE T. CASADEMONT

SCALE: 1"=20' DATE: DECEMBER 2, 2021

MICHAEL CONNOLLY & ASSOCIATES INC.

PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MA. 02554
(508) 228-8910

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



Agenda Item Summary

Agenda Item #	VIII. 2.
Date	12/15/2021

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Approval and execution of Consent for subdivision and conveyance of portion of 10 Auriga Street shown as Lot 1 on plan recorded with Nantucket County Registry of Deeds as Plan No. 2021-14

Executive Summary

Pursuant to the Nantucket Yard Sale Program, the Town conveyed Lot 3, Curve Street and Station Street shown on a plan recorded with said Deeds as Plan No. 2012-60 and Parcel W, Atlantic Avenue shown on a plan recorded with said Deeds as Plan No. 2012-23 (together the "Yard Sale Parcels") to the owners of 10 Auriga Street. Each of the Deeds to the Yard Sale Parcels contains a restriction that the Yard Sale Parcels are to be merged into one lot, referred to as the "Combined Premises," and that any division or subdivision of any portion of the Combined Premises into more than two buildable lots, and any conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises for other than the purpose of two residential buildable lots, is prohibited without the prior written consent of the Select Board.

In order to comply with certain setback requirements for the pool located on the 9 Auriga Street property, the owner of 10 Auriga Street and 9 Auriga Street, subdivided their respective properties creating Lots 1, 2 and 3 on a plan recorded with said Deeds as Plan No. 2021-14. The owner of 9 Auriga Street then conveyed by Deed Lots 2 and 3 to the owner of 10 Auriga Street; and in exchange the owner of 10 Auriga Street conveyed Lot 1 to the owner of 9 Auriga Street. The subdivision and conveyance of these Lots was completed without the prior written consent of the Select Board.

The owner of 10 Auriga Street requests the Select Board, as the holder of certain rights and restrictions set forth in the Deeds to the Yard Sale Parcels, to consent and ratify the subdivision and conveyance of a portion of the Combined Premises of 10 Auriga Street, and to confirm that the Yard Sale Parcels shall continue to be subject to the restrictions in the Deeds to the Yard Sale Parcels.

Staff Recommendation

This request was reviewed by REAC at its meeting on December 9, 2021 which was continued until December 13, 2021. **REAC reviewed this request and voted at its meeting held on December 13, 2021 to recommend that the Select Board approve and execute the Consent for 10 Auriga Street.**



Background/Discussion

Town Counsel reviewed and revised the Consent for the subdivision and conveyance of a portion of 10 Auriga Street and approves of its final form.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☒

This Consent ratifies and confirms the subdivision and conveyance of a portion of the Combined Premises for 10 Auriga Street, namely the above-referenced Lot 1, which was done without the requisite prior written approval of the Select Board to subdivide and convey a portion of the Combined Premises, pursuant to the deed restrictions for the Yard Sale Parcels.

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

Nantucket Yard Sale Program

Attachments

Copies of Yard Sale Parcels Deeds recorded with said Deeds in Book 1367, Page 168 and Book 1367, Page 175

Copy of Yard Sale Plans recorded as Plan No. 2012-60 and Plan No. 2012-23

Copy of Subdivision Plan of Lots 1, 2 and 3 recorded as Plan No. 2021-14

Copy of Perimeter Plan of 10 Auriga Street to be recorded



CONSENT

Whereas, IAM Investments, LLC (the “10 Auriga Owner”), a Texas limited liability company registered to do business in the Commonwealth of Massachusetts, is the current owner of 10 Auriga Street, Nantucket, Massachusetts, by virtue of a Deed of 10 Auriga Street from Georgia Stramandi (Stramandi) to IAM Ventures, LLC recorded with the Nantucket Registry of Deeds in Book 1473, Page 11, and by Confirmatory Deed from Stramandi recorded with said Deeds in Book 1864, Page 47;

Whereas, the 10 Auriga Street property includes the following two parcels of land previously conveyed by Deeds from the Town of Nantucket (the “Town”) to Stramandi:

Lot 3, Curve Street and Station Street, in Nantucket, Massachusetts shown on a plan of land entitled “Plan to Convey Land for General Municipal Purposes in Nantucket MA., Prepared for Town of Nantucket,” dated July 24, 2012, prepared by Charles W. Hart and Associates, Inc. recorded with said Deeds as Plan No. 2012-60, said Deed being recorded with said Deeds in Book 1367, Page 168 (“Lot 3”); and,

Parcel W, Atlantic Avenue, in Nantucket, Massachusetts on a plan of land entitled “Plan to Acquire Land for General Municipal Purposes in Nantucket, MA., Prepared for Town of Nantucket,” dated March 5, 2012, prepared by Charles W. Hart and Associates, Inc., recorded with said Deeds as Plan No. 2012-23, said Deed being recorded with said Deeds in Book 1367, Page 175 (“Parcel W”);

Whereas, the Deeds to Lot 3 and Parcel W contain the following restriction (the “Deed Restriction”): “...[T]he Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor [the Town of Nantucket] forever restricting the Parcel[Lot 3 and Parcel W] and the Combined Premises [Lot 3 and Parcel W and 10 Auriga Street] to residential use, prohibiting the division or subdivision of any portion of the Combined Premises into no more than two buildable lots, and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises for other than the purpose of two residential buildable lots...These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless the Grantor ... grants such Grantor’s prior written release for such use, conveyance, division or subdivision and recorded with said Deeds;”

Whereas, in order to accommodate certain setbacks for the pool located on property at 9 Auriga Street, the 10 Auriga Owner, and Michael M. Metz and Clare T. Casademont, the owners of 9 Auriga Street (the “9 Auriga Owners”), subdivided their respective properties into Lots 1, 2 and 3 on a plan of land recorded with said Deeds as Plan No. 2021-14 and conveyed the portions of their respective lots to one another, by Deeds recorded with said Deeds in Book 1800, Page 226 (conveyance of Lots 2 and 3 on Plan No. 2021-14 to 10 Auriga Owner), and in Book 1800, Page 230 (conveyance of Lot 1 on Plan No. 2021-14 to 9 Auriga Owner) without the prior written consent of the Town to subdivide and convey a portion of the Combined Premises;

Whereas, a result of the conveyances of Lots 1, 2 and 3 shown on Plan No. 2021-14 between the 9 Auriga Owners and the 10 Auriga Owner, the 10 Auriga Street property now consists of an 86,550± square foot parcel of land, as shown on a plan of land entitled “Perimeter Plan of Land in Nantucket, MA. Prepared

for IAM Investments, LLC,” dated December 2, 2021, prepared by Michael Connolly & Associates, Inc., recorded with said Deeds as Plan No. (the “Perimeter Plan”);

Whereas, the 10 Auriga Owner requests that the Town, as the holder of certain rights and restrictions with respect to Lot 3 and Parcel W, shall (i) consent to and ratify the subdivision and conveyance of a portion of the Combined Premises of 10 Auriga Street as reflected in the above-referenced Deeds between the 10 Auriga Owner and 9 Auriga Owner, and (ii) confirm that the 10 Auriga Street property as shown on said Perimeter Plan will continue to be subject to the restrictions contained in the Deeds of Lot 3 and Parcel W recorded with said Deeds in Book 1367, Page 168, and in Book 1367, Page 175 but shall not be subject to the restrictions contained in the Deeds to the 9 Auriga Street Owner for Lot 4 Curve Street and Parcel T, Atlantic Avenue recorded with said Deeds in Book 1406, Page 275, and in Book 1406, Page 282;

Now, therefore, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the 10 Auriga Owner, agree to the foregoing and as follows:

AGREEMENT

1. The Town hereby consents to, and ratifies, the subdivision and conveyance of a portion of the Combined Premises of 10 Auriga Street as effectuated by the deeds between the 10 Auriga Owner and the 9 Auriga Owner recorded with said Deeds in Book 1800, Page 226, and in Book 1800, Page 230, and hereby confirms that the Combined Premises of 10 Auriga Street as shown on said Perimeter Plan shall be subject to the restrictions set forth in those Deeds of Lot 3 and Parcel W recorded with said Deeds in Book 1367, Page 168, and in Book 1367, Page 175.

2. The Town hereby releases the 10 Auriga Street property as shown on said Perimeter Plan from the restrictions set forth in the above-referenced Deeds to the 9 Auriga Owner recorded with said Deeds in Book 1406, Page 275, and in Book 1406, Page 282.

3. IAM Investments, LLC, hereby accepts the terms of this Consent and agrees to be bound by all of the terms and restrictions contained herein.

4. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

Signature Pages Follow

Executed as a sealed instrument this ____ day of December 2021.

TOWN OF NANTUCKET

By its Select Board

IAM INVESTMENTS, LLC

Jason Bridges

Michael M. Metz, Manager

Kristie L. Ferrantella

Matthew G. Fee

Dawn E. Hill Holdgate

Melissa K. Murphy

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Jason Bridges, Kristie L. Ferrantella, Matthew G. Fee, Dawn E. Hill Holdgate and Melissa K. Murphy 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:

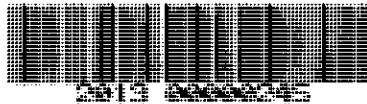
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Michael M. Metz, Manager of IAM Investments, LLC, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the free act and deed of IAM Investments, LLC..

Notary Public

My Commission Expires:



Bk: 1367 Pg: 168 Page: 1 of 7
Doc: DD 01/24/2013 03:34 PM

QUITCLAIM DEED

Lot 3, Curve Street and Station Street, Nantucket, Massachusetts

The **TOWN OF NANTUCKET**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the "Grantor"), in consideration of Five Thousand and 00/100 Dollars (\$5,000.00), receipt of which is hereby acknowledged, pursuant to the authority of Article 99 voted upon at 2011 Annual Town Meeting, a certified copy of which is attached hereto, grants to **Georgia Stramandi**, of 7 Merion Place, Lawrenceville, New Jersey 08648 (the "Grantee"), with QUITCLAIM COVENANTS, that certain plot of land shown as Lot 3, Curve Street and Station Street, in Nantucket, Massachusetts on a plan of land entitled "Plan to Convey Land for General Municipal Purposes in Nantucket, MA., Prepared for Town of Nantucket," dated July 24, 2012, prepared by Charles W. Hart and Associates, Inc. recorded with Nantucket County Registry of Deeds as Plan No. 2012-60. The premises hereby conveyed is a portion of Curve Street and Station Street in Nantucket, Massachusetts, and contains approximately 18,348 square feet of vacant land (the "Parcel").

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 10 Auriga Street and shown on Town Assessor's Map 87 as Parcel 150 previously acquired by Grantee pursuant to Deed recorded with said Deeds in Book 472, Page 96 and Parcel W, Atlantic Avenue to be acquired simultaneously by Deed recorded herewith(collectively with the Parcel, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes and may only be subdivided into no more than two residential building lots which comply with all zoning requirements for each of the lots. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use, prohibiting the division or subdivision of any portion of the Combined Premises into no more than two buildable lots, and prohibiting the conveyance or use of any portion of the Combined Premises for other than the purpose of two residential buildable lots and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless the Grantor, in addition to any other permission required by law, grants to the Grantee, their heirs, successors and assigns, such Grantor's prior written release for such use, conveyance, division or subdivision and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking recorded with said Deeds in Book 1324, Page 114.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

EXECUTED under seal this 23 day of January, 2013.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

Pat Roggeveen
Patricia Roggeveen

Robert DeCosta
Robert DeCosta

Rick Atherton
Rick Atherton

Bruce D. Miller
Bruce D. Miller

NANTUCKET LAND BANK CERTIFICATE	
☒ Paid \$	<u>100.00</u>
☐ Exempt	
☐ Non-applicable	
No.	<u>22813</u>
Date	<u>1/24/13</u>
Authorization	<u>[Signature]</u>

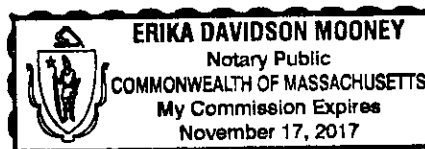
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this 23 day of January, 2013, before me, the undersigned Notary Public, personally appeared Patricia Roggeveen, Robert DeCosta, Rick Atherton and Bruce D. Miller 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 and deed of the Board of Selectmen of the Town of Nantucket.

Erika Davidson Mooney
Notary Public
My Commission Expires:

465272v2/NANT19712/0068





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>

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 99: "Real Estate Conveyance: "Paper" Streets, Surfside"** at the April 4, 2011 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 99 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 99

(Real Estate Conveyance: "Paper" Streets, Surfside)

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Plum, Poplar and Holly Streets between the northern sideline of Pochick Avenue and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue; excluding any portion of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue));
- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street;
- Miacomet, Monomoy and Massasoit Avenues between the centerline of Irving and Hawthorne Streets;
- Masquetuck and Dunham Streets between the northern sideline of Pochick Avenue and the southern sideline of Boulevarde;
- Dunham Street and Irving Street: between the northern sideline of Nobadeer Avenue and the southern sideline of Weweeder Avenue;
- Irving Street and Hawthorne Street: between the northern sideline of Massasoit Avenue and the southern sideline of Miacomet Avenue (excluding any portion of Monomoy Avenue);
- Holly Street between the northern sideline of Nonantum Avenue to the southern sideline of Pochick Avenue (excluding any portion of Weweeder and Nobadeer Avenues);
- Maclean Street between the eastern sideline of Fairgrounds Road and the eastern sideline of Myrtle Street;
- Mequash Avenue (f.k.a. Sechacha Avenue) between the western sideline of Pequot Street (formerly or also known as Orange Street) and the eastern sideline of Naushon Way (f.k.a. Cherry Street);
- Pochick Avenue between the eastern sideline of Naushon Way (f.k.a. Cherry Street) to the western sideline of Masquetuck Street (excluding any portion of Pequot and Woodbine Streets);
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern sideline of Pequot Avenue (formerly or also known as Orange Street) and the western sideline of Masquetuck Street and the terminus of a turning tee and the eastern sideline of Atlantic Avenue;
- Woodbine Street between the northern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue);
- Myles Standish Street (f.k.a. or a.k.a. Shimmo Street) between the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a north and east sideline of a property at 36 Pochick Avenue (Assessor Map 80, Parcel 285) and the southern sideline of Boulevarde;
- Copeland Street between the southern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the eastern sideline of Atlantic Avenue;

- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western sideline of Surfside Road (f.k.a. Myrtle Street);
- Station Avenue between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) west to the western sideline of Station Avenue;
- Curve Street between the northeastern sideline of Station Avenue and the western sideline of Cononicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Nonantum Avenue: between the western sideline of Laurel Street and the eastern sideline of Atlantic Avenue;
- Lovers Lane between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue;
- Weweeder Avenue between the western sideline of Irving Street to the eastern sideline of Surfside Road (f.k.a. Myrtle Street); excluding any portion of Boulevard (f.k.a. Central Street), Clifford Street, Pequot Street and Cherry Street (a.k.a. Naushon Way);
- Western Avenue between the eastern sideline of Surfside Road and its eastern terminus;
- Poplar Street between the northern sideline of Western Avenue and the southern sideline of Atlantic Avenue;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Cononicus Street and the southern sideline of Atlantic Avenue;
- Boulevard from the western sideline of Russell Street to the western lot line of Assessor Map 88 Parcel 31.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

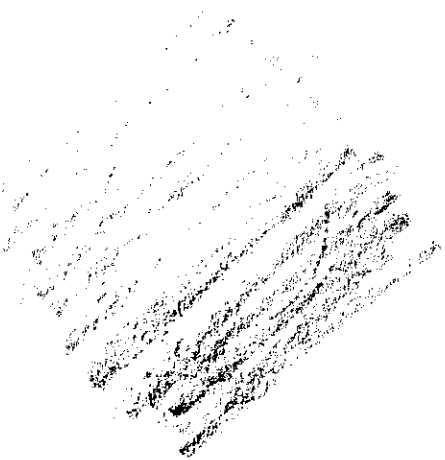
(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified in the Warrant under Article 99, as amended below, and subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

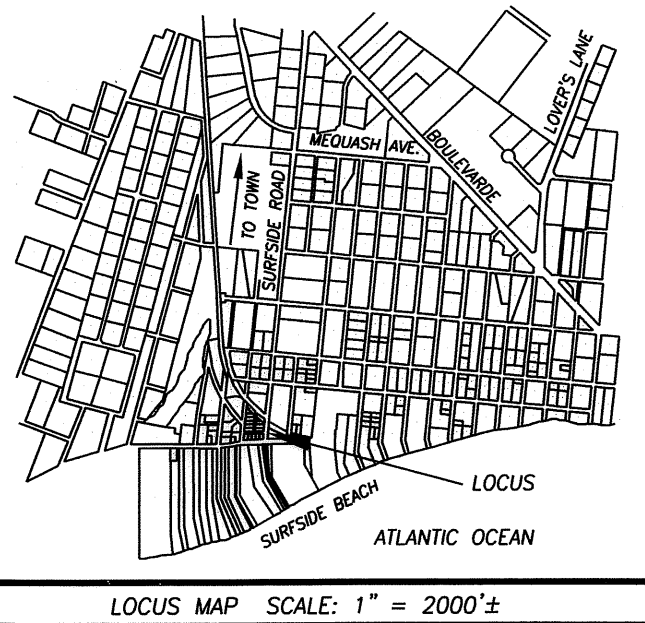
- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street [REDACTED]
[REDACTED];
- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western [REDACTED] sideline of [REDACTED] Surfside Road (f.k.a. Myrtle Street);

- Station Avenue [REDACTED] between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) then west to the western sideline of Station Avenue [REDACTED];
- Curve Street between the northeastern sideline of Station Avenue [REDACTED] and the western sideline of Canonicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia [REDACTED] Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Canonicus Street and the southern sideline of Atlantic Avenue.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011.



MANUEL J. QUINN RECEIVED & ENTERED
Attest: Jennifer H. Ferraro, Register of Deeds



NANTUCKET REGISTRY OF DEEDS
Date: 08/24/2012
Time: 9:20 AM
Plan Bk.: _____ Pg.: _____
No. 2012-60
Plan File: _____
Attest: James A. Farnum Register
Sheet 1 of 1
RESERVED FOR REGISTRY USE

LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND

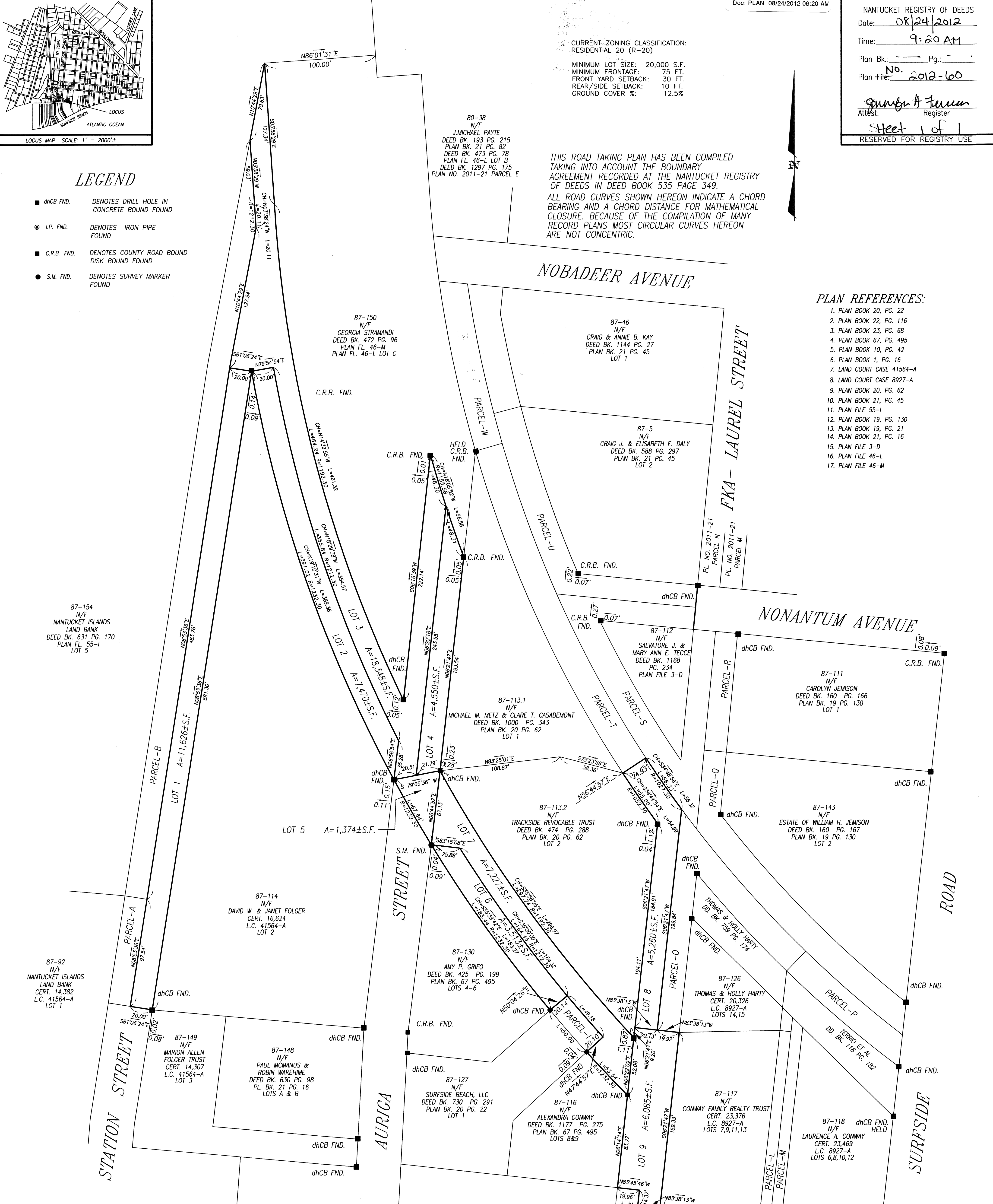
CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

THIS ROAD TAKING PLAN HAS BEEN COMPILED TAKING INTO ACCOUNT THE BOUNDARY AGREEMENT RECORDED AT THE NANTUCKET REGISTRY OF DEEDS IN DEED BOOK 535 PAGE 349. ALL ROAD CURVES SHOWN HEREON INDICATE A CHORD BEARING AND A CHORD DISTANCE FOR MATHEMATICAL CLOSURE. BECAUSE OF THE COMPILATION OF MANY RECORD PLANS MOST CIRCULAR CURVES HEREON ARE NOT CONCENTRIC.

PLAN REFERENCES:

1. PLAN BOOK 20, PG. 22
2. PLAN BOOK 22, PG. 116
3. PLAN BOOK 23, PG. 68
4. PLAN BOOK 67, PG. 495
5. PLAN BOOK 10, PG. 42
6. PLAN BOOK 1, PG. 16
7. LAND COURT CASE 41564-A
8. LAND COURT CASE 8927-A
9. PLAN BOOK 20, PG. 62
10. PLAN BOOK 21, PG. 45
11. PLAN FILE 55-1
12. PLAN BOOK 19, PG. 130
13. PLAN BOOK 19, PG. 21
14. PLAN BOOK 21, PG. 16
15. PLAN FILE 3-D
16. PLAN FILE 46-L
17. PLAN FILE 46-M

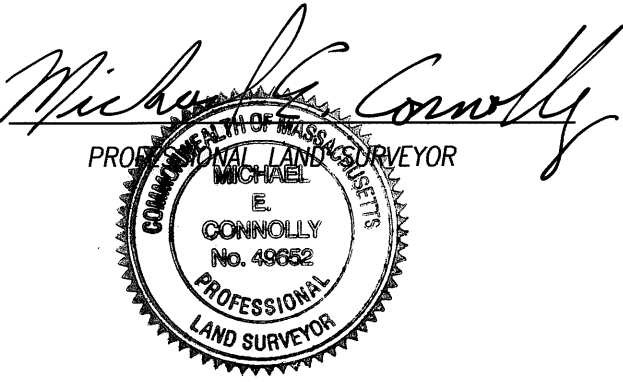


ALL LOTS SHOWN ON SAID PLAN ARE TAKEN FROM PLAN NO. 2012-23 DATED 4/4/2012, ON FILE AT THE REGISTRY OF DEEDS AND RECONFIGURED TO CONVEY TO ABUTTERS

PLAN TO CONVEY LAND FOR
GENERAL MUNICIPAL PURPOSES
IN
NANTUCKET, MA.

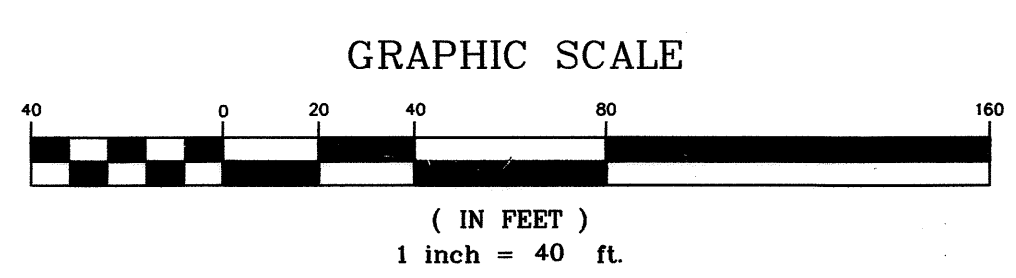
PREPARED FOR
TOWN OF NANTUCKET
SCALE: 1"=40' DATE: JULY 24, 2012
CHARLES W. HART and ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910

"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 1 THRU 9 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.



APPROVED BY THE NANTUCKET BOARD OF SELECTMEN PURSUANT TO ARTICLES 98 & 99, 2011 ANNUAL TOWN MEETING

Paul Rogers
Richard O'Brien

DATE SIGNED _____ FILE # _____
PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING

Nantucket Planning Board
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

James A. Farnum
William J. Farnum
Edward D. Farnum

DATE SIGNED _____ FILE # H-7477



2013 00000246

Bk: 1367 Pg: 175 Page: 1 of 7
 Doc: DD 01/24/2013 03:34 PM

QUITCLAIM DEED

Parcel W, Atlantic Avenue, Nantucket, Massachusetts

The **TOWN OF NANTUCKET**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the "Grantor"), in consideration of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00), receipt of which is hereby acknowledged, pursuant to the authority of Article 99 voted upon at 2011 Annual Town Meeting, a certified copy of which is attached hereto, grants to **Georgia Stramandi**, of 7 Merion Place, Lawrenceville, New Jersey 08648 (the "Grantee"), with QUITCLAIM COVENANTS, that certain plot of land shown as Parcel W, Atlantic Avenue, in Nantucket, Massachusetts on a plan of land entitled "Plan to Acquire Land for General Municipal Purposes in Nantucket, MA., Prepared for Town of Nantucket," dated March 5, 2012, prepared by Charles W. Hart and Associates, Inc. and recorded with Nantucket County Registry of Deeds as Plan No. 2012-23. The premises hereby conveyed is a portion of Atlantic Avenue in Nantucket, Massachusetts, and contains approximately 3,794 square feet of vacant land (the "Parcel").

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 10 Auriga Street and shown on Town Assessor's Map 87 as Parcel 150 previously acquired by Grantee pursuant to Deed recorded with said Deeds in Book 472, Page 96 and Lot 3 Curve Street and Station Street to be acquired simultaneously by Deed recorded herewith(collectively with the Parcel, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes and may only be subdivided into no more than two residential building lots which comply with all zoning requirements for each of the lots. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use, prohibiting the division or subdivision of any portion of the Combined Premises into no more than two buildable lots, and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises for other than the purpose of two residential buildable lots, and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless the Grantor in addition to any other permission required by law, grants to the Grantee, their heirs, successors and assigns, such Grantor's prior written release for such use, conveyance, division or subdivision and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking recorded with said Deeds in Book 1324, Page 114.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

EXECUTED under seal this 23 day of January, 2013.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

Pat Roggeveen
Patricia Roggeveen

NANTUCKET LAND BANK CERTIFICATE	
☒ Paid \$	<u>50.00</u>
☐ Exempt	
☐ Non-applicable	
<u>33012</u> No.	<u>1/24/13</u> Date
<u>[Signature]</u> Authorization	

[Signature]
Robert DeCosta

[Signature]
Rick Atherton

[Signature]
Bruce D. Miller

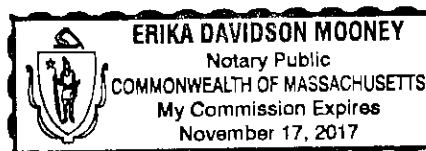
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this 23 day of January, 2013, before me, the undersigned Notary Public, personally appeared Patricia Roggeveen, Robert DeCosta, Rick Atherton and Bruce D. Miller 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 and deed of the Board of Selectmen of the Town of Nantucket.

Erika D Mooney
Notary Public
My Commission Expires:

465270v2/NANT19712/0068





Town of Nantucket

♦♦♦♦♦

OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

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

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 99: "Real Estate Conveyance: "Paper" Streets, Surfside"** at the April 4, 2011 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 99 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 99

(Real Estate Conveyance: "Paper" Streets, Surfside)

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

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- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street;
- Miacomet, Monomoy and Massasoit Avenues between the centerline of Irving and Hawthorne Streets;
- Masquetuck and Dunham Streets between the northern sideline of Pochick Avenue and the southern sideline of Boulevarde;
- Dunham Street and Irving Street: between the northern sideline of Nobadeer Avenue and the southern sideline of Weweeder Avenue;
- Irving Street and Hawthorne Street: between the northern sideline of Massasoit Avenue and the southern sideline of Miacomet Avenue (excluding any portion of Monomoy Avenue);
- Holly Street between the northern sideline of Nonantum Avenue to the southern sideline of Pochick Avenue (excluding any portion of Weweeder and Nobadeer Avenues);
- Maclean Street between the eastern sideline of Fairgrounds Road and the eastern sideline of Myrtle Street;
- Mequash Avenue (f.k.a. Sechacha Avenue) between the western sideline of Pequot Street (formerly or also known as Orange Street) and the eastern sideline of Naushon Way (f.k.a. Cherry Street);
- Pochick Avenue between the eastern sideline of Naushon Way (f.k.a. Cherry Street) to the western sideline of Masquetuck Street (excluding any portion of Pequot and Woodbine Streets);
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern sideline of Pequot Avenue (formerly or also known as Orange Street) and the western sideline of Masquetuck Street and the terminus of a turning tee and the eastern sideline of Atlantic Avenue;
- Woodbine Street between the northern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue);
- Myles Standish Street (f.k.a. or a.k.a. Shimmo Street) between the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a north and east sideline of a property at 36 Pochick Avenue (Assessor Map 80, Parcel 285) and the southern sideline of Boulevarde;
- Copeland Street between the southern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the eastern sideline of Atlantic Avenue;

- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western sideline of Surfside Road (f.k.a. Myrtle Street);
- Station Avenue between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) west to the western sideline of Station Avenue;
- Curve Street between the northeastern sideline of Station Avenue and the western sideline of Cononicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Nonantum Avenue: between the western sideline of Laurel Street and the eastern sideline of Atlantic Avenue;
- Lovers Lane between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue;
- Weweeder Avenue between the western sideline of Irving Street to the eastern sideline of Surfside Road (f.k.a. Myrtle Street); excluding any portion of Boulevarde (f.k.a. Central Street), Clifford Street, Pequot Street and Cherry Street (a.k.a. Naushon Way);
- Western Avenue between the eastern sideline of Surfside Road and its eastern terminus;
- Poplar Street between the northern sideline of Western Avenue and the southern sideline of Atlantic Avenue;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Cononicus Street and the southern sideline of Atlantic Avenue;
- Boulevarde from the western sideline of Russell Street to the western lot line of Assessor Map 88 Parcel 31.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

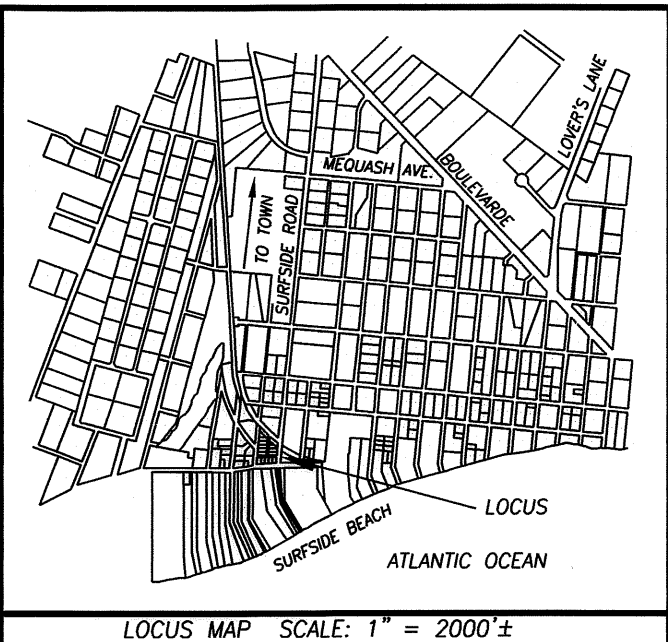
FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified in the Warrant under Article 99, as amended below, and subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street, and Laurel Street (n.k.a. Canonious Street) between the northern sideline of an unnamed way and the southern sideline of Atlantic Avenue;
- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western ~~northern~~ sideline of ~~Western Avenue~~ excluding any portion of Surfside Road (f.k.a. Myrtle Street);

- Station Avenue **Street** between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) then west to the western sideline of Station Avenue **Street**;
- Curve Street between the northeastern sideline of Station Avenue **Street** and the western sideline of Canonicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia **Auriga** Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Canonicus Street and the southern sideline of Atlantic Avenue.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011.

RECEIVED JUN 11 10:00 AM
 CLERK OF TOWN OF BARNSTABLE
 REGISTER OF DEEDS



LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND
- SHIPS SPIKE FND. DENOTES SHIPS SPIKE FOUND

CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

2012 00000023
Bk: Pg: 0 Page: 0
Doc: PLAN 04/04/2012 01:51 PM
NANTUCKET REGISTRY OF DEEDS
Date: 04/04/2012
Time: 1:51 PM
Plan Bk.: — Pg.: —
Plan File: NO. 2012-23
Charles W. Hart
Attest: Register
Sheet 1 of 1
RESERVED FOR REGISTRY USE

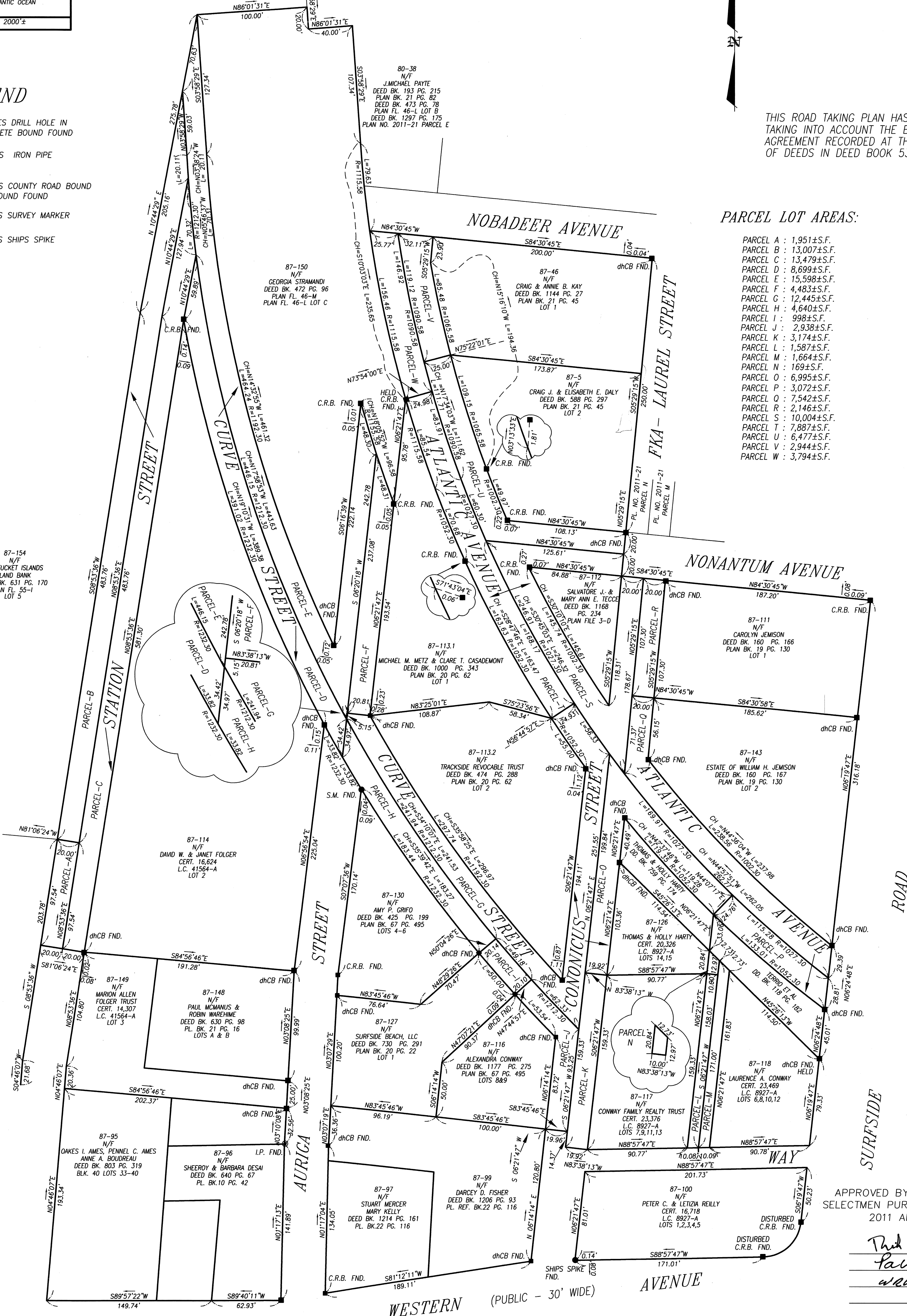
THIS ROAD TAKING PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE BOUNDARY
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 535 PAGE 349.

PARCEL LOT AREAS:

PARCEL A : 1,951±S.F.
PARCEL B : 13,007±S.F.
PARCEL C : 13,479±S.F.
PARCEL D : 8,699±S.F.
PARCEL E : 15,598±S.F.
PARCEL F : 4,483±S.F.
PARCEL G : 12,445±S.F.
PARCEL H : 4,640±S.F.
PARCEL I : 998±S.F.
PARCEL J : 2,938±S.F.
PARCEL K : 3,174±S.F.
PARCEL L : 1,587±S.F.
PARCEL M : 1,664±S.F.
PARCEL N : 169±S.F.
PARCEL O : 6,995±S.F.
PARCEL P : 3,072±S.F.
PARCEL Q : 7,542±S.F.
PARCEL R : 2,146±S.F.
PARCEL S : 10,004±S.F.
PARCEL T : 7,887±S.F.
PARCEL U : 6,477±S.F.
PARCEL V : 2,944±S.F.
PARCEL W : 3,794±S.F.

PLAN REFERENCES:

1. PLAN BOOK 20, PG. 22
2. PLAN BOOK 22, PG. 116
3. PLAN BOOK 23, PG. 68
4. PLAN BOOK 67, PG. 495
5. PLAN BOOK 10, PG. 42
6. PLAN BOOK 1, PG. 16
7. LAND COURT CASE 41564-A
8. LAND COURT CASE 8927-A
9. PLAN BOOK 20, PG. 62
10. PLAN BOOK 21, PG. 45
11. PLAN FILE 55-I
12. PLAN BOOK 19, PG. 130
13. PLAN BOOK 19, PG. 21
14. PLAN BOOK 21, PG. 16
15. PLAN FILE 3-D
16. PLAN FILE 46-L
17. PLAN FILE 46-M



APPROVED BY THE NANTUCKET BOARD OF
SELECTMEN PURSUANT TO ARTICLES 98 & 99,
2011 ANNUAL TOWN MEETING

Paul A. Hart
Paul A. Hart
W. Hart

MARCH 28, 2012
DATE SIGNED

PLAN TO ACQUIRE LAND FOR GENERAL MUNICIPAL PURPOSES IN NANTUCKET, MA.

PREPARED FOR

TOWN OF NANTUCKET

SCALE: 1"=50' DATE: MARCH 5, 2012

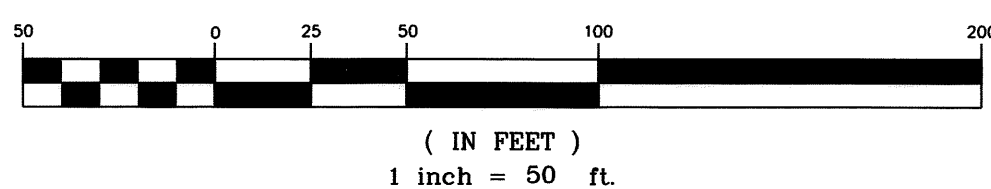
Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

Paul A. Hart
Paul A. Hart
W. Hart
03-13-12
DATE SIGNED
7408
FILE #

CHARLES W. HART and ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910

GRAPHIC SCALE



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) A THRU W DO NOT CONTAIN AREAS SUBJECT TO PROTECTION
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED
TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW
BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND
BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH
APPLICATION TO THE CONSERVATION COMMISSION.



CURRENT ZONING CLASSIFICATION
RESIDENTIAL 20 (R-20)

MINIMUM LOT SIZE 20,000 S.F.
MINIMUM FRONTAGE 25 FT.
FRONT YARD SETBACK 30 FT.
REAR YARD SETBACK 10 FT.
SIDE YARD SETBACK 10 FT.
COVERED COVER 5% 12.5%

NANTUCKET REGISTRY OF DEEDS
Date: February 3, 2021

Time: 9:43 AM

Plan No.: Pg. 1

Plan No. 2021-14

Michael M. Metz, Clare T. Casademont
Michael M. Metz, Clare T. Casademont
Sheet 1 of 1

RESERVED FOR REGISTRY USE



BN: Pg. 0 Page: 0
Date: PLAN 02/03/2021 09:43 AM

THIS SUBDIVISION PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE NANTUCKET
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 333 PAGE 310.
ALL ROAD CURVES SHOWN HEREIN INDICATE A CHORD
BEARING AND A CHORD DISTANCE FOR NOTIFICATION.
CLOSURE RECORDS OF THE COMPLETION OF ANY
RECORD PLANS MUST INDICATE CURVES HEREIN
ARE NOT CONCENTRIC.

PLAN REFERENCES
PLAN FILE 10-M
PLAN FILE 10-L LOT C
PLAN NO. 2017-23 PARCEL W
PLAN NO. 2017-23 LOT 1
PLAN NO. 2017-23
PLANNING BOARD FILE #1321

DEED REFERENCES
DEED BK. 412 PG. 16
DEED BK. 1367 PG. 125
DEED BK. 1287 PG. 168

NOBADDER AVENUE
(PRIVATE - 40' WIDE)

87-49
NOT
DAVID J. DOONAN & JAMES S. DOONAN, REVOCABLE TRUST
DEED BK. 1460 PG. 343
PLAN NO. 2018-63
PARCEL A

87-5
NOT
2 NANTUCKET AVE, LLC
DEED BK. 1460 PG. 343
PLAN NO. 2018-63
LOT 4

87-122
NOT
BRUCE E. METZ
DEED BK. 1044 PG. 131
PLAN NO. 2010-23
PARCEL A

PROPOSED PLAN INTENTION
IS AN EQUAL AREA LAND SWAP
BOTH PARCELS PARTICIPATED IN
THE NANTUCKET YARD SALE PROGRAM
LOT 1 IS TO BE CONVEYED AND
COMBINED WITH THE REMAINDER OF
PERMETER PLAN NO. 2014-70
LOTS 2 & 3 ARE TO BE CONVEYED AND
COMBINED WITH THE REMAINDER OF
PERMETER PLAN NO. 2013-73

SUBDIVISION PLAN
OF LAND
IN
NANTUCKET, MA.

PREPARED FOR
MICHAEL M. METZ,
CLARE T. CASADEMONT
& IAM VENTURES, LLC
SCALE: 1"=40' DATE: DECEMBER 28, 2020

MICHAEL CONNOLLY & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MA 02554
(508) 228-8910

Nantucket Planning Board

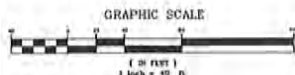
APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
AND REQUIRED
DATE SIGNED FILE #
C-7537

LEGEND

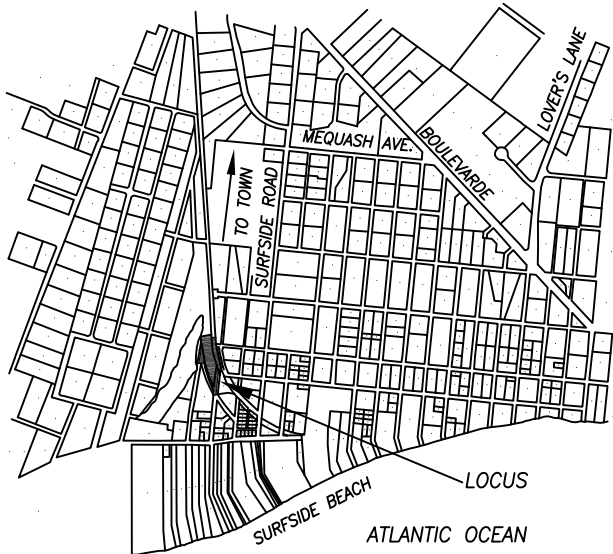
- INCH FND. DENOTES DRILL HOLE IN CONCRETE (BAND FOUND)
- LF. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND ONCE BOUND FND.
- SM. FND. DENOTES SURVEY MARKER FOUND
- SPK SET DENOTES 12" GALVANIZED SPIKE SET

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

Michael M. Metz, Clare T. Casademont
PROFESSIONAL LAND SURVEYORS



ASSESSORS MAP 87 PARCEL 113.1
LOCUS: 9 AURICA STREET
MICHAEL M. METZ & CLARE T. CASADEMONT
DEED BK. 1003 PG. 343
PLAN NO. 20 PG. 61
LOT 1
DEED BK. 1408 PG. 242
PLAN NO. 2017-23
PARCEL E
DEED BK. 1408 PG. 275
PLAN NO. 2017-23
LOT 1
PERMETER PLAN
PLAN NO. 2014-70
ASSESSORS MAP 87 PARCEL 150
LOCUS: 10 AURICA STREET
IAM VENTURES, LLC
PERMETER PLAN
PLAN NO. 2013-73
DEED BK. 1473 PG. 11



LOCUS MAP SCALE: 1" = 2000'±

87-154
N/F
NANTUCKET ISLANDS
LAND BANK
DEED BK. 631 PG. 170
PLAN FL. 55-I
LOT 5
DEED BK. 1345 PG. 256
PLAN NO. 2012-23
PARCELS A & B

LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND
- SPK SET DENOTES 12" GALVANIZED SPIKE SET

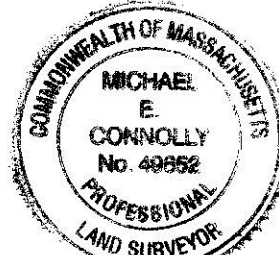
87-293
N/F
SURFSIDE GARDENS LLC
DEED BK. 1785 PG. 260
PLAN NO. 2003-21
LOTS 4 & 4A
CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

80-38
N/F
J.MICHAEL PAYTE
DEED BK. 193 PG. 215
PLAN BK. 21 PG. 82
DEED BK. 473 PG. 78
PLAN FL. 46-L LOT B
DEED BK. 1297 PG. 175
PLAN NO. 2011-21 PARCEL E
DEED BK. 1336 PG. 341
PLAN NO. 2012-77

87-46
N/F
DANIEL J. & KAREN S. O'DONNELL REVOCABLE TRUST
DEED BK. 1506 PG. 114
PLAN BK. 21 PG. 45
LOT 1
DEED BK. 1506 PG. 112
PLAN NO. 2011-21, PARCEL K
PLAN NO. 2012-23, PARCEL V
DEED BK. 1680 PG. 345
PLAN NO. 2018-63, PARCEL A

87-5
N/F
2 NONANTUM AVE. LLC
DEED BK. 1489 PG. 254
PLAN NO. 2014-16
LOT A

"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."



Michael E. Connolly

NOTICE:
LOT 5-A IS TO BE CONVEYED AND COMBINED WITH 10 AURIGA STREET. MAP 80 PARCEL 150
LOT 5-B IS TO BE CONVEYED AND COMBINED WITH 6 CANONICUS STREET. MAP 80 PARCEL 113.2

SUBDIVISION PLAN OF LAND IN NANTUCKET, MA.

PREPARED FOR
TOWN OF NANTUCKET
PLAN NO. 2012-60
LOT 5

SCALE: 1"=40' DATE: DECEMBER 9, 2021

MICHAEL CONNOLLY & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MA. 02554
(508) 228-8910

Nantucket Planning Board
APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

DATE SIGNED

FILE #

C-7537

LOT AREA=
86,550±S.F.

ASSESSORS MAP 87 PARCEL 150
LOCUS: 10 AURIGA STREET

IAM INVESTMENTS, LLC
PERIMETER PLAN
PLAN NO. 2013-73
DEED BK. 1473 PG. 11
CONFIRMATORY DEED BK. 1864 PG. 47
PLAN NO. 2021-14
LOTS 2 & 3
DEED BK. 1800 PG. 226

87-114
N/F
DAVID W. FOLGER TRUST
JANET SIMONS FOLGER TRUST
CERT. 26,386
L.C. 41564-A
LOT 2

87-113.1
N/F
MICHAEL M. METZ & CLARE T. CASADEMONT
DEED BK. 1000 PG. 343
PLAN BK. 20 PG. 62
LOT 1
DEED BK. 1406 PG. 282
PLAN NO. 2012-23
PARCEL T
DEED BK. 1406 PG. 275
PLAN NO. 2012-60
LOT 4
PERIMETER PLAN
PLAN NO. 2014-70
DEED BK. 1800 PG. 230
PLAN NO. 2021-14
LOT 1

87-113.2
N/F
TRACKSIDE REVOCABLE TRUST
6 CANONICUS STREET
DEED BK. 474 PG. 288
DEED BK. 1355 PG. 287
PLAN NO. 2014-17

DETAIL: 1"=20'

87-150
N/F
IAM INVESTMENTS, LLC
10 AURIGA STREET
N/F TOWN OF NANTUCKET
PL. NO. 2012-60
LOT 2

87-113.1
N/F
MICHAEL M. METZ & CLARE T. CASADEMONT
9 AURIGA STREET

LOT 5A
677±S.F.

LOT 5B
697±S.F.

AURIGA STREET
(PRIVATE-VARIABLE WIDTH)

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



Agenda Item Summary

Agenda Item #	VIII. 3.
Date	12/15/2021

Staff

Ken Beaugrand, Real Estate Specialist

Subject

Approval and execution of Consent and Release for subdivision and conveyance of portion of Lot 5 Auriga Street and release the property at 10 Auriga Street from restrictions in Deed of Lot 5, Auriga Street to be recorded

Executive Summary

Pursuant to the Nantucket Yard Sale Program, the Town conveyed Lot 5, Auriga Street shown on a plan recorded with said Deeds as Plan No. 2012-60 (the "Yard Sale Parcel") to the owner of 10 Auriga Street by Deed to be recorded with said Deeds. The Deed to the Yard Sale Parcel contains a restriction that the Yard Sale Parcel is to be merged into one lot, referred to as the "Combined Premises," and that any division or subdivision of any portion of the Combined Premises, and any conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises is prohibited without the prior written consent of the Select Board.

The owner of 10 Auriga Street requests the Select Board, as the holder of certain rights and restrictions set forth in the Deed to the Yard Sale Parcel, to consent to (1) the subdivision of Lot 5 into Lots 5A and 5B as shown on a Subdivision Plan to be recorded with said Deeds; (2) the conveyance of Lot 5B to the owner of 6 Canonicus Street subject to the Deed restrictions set forth in the Yard Sale Deed to Lot 5; (3) release the 10 Auriga Street property from the restrictions set forth in the Deed to Lot 5; and (4) confirm that the Combined Premises of the 10 Auriga Street property shall remain subject to the restrictions set forth in the Deeds to the Yard Sale Parcels, Lot 3, Curve Street and Station Street and Parcel W, Atlantic Avenue recorded with said Deeds in Book 1367, Page 168 and Book 1367, Page 175.

Staff Recommendation

This request was reviewed by REAC at its meeting on December 9, 2021 which was continued until December 13, 2021. A recommendation will follow the December 13th meeting.

Background/Discussion

Town Counsel reviewed and revised the Consent for the subdivision and conveyance of a portion of 9 Auriga Street and approves of its final form.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☒

This Consent approves of the subdivision of Lot 5 into Lots 5A and 5B, and the conveyance of Lot 5B to the owner of 6 Canonicus Street Auriga Street, pursuant to the deed restriction for Lot 5.



Board/Commission Recommendation

N/A

Public Outreach

N/A

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

Nantucket Yard Sale Program

Attachments

Copy of Lot 5 Deed to be recorded with said Deeds

Copy of Yard Sale Plan 2012-60 and Subdivision Plan of Lot 5 to be recorded.



CONSENT AND RELEASE

Whereas, the Town of Nantucket, a Massachusetts municipal corporation, acting by and through its Select Board, having an address of Town & County Building, 16 Broad Street, Nantucket, Massachusetts (“the Town”) conveyed by Deed recorded with the Nantucket County Registry of Deeds in Book _____, Page ____ (the “Lot 5 Deed”) that certain parcel of real property shown as Lot 5, Auriga Street and Curve Street, Nantucket, Massachusetts containing 1,374± square feet on a plan of land entitled “Plan to Convey Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket,” dated July 24, 2012, prepared by Charles W. Hart and Associates, Inc., recorded with the Nantucket Registry of Deeds as Plan No. 2012-60 (“Lot 5”) to IAM Investments, LLC, the owner of 10 Auriga Street, Nantucket; (the “Owner of 10 Auriga”), which is shown on a perimeter plan entitled “Perimeter Plan of Land in Nantucket, MA, Prepared for IAM Investments, LLC,” dated December 2, 2021 prepared by Michael Connolly & Associates, Inc., recorded with said Deeds as Plan No. 2021- ____ ;

Whereas, the Owner of 10 Auriga, Michael M. Metz and Clare T. Casademont, the owners of 9 Auriga Street, Nantucket (“Owner of 9 Auriga”), and Carl D. England, Jr., Trustee of the Trackside Revocable Trust under Declaration of Trust dated June 1, 1995 recorded with said Deeds in Book 474, Page 276, the owner of 6 Canonicus Street, Nantucket (the “Owner of 6 Canonicus”) have agreed to encumber Lot 5 with an access and utility easement for the benefit of 9 Auriga Street and 6 Canonicus Street;

Whereas, the Owner of 10 Auriga and the Owner of 6 Canonicus have agreed that the Owner of 10 Auriga shall subdivide Lot 5, into two lots shown as Lot 5A and Lot 5B on a plan of land entitled “_____” (the “Subdivision Plan”) to be recorded with said Deeds, and that Lot 5A shall be merged with 10 Auriga Street pursuant to the Deed of Lot 5, and Lot 5B shall be merged with 6 Canonicus Street; pursuant to the Deed of Lot 5B to the Owner of 6 Canonicus;

Whereas, the Lot 5 Deed contains the following restriction (the “Deed Restriction”): “[T]he Parcel [Lot 5] hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor [the Town] forever restricting the Parcel and the Combined Premises [Lot 5 and 10 Auriga Street] to residential use as defined in Chapter 139 of the Town of Nantucket Code, as from time to time amended; prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises.... These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall hereafter be used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Select Board recorded with said Deeds;”

Whereas, the Owner of 10 Auriga, wish to subdivide Lot 5 as shown on said Plan, and hereby requests the Town as the holder of certain rights and restrictions with respect to Lot 5 to consent to (i) the subdivision of Lot 5 into Lots 5A and 5B as shown said Plan, (ii) the conveyance of Lot 5B to the Owner of 6 Canonicus subject to the Deed Restriction as set forth in the Lot 5 Deed, (iii) release the 10 Auriga Street property as merged with Lot 5A from the restrictions set forth in the Lot 5 Deed Restriction, and (iv) confirm that the property at 10 Auriga Street shall continue to be subject to the restrictions set forth in the Deeds recorded with said Deeds in Book 1367, Page 168, and in Book 1367, Page 175.

Now, Therefore, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town, IAM

Investments, LLC, as the owner of 10 Auriga Street, and Carl D. England, Jr., Trustee of the Trackside Revocable Trust as the owner of 6 Canonicus Street agree to the foregoing and as follows:

AGREEMENT

1. The Town hereby agrees and consents that (a) Lot 5 may be subdivided by the Owner of 10 Auriga into Lot 5A and Lot 5B as shown on said Plan and (b) Lot 5B as shown on said Plan may be conveyed to the Owner of 6 Canonicus Street subject to the following conditions:

- (i) Lot 5A shall be merged with the 10 Auriga Street property shown on said Merger Plan and Lot 5A and the 10 Auriga Street property, as the Combined Premises, shall be subject to the restrictions set forth in the Deeds recorded with said Deeds in Book 1367, Page 168 and Book 1367, Page 175; and
- (ii) Following the subdivision of Lot 5 and the conveyance of Lot 5B to the Owner of 6 Canonicus Street, Lot 5B shall be merged with 6 Canonicus Street property and shall be subject to the same restrictions as set forth in the Deed Restriction in the Lot 5 Deed.

2. The Town hereby releases the 10 Auriga Street property as merged with Lot 5A from the Deed Restriction set forth in the Lot 5 Deed.

3. IAM Investments, LLC, and Carl D. England, Jr., Trustee of the Trackside Revocable Trust, hereby accept the terms of this Consent and Release and agree to be bound by all of the terms and restrictions contained herein.

4. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

Signature Pages Follow

Executed as a sealed instrument this ____ day of December 2021.

TOWN OF NANTUCKET

By its Select Board

IAM INVESTMENTS, LLC

Jason Bridges

Michael M. Metz, Manager

Kristie L. Ferrantella

TRACKSIDE REVOCABLE TRUST

Matthew G. Fee

Carl D. England, Jr., Trustee

Dawn E. Hill Holdgate

Melissa K. Murphy

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Jason Bridges, Kristie L. Ferrantella, Matthew G. Fee, Dawn E. Hill Holdgate, and Melissa K. Murphy 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:

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Michael M. Metz, Manager of IAM Investments, LLC, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the free act and deed of IAM Investments, LLC.

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this ____ day of December 2021, before me, the undersigned Notary Public, personally appeared Carl D. England, Jr., Trustee of the Trackside Revocable Trust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the free act and deed as Trustee of the Trackside Revocable Trust.

Notary Public
My Commission Expires:

QUITCLAIM DEED

Lot 5, Auriga Street and Curve Street, Nantucket, Massachusetts

The **Town of Nantucket**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Select Board (the "Grantor"), in consideration of Two Thousand Seven Hundred Forty-Eight and 00/100 Dollars (\$2,748.00), the receipt of which is hereby acknowledged, pursuant to the authority of Article 99 voted upon at the 2011 Annual Town Meeting, a certified copy of which is attached hereto, grants to **IAM Investments, LLC, a Texas limited liability company** (the "Grantee") having a mailing address of 3433 Westheimer Road, Apt. No. 1702, Houston, Texas 77027, with QUITCLAIM COVENANTS, a certain parcel of land in Nantucket, Massachusetts shown as Lot 5, Auriga Street and Curve Street containing 1,374± square feet on a plan of land entitled "Plan to Convey Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket," dated July 24, 2012, prepared by Charles W. Hart and Associates, Inc., recorded with the Nantucket County Registry of Deeds as Plan No. 2012-60 (the "Parcel"). The Parcel hereby conveyed is a portion of Auriga Street and Curve Street and is vacant land.

The Grantor's conveyance of this Parcel is based in part on the Grantee's warranty and representation to the Grantor that such Parcel shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 10 Auriga Street shown on Town Assessor's Map 87 as Parcel 150 previously acquired by Grantee pursuant to Deed recorded with the Nantucket County Registry of Deeds in Book 1473, Page 11, and as confirmed by Deed recorded with the Nantucket Registry of Deeds in Book_____, Page_____ (together, the "Combined Premises"), and that no part of such Parcel or the Combined Premises shall hereafter be used for non-residential purposes nor divided, subdivided or conveyed as a separate parcel or parcels, unless prior written permission is granted by the Town of Nantucket Select Board and such permission is recorded with said Deeds. Accordingly, the Parcel hereby granted to the Grantee is conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcel and Combined Premises to residential use as defined in Chapter 139 of the Town of Nantucket Code, as from time to time amended; prohibiting the division or subdivision of any portion of the Combined Premises and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises and automatically effectuating a reversion of the Parcel to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcel has not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Select Board and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to M.G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of M.G. L. c. 44 §63A.

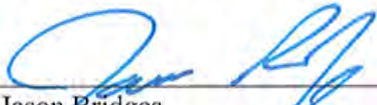
No deed stamp taxes are due on this conveyance pursuant to M.G.L. c. 64D, §1.

For Grantor's title, see Order of Taking dated April 25, 2012, recorded with said Deeds in Book 1324, Page 114.

[Remainder of Page Intentionally Blank. Signatures Follow on Next Page.]

EXECUTED under seal this 19 day of November, 2021.

TOWN OF NANTUCKET
BY ITS SELECT BOARD



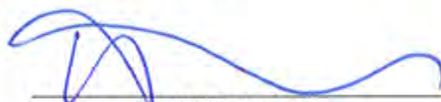
Jason Bridges



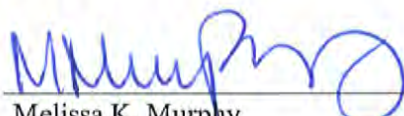
Kristie L. Ferrantella



Matthew G. Fee



Dawn E. Hill Holdgate



Melissa K. Murphy

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

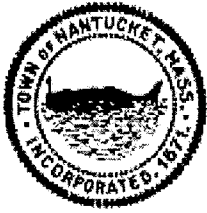
On this 19 day of November, 2021, before me, the undersigned Notary Public, personally appeared Jason Bridges, Kristie L. Ferrantella, Matthew G. Fee, Dawn E. Hill Holdgate and Melissa K. Murphy as Members of the Select Board of the Town of Nantucket, proved to me through satisfactory evidence of identification, 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 and deed of the Select Board of the Town of Nantucket.



Notary Public
My Commission Expires:

783428NANT19712/0001





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>

♦♦♦♦♦

April 19, 2011

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 4, 2011 ANNUAL TOWN MEETING adopted **Article 99: "Real Estate Conveyance: "Paper" Streets, Surfside"** at the April 4, 2011 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 99 as moved by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.

Catherine Flanagan Stover, MMC, CMMC
Town and County Clerk

ATTEST: TRUE COPY

NANTUCKET TOWN & COUNTY CLERK

ARTICLE 99

(Real Estate Conveyance: "Paper" Streets, Surfside)

To see if the Town will vote to authorize the Board of Selectmen to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified below, subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Plum, Poplar and Holly Streets between the northern sideline of Pochick Avenue and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue; excluding any portion of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue));
- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street;
- Miacomet, Monomoy and Massasoit Avenues between the centerline of Irving and Hawthorne Streets;
- Masquetuck and Dunham Streets between the northern sideline of Pochick Avenue and the southern sideline of Boulevarde;
- Dunham Street and Irving Street: between the northern sideline of Nobadeer Avenue and the southern sideline of Weweeder Avenue;
- Irving Street and Hawthorne Street: between the northern sideline of Massasoit Avenue and the southern sideline of Miacomet Avenue (excluding any portion of Monomoy Avenue);
- Holly Street between the northern sideline of Nonantum Avenue to the southern sideline of Pochick Avenue (excluding any portion of Weweeder and Nobadeer Avenues);
- Maclean Street between the eastern sideline of Fairgrounds Road and the eastern sideline of Myrtle Street;
- Mequash Avenue (f.k.a. Sechacha Avenue) between the western sideline of Pequot Street (formerly or also known as Orange Street) and the eastern sideline of Naushon Way (f.k.a. Cherry Street);
- Pochick Avenue between the eastern sideline of Naushon Way (f.k.a. Cherry Street) to the western sideline of Masquetuck Street (excluding any portion of Pequot and Woodbine Streets);
- Masaquet Avenue (f.k.a. Wauwinet Avenue) between the eastern sideline of Pequot Avenue (formerly or also known as Orange Street) and the western sideline of Masquetuck Street and the terminus of a turning tee and the eastern sideline of Atlantic Avenue;
- Woodbine Street between the northern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the southern sideline of Mequash Avenue (f.k.a. or a.k.a. Sechacha Avenue);
- Myles Standish Street (f.k.a. or a.k.a. Shimmo Street) between the northern lot line of property at 38 Pochick Avenue (Assessor Map 80 Parcel 11) and a north and east sideline of a property at 36 Pochick Avenue (Assessor Map 80, Parcel 285) and the southern sideline of Boulevarde;
- Copeland Street between the southern sideline of Masaquet Avenue (f.k.a. or a.k.a. Wauwinet Avenue) and the eastern sideline of Atlantic Avenue;

- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western sideline of Surfside Road (f.k.a. Myrtle Street);
- Station Avenue between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) west to the western sideline of Station Avenue;
- Curve Street between the northeastern sideline of Station Avenue and the western sideline of Cononicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Nonantum Avenue: between the western sideline of Laurel Street and the eastern sideline of Atlantic Avenue;
- Lovers Lane between the northern sideline of Weweeder Avenue and the southern sideline of Pochick Avenue;
- Weweeder Avenue between the western sideline of Irving Street to the eastern sideline of Surfside Road (f.k.a. Myrtle Street); excluding any portion of Boulevarde (f.k.a. Central Street), Clifford Street, Pequot Street and Cherry Street (a.k.a. Naushon Way);
- Western Avenue between the eastern sideline of Surfside Road and its eastern terminus;
- Poplar Street between the northern sideline of Western Avenue and the southern sideline of Atlantic Avenue;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Cononicus Street and the southern sideline of Atlantic Avenue;
- Boulevarde from the western sideline of Russell Street to the western lot line of Assessor Map 88 Parcel 31.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

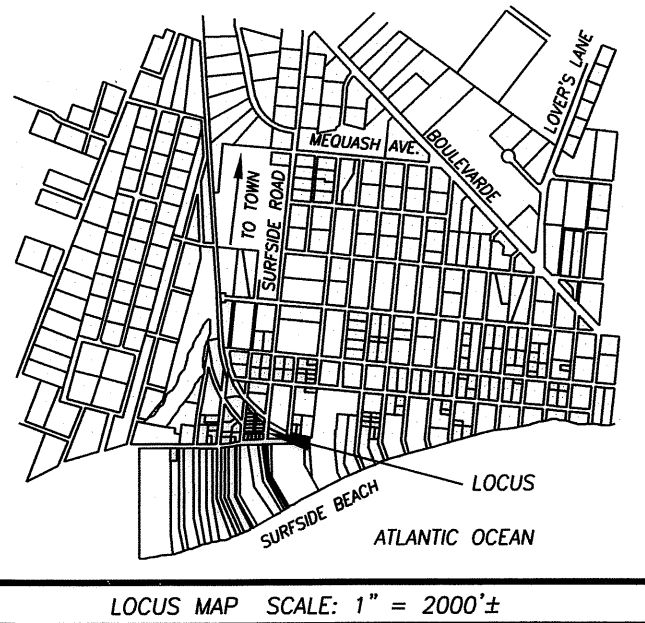
(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to convey, sell or otherwise dispose of the fee title or lesser interests in all or any portion of land in the Surfside area of Nantucket known as Surfside South and identified in the Warrant under Article 99, as amended below, and subject to Chapter 30B of the Massachusetts General Laws and guidelines established under the "Nantucket Yard Sales" program on file at the Board of Selectmen's office, such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate, which may include, the reservation of easements and restrictions:

- Laurel, School and Myrtle Streets between the northeastern sideline of Surfside Road and the southern sideline of Maclean Street, and Laurel Street (n.k.a. Canonicus Street) between the northern sideline of an unnamed way and the southern sideline of Atlantic Avenue;
- Atlantic Avenue between the southern lot line of a property at 6 Gladlands Avenue (Assessor Map 80 Parcel 179) and the northern sideline of Pochick Avenue, the southern sideline of Nobadeer Avenue and the western-northern sideline of Western Avenue excluding any portion of Surfside Road (f.k.a. Myrtle Street);

- Station Avenue Street between the western sideline of Atlantic Avenue and its terminus at an extension of the southern lot line of a property at 5 Station Street (Assessor Map 87 Parcel 114) then west to the western sideline of Station Avenue Street;
- Curve Street between the northeastern sideline of Station Avenue Street and the western sideline of Canonicus Street (f.k.a. or a.k.a. Laurel Street);
- Arrugia Auriga Street (f.k.a. School Street) between the southern sideline of Atlantic Avenue and the northern sideline of Curve Street;
- Unnamed ways between the western sideline of Surfside Road, the eastern sideline of Canonicus Street and the southern sideline of Atlantic Avenue.

All as shown on a map entitled "2011 Annual Town Meeting Warrant Article 99" dated January 2011.



LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND

CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)

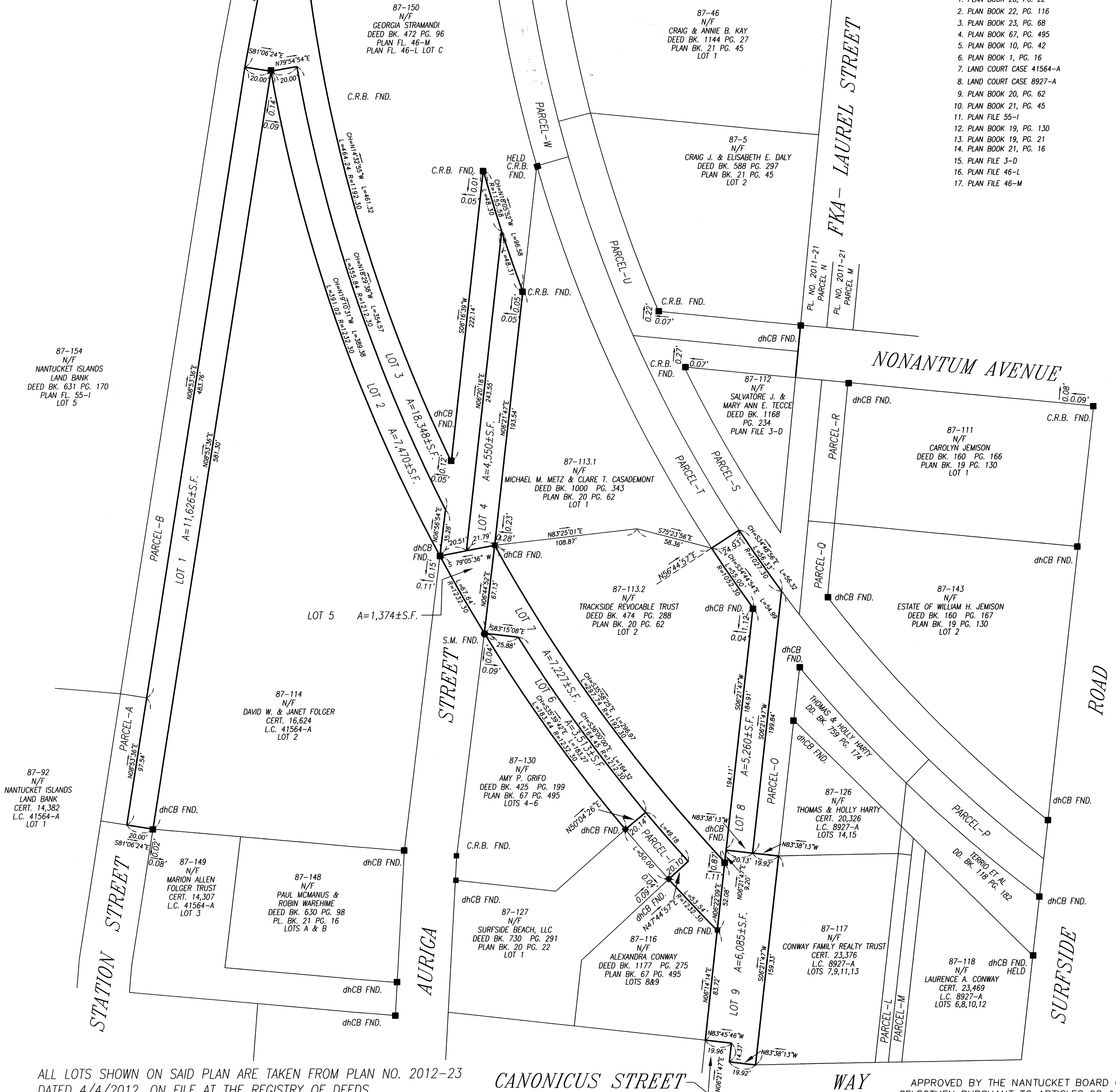
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%

THIS ROAD TAKING PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE BOUNDARY
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 535 PAGE 349.
ALL ROAD CURVES SHOWN HEREON INDICATE A CHORD
BEARING AND A CHORD DISTANCE FOR MATHEMATICAL
CLOSURE. BECAUSE OF THE COMPILATION OF MANY
RECORD PLANS MOST CIRCULAR CURVES HEREON
ARE NOT CONCENTRIC.

NANTUCKET REGISTRY OF DEEDS
Date: 08/24/2012
Time: 9:20 AM
Plan Bk.: Pg.:
No. 2012-60
Plan File: 2012-60
Attest: *James A. Tamm*
Register
Sheet 1 of 1
RESERVED FOR REGISTRY USE

PLAN REFERENCES:

1. PLAN BOOK 20, PG. 22
2. PLAN BOOK 22, PG. 116
3. PLAN BOOK 23, PG. 68
4. PLAN BOOK 67, PG. 495
5. PLAN BOOK 10, PG. 42
6. PLAN BOOK 1, PG. 16
7. LAND COURT CASE 41564-A
8. LAND COURT CASE 8927-A
9. PLAN BOOK 20, PG. 62
10. PLAN BOOK 21, PG. 45
11. PLAN FILE 55-1
12. PLAN BOOK 19, PG. 130
13. PLAN BOOK 19, PG. 21
14. PLAN BOOK 21, PG. 16
15. PLAN FILE 3-D
16. PLAN FILE 46-L
17. PLAN FILE 46-M



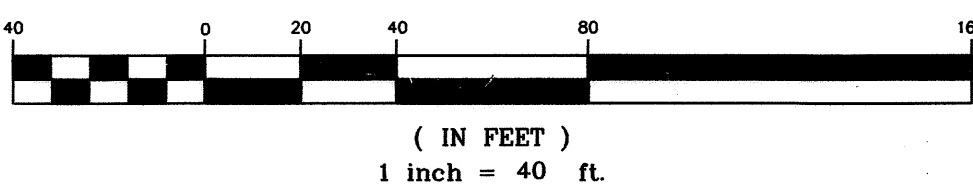
ALL LOTS SHOWN ON SAID PLAN ARE TAKEN FROM PLAN NO. 2012-23
DATED 4/4/2012, ON FILE AT THE REGISTRY OF DEEDS
AND RECONFIGURED TO CONVEY TO ABUTTERS

PLAN TO CONVEY LAND FOR
GENERAL MUNICIPAL PURPOSES
IN
NANTUCKET, MA.

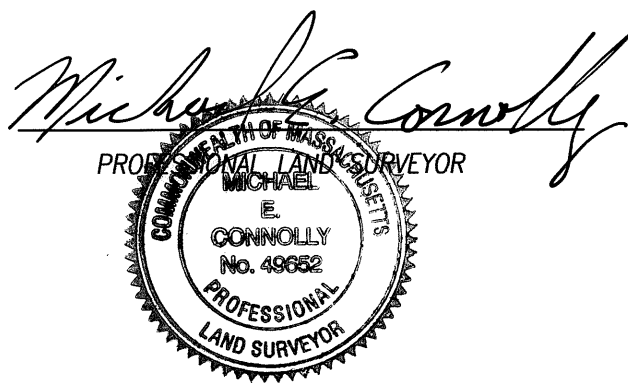
PREPARED FOR
TOWN OF NANTUCKET
SCALE: 1"=40' DATE: JULY 24, 2012

CHARLES W. HART and ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910

GRAPHIC SCALE



"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN ACCORDANCE WITH THE RULES
AND REGULATIONS OF THE REGISTERS OF DEEDS
OF THE COMMONWEALTH OF MASSACHUSETTS."



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 1 THRU 9 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED
TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW
BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND
BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH
APPLICATION TO THE CONSERVATION COMMISSION.

APPROVED BY THE NANTUCKET BOARD OF
SELECTMEN PURSUANT TO ARTICLES 98 & 99,
2011 ANNUAL TOWN MEETING

Paul Rogers
Richard O'Brien

DATE SIGNED FILE #

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

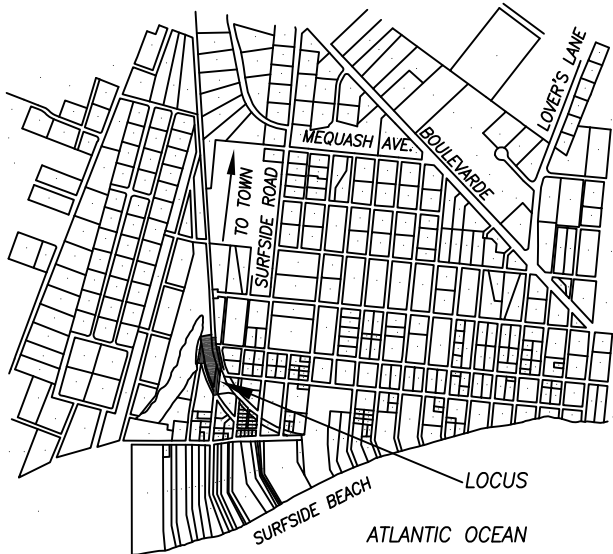
Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

James A. Tamm
William J. Tamm
Glenn D. Howard

DATE SIGNED FILE #

H-7477



LOCUS MAP SCALE: 1" = 2000'±

87-154
N/F
NANTUCKET ISLANDS
LAND BANK
DEED BK. 631 PG. 170
PLAN FL. 55-I
LOT 5
DEED BK. 1345 PG. 256
PLAN NO. 2012-23
PARCELS A & B

LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND DISK BOUND FOUND
- S.M. FND. DENOTES SURVEY MARKER FOUND
- SPK SET DENOTES 12" GALVANIZED SPIKE SET

87-293
N/F
SURFSIDE GARDENS LLC
DEED BK. 1785 PG. 260
PLAN NO. 2003-21
LOTS 4 & 4A
CURRENT ZONING CLASSIFICATION:
RESIDENTIAL 20 (R-20)
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 12.5%



NANTUCKET REGISTRY OF DEEDS

Date: _____

Time: _____

Plan Bk.: _____ Pg.: _____

Plan File: _____

Attest: _____ Register

RESERVED FOR REGISTRY USE

THIS PLAN HAS BEEN COMPILED
TAKING INTO ACCOUNT THE BOUNDARY
AGREEMENT RECORDED AT THE NANTUCKET REGISTRY
OF DEEDS IN DEED BOOK 535 PAGE 349.
ALL ROAD CURVES SHOWN HEREON INDICATE A CHORD
BEARING AND A CHORD DISTANCE FOR MATHEMATICAL
CLOSURE. BECAUSE OF THE COMPILATION OF MANY
RECORD PLANS MOST CIRCULAR CURVES HEREON
ARE NOT CONCENTRIC.

NOBADEER AVENUE
(PRIVATE-VARIABLE WIDTH)

LOT AREA=
86,550±S.F.

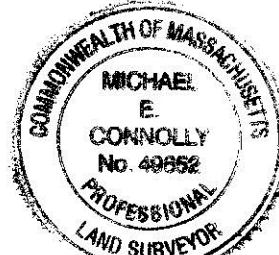
ASSESSORS MAP 87 PARCEL 150
LOCUS: 10 AURIGA STREET

IAM INVESTMENTS, LLC
PERIMETER PLAN
PLAN NO. 2013-73
DEED BK. 1473 PG. 11
CONFIRMATORY DEED BK. 1864 PG. 47
PLAN NO. 2021-14
LOTS 2 & 3
DEED BK. 1800 PG. 226

87-46
N/F
DANIEL J. & KAREN S. O'DONNELL REVOCABLE TRUST
DEED BK. 1506 PG. 114
PLAN BK. 21 PG. 45
LOT 1
DEED BK. 1506 PG. 112
PLAN NO. 2011-21, PARCEL K
PLAN NO. 2012-23, PARCEL V
DEED BK. 1680 PG. 345
PLAN NO. 2018-63, PARCEL A

87-5
N/F
2 NONANTUM AVE. LLC
DEED BK. 1489 PG. 254
PLAN NO. 2014-16
LOT A

"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN ACCORDANCE WITH THE RULES
AND REGULATIONS OF THE REGISTERS OF DEEDS
OF THE COMMONWEALTH OF MASSACHUSETTS."



Michael E. Connolly

NOTICE:
LOT 5-A IS TO BE CONVEYED AND COMBINED WITH
10 AURIGA STREET. MAP 80 PARCEL 150
LOT 5-B IS TO BE CONVEYED AND COMBINED WITH
6 CANONICUS STREET. MAP 80 PARCEL 113.2

SUBDIVISION PLAN OF LAND IN NANTUCKET, MA.

PREPARED FOR
TOWN OF NANTUCKET
PLAN NO. 2012-60
LOT 5

SCALE: 1"=40' DATE: DECEMBER 9, 2021

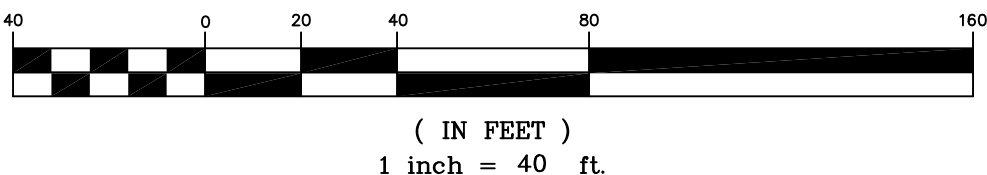
MICHAEL CONNOLLY & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
150 SURFSIDE ROAD
NANTUCKET, MA. 02554
(508) 228-8910

Nantucket Planning Board
APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

DATE SIGNED

FILE #

C-7537





Agenda Item Summary

Agenda Item #	IX. 1.
Date	12/15/2021

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 must vote 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, Open Air Parking, Mobile Food Units, and Flower/Produce/Shellfish Vendors.

Please Note: *Annual and Seasonal Liquor Licenses (April 1 – January 15) are renewed separately in November and March respectively and are NOT included in this hearing.

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 2022 License to operate is issued.

Non-Renewals are also listed in several categories with additional information on reason for non-renewal. Select Board is asked to review each category separately to consider specific rules and regulations for each.

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 2022 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

Public hearing notice in 12/9/2021 Inquirer & Mirror

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

N/A

Attachments

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





2022 ANNUAL LICENSE RENEWALS

COMMON VICTUALLER

REQUIREMENTS:

- Every food service establishment with the capabilities for cooking, preparing, and serving food and which provides seating for the immediate consumption therein, is required to have a Common Victualler License.
- The Common Victualler License is governed by Massachusetts General Law c. 140.
- Permits and Inspections are required from Health, Building and Fire Departments.
- Annual Fee: \$50
- **Please note:** The attached list of renewals list may not be comprehensive in light of changes to businesses during State of Emergency and tightening of definition for license. Take-out only establishments have been removed as identified. Those not on the list that qualify and file all proper permits and pay fees will be issued a 2022 License.

NON-RENEWAL:

- Several establishments on attached sheet are listed as non-renewals due to change and ownership of business and or property. New applications will have to be submitted by new owners/business.
- Several additional establishments were removed from the list as they do not meet the legal definition for a Common Victualler. For example, a purely take-out establishment with no seating provided is not considered a Common Victualler. Further updates may be made as we review renewal applications.

LOOKING AHEAD TO 2022:

- Local Business License regulations for Common Victuallers.
- Update to include fee based on seating numbers.
- Consideration of Business License for additional Food categories to include Take-out establishments formally included with Common Victuallers.

2022 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses during State of Emergency and tightening of definition for license. Take-out only establishments have been removed as identified. Those that qualify and file all proper permits and pay fees will be issued a 2022 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
Black Eyed Susan's	10 India St
Born and Bread	35 Centre St
Chanticleer	9 New St
Charlie Noble	15 South Water St
Childrens Beach, 'Hungry Minnow'	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

2022 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses during State of Emergency and tightening of definition for license. Take-out only establishments have been removed as identified. Those that qualify and file all proper permits and pay fees will be issued a 2022 License.

DBA	PREMISES
Greydon House	19 Broad Street
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
Keepers	5 Amelia Dr
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
Lola Burger	1 Sparks Ave
Miacomet Golf	12 W. Miacomet Rd
Millie's	326 Madaket Rd
Muse	44 Surfside Rd
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

2022 COMMON VICTUALLER LICENSE RENEWALS

*Please Note: This list may not be comprehensive in light of changes to businesses during State of Emergency and tightening of definition for license. Take-out only establishments have been removed as identified. Those that qualify and file all proper permits and pay fees will be issued a 2022 License.

DBA	PREMISES
Proprietors	9 India St
Provisions	3 Harbor Square
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
Siam To Go	10 Backus Lane
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
Surfside Beach Shack	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

2022 COMMON VICTUALLER LICENCES NON-RENEWAL

DBA	PREMISES	REASON FOR NON-RENEWAL
29 Fair Street	29 Fair St	Property Sold. New Application required.
Annye's Whole Foods	14 Amelia Dr	Property Sold. Operating as grocery/Package Store.
Boarding House/The Pearl	12 Federal St	Property Sold. New Application required.
Brotherhood of Thieves	23 Broad St	Property Sold. New Application required.
Fifty Six Union	56 Union St	Property Sold. New Application required.
Fresh	3 Salem St	Take-Out
Hub	31 Main St	Take-Out
Island Coffee	4A Broad St	Take-Out
Juice Bar	12 Broad St	Take-Out
Steamboat Wharf Pizza	Broad Street	Take-Out
Walters	10A Broad St	Take-Out



2022 ANNUAL LICENSE RENEWALS

ENTERTAINMENT

REQUIREMENTS:

- Entertainment License is governed by Massachusetts General Law c. 140, Section 183A.
- Permits and Inspections are required from Building and Fire Departments.
- Additional State License is required for any Live performances on Sundays that require a separate fee from patrons to attend.
- Annual Fee: \$100
- 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.

NON-RENEWAL:

- Several establishments on attached sheet are listed as non-renewals due to change and ownership of business and or property. New applications will have to be submitted by new owners/business.

LOOKING AHEAD TO 2022:

- Local Business License regulations for Entertainment.
- Consistency on license conditions is needed, especially in the Core District.

2022 ENTERTAINMENT LICENSE RENEWALS

DBA	PREMISES	LIVE	NOISE COMPLAINTS
45 Surfside	45 Surfside Rd		
Afterhouse Wine & Raw Bar	18 Broad St		
American Legion, Inc.	21 Washington St	X	
American Seasons	80 Centre St		
B-ACK YARD BBQ	20 Straight Wharf	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	1 Call for Service
Faraway Hotel	11 India Street		2 Email Complaints on Noise and violations of special permit. No violations were found on inspection
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		Multiple email complaints about patio music
Island Kitchen	1 Chin's Way		
Jared Coffin House	29 Broad St		
Keeper's Restaurant	5 Amelia Drive	X	
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		
Lola Burger	1 Sparks Ave		
Maddequet Admiralty	15 Tennessee Ave	X	
Miacomet Golf	12 W. Miacomet Rd	X	
Millie's	326 Madaket Rd		No Noise related CFS but multiple complaints from Madaket Assoc. and neighbors

2022 ENTERTAINMENT LICENSE RENEWALS

DBA	PREMISES	LIVE	NOISE COMPLAINTS
Muse	44 Surfside Rd	X	
Nantucket Anglers Club	1 New Whale St		
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		2 Calls for Service on Noise Multiple direct calls/emails to Licensing Most calls also include Ventuno Establishment asked to turn it down.
Rose and Crown	23 S Water St	X	7 Calls for Service on noise
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	2 Calls for Service
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	3 Calls for Service
Tavern	28 Harbor Square		
The Beet	9 South Water St		
Theatre Workshop	62 Centre Street	X	3 Calls for Service and 4+ emails and complaints in regards to Noise at temporary Bartlett's location
Ventuno Restaurant	21 Federal St		No direct calls but generally included with Town.
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	

2022 ENTERTAINMENT LICENSE RENEWALS

DBA	PREMISES	LIVE	NOISE COMPLAINTS
White Heron Theatre	5 North Water St	X	

2022 ENTERTAINMENT LICENSE NON-RENEWALS

DBA	PREMISES	LIVE	REASON FOR NON-RENEWAL
Boarding House/The Pearl	12 Federal St		Property Sold. New Application required.
Brotherhood of Thieves	23 Broad St	X Indoors Only	Property Sold. New Application required.
Fifty Six Union	56 Union St		Property Sold. New Application required.



2022 ANNUAL LICENSE RENEWALS

RENTAL CAR AGENCIES

REQUIREMENTS:

- No person, business or corporation shall engage in the business of renting, leasing or keeping for rent or lease any motor vehicle without first being licensed annually by the Select Board to do so. It shall be unlawful for any motor vehicle to be rented, leased or made available for rental or lease in the Town of Nantucket without such motor vehicle displaying a rental sticker affixed to the rear bumper pursuant to this chapter.
- The Rental Car Agency License is governed by Town of Nantucket Bylaw, Chapter 58.
- Each Agency must be licensed annually by the Select Board.
- Each Agency is assigned a set number of medallions. Each car used by the agency for rental must be issued a medallion with a current car registration submitted with application.
- Annual Agency License Fee: \$100
- Medallion Fee: \$100 for every vehicle NOT registered on Nantucket. \$100 for every medallion not used per calendar year. \$0 for vehicles registered on Nantucket.

NON-RENEWAL:

- The License for Island Buggies was not properly renewed in 2021 and will not be recommended for renewal in 2022. See attached notice to Licensee dated November 17, 2021.
- The License and Medallions for Island Buggies was transferred in 2016 from Wayne Siltanen to Dolly Siltanen. Since that time, the business has not been in operation in any way.
- Each year the unused medallions have been paid for at \$100 per medallion. The medallions were not paid for or used for 2021. An attempt to pay for them was made in November 2021. See attached notice for response and full list of reasons for non-renewal.
- It is recommended the Select Board vote for non-renewal of the license. The Select Board must also determine whether to retire or re-issue the 8 medallions (2 additional medallions were previously issued to Island Buggies on top of the 700 allowed by bylaw).
- If the Select Board votes to re-issue, a process must be identified for fair opportunity to apply for a new license/medallions. Licensing currently has at least 5 registered requests for a new license.

2022 MOTOR VEHICLE RENTAL AGENCY RENEWALS			
DBA	# MEDALLIONS ASSIGNED	# MEDALLIONS 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
HERTZ NOTES/VIOLATIONS: * Every year over past 5 years, Hertz has NOT used an average of 75 medaillions per year (60-140). Medaillions not assigned to a specific registration must be paid for (\$100/each) by December 31 each year. WARNING: *Hertz has been notified multiple times over the past 5 years for renting vehilces without obtaining a medaillion. Photo and registration back-up is on file. *Fines were not assessed this year due to lack of staffing resources to follow-up at the time. Staffing resources will be assigned to this for 2022 and \$300/day fines will be assessed for every rental vehicle that does not register for a medaillion. Further violations in 2022 will be forwarded to the Select Board to consider removal of medaillions.			
TOTAL # of MEDALLIONS:	ASSIGNED: 692	USED: 553	
2022 MOTOR VEHICLE RENTAL AGENCY NON-RENEWALS			
DBA	# MEDALLIONS ASSIGNED	# MEDALLIONS USED	LOCATION
Island Buggies	10	0	41 Old South Road

Baxter, Amy

From: Baxter, Amy
Sent: Wednesday, November 17, 2021 12:18 PM
To: Dollysiltanen
Cc: Ciarmataro, Ann; Pittman, William
Subject: Non-Renewal - Island Buggies Auto Rental, LLC

Dolly,

The Town of Nantucket will be returning your payments received for 2020 and 2021 medallions previously assigned to Island Buggies Auto Rental, LLC. Per Nantucket Bylaw, Chapter 58, *"Any RVM's not obtained by any rental agency by the end of any calendar year shall be considered surplus as of January first and may be retired by the Town at that time."* You can not submit a renewal form 11 months late for a business that has not been in operation for over 6 years. The LLC you list as the applicant was dissolved on 6-30-2021 per the Secretary of the Commonwealth and then you go on to list yourself as sole proprietor – that is conflicting and possibly false information. We have given you multiple opportunities to revive this business, which we were not legally obligated to do and absolutely nothing has been done. There were no restrictions on the Rental Car agencies during the pandemic outside cleaning measures and all agencies were required to comply with regulations with no waivers given so please do not consider the pandemic as an additional reason for your delay.

I will be documenting this entire process over the past 6+ years to be presented to Town Counsel and the Select Board so we can identify the process to retire or reissue the medallions in a likely lottery or RFP type situation which you are welcome to participate in. You will be notified of a Public Hearing date for renewals and if an additional hearing is needed for your license, however not complying with terms of the bylaw and filing a false application should be sufficient.

And please note, I am not asking for an explanation or argument as to why you should receive yet another pass. I am saying this office is no longer supporting an open bylaw violation and turning over the matter to the Select Board in an open and public hearing.

Thank you,

Amy C. Baxter
Licensing Administrator
Nantucket Police Department
abaxter@police.nantucket-ma.gov
508-325-4159

4 Fairgrounds Road
Nantucket, MA 02554



Town & County of
NANTUCKET, MA

LICENSING & PERMITS
PSF, 4 Fairgrounds Road, M-F 8am-4pm
508-325-4100 • licensing@police.nantucket-ma.gov

2022 ANNUAL LICENSE RENEWALS

FLOWER, PRODUCE, SHELLFISH STREET VENDORS

REQUIREMENTS:

- The Street Vendor License is governed by Town of Nantucket Bylaw Chapter 107.
- No person, persons, group or organization shall engage in the business of a transient vendor or conduct or maintain a transient or temporary business until such person(s) shall make application to the Selectmen and receive from the Selectmen a license to conduct the business. The
- Exceptions. Nothing contained herein shall prohibit the sale from trucks or stalls of vegetables, fruits and flowers grown locally by the owner of the farm or premises where such vegetables, fruits or flowers are grown or of fish and shellfish taken by a transient vendor.
- Hours: 8:00 am – 1:00 pm, No Sundays.

LOOKING AHEAD TO 2022:

- Reassessment of approved locations on Main Street and 'Sconset.
- Map out all spots.
- Confirm actual use by licensed vendors.
- Identify process for new applications. Multiple registered requests.

2022 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
NOTE: NO SHELLFISH STREET VENDOR LICENSES/RENEWALS WERE ISSUED IN 2021		



2022 ANNUAL LICENSE RENEWALS

MOBILE FOOD UNITS

CURRENT REQUIREMENTS/CONDITIONS OF MFU LICENSES:

- **Operation within 500 feet of a licensed food establishment prohibited.**
- Mobile Food Unit Operators must place portable trash receptacles near the unit on daily basis.
- All trash must be removed before leaving area and properly disposed of at the end of day.
- Mobile Food Unit must return to its approved Base of Operations daily.
- Mobile Food Units are Commercial Vehicles and all commercial regulations apply.
- Any Mobile Food Units parked in timed spaces in the Downtown Parking District must obtain a Street Blocking Permit from Town Administration. No service allowed from the MFU-parking only to allow for catering service to downtown locations.

NOTES ON 2020-2021 MFU's:

- Multiple businesses have purchased, designed and advertised Mobile Units before applying for any permits or identifying locations for vending. Purchasing a vehicle is explicitly NOT recommended before going through a Plan Review and establishing a plan for service locations.
- Choosing a vehicle before going through the permitting process is solely the decision and responsibility of the applicant. It is NOT the responsibility of the Town to find applicants locations for service. This needs to be emphasized as we move forward.

LOOKING AHEAD TO 2022:

- Top priority for 2022 is updating and approving overhaul of MFU regulations (currently guidelines). Proposed changes under internal departmental review.
- Adding process for location permits. Any location (private and public property) used for vending to the public must have a location permit that meets all Health, Zoning and Licensing, etc. requirements.
- Identify restricted districts to include downtown core and mid-island.
- Establish application deadline for season at May 1.
- Consideration of cap.
- Separate vehicles used solely for private catering.

2022 MOBILE FOOD VENDOR LICENSE RENEWALS

DBA	NOTES/COMPLAINTS/VIOLATIONS
Big Hug Dumplings	
Enjoy Kitchen	
Millie's (#1)	
Millie's (#2)	
Nantucket Beach Dogs	
Nantucket Lobster Trap	
167 Raw	
The Surf	
Yezzi's on Nantucket	
Eat Fire Farm	
Lemon Press	
Lobster Trap	
The Green Taco Truck	Multiple incidents of vending in a location not requested or approved. Situations generally resolved with follow-up. Will need more organized location plan for 2022.
Snick Snack	Multiple complaints received from home owners. Issued Zoning violation dated 11-5-21 for operation of food truck and take-out food sales in residential-20 zoning district. Further violation of above will result in hearing to remove license. Will need more organized location plan for 2022.
Hang Loose Frozen Treats *Roaming License with approved route.	Complaint received from neighborhood association in regards to no prior request or authorization to vend in neighborhood and exterior music played while driving through. Situation resolved and permission granted by association.



Town & County of
NANTUCKET, MA

LICENSING & PERMITS
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508-325-4100 • licensing@police.nantucket-ma.gov

2022 ANNUAL LICENSE RENEWALS

MOTOR VEHICLE SALES, CLASS I, II, III

REQUIREMENTS:

- Governed by MGL Chapter 140, Sections 57, 58, 59, 61-69.
- Class I: For the sale of new or used motor vehicles
- Class II: To buy and sell second hand motor vehicles
- Class III: To buy and sell cars & trucks for parts and salvage

2022 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	App. Required	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

	A	B	C	D
1	Proposed Fourth of July 2022 Activities (12/7/21)			
2	Time	Activity	Point Person	Location
3	MAIN STREET ACTIVITIES		Park & Rec Manager	
4	10:00 a.m.*	Declaration of Independence	Loretta Middleton UU Church	UU Church
5				
6	11:00 - 11:45 a.m.	Musical Performances*	NCMC will organize	Flatbed Truck near Horse Fountain with sound
7		National Anthem		
8		NCMC student groups		
9		Others?		
10				
11	11:30 a.m.	Dog Parade	NISHA	William Raveis to Hub
12				
13	12:00 noon	"Contained" Water Contest*	Fire Trucks	Fenced area - Main St. Federal to Centre St.
14				
15	7:00 a.m. - 11:00 a.m.	Food Trucks*	Licensing Amy Baxter	Federal Street
16				
17	9:00 a.m. - 1:00 p.m.	Farmers' Market	Sustainable Nantucket	Cambridge Street
18				
19	9:00 a.m. - 1:00 p.m.	Entrepreneurs' Market*	Chamber/NICE Karen Macumber	Centre Street
20				
21	CHILDREN'S BEACH		David Sharpe	
22	10:00 a.m. - 11:30 a.m.	Matt Fee Tea Toss	David Sharpe	Children's Beach
23		Photobooth	David Sharpe/ Mark Crosby	Children's Beach
24		Cornhole Tournament (Need prizes)	David Sharpe	Children's Beach
25		Beach Games - races, tug of war	David Sharpe	Children's Beach
26		Invite nonprofits to set up an activity*	Address at next NCD meeting	Children's Beach
27				
28	10:30 a.m.	Puppet Show	David Sharpe/ Lizza Obremski	Children's Beach
29				
30	11:00 a.m.	Bike Parade		Children's Beach

	A	B	C	D
31				
32	11:30 a.m.	Decorative Hat Parade*		Children's Beach
33				
34	JETTIES BEACH			
35	9:00 p.m.	Fireworks Display	Janet Schulte	Jetties Beach
36				
37	WORK GROUP			
38	Janet Schulte	Culture & Tourism		
39	David Sharpe	Culture & Tourism		
40	Shantaw Bloise-Murphy	Chamber		
41	Karen Macumber	Chamber		
42	Amy Baxter	Licensing		
43	Marina Dzvonik	Licensing		
44	Linda Simmons	UU Church		
45	Sue Mynttinen	UU Church		
46	Bess Clarke	UU Church/Business Owner		
47	Alison Forsgren	UU Church		
48	Loretta Middleton	UU Church		
49				
50	Notes			
51	*denotes new activity			
52	St. Mary's Fair is 7/2/22			
53	S&S Parking Lot is not available			
54	White Elephant Lawn is not available			
55	Atheneum may allow a program in their Garden or offer their own. TBD			
56	Sustainable will contact Marina (EVENTS) about 7/2 and 7/4 Farmers' Markets. Saturday market on Chestnut Street.			



Diversity, Equity & Inclusion Office

Update for Select Board and Community, 12/2021



2021 Accomplishments

- Town of Nantucket hired its first DEI Director in January 2021
- Created a DEI Mission Statement:
 - The mission of the Diversity, Equity and Inclusion Office is to be the primary resource for the Town of Nantucket's diverse communities and organizations, in order to create and sustain an equitable and inclusive community where all residents and employees can feel safe and welcome.
- Nantucket officially acknowledges:
 - Juneteenth and Indigenous Peoples' Day
 - Write-ups available on DEI webpage
- DEI Office launch Meet NEET Initiative
 - Meet NEET identifies unsung heroes who keep their departments performing at optimal capacity



DEI Strategic Plan

- In April 2021, the Town issued a RFP to engage a consultant or firm to assist with creating a DEI Strategic Plan
- Two proposals were submitted and a review committee convened and evaluated the proposals
 - The review committee unanimously recommended Tangible Development LLC
- In August 2021, the Select Board unanimously approved a contract with Tangible Development for a town-wide DEI strategic plan
 - The timeline for plan development is approximately eighteen months
- Project Leads:
 - Roberto Santamaria; Janet Schulte; Amanda Perry; Florencia Rullo; Graeme Durovich; Kimal McCarthy



Looking Ahead, 2022

- Continue visiting town departments, businesses, non-profits and other island entities to talk about DEI
 - PowerPoint presentations on-hand:
 - DEI on Nantucket
 - Principles of DEI
- Create more DEI presentations and two training modules
- Provide SB and community with strategic plan updates, as needed
- Continue Listening Tour
 - What are your expectations for Nantucket's DEI Office and director?

Monthly Town Management Activities Report

December 15, 2021

As of 12/09/21

Highlights (major projects):

Plans/Reports/Studies*

- Coastal Resiliency Plan – actively underway; draft out; to be reviewed with SB by CRAC on 12/1; **scheduled for adoption/acceptance by SB on 1/12/22 – 2 day “Design Thinking Workshop” with Arcadis in the planning stages for Feb/Mar**
- Strategic Plan (implementation on-going); updated Strategic Plan for 2020-21 adopted at 1/13/21 Select Board meeting; staff working on implementation planning; reviewed status of implementation with SB 10/13/21; need to schedule follow-ups re: solid waste, IT, form of government study committee; solid waste l-t planning workshop scheduled for 11/15; **next l-t planning workshop scheduled for 2/7/22**
- Madaket Water Quality Improvement Plan –contract on 3/17 agenda for update of conceptual design and estimated cost; consultants working on updates to route and costs; then, will schedule review with SB and with Madaket group; meeting with Madaket group scheduled; met with Madaket group, working on follow-up; **reviewing report from Weston & Sampson, will schedule review with SB in Dec/Jan**
- Facilities Master Plan – Select Board workshops in November and January; follow-up workshop with Town Admin recs scheduled for ~~June 28~~ **July 8 August 19**; concession planning led by Facilities working with Park & Recreation Commission and other stakeholders for input (Coastal Res; Historic Pres, etc); contract with Weston & Sampson for professional assistance – *this will need to be put on hold for now until Facilities Director position is filled*; **need direction from SB re: DPW facility; continuing exploratory review of Delta area property**
- Baxter Road long-term planning – contract executed with Arcadis at 2/10/21 SB meeting; update expected in early April; update given at 4/14 SB meeting; update provided to SB on 7/14; stakeholder final input meeting 9/14; final report to be presented 10/6; SB Position statement endorsed at 11/3 mtg; Town Admin working to secure professional assistance for relocation plan; **scope of work for relocation services scheduled for review with SB in Jan**
- PFAS Town-wide Risk Assessment – report presented at 2/10/21 SB meeting; staff working with consultant on next steps; inquiries rec'd and responses provided to Airport area (and beyond) residents; update on PFAS efforts provided to SB on 7/7; working with CDM Smith on Phase II assessment; facilitated public information session 8/17/21; numerous PFAS issues being worked on; update provided to SB 9/22; next public info session October 21

Meetings

- Department Heads 1:1
- Cabinet
- Admin Staff – meeting monthly
- Agenda Prep – weekly meetings
- Select Board – individual meetings, weekly
- **2022 ATM prep**
- Cape Cod Managers – monthly
- Summer Issues Team (this has transitioned into a business license/issues team)
- PFAS – communications, planning
- Solid waste long-term planning/weekly
- **FY 23 budget recommendations to SB**
- **DPW Operations (weekly if not more frequent)**
- **Behavioral Health Steering Committee**
- **OIH**
- **Waste Options**
- **WPI**
- **FinCom public hrg 12/9 – cit warrant arts**

Events

- DPH webinar “Caring for Our Brains in Unprecedented Times: De-escalation Virtual Training”
- Cape Cod Women’s Coalition Roundtable Discussion: Town Meeting for One & All: Making Town Meeting More Accessible & Inclusive

Projects/Other*

- COVID-Related: working on restoring “normalcy” with meetings, projects; addressing/dealing with COVID-related delays and impacts
- Nobadeer Field House – **ground broken for construction**
- Town Pier – waiting on final federal permitting; hope to bid out in spring 2022, start work fall 2022
- Harbor Place
- Third Sewer Force Main – planning underway; bids due end of October; **contract approved; waiting on final timeline (supply chain impacts)**
- Waitt Dr – **construction underway**
- SBPF/Baxter Rd – **on-going; substantial staff time**
- DEI Strategic Plan RFP – contract awarded; met with consultants; compilation of information underway
- Classification & Compensation Study – **contract award pending**
- Committee Handbook update - **underway**
- Development/update of fall/winter projects map/timeline – regular monitoring, updating
- Sustainability function within Town government – internal development
- Seasonal AND year-round employee housing site design – met with AHT rep; **working on Town employee survey, needs determination**
- Procurements for: town employee rental housing; ~~playing field maintenance~~
- Prioritization of DPW projects
- OIH (New Facility)
- Children’s Beach pump station

MANY ITEMS HAVE HAD TO BE PUT ON HOLD DUE TO COVID-19 PANDEMIC RESPONSE – some of these include:

- Revisions/Updates to the Real Estate Yard Sale Program – working on review of proposed revisions with Board
- Pool Discharge (and/or Stormwater) Regulations – **underway**
- Marijuana License Regulations
- Sheep Pond Road – **working on alternative access options;**
- Government 101 – **assigned to a WPI group**
- Comparison of WIIF to CIWPF to short-term rental tax community impact fee – **in queue**
- Regulations Codification project – have rec’d codified regs; need to schedule public hearings with 8 Boards/Commissions – **in queue**

Personnel

- Collective Bargaining Negotiations (all units)
- Transportation Planner
- DPW Director
- OIH Administrator (interim secured)
- Park & Rec Manager – interviews underway
- Assistant Town Manager for Administration



Town Administration Fiscal Year 2023 General Fund Budget Recommendations

*As of December 8, 2021
Select Board Meeting*

Select Board & Administration Goals and Priorities for FY2023

- Balanced budget – within projected revenue
- Strategic Plan
 - Transportation
 - Housing
 - Environmental Leadership
 - Efficient Town Operations
 - Quality of Life
- Capital and operational investment in infrastructure/facilities
- PFAS
- Sustainability

Strategic Plan Implementation Addressed with Budget Recommendations

- Strategic Plan
 - Environmental Leadership
 - Sustainability
 - Coastal Resiliency/Hazard Mitigation
 - Housing
 - Transitional housing for department-head level town employees
 - Transportation
 - Continued evaluation of demand management parking (Paid parking)
 - Parking enforcement
 - Commuter shuttle
 - Quality of Life
 - Diversity Equity Inclusion (DEI) office
 - Park & Rec Division (Public Works)
 - Efficient Town Operations
 - Ongoing development of a Facilities Master Plan
 - Continued Investment in Technology
 - Investment in Infrastructure Maintenance
 - Code Enforcement

Priority Initiatives and Opportunities

- Our Island Home Operations and Facility Review
- Town-wide PFAS Assessment
- Coastal Resilience Plan
- Hazard Mitigation Plan
- COVID-19 response and follow-up
- Diversity Equity and Inclusion (DEI) Initiatives
- Municipal Facilities Master Plan
- Parks Master Plan Resiliency Review
- Sustainability Office and Projects (solar projects)
- Capital Planning & Project Management

Efforts to Enhance Recruitment and Retention of Town Employees

- Review staffing when key positions become vacant
- Succession planning in development
- Cross-train staff where appropriate
- Increase training and educational opportunities
- Classification and compensation study to be undertaken in FY2022
- Review and refine remote working options
- Review potential options for Town employee housing

FY2023 General Fund Budget Overview

- Revenue – Total Projected Revenue of \$121,679,660
Net of Property Tax Abatements
- Expenses – Total Projected Expenses of \$121,486,604
- Projected FY2023 Unused Levy Capacity \$193,056

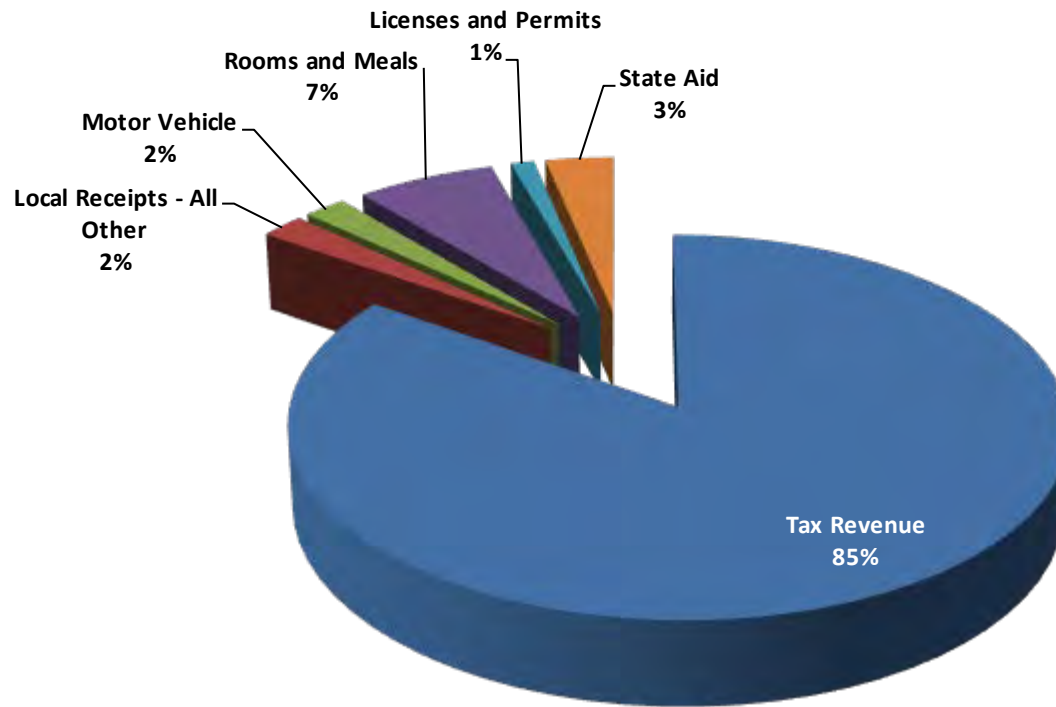
FY2023 General Fund Budget Summary Comparison

REVENUES	FY22	FY23	\$ Change	% Change
Property Tax	93,059,841	102,310,030	9,250,189	9.9%
Local Receipts (All other)	2,381,060	2,590,300	209,240	8.8%
Motor Vehicle Excise	2,250,000	2,500,000	250,000	11.1%
Rooms and Meals Tax	7,380,000	8,082,000	702,000	9.5%
Licenses and Permits	891,350	1,350,000	458,650	51.5%
State Aid (1)	3,880,200	3,961,774	81,574	2.1%
Free Cash	4,575,000	692,500	(3,882,500)	(84.9%)
Other Available Funds	-	-	-	na
TOTAL REVENUES	114,417,451	121,486,604	7,069,153	6.2%
EXPENDITURES				
Municipal Departments	30,480,319	32,086,263	1,605,944	5.3%
School Department	33,376,987	34,976,987	1,600,000	4.8%
Non-Departmental	33,391,355	36,855,185	3,463,830	10.4%
Special Appropriations	17,168,790	17,568,168	399,378	2.3%
TOTAL EXPENDITURES	114,417,451	121,486,604	7,069,153	6.2%

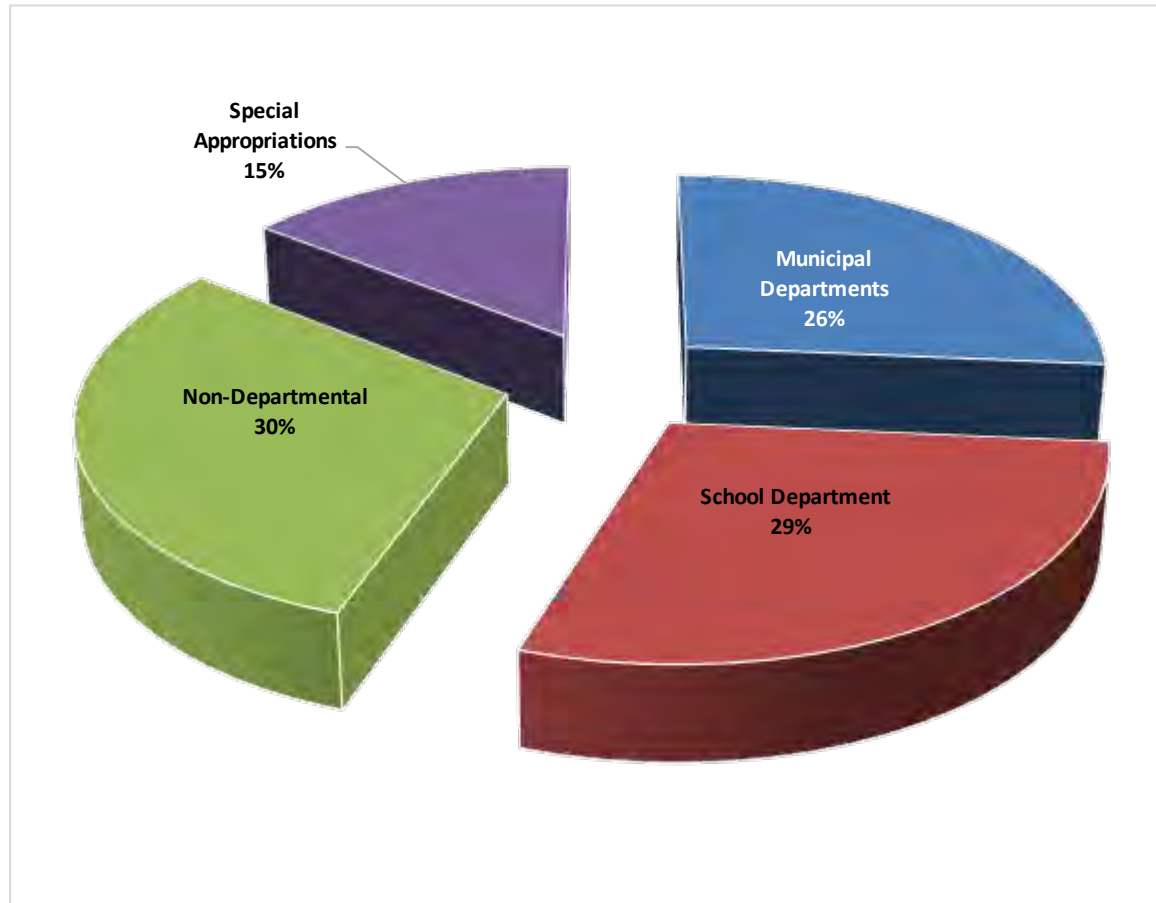
- See Appendix A for detailed breakdown.

(1) FY 2023 state aid represents level funding from FY 2022 approved figure.

FY2023 General Fund Projected Revenue



FY2023 General Fund Projected Expenses



FY2023 General Fund Budget

Expense Categories

Category	FY2023 Current Projection	Notes
Town Operational Expenses	\$8,672,035	
Town Operational EIRs ⁽¹⁾	\$1,306,900	<i>Included in Town expenses</i>
Town Salaries	\$23,237,196	<i>Contracts in negotiations; c/b allowance</i>
Town Personnel EIRs	\$1,575,962	<i>Included in Town salaries</i>
School Operational Expenses	\$5,788,527	
School Operational EIRs	\$187,622	<i>Included in School expenses</i>
School Salaries	\$28,638,460	<i>Contracts in negotiations; collective bargaining allowance</i>
School Personnel EIRs	\$1,362,378	<i>Included in School salaries</i>

(1) EIR = Expense Increase Request.

FY2023 General Fund Budget

Fixed Costs

Category	FY2023 Current Projection	% Change over FY2022 Budget
Health Insurance		
Active	\$11,857,399	7% increase
Retiree	\$3,952,466	7% increase
General Insurance	\$3,556,680	17% increase
Debt Service	\$11,189,470	per established schedule
Retirement	\$6,299,169	8.5% increase
Enterprise Fund Subsidies*	\$11,790,570	2.5% Increase

* See Appendix A for detailed breakdown.

FY2023 General Fund – Special Appropriations

Category	FY2023 Current Projection	% Change over FY2022 Budget
Health & Human Services	\$750,000	15.4% increase
County Assessment	\$178,816	2.5% increase
Reserve Fund	\$500,000	No change
Unpaid Bills	\$20,000	31% decrease
Other Post Employment Benefits (OPEB)	\$500,000	No change
Affordable Housing Trust Fund	1,625,000	No change
Overlay & Other Deficits	\$0	\$0
Cherry Sheet Charges	\$1,132,802	11.8% increase
Community School	\$550,000	10% increase
Min Cap Funding Req.	\$1,070,980	n/a - 1% of prior year revenue
TOTAL EXPENSES	\$121,486,604	

FY2023 Town Expense Increase Requests

(included in recommended budget, excluding school)

- \$5,810,597 Submitted Requests
 - One-time \$692,500
 - On-going \$5,118,097
- \$3,630,654 Recommended
 - One-time \$692,500
 - On-going \$2,938,154
- To be funded through available tax levy, budget adjustments, alternate funding sources, free cash, potential revenue increases

FY2023 Recommended Town Personnel Expense Increase Requests

<u>Department</u>	<u>Description of Expense Request</u>	<u>One- Time or Ongoing</u>	<u>Approved EIRs (1)</u>
Personnel Expense Increase Requests (EIRs)			
DPW	Addition of 1 Mechanic	Ongoing	99,019
DPW	Addition of 1 Position for Park and Rec Division	Ongoing	91,906
DPW	Addition of 1 Position for Trees	Ongoing	91,906
DPW	Town Engineer	Ongoing	144,695
Finance	Procurement Administrator	Ongoing	114,696
Finance	Additon of 1 Accounting Clerk - Treasury	Ongoing	98,540
Fire	Part time Administrative Specialist transfer to full-time	Ongoing	29,785
Fire	Addition of 2 Firefighter/Paramedic	Ongoing	190,800
Fire	Overtime increase	Ongoing	50,000
Health	Chief Environmental Health Officer	Ongoing	153,000
HR	Assistant HR Director	Ongoing	133,000
HR	Various position reclassifications	Ongoing	55,000
IT	Information Technology Security Systems Administrator	Ongoing	122,920
Marine	Addition of 5 Seasonal Lifeguards	Ongoing	58,500
NRD	Conservation Agent	Ongoing	122,920
NRD/Health	Public Outreach Specialist	Ongoing	98,541
NRD	Sustainability Manager	Ongoing	138,000
Police	Business License Inspector	Ongoing	98,541
Police	Addition of 2 Police Officers (Airport)	Ongoing	191,678
Police	Parking Enforcement Coordinator	Ongoing	122,920
PLUS	Overtime increase	Ongoing	10,000
PLUS	Land Use Specialist/Zoning Administrator	Ongoing	107,387
Department Personnel EIR			\$ 2,323,754

FY2023 Recommended Town Operating Expense Increase Requests

Operating Expense Increase Requests (EIRs)

Fire	Rope Rescue Equipment	One-Time	25,000
Fire	Safety and protective gear, alternate to Structural firefighting gear	One-Time	23,000
IT	Multi-factor authentication implementation services	One-Time	22,500
IT	Migrate Exchange mail server to Office 365 cloud environment	One-Time	22,000
PLUS	Historic District Commission - historic architectural surveys update	One-Time	25,000
PLUS	Update of the 2009 Master Plan	One-Time	100,000
PLUS	Replacement vehicle for PLUS	One-Time	30,000
Town Admin	Baxter Rd Relocation Management	One-Time	150,000
Town Admin	Professional services increase	One-Time	50,000
Town Admin	Commuter shuttle	One-Time	200,000
Town Admin	Historic sidewalk preservation & repair study	One-Time	40,000
Town Clerk	Replacement of furniture	One-Time	5,000
C & T	4th of July Fireworks increase for new contract FY23-25	Ongoing	12,550
DPW	Field Maintenance - Park and Rec	Ongoing	200,000
HR	TASC FSA accounts monthly fee	Ongoing	6,000
IT	Cloud-to-Cloud backup for cloud-based Exchange email and Office	Ongoing	8,800
IT	Multi-factor authentication licensing and hardware tokens	Ongoing	17,000
IT	Cybersecurity services	Ongoing	50,000
IT	Upgrade Exchange mail server to Office 365 cloud environment and	Ongoing	37,500
IT	TeamDynamix project portfolio management software annual	Ongoing	30,000
IT	Comcast Internet service for three WiFi hotspots	Ongoing	11,000
IT	Zoom video conferencing and webinar service	Ongoing	5,700
IT	5% increase for existing Professional Services	Ongoing	20,850
Town Admin	Delta playing fields lease	Ongoing	30,000
Town Admin	Office space lease	Ongoing	100,000
Town Admin	Select Board Strategic planning initiatives	Ongoing	50,000
Town Clerk	Sound & microphones for Annual Town Meetings	Ongoing	9,000
Town Clerk	E-voting service for Annual Town Meetings	Ongoing	26,000
Total Operating Expense Increase Requests			\$ 1,306,900
Total Town Personnel & Operational Expense Increase Requests			\$ 3,630,654

FY2023 Town Expense Increase Requests

Funding Source Detail

Funding Source	Amount
Tax Levy & Other General Revenues	\$2,784,254
Free Cash	\$692,500
Capital Exclusion	\$0
Special Revenue Funds	\$153,900
Borrowing	\$0
Total - All Funding Sources	\$3,630,654

Preliminary Free Cash Recommendation (Subject to Change)

General Fund Certified Free Cash*	\$16,258,544
Fund Town Expense Increase Requests (one-time)	692,500
Fund School Expense Increase Requests (one-time)	200,000
Fund Town and School Capital Requests	TBD
Unpaid Bills	20,000
Stabilization Fund	TBD
Capital Stabilization Fund	TBD
Other Post Employment Stabilization Fund	TBD
OPEB Trust Fund Contribution	TBD
Unallocated Free Cash	\$

*Free Cash for use in FY2022 and FY2023 is pending certification by the Department of Revenue as of December 1, 2021. Full certification is expected in late December 2021 or early January 2022. This amount is expected to exceed budget projections due to a better operating result than FY2021 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.

FY2023 Outstanding Items and Current Unknowns

- State Aid Impact
- Harbor Place Project
- Citizen Warrant Articles Potential Cost Impact
- PFAS Costs
- Ongoing impact of COVID-19
- Short-term Rentals
- Supply chain & labor issues
- Implementation of Coastal Resilience Plan and budget implication
- Solid Waste
- Free cash
- Collective bargaining negotiations
- Retirement assessment

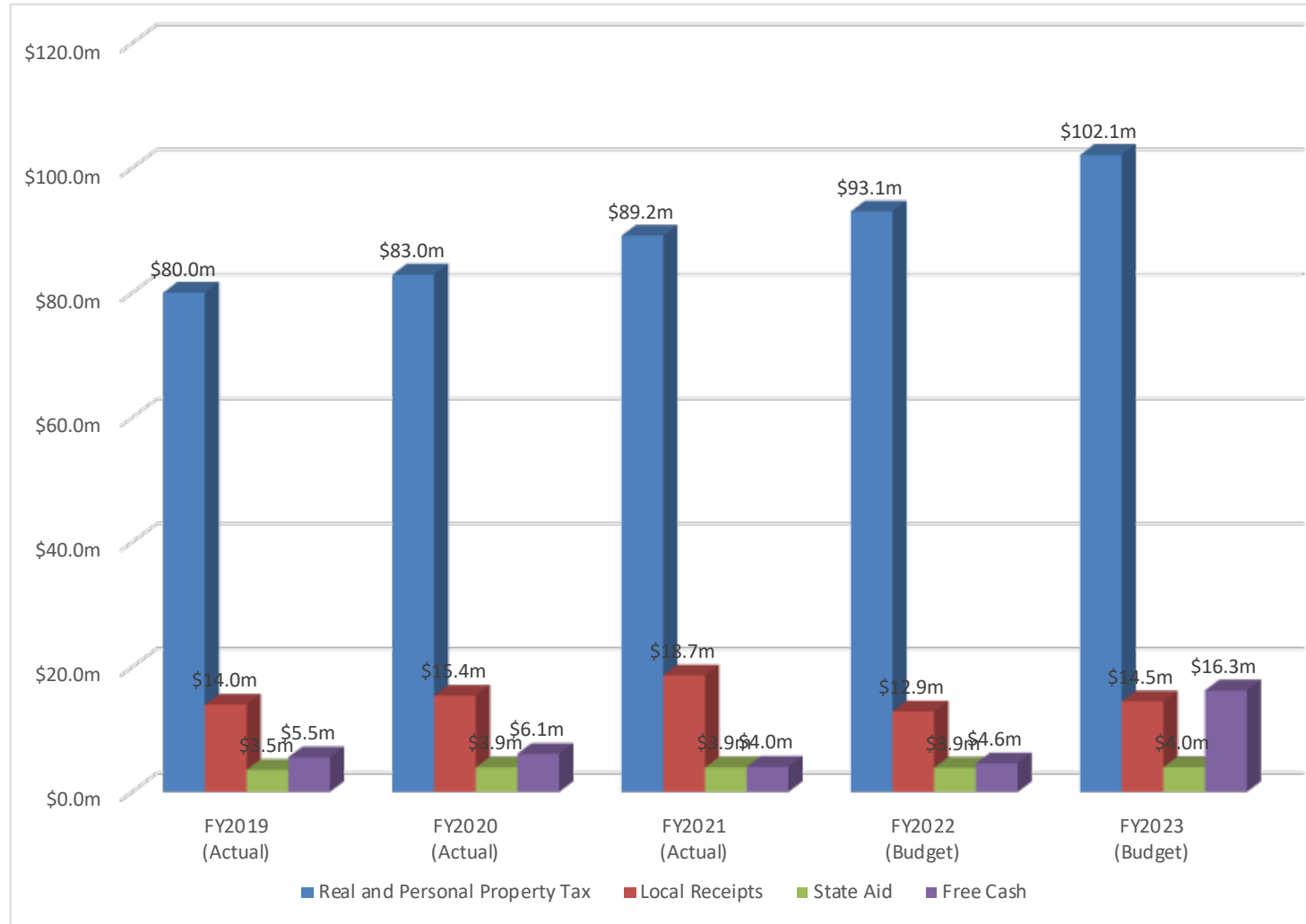
Future Potential Costs

- Integration and implementation of plans
 - Strategic Plan
 - Coastal Resilience
 - Master Plan
 - Parks Master Plan
 - Capital Improvement Plan
- Employee recruitment and retention, including housing
- Cyber security measures
- Update of 5-year General Fund Forecast
- Solid Waste
 - Current Contract Expires in 2025
- NRTA
 - Year-Round Service Modifications
- PFAS

Next Steps

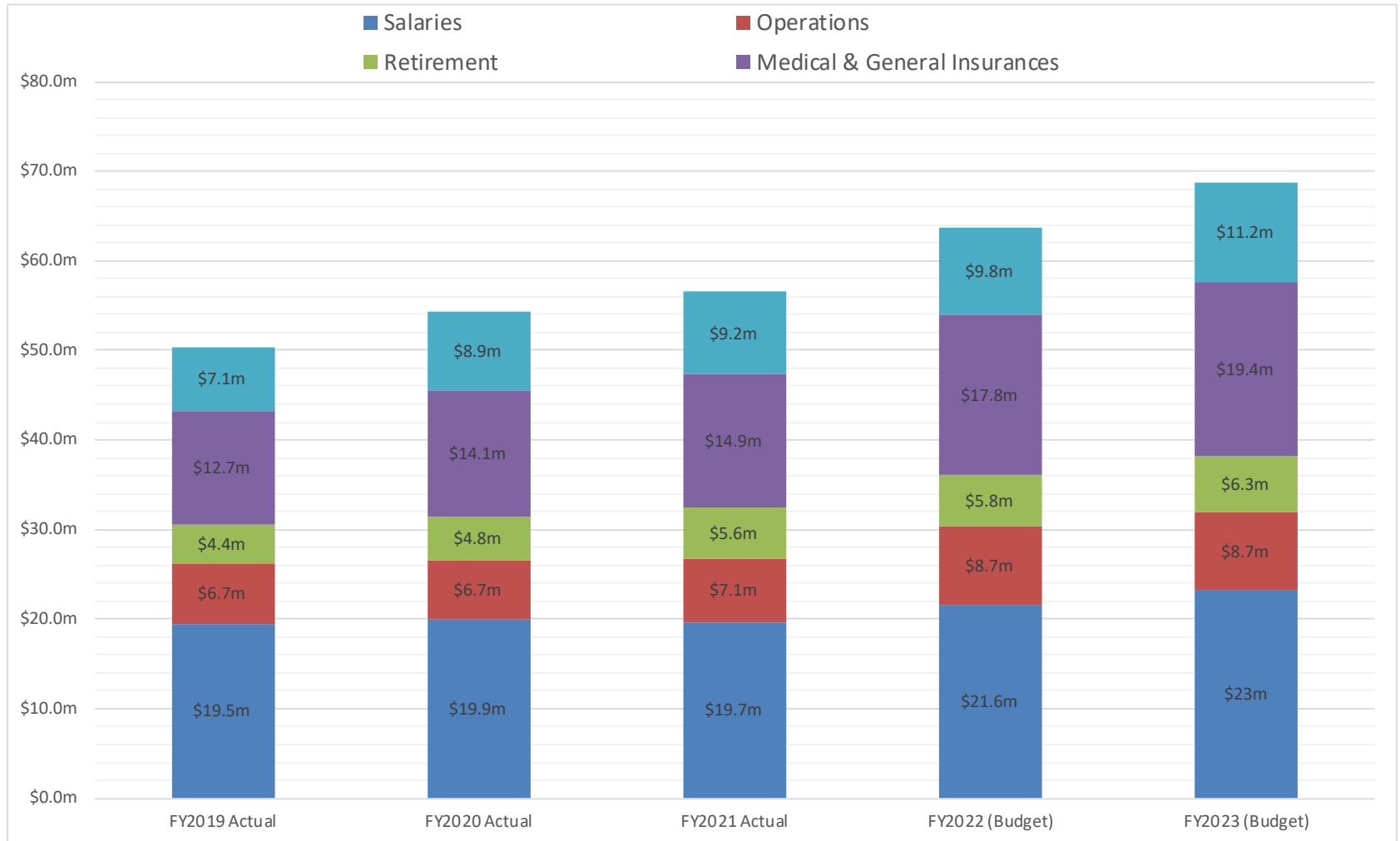
- December 8: Town Administration FY2023 Budget presentation to Select Board
- January 4: Town Administration FY2023 Budget presentation to School Committee
- January 5: Select Board public hearing; endorsement of recommended FY2023 General Fund Budget
- Mid-January – mid-March: Finance Committee review of General Fund & Enterprise Fund budgets; other financial appropriations
- Monday, May 2: Annual Town Meeting (2022)

General Fund Revenue Breakdown FY2019 - FY2023



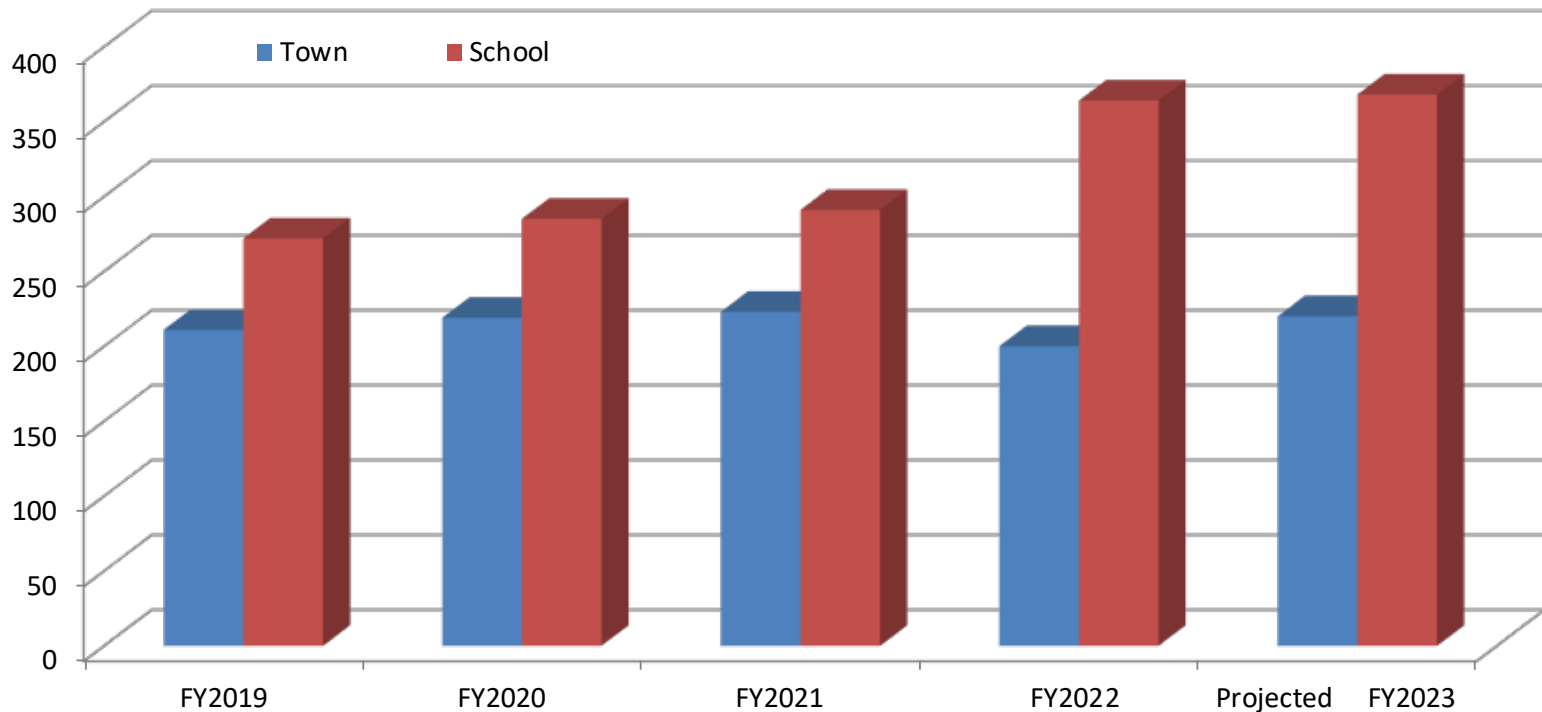
Town Expense Breakdown

FY2019 - FY2023



General Fund Personnel History

FY2019 - FY2023



* 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

FY2023 General Fund Budget Breakdown – Revenues

	Budget FY2022	Budget FY2023	\$ Change	% Change
<u>Tax Revenue Limitations</u>				
Levy Limit from Prior Year	\$ 81,091,677	\$ 89,231,193	\$ 8,139,516	10.0%
Add: 2 1/2 % increase	2,027,292	2,230,780	203,488	10.0%
Add: Prop 2.5% operating override	-	-	-	na
Add: new growth <i>estimate</i>	700,000	850,000	150,000	21.4%
Add: operating override	5,000,000	-	(5,000,000)	(100.0%)
Levy Limit for Current Year	88,818,969	92,311,973	\$ 3,493,004	3.9%
Add: Debt Exclusion	8,831,295	10,391,113	1,559,818	
Maximum Allowable Levy for Current Year	\$ 97,650,264	\$ 102,703,086	\$ 5,052,822	5.2 %
OVERLAY	(400,000)	(400,000)	-	-
Net available:	\$ 93,059,841	\$ 102,110,030	\$ 9,050,189	9.7 %
State Aid	\$ 3,880,200	\$ 3,961,774	\$ 81,574	2.1 %
Local Receipts:				
Motor Vehicle Excise	2,250,000	2,500,000	250,000	11.1%
Rooms and Meals Tax	7,380,000	8,082,000	702,000	9.5%
Licenses and Permits	891,350	1,350,000	458,650	51.5%
Local Receipts - All Other	2,381,060	2,590,300	209,240	8.8%
Total Local Receipts	12,902,410	14,522,300	1,619,890	12.6 %
Total Revenue	\$ 109,842,451	\$ 120,594,104	\$ 10,751,653	9.8 %
Other Sources				
Other Sources	-	-	-	na
Free Cash Used	4,575,000	892,500	(3,682,500)	(80.5%)
Excess Overlay	-			
Total Revenue and Other Sources	\$ 114,417,451	\$ 121,486,604	\$ 7,069,153	6.2 %
Total Expenses and Other Uses	\$ 114,417,451	\$ 121,486,604	\$ 7,069,153	6.2 %

FY2023 General Fund Budget Breakdown – Expenses

	Budget FY2022	Budget FY2023	\$ Change	% Change
General Fund Operating Budget Items:				
Salaries - Town (includes allowance for collective bargaining)	\$ 21,608,162	\$ 21,661,234	\$ 53,072	0.2%
<i>Town Expense increase Requests- Salaries</i>	-	\$ 1,575,962	1,575,962	na
Salaries - School (includes allowance for collective bargaining)	27,276,082	\$ 27,276,082	-	-
<i>School Expense increase Requests- Salaries</i>	-	\$ 1,362,378	1,362,378	na
Transfers to community school	500,000	\$ 550,000	50,000	10.0%
Subtotal Salaries	\$ 49,384,244	\$ 52,425,656	\$ 3,041,412	6.2 %
Operating Expenses, Town:	8,699,443	\$ 7,365,135	(1,334,308)	(15.3%)
<i>+Town Expense Increase Requests-Operating</i>	-	\$ 1,306,900	1,306,900	na
Operating Override - 2011 Mosquito Control	172,714	\$ 177,032	4,318	2.5%
Operating Expenses, School	5,600,905	\$ 5,600,905	-	-
<i>+School Expense Increase Requests-Operating</i>	-	\$ 187,622	187,622	na
Subtotal Expense	\$ 14,473,062	\$ 14,637,594	\$ 164,532	1.1 %
Group Medical Insurance- Active Employees	11,089,196	\$ 11,857,399	768,203	6.9%
Group Medical Insurance- Retired Employees	3,696,399	\$ 3,952,466	256,067	6.9%
General Insurance (all other insurance)	3,041,462	\$ 3,556,680	515,218	16.9%
Subtotal Insurance	\$ 17,827,057	\$ 19,366,545	\$ 1,539,488	8.6 %
Debt Service	\$ 9,758,430	\$ 11,189,470	\$ 1,431,040	14.7%
Retirement	\$ 5,805,868	\$ 6,299,169	\$ 493,301	8.5%
Total General Fund Operating Budget Items	\$ 97,248,661	\$ 103,918,436	\$ 6,669,775	6.9 %
Other Articles				
Unpaid Bills	28,838	\$ 20,000	(8,838)	(30.6%)
Reserve Fund	500,000	\$ 500,000	-	-
Health and Human Services	650,000	\$ 750,000	100,000	15.4%
Special Purpose Stabilization for Substance Abuse	95,000	\$ -	(95,000)	(100.0%)
County Assessment	174,455	\$ 178,816	4,361	2.5%
Other Post Employment Benefits (OPEB / GASB45)	500,000	\$ 500,000	-	-
Affordable Housing Trust Fund	1,625,000	\$ 1,625,000	-	-
Capital				
General Fund budgeted from revenue (Town Bylaw 11-12.1)			-	na
Town Capital (Non-Recurring)	1,079,700	\$ 1,070,980	(8,720)	(0.8%)
Enterprise Fund Transfers				
Transfer to Enterprise Fund (Our Island Home - Beginning FY2011)	5,000,000	\$ 5,125,000	125,000	2.5%
Add: Additional Subsidy from Free Cash (Our Island Home)			-	na
Transfer to Enterprise Fund (SWEF Operating Overrides 1999/2006)	3,745,466	\$ 3,839,103	93,637	2.5%
Add: Additional General Fund Subsidy to SWEF 2012-Forward	2,757,529	\$ 2,826,467	68,938	2.5%
Total Other Article Appropriations	\$ 16,155,988	\$ 16,435,366	\$ 279,378	1.7 %
Other Statutory Expenditures				
Overlay and other deficits	-	\$ -	-	na
Cherry Sheet Offsets and Charges	1,012,802	\$ 1,132,802	120,000	11.8%
Total Appropriations and Other Statutory Expenditures	\$ 114,417,451	\$ 121,486,604	\$ 7,069,152	6.2 %

Historical Information

Our Island Home

	FY2017	FY2018	FY2019	FY2020 (2)	FY2021 (3)
General Fund Subsidy	\$ 2,762,535	\$ 1,511,446	\$ 1,511,446	\$ 2,687,245	\$ 3,500,000
Certified Retained Earnings	\$ 5,321,795	\$ 2,687,275	\$ 1,619,047	\$ 2,046,379	
CPE Payment	\$ 1,324,207	\$ 1,515,353	\$ 1,448,300	\$ -	\$ 2,822,647

Stabilization and Trust Funds

	Stabalization Balance				
	2017	2018	2019	2020	2021
General Stabilization	\$5,053,411	\$5,059,485.00	\$5,411,964.00	\$5,541,745.00	\$5,770,018.01
Capital Stabilization	\$1,250,000	\$1,250,000.00	\$1,250,000.00	\$1,250,000.00	\$1,302,038.15

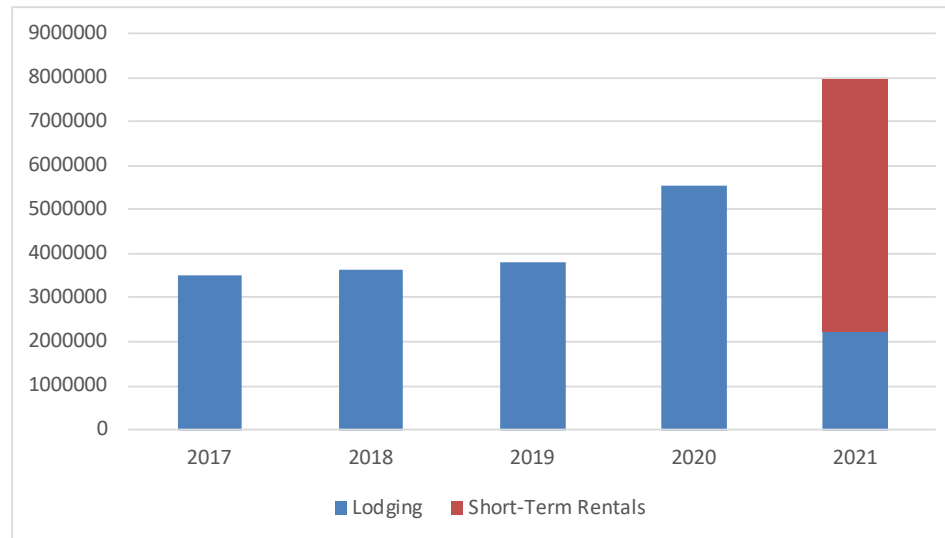
Certified Free Cash

	2017	2018	2019	2020	2021
Certified Free Cash	\$6,215,883	\$9,593,671	\$10,334,761	\$9,655,001	

Historical Information

Local Option Rooms Tax 5 Year History

	2017	2018	2019	2020	2021
Lodging	\$ 3,498,399.70	\$ 3,622,241.64	\$ 3,807,929.59	\$ 5,553,748.52	\$ 2,213,648.00
Short-Term Rentals	\$ -	\$ -	\$ -	\$ -	\$ 5,766,637.00
Total	\$ 3,498,399.70	\$ 3,622,241.64	\$ 3,807,929.59	\$ 5,553,748.52	\$ 7,980,285.00





Town of Nantucket
Fiscal Year 2023 Budget Message
(July 1, 2022 – June 30, 2023)
Presented to Select Board: December 8, 2021
Prepared as of: December 5, 2021
Updated:



***“We cannot direct the wind, but we can adjust the sails”
(Dolly Parton - among others)***

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IV.	Current and Future Year Considerations.....	page 17
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APPENDICES

- A. Enterprise Funds Subsidies and Retained Earnings
 - a. Our Island Home
 - b. Solid Waste
- B. FY 2022 Cherry Sheet and FY 2022 NRTA Letter
- 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
- G. Town of Nantucket Financial Reserves Policy
- H. Capital Improvement Plan
- I. New Growth and Local Receipts History
- J. Other Postemployment Benefits (OPEB) Trust Fund
- K. Price Waterhouse Cooper article, June 2021
- L. Articles
 - a. Nantucket Real Estate Market Insights by Fisher Real Estate
 - b. State of the Economy
- M. FY 2023 General Fund Revenue Breakdown
- N. General Fund Debt Service Schedule
- O. FY 2023 General Fund Expenditure Breakdown
- P. FY 2023 Expense Increase Requests
- Q. List of Collective Bargaining Agreements

I. Introduction

Challenges. Continuity. Caution. These three “C’s” continued to be the basis of our budget recommendations for FY 2022. COVID, staffing shortages, PFAS and more are all challenging the Town in different ways going into FY 2023. Each in their own way has created continuity-of-service issues for the Town and, more generally, created economic uncertainty across the globe. Our approach to the FY 2022 budget reflected a cautious optimism as we worked our way through backlogs of projects and service requests. While financial indicators remain mostly positive, we acknowledge the fragility of markets, supply chains and consumer confidence in our everyday planning

The three “C’s” referenced above remain valid for the development of our FY 2023 budget. We are cautious going into FY 2023, we may have continuing challenges with COVID, the on-going situation with PFAS (see below under Section IV) and we are working hard to maintain continuity in government operations within the Town’s projected revenue. We are also managing the continuing challenges with supply chains and scarcity of labor resources. The local and national economic outlook seems strong, but this is not a given despite the Island’s real estate market and associated activities (building permits, sewer permits) at record high levels. The Registry of Deeds collected the largest amount of receipts of Excise Tax ever in October 2020. As of this writing, the total Deeds Excise Tax received for FY 2022 so far is \$600,000 below the same period (July through November) last year. Room occupancy tax revenue for the first quarter of FY 2022 is in line with budget projections, however, we have not yet had what we could call a “normal” year of that revenue since its inception in 2019. These reasons are why we are retaining the three “C’s” in our budget message for FY 2023.

Challenges.

Our Island Home (OIH)

As we have been mentioning in recent annual budget messages, the Town’s municipally-operated nursing home (the only municipally-operated skilled nursing facility in Massachusetts), 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, condition – as nursing homes go, it is an institutional model facility and as it ages it requires more and more maintenance and repairs. Federal and State reimbursements do not cover the daily cost of care for a resident – reimbursement rates vary depending on what level of care they are receiving (*see chart below this paragraph*). COVID exacerbated Our Island Home’s challenges with new and expanded regulations to protect the vulnerable populations in nursing facilities, which come at a high cost. This includes regular testing of staff and Residents, additional screening procedures, heightened infection control procedures and more extensive use of personal protective equipment and other medical supplies. The State Executive Office of Health and Human Services conducts regular COVID audits of nursing facilities in addition to the annual survey conducted by the Department of Public Health on facility compliance with regulations and Life Safety codes.

At the June 15, 2021 Annual Town Election, following an affirmative vote at the 2021 Annual Town Meeting on June 5, 2021, voters approved an operating override to cover the revenue shortfall at Our Island Home. Currently, for FY 2023, the OIH subsidy from the General Fund is

\$5,125,000. The approval of a permanent increase in dedicated revenue for the OIH operation will help stabilize funding for the facility, with Retained Earnings being uncertain and the annual Certified Public Expenditure (CPE) from the State not a guaranteed source. The CPE was developed from State legislation effective August 31, 2009 for nursing home facilities that are municipally owned and use public expenditures for providing Medicaid (also known as Mass Health) services to residents to offset the cost of those expenditures for each calendar year.

Efforts are underway to request funding at the 2022 Annual Town Meeting for design of a new Our Island Home facility at the Sherburne Commons site that resembles a more modern small house (home-like) model of care and moves away from the current institutional model. Related, the Town will also seek funding for a feasibility study of the current East Creek Road site to evaluate renovation vs building a new Senior Center there. There are no plans to dispose of the current Our Island Home property on East Creek Road.

Our Island Home Reimbursement Information:

Primary Pay Source	Current Census (as of 11/29/2021)	Average Payment Rate Per Resident Per Day	Cost Per Resident Per Day (based on 2020 Cost Report)	Difference in Payment vs. Cost per day	Current loss per day based on Resident census
Medicaid/MassHealth	23	\$ 212.51	\$ 542.61	\$ (330.10)	\$ (7592.30)
Medicaid Pending	1	\$145.13	\$542.61	\$(397.48)	\$(397.48)
Medicare A	0	\$ 0.00	\$ 542.61	\$ 0.00	\$ 0.00
Private	9	\$ 560.00	\$ 542.61	\$ 17.39	\$ 156.51

*Medicare payments are now on a new Patient Driven Payment Model (PDPM) that is compiled of five main payment adjustment factors. The PDPM Medicare Reimbursement rate is therefore an estimate as actual daily rate varies throughout the potential 100-day eligibility period.

Solid Waste

The Waste Services Agreement (WSA) with our landfill operator, Waste Options, expires in 2025. For about two years, we have been working internally on various scenarios, options and cost projections for consideration as to moving forward when the contract expires. We issued a “Request for Expressions of Interest” (RFEI) in early 2021 to inform the Town’s process for deciding how to manage its solid waste after the WSA expires and to ascertain the level of interest from vendors in providing services for all or part of the Town ‘s solid waste operation. Since then, we have been undertaking analysis of the following questions:

1. What goals, programs and/or incentives should the Town adopt to reduce the amount of waste requiring management? To maximize the benefits of waste re-use and recycling programs?
2. Should waste composting operations continue after 2025? What are the feasible alternatives for managing all or part of the solid waste stream (pyrolysis, combustion, shipping off the island) and how do they compare to the existing and projected composting operation?
3. If the Town continues with the composting operation, should the Town buy/own the Composter? Should the Town own/operate or lease the Transfer Station?

4. Are there multiple capable private vendors willing to compete for the opportunity to operate one or more components of the Town's solid waste management facilities? What is the best approach to procure long-term business arrangements favorable to the Town?
5. How might the solid waste operation at Madaket Road be affected by sea level rise and climate change impact projections? What measures might be required to account for coastal resilience?

We are planning quarterly workshops with the Select Board to share and review information we have gathered and to seek policy input on these and related questions.

Enterprise Funds are intended to fund themselves through user fees; however, in the Town of Nantucket, in addition to Our Island Home, the Solid Waste Enterprise Fund (SWEF) does not fund itself entirely through user fees. It is supplemented by two prior year permanent overrides and due to rising costs, current and expected upcoming regulatory requirements, emerging issues (such as PFAS), the need to implement programs designed to reduce our waste volume, increased staffing needed to adequately operate the Take-or-Leave-it (TIOLI) facility and a growing clear need for improved Town oversight of solid waste management – we will most likely be recommending an additional override to fund this operation in FY 2024.

Coastal Resiliency

At the forefront of the Select Board's Strategic Plan is Sustainability. Within the Sustainability Focus Area, are goals relating to Coastal Resiliency. The Town has a portfolio of projects within the Hazard Mitigation Plan and Coastal Resilience Plan that seek to protect the Island from climate change impacts. The scope and cost of these plans are likely to present serious challenges to the Island's taxpayers. 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 reviewed by the Select Board. Subsequent actions will include determining the optimal phasing, funding and implementation of the various projects.

Strategic Plan Initiatives

Due to COVID-related issues and staffing difficulties, the Select Board did not hold a specific retreat in 2021 to update its Strategic Plan, rather, it undertook a comprehensive review of the status of implementation of the Plan in October 2021. The current plan (Summary found in Appendix C) contains several initiatives that continue to require funding. The challenge is not only to fund new initiatives while maintaining adequate funding for existing operations, but to have sufficient staffing in place to oversee and implement the goals and initiatives contained in the Plan. One of the major challenges with recruiting and retaining qualified staff is housing. We have an internal staff work group focused on ways to improve recruitment and retention as well as how, where and when to provide a certain amount of housing for town employees. We are seeking capital funding in FY 2023 for town employee housing and will most likely need to seek additional funds in subsequent years. This will be an on-going challenge. We are considering the potential for remote work conditions for certain positions.

Continuity and Financial Strengths.

- The Town's bond rating was maintained at the Aaa level by Moody's Investor Services

in October of 2021 (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 2022 and FY 2023 is pending certification by the state Department of Revenue as of December 1, 2021. Full certification is expected in late December 2021 or early January 2022. This amount is expected to exceed budget projections due to a better operating result than FY 2021. 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. See Appendix E for a five-year history of certified Free Cash.
- The Stabilization Fund remains strong with a current balance of \$5,770,018.01 (Appendix F). A best management practice is to have reserves that are 10% of the budget. Using an approximate budget of \$121,000,000, the Stabilization Fund balance is approximately 4.76% of the budget. When we account for 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 \$1,302,038.15 in the Capital Projects Reserve Fund. The current balance represents 1.13% of expenditures. A best management practice is to have reserves that are 10% of the budget.
- 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 2023 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 2023 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 slowing. In FY 2022, new growth was certified at \$1,112,224 - a \$347,685 decrease from FY 2021 (31% reduction). The decrease is attributed to a slowdown in construction activity due to the COVID pandemic. 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 2022 remain

strong. The Select Board has discussed reserving some amount for specific purposes, include 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 2021 through September 2021 was as anticipated.

- 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 current balance of the OPEB Trust Fund is \$4,248,650 (Appendix J).
- 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 we are currently seeing lower rates of utilization in FY 2022, it is expected to increase in FY 2023 as some care needs deferred during the pandemic return. The Town continues to work with its health insurance consultant and continues to monitor the utilization and to explore 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 seventh 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 2020 Comprehensive Annual Finance Report (CAFR), <https://nantucket-ma.gov/ArchiveCenter/ViewFile/Item/400>. Our Fiscal Year 2021 CAFR is in the process of being submitted to GFOA.

Caution.

We are closely monitoring economic trends and continue to be cautious with our revenue and expense projections. Last year we cautioned predominantly on revenue projections, however in this year's Message we must caution on the expense side as well.

Local and national economic conditions are difficult to predict with COVID-19 and its variants determining the state of the economy. The unemployment rate has not quite returned to pre-pandemic levels (4.5% vs. 3.5% today*); however, that statistic doesn't seem to explain the current labor shortage on the Island. Perhaps a better indicator rests in the number of employed workers in the U.S. which is still ~4 million* below pre-pandemic levels. Local tourism and housing prices continue to "boom", the well-publicized supply chain crisis and labor shortages continue and increased demand for municipal services have all combined to create a challenging year for both public and private enterprises. *Bureau of Labor Statistics

Notwithstanding the above, Deloitte's recently published "*United States Economic Forecast 3rd Quarter 2021*" remains bullish on the U.S economy and highlights the following: "...economic fundamentals remain strong. Household and business balance sheets are still in good shape, and consumers are sitting on piles of savings. GDP is now above the pre-pandemic level..." "The strong growth in productivity is a positive sign. And continued government action in the form of

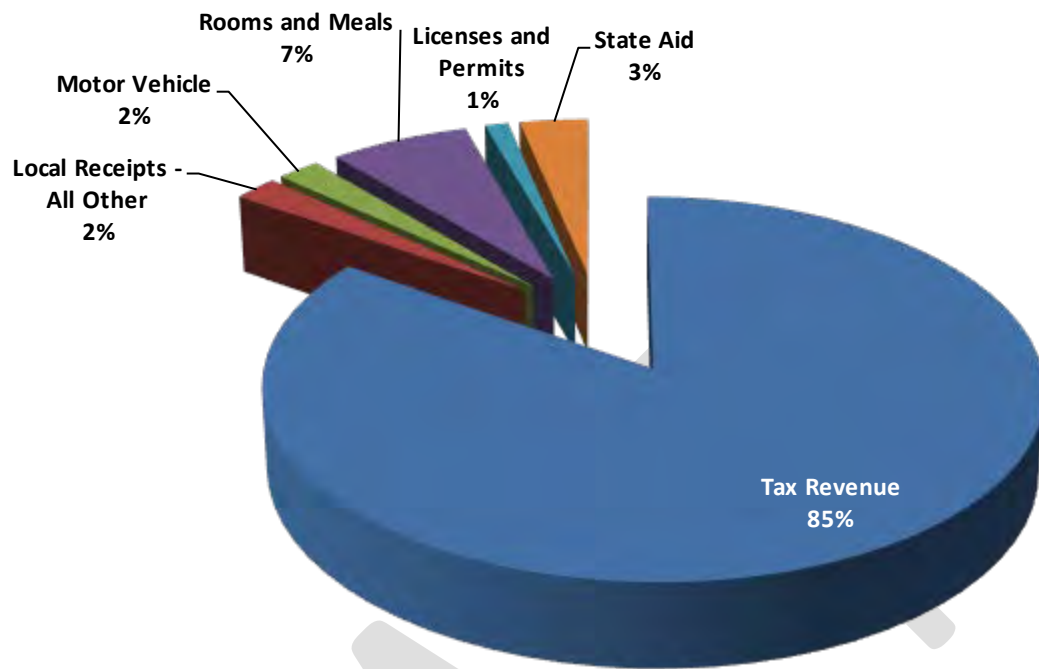
the bipartisan infrastructure agreement should support the economy in the short term and foster even greater productivity growth in the long run.”

Last year’s Budget Message flagged the balancing act the Town faced managing the increasing demands of a growing island community while remaining within the levy limit. As we head into FY 2023, the Town’s ability to fund expanding demand for programs, provide ever more services and maintain quality of life will be stretched. The FY 2022 challenge remains, but the FY 2023 challenge will certainly be exacerbated by rising input costs and the difficulty of attracting, retaining and housing employees. Remaining within the levy limit for FY 2023 will require some difficult choices 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 2023 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). <https://www.nantucket-ma.gov/1574/PFAS>).

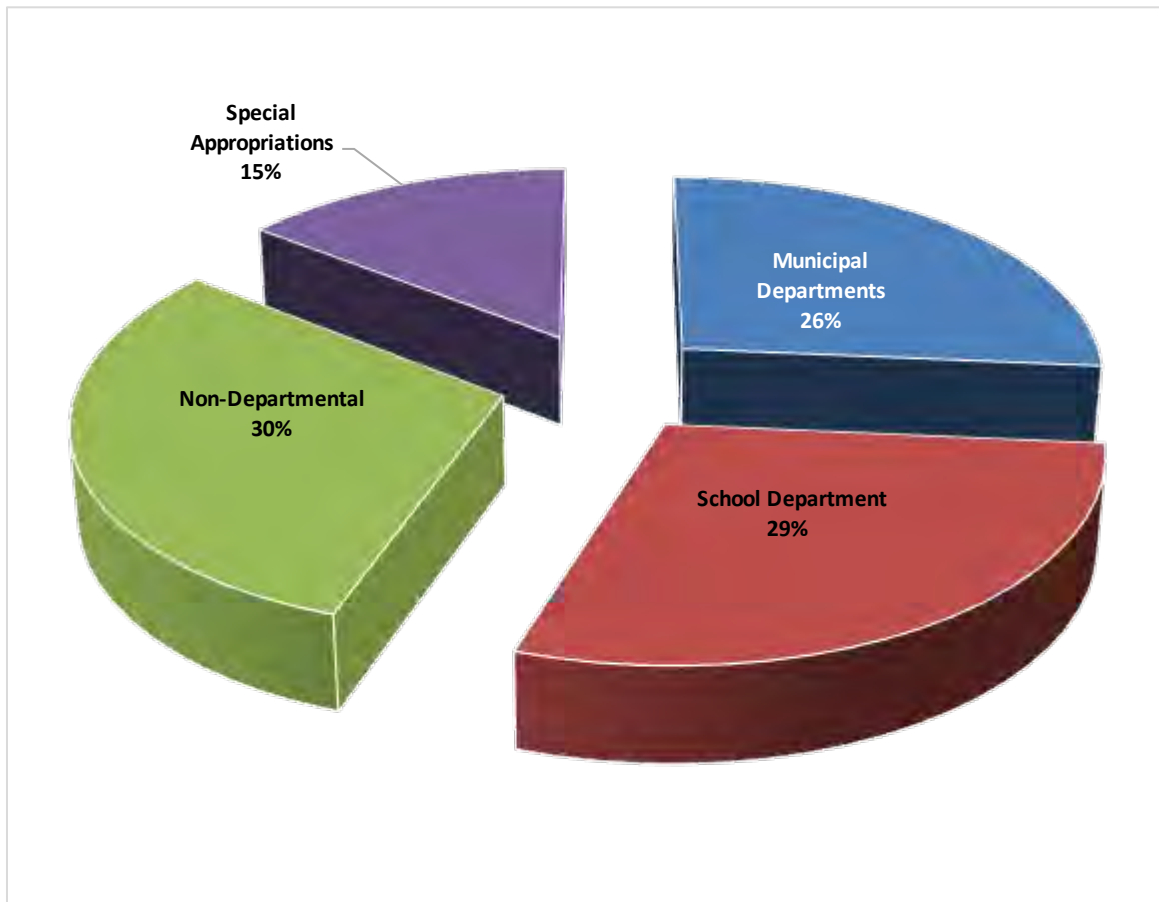
II. Overview of FY 2023 General Fund Budget Projection

A. Projected FY 2023 General Fund Revenue



Refer to Appendix M for a detailed breakdown of the FY 2023 proposed General Fund revenue as compared to the FY 2022 approved budget.

B. Projected FY 2023 General Fund Expenses



The proposed FY 2023 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 2023. 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 2021 and into FY 2022, we do expect them to rise near the end of FY 2022 and into the beginning of FY 2023. 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 2022 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 2023 as a result of the Town issuing debt for the Nobadeer Field House, sidewalk and storm water system improvements as well as the Neighborhood First affordable housing program. 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 2023.
- General Fund subsidies to the following Enterprise Funds are projected for FY 2023:
 - Our Island Home - \$5,125,000
 - Solid Waste - \$6,665,570 for landfill operations.
- Minimum capital funding requirement of \$1,070,980, 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 2023 will be the 7th year in which a contribution to this Trust Fund is made. The current balance of the fund through the first quarter of FY 2022 is \$4,248,650 (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 \$750,000 for FY 2023. This appropriation has been increased from \$650,000, with additional funding coming from the Special Purpose Stabilization Fund for Substance Abuse.

Refer to Appendix O for a detailed breakdown of the FY 2023 proposed General Fund expenses as compared to the FY 2022 approved budget.

III. Town Administration Expense Increase Recommendations

Background

Over the past 6-7 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

FY 2023 Expense Increase Requests

Departmental expense increase requests (EIR) for FY 2023 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:

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Department	Description of Expense Request	One-Time or Ongoing	Approved EIRs (1)
Personnel Expense Increase Requests (EIRs)			
DPW	Addition of 1 Mechanic	Ongoing	99,019
DPW	Addition of 1 Position for Park and Rec Division	Ongoing	91,906
DPW	Addition of 1 Position for Trees	Ongoing	91,906
DPW	Town Engineer	Ongoing	144,695
Finance	Procurement Administrator	Ongoing	114,696
Finance	Addition of 1 Accounting Clerk - Treasury	Ongoing	98,540
Fire	Part time Administrative Specialist transfer to full-time	Ongoing	29,785
Fire	Addition of 2 Firefighter/Paramedic	Ongoing	190,800
Fire	Overtime increase	Ongoing	50,000
Health	Chief Environmental Health Officer	Ongoing	153,000
HR	Assistant HR Director	Ongoing	133,000
HR	Various position reclassifications	Ongoing	55,000
IT	Information Technology Security Systems Administrator	Ongoing	122,920
Marine	Addition of 5 Seasonal Lifeguards	Ongoing	58,500
NRD	Conservation Agent	Ongoing	122,920
NRD/Health	Public Outreach Specialist	Ongoing	98,541
NRD	Sustainability Manager	Ongoing	138,000
Police	Business License Inspector	Ongoing	98,541
Police	Addition of 2 Police Officers (Airport)	Ongoing	191,678
Police	Parking Enforcement Coordinator	Ongoing	122,920
PLUS	Overtime increase	Ongoing	10,000
PLUS	Land Use Specialist/Zoning Administrator	Ongoing	107,387
Department Personnel EIR			\$ 2,323,754
Operating Expense Increase Requests (EIRs)			
Fire	Rope Rescue Equipment	One-Time	25,000
Fire	Safety and protective gear, alternate to Structural firefighting gear	One-Time	23,000
IT	Multi-factor authentication implementation services	One-Time	22,500
IT	Migrate Exchange mail server to Office 365 cloud environment	One-Time	22,000
PLUS	Historic District Commission - historic architectural surveys update	One-Time	25,000
PLUS	Update of the 2009 Master Plan	One-Time	100,000
PLUS	Replacement vehicle for PLUS	One-Time	30,000
Town Admin	Baxter Rd Relocation Management	One-Time	150,000
Town Admin	Professional services increase	One-Time	50,000
Town Admin	Commuter shuttle	One-Time	200,000
Town Admin	Historic sidewalk preservation & repair study	One-Time	40,000
Town Clerk	Replacement of furniture	One-Time	5,000
C & T	4th of July Fireworks increase for new contract FY23-25	Ongoing	12,550
DPW	Field Maintenance - Park and Rec	Ongoing	200,000
HR	TASC FSA accounts monthly fee	Ongoing	6,000
IT	Cloud-to-Cloud backup for cloud-based Exchange email and Office	Ongoing	8,800
IT	Multi-factor authentication licensing and hardware tokens	Ongoing	17,000
IT	Cybersecurity services	Ongoing	50,000
IT	Upgrade Exchange mail server to Office 365 cloud environment and	Ongoing	37,500
IT	TeamDynamix project portfolio management software annual	Ongoing	30,000
IT	Comcast Internet service for three WiFi hotspots	Ongoing	11,000
IT	Zoom video conferencing and webinar service	Ongoing	5,700
IT	5% increase for existing Professional Services	Ongoing	20,850
Town Admin	Delta playing fields lease	Ongoing	30,000
Town Admin	Office space lease	Ongoing	100,000
Town Admin	Select Board Strategic planning initiatives	Ongoing	50,000
Town Clerk	Sound & microphones for Annual Town Meetings	Ongoing	9,000
Town Clerk	E-voting service for Annual Town Meetings	Ongoing	26,000
Total Operating Expense Increase Requests			\$ 1,306,900
Total Town Personnel & Operational Expense Increase Requests			\$ 3,630,654

FY 2023 Personnel Expense Increases

1. Department of Public Works

Town Engineer (New position)

This position has been discussed for several years and with the increase in local development, there is a growing impact to municipal infrastructure, including roadways, bicycle paths and sidewalks, and storm water drainage. This position will provide engineering services and consultation for operations, contracts, projects and strategic planning. The position will also serve to organize and coordinate Town efforts around storm water studies, planning and execution. Many project plans are complex and have dependencies with other projects and this position will provide professional engineering support and oversight, ensuring better coordination and on-time, on-budget project completion. While residing in DPW, this resource will consider and review cross-departmental impacts to ensure appropriate coordination.

Parks and Recreation staff (New position)

The Town's maintenance division is not staffed to effectively manage the inventory of Town recreational assets and growth in demand for use of the Town's playing fields requires increased maintenance to keep the fields safe and available for use and continue to provide social and health benefits. The Parks and Recreation Master Plan identifies at least 14 properties that require maintenance. The Plan also notes 1.) due to heavy and often excessive use during all seasons of the year and all types of weather, turf conditions are stressed at many locations, 2.) poor playing conditions can demoralize users and increase the risk of injury, and 3.) Town maintenance operations staff is hampered by their small numbers and lack of materials and equipment and face an uphill battle to maintain best conditions possible. A sample of activities this team undertakes includes: cutting, aerating and cycling fields, lining fields and ensuring that irrigation systems are functioning properly, replacement of split-rail fences, signage and maintenance of associated facilities, such as restrooms; monitoring use of these facilities and properties. This new year-round position is expected to help with the delivery of improved conditions at key Town recreational assets.

Tree Maintenance staff (New position)

Proper maintenance of island-wide, Town-owned trees helps ensure public safety and tree protection. Scheduled inspection and assessment is key to protecting trees, in particular the Island's large inventory of historic Elm trees. This position will allow the Town to more proactively protect its trees and will help increase the bandwidth to ensure effective public outreach, interdepartmental coordination and safe maintenance of trees across the Island. The new position will bring to 2 the number of staff dedicated to trees, which is the minimum number required to safely execute effective tree maintenance.

Mechanic (Replacement)

DPW is currently responsible for central fleet maintenance of all Town vehicles, except emergency response vehicles. There are currently limited resources for maintenance. Inadequate maintenance increases costs and decreases Town staff productivity and has led to several vehicles not passing inspection this year. Outside

options for repair and maintenance are often not viable as service wait times are often months-long. This position will help extend the service life, reliability and safety of vehicles across Town departments.

2. *Police Department*

Business License Inspector (New position)

Through the Police Department, the Town issues, processes and renews a wide range of licenses and permits, including but not limited to liquor, entertainment, common victualler, animals, mobile food units. The growth in the population and business footprint on the island has made enforcement more difficult, but also more important. Active enforcement is the best way to ensure compliance and protect quality of life on Nantucket. Staffing the Inspector role is an integral part of an effective Business Licensing program.

Parking Enforcement Coordinator (New position)

This position has been discussed in the past as a requirement to effectively implement a Parking Management Program. Operationalizing this Select Board goal requires a dedicated resource to focus on public outreach, maintaining records, traffic assistance, enforcement of parking regulations and providing recommendations to improve the program (e.g. permits, signage, outreach issues). This position will support year-round, consistent enforcement of parking regulations and will help operationalize paid parking if implemented.

Seasonal Lifeguards (5) (Additional positions)

As the summer population of the Island increases, there is greater use of the beaches and more swimmers in the water. More swimmers in the water leads to more distress calls and this past summer the Department received a significant number of distress calls from Ladies Beach. This request would provide funding for a team of lifeguards specifically dedicated to Ladies which has not previously been a guarded beach. These positions would be funded from the Beach Revolving Fund.

Police Officers for Nantucket Memorial Airport (2) (Additional positions)

Historically, the Nantucket Police Department (NPD) has relied on a seasonal/part-time/reserve workforce to provide armed law enforcement support for Nantucket Memorial Airport. Due in part to changes brought about by the Police Reform Act, NPD is no longer able to utilize seasonal, part-time or reserve police officers for the Airport's (TSA) requirements. The Airport is required to screen passengers on flights bound for airports such as Boston, Washington DC, etc. which requires three fully certified police officers to fill the daily shifts at the airport. These positions are funded by Nantucket Memorial Airport. If positions are not filled, it will result in elimination of TSA-screened flights to the island.

3. *Information Technology (IT) Department*

Information Technology Security Systems Administrator (New position)

To ensure a safe, protected, reliable and continuously operating IT environment, it is imperative that systems and applications are kept up to date with security patches and updates,

network activity is monitored, and cybersecurity awareness training is conducted. The increase in cyber criminals (hackers, terrorist organizations and foreign governments) specifically targeting the public sector and municipalities, requires continuous improvement to the Town's defenses. The IT System and Security Administrator position will be responsible for IT security and safety, ensuring that the Town computer systems are up to date and protected from cyber threats. This position will also lead the cybersecurity awareness training program. This request will fund a position dedicated to the health and security of the Town government's digital resources.

4. *Human Resources Department*

Assistant Human Resources Director (New position)

The Human Resources Department (HR) supports Talent Acquisition, Labor Relations, Benefits and Leave Management, Regulatory Compliance and much more. As the Town experiences population and economic growth, the Town staff also grows in number to meet the increasing demand. In a 2015 review of the HR Department conducted by EmCo Consulting, it was recommended that HR staff to a ratio of 1:400. At the time, HR estimated it supported roughly 1,200 employees and retirees combined. Current estimates of the number of employees, retirees and job applicants supported by HR approaches 1600 and the department is not staffed to accommodate that larger number. This position request would allow HR to maintain the recommended ratio. It will also provide essential support to the HR Director in critical areas such as collective bargaining, policy updates, benefit enrollment and employee and retiree relations. Personnel issues have become increasingly complex with the Massachusetts Equal Pay Act, Occupational Safety and Health Administration (OSHA) rules, mediation and arbitration decisions and other recent and/or emerging issues, not to mention mental health, well-being and security of employees. We need more than 3 employees to oversee the 1600 or so individuals that comprise the largest employer workforce of the Island.

5. *Finance Department*

Procurement Administrator (New position)

The number of contracts the Town administers is growing along with activity on the Island. Over the past 2 years an average of ~170 contracts per year were procured, executed, paid and tracked. Annualizing the activity of the first 4 months of FY 2022, this year's projected total will exceed 250 contracts. This position will manage the contract lifecycle, including issuance, amendments and in some instances procurement. The Administrator will also arrange and monitor selected Town purchases.

Administrative Assistant-Treasury (Replacement)

The Treasurer's Office is responsible for cash management, debt management, payroll and more. If approved, this request would return the Office's staffing to its pre-Covid level. The Administrative Assistant role is primarily responsible for accepting, processing and reconciling all payments and disbursements for the Town, and acts as interface to the accounting department. Over the past 3 fiscal years the average number of cash receipts processed by the Office is roughly 8,600 per year. This year (FY 2022) it is on pace to process more than 10,000 cash receipts.

6. *Natural Resources Department*

Sustainability Manager (New position)

Beginning with its 2019 Strategic Plan the Select Board identified Sustainability as a key initiative and indicated a necessity to operationalize activities around it. This position will establish the Office of Sustainability as a division within the Natural Resources Department. Initial activities of this Office include organizing and advancing the work of a proposed Core Sustainability Workgroup, development of divisional goals, development of a formal Sustainability program and public outreach for Sustainability initiatives.

Conservation Agent (New position)

As with the above position, beginning with its 2019 Strategic Plan the Select Board identified Sustainability as a key initiative and indicated a necessity to operationalize activities around it. To facilitate the development of the Sustainability office the Natural Resources Department has proposed, with Town Administration support, to re-organize into three divisions. This position will supervise the regulatory division in the Natural Resources Department and will be primarily responsible for the day-to-day operations of the Conservation Commission, including permit application review, field inspections, and compliance checks. The position will also be responsible for updating Wetland Protection regulations and facilitating inter-departmental coordination on conservation-related issues.

Public Outreach Specialist (New position)

This position is a joint request of Natural Resources and Health and Human Services departments. These departments play a central role in the development of several key Select Board priorities (e.g. Water Quality Plan, Harbor Plan Update, Fertilizer Program, Hazard Mitigation Plan and Coastal Resilience Plan). Public support of these plans is critical, and this position will establish the communication and feedback channels to deliver successful plans and projects. Key early deliverables include the creation and maintenance of a dedicated online presence, creation of printed informational materials and improved public engagement. The position will work through the Town's Public Outreach Manager, within the Town Manager's office.

7. *Health Department*

Chief Environmental Health Officer (New Position)

With the discovery and quantification of PFAS, fluoropolymers and other emerging contaminants in and around the Island, this request seeks to create and fund a position dedicated to the environmental health of the Island. This toxicology specialist will oversee PFAS quantification, plan remediation responses, liaise with vendors, as well as manage projects and community outreach. Should the state Department of Environmental Protection issue regulatory standards for PFAS levels, it will be necessary for the Town to be able to respond to the public and others where PFAS exceedances are detected.

8. *Fire Department*

Firefighters (2) (Additional positions)

As the population and density of the Island increase, the demand for Fire Department services also increases. This request would increase staffing on 2 of 4 shifts, balancing all shifts at seven members when fully staffed. This will increase the personnel available to respond to emergency calls and increase the service level the department provides the Island. The growing need is exacerbated by the increasing difficulty of the department to have off-duty firefighters return (or call back) to fill station coverage or times when the department is responding to simultaneous multiple calls. The position level would be a minimum of Emergency Medical Technician or possibly Paramedic.

Administrative Assistant (change from part-time to full-time)

This role is responsible for scheduling and managing more than 1400 inspections in addition to routine administrative duties. Compounding the overstressed situation will be an expected new events approval and review protocol. The workload cannot be adequately completed in a 20-hour week and converting it to full-time will alleviate stress, provide better customer service and generally increase productivity in the department.

9. *Planning & Land Use Services*

Land Use Specialist/Zoning Administrator (Replacement)

The Land Use Specialist position will reinstate dedicated staff support to the Zoning Board of Appeals and will provide additional support to the Historic District Commission (HDC). Most recently, Land Use Specialists who support the HDC consistently work significant overtime due to growing application volume. The Deputy Director of Planning has temporarily assumed the responsibilities of the Zoning Administrator, but that is not sustainable over time. Filling this position would better distribute the HDC responsibilities and allow for more capacity in the department for enforcement.

FY 2023 Operational Expense Increases (One-Time) The items listed below are considered one-time and as such, may be funded through Free Cash.

1. *Fire Department*

Rope rescue equipment - \$25,000

Safety and protective gear, alternate to structural firefighting gear - \$23,000

2. *Planning & Land Use Services (PLUS)*

Professional services in connection with update of 2009 Master Plan - \$100,000

Replacement of vehicle - \$30,000

Professional services in connection with update of historic architectural surveys for HDC - \$25,000

3. *Town Administration*

Professional administrative support services increase - \$50,000

Commuter shuttle - \$200,000

Baxter Road relocation management - \$150,000

Historic sidewalk preservation & repair study - \$40,000

4. *Information Technology*

Multi-factor authentication implementation services - \$22,500

Migrate Exchange mail server to Office 365 cloud environment - \$22,000

5. *Town Clerk*

Replacement of furniture - \$5,000

FY 2023 Operational Expense Increases (On-going)

1. *Information Technology*

Cloud-to-Cloud backup for cloud-based Exchange email and Office 365 - \$8,800

Multi-factor authentication licensing and hardware tokens - \$17,000

Cybersecurity services - \$50,000

Upgrade Exchange mail server to Office 365 cloud environment and Azure AD to Premium P1 – \$37,500

Team Dynamix project portfolio management software annual maintenance increase - \$30,000

Comcast internet service for three Wi-Fi hotspots - \$11,000

Zoom video conferencing and webinar service - \$5,700

Professional services increase of 5% - \$20,850

2. *Town Administration*

Delta playing fields annual lease payment with Airport - \$30,000

Office space lease - \$100,000

Select Board strategic planning initiatives - \$50,000

3. *DPW/Parks and Recreation*

Field maintenance bid - \$200,000

4. *Town Clerk*

Sound & microphones for Annual Town Meetings - \$9,000

E-voting service for Annual Town Meetings – \$26,000

5. *Human Resources*

TASC flexible spending account monthly fees - \$6,000

6. *Culture & Tourism*

4th of July Fireworks increase - \$12,550

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 are recommending a Sustainability Manager position for FY 2023 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. (<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.

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 2022 and into FY 2023 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

Contracts were settled with some units in FY 2021 for three years and bargaining is ongoing with other units in for contracts that expired June 30, 2020. Negotiations 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://nantucket->

Police Reform

The Police Department is actively working to implement the measures contained in the Police Reform Act enacted early in 2021. 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; however, we are working to plan for these expenses.

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 if any recommendations will be brought to the 2022 Annual 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. In FY 2021, the Town engaged the services of CDM Smith, Inc, subject-matter experts based out of Boston, to assist the Town with an initial PFAS assessment and public engagement plan and again in FY 2022 to assist with developing a proposed sampling plan and data collection strategy in concert with MassDEP. Additionally, in FY 2022 MassDEP and UMass teamed up for a voluntary state-wide private well sampling program, of which approximately 30 Nantucket households were selected out of over 100 applications. The results of this testing program will help inform future efforts by the Town and private well-owners. With the assistance of consultants and subject-matter experts, this issue is currently being examined across all Town departments, including Public Works, Water Company, Sewer Dept., Airport, Public Health, and Natural Resources. Initial work includes a qualitative, town-wide risk assessment, and recommendations for data collection and/or future action based on the available data. The Town's response to PFAS can be found at <https://nantucket-ma.gov/1574/PFAS>

This project is 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.

Diversity Equity and Inclusion (DEI) Initiatives

In February 2021, the Town hired its first Director of the Diversity, Equity and Inclusion Office (DEI). In fulfilling the Select Board's pledge and commitment to DEI throughout the town, the DEI office was established as a part of Town Administration and is located in the Town Building, which allows for hands-on collaboration with Human Resources and for professional support for/from town leadership. The DEI Office has already commenced numerous initiatives and participated in many community conversations. Since establishing the Office, the DEI's webpage has been redesigned to include a mission statement (available in English and Spanish), the Select Board has approved a \$94,000 contract to partner with Tangible Development LLC to create a DEI Strategic Plan and Nantucket joined the Massachusetts DEI Coalition. The Office has issued a statement of solidarity in support of the Asian American Pacific Islanders community, presented at ten or more local organizations on the significance of DEI, written articles on Juneteenth and Indigenous Peoples' Day highlighting the Island's connections to both, hosted a book discussion with department heads on *Micromessaging* and launched the "Meet NEET" initiative featured in the monthly Town Manager e-newsletter. It is clear the Select Board, town leadership, and the community are taking steps to ensure that diversity, equity, and inclusion are valued and evidenced throughout town operations.

<https://www.nantucket-ma.gov/DocumentCenter/View/36850/Select-Board-Statement-to-the-Nantucket-Community---June-24-2020-PDF>

Health and Human Services Funding

We proposed to allocate \$750,000 to local health and human service agencies in the community for FY 2023. This funding allocation represents a \$100,000 increase in funding over FY 2022 and continues to be among the highest of all towns in Massachusetts and was in response to an increase in funding requests from agencies. The extra funding of \$100,000 in FY 2023 is 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 ATMs - 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 had begun to examine how this could be used for Nantucket in late 2019; however discussions stalled due to COVID and we are not planning to recommend pursuing this until we are able to devote more resources to determining and evaluating 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 2023 General Fund budget can be funded within available revenue, while supporting some new 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, the on-going response to COVID and growing PFAS issues will all require significant focus in FY 2023. 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 Finance Director Rick Sears and Financial Analyst Mariya Basheva.

Prepared by:

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

DRAFT

Preliminary Outline #6 for 2022 Annual Town Meeting Warrant

For 12/15/21 SB review

As of 12/09/21

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
5. Appropriation: Reserve Fund
6. FY 2022 General Fund Budget Transfers
7. Personnel Compensation Plans for FY 2023
8. Appropriation: FY 2023 General Fund Operating Budget
9. Appropriation: Health & Human Services
10. Appropriation: General Fund Capital Expenditures
11. Appropriation: FY 2023 Enterprise Funds Operations
12. Appropriation: Enterprise Funds Capital Expenditures
13. FY 2022 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 2023 County Budget
19. Rescind Unused Borrowing Authority (*if needed*)
20. Appropriation: OPEB Trust Fund
21. Appropriation: Free Cash
22. Appropriation: Stabilization Fund

Other Select Board Sponsored Articles

NOTE: most of these were reviewed/discussed by SB and/or Town Administration since the 2021 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

General Bylaws

- Paid parking (see vote on Article 66 of 2020 ATM – attached); Town Admin to work on plan for implementation and resources needed; then, determination by SB as to whether or not to take to future ATM (not 2022)

- Minor change to title of Article II of Chapter 127 (from “Obstructions on Sidewalks” to “Obstructions on Sidewalks, Streets, Bicycles Paths or Ways”)
- Amendment to Chapter 55 (Animals – Leash Law) of the Town Code, to allow for an exemption for established “dog parks”
- Government Study Committee “clean up” items
- Reconcile bylaw numbering references to membership of Agricultural Commission
- Short-term rental regulations? **Working on general bylaw amendment with Town Counsel, Planning Dir – update SB early Jan**
- Amend vote at 2005 ATM to change membership of Nantucket Historical Commission from 5 to 7 members; and, eliminate alternate members
- **Adoption of Cemetery Regulations**

HOME RULE PETITIONS

Resubmittal of Pending HRP's from prior ATMs (these have not been acted upon by the Legislature as of now; some have been through more than one ATM)

- Community Housing Bank (Article 79/2019 ATM)
- Real estate transactions with Land Bank: Mill Hill Park, Nobadeer Playing Fields (Article 92/2021 ATM)
- Airport Capital (Article 94/2021 ATM)
- Charter Change for Audit Comm (Article 93/2021 ATM)
- Issuance of Pension Bonds (Article 95/2021 ATM)

New

- potential transfer(s) in connection with Sheep Pond Road relocation
- sewer connection fee waiver/reductions based on residential exemption/other specified status (discussed at 11/3/21 SB meeting with agreement that Town Counsel prepare this)

MGL ACCEPTANCES

- Municipal Water Infrastructure Investment Fund (needs research, and would also require a ballot vote) – put on hold
- Possible Special Stabilization Fund establishment for allocation of marijuana dispensary fee revenue (need to review with Town Counsel & Finance Director)
- Community Impact Fee on Short-term Rentals (Town Counsel info attached) Need additional data, on hold til type of data/revenue projections determined, not for 2022 ATM
- Tax Work-off Abatement Program – potential adoption of additional local acceptance statute(s) for senior citizens and veterans (need to review)

REAL ESTATE RELATED

- TBD in connection with HRP's with Land Bank (see above)
- Authorization for grant(s) of utility easement(s) for Airport at Bunker Rd location(s)
- Authorization for grant of utility easement for Shadbush Rd (Marine Maintenance building)
- Long-term lease authorization for shooting range
- Conservation Restriction for property for shooting range
- Potential purchases – pending SB final review:

\$4,750,000*

BALLOT QUESTIONS

- possible debt exclusion(s) and/or capital exclusion(s) for capital projects; real estate*
- charter change re: mailing of town meeting warrant (Article 96/2021 ATM)

CITIZEN ARTICLES

See attached list and link to articles (31). All have been certified by the Town Clerk.

DRAFT

Citizen Warrant Article Submissions
for 2022 Annual Town Meeting

<u>Article</u>	<u>Sponsor</u>	<u>Article Name</u>
A	James Jackson	Zoning Map Change - R-20 to CTEC and/or CN - Old South Rd
B	Jack McGrady	Rescind Article 77 of 2018 ATM
C	Jack McGrady	14 Days Between ATM and ATE
D	Bruce Mandel	Bylaw Amendment - Single-Use Plastics - Alcoholic Beverages Container
E	Bruce Mandel	Bylaw Amendment - Single-Use Plastics - Tobacco Filters
F	Joseph Minella	Home Rule Petition - Prohibiting Fertilizer
G	David Buckley	Sewer District Map Change - 15 Milestone Crossing
H	Jeffrey Booms	Home Rule Petition - Solar
I	Theresa Williams	Ombudsman Establishment - Complaints
J	Clifford Williams	Appropriation - Shedder for Solid Waste
K	Julie Bunting	Zoning Map Change - R-20 to CTEC and/or CN - Old South Rd
L	Dorothy Stover	Bylaw Amendment - Gender Equality on Beaches
M	Campbell Sutton	Amend Town Wharf and Waterways Prohibited Activities
N	Hillary Rayport	Home Rule Petition - Amend the NP&EDC
O	Anne Dewez	Zoning Bylaw Amendment - Pools, Hot Tubs, Spas - Definitions
P	Anne Dewez	Disallow Hot Tubs, Spas in Historic Districts

Citizen Warrant Article Submissions
for 2022 Annual Town Meeting

Q	Linda Williams	Zoning Map Change - R-20 to R-10L - Nobadeer Way
R	Linda Williams	Zoning Bylaw Change - Definitions and Word Usage - Apartments
S	Linda Williams	Zoning Bylaw Amendment - Swimming Pool - Residential - Square Footage
T	Linda Williams	Zoning Bylaw Amendment - Swimming Pool - Residential
U	Linda Williams	Zoning Bylaw Amendment - Storage Container by Special Permit in CMI
V	Linda Williams	Real Estate Acquisition - Proprietors Rd - Off Tripp Dr/South Shore Rd
W	Linda Williams	Real Estate Conveyance - Proprietors Rd - Off Tripp Dr/South Shore Rd
X	Linda Williams	Real Estate Acquisition - Two Ways - Nobadeer Way
Y	Linda Williams	Real Estate Conveyance - Two Ways - Nobadeer Way
Z	Ken Beaugrand	Appropriation - FY23 Community Preservation Committee
AA	Ken Beaugrand	Appropriation - Community Preservation Committee for Affordable Housing Trust
BB	Ken Beaugrand	FY 22 Community Preservation Committee Budget Transfers
CC	Clifford Williams	Sewer District Map Change - 44 Skyline Dr
DD	Clifford Williams	Zoning Map Change - LUG-2 to R-5 or CN - 44 Skyline Dr
EE	Tobias Glidden	Zoning Bylaw Amendment - Protecting Rights to Short-Term Rentals

Link to view Citizen Warrant Articles:

<https://www.nantucket-ma.gov/DocumentCenter/View/40819/2022-Annual-Town-Meeting-Citizen-Warrant-Articles-PDF>

ARTICLE 66

(Town Meeting Vote Required to Implement On-street Paid Parking)

To see if the town will vote to require a vote of town meeting prior to the implementation by the Town of Nantucket of paid on-street parking.

(Christopher Glowacki, et al)

FINANCE COMMITTEE MOTION: Moved that the Select Board be requested to seek the prior approval of Town Meeting before implementing paid on-street parking.

SELECT BOARD COMMENT: The Board does not support the Finance Committee Motion. One of the Board's Strategic Plan Goals is: "Launch a downtown parking management system based on demand management principles that achieves (or is measured by) 85% occupancy of public parking spaces". Paid parking is a tool that could be critical to the success of this Goal - which is meant to increase parking turnover so that people are more easily able to find parking in Town and make year-round access to the downtown a pleasant experience; and, to limit reliance on single-occupancy vehicles. The Board believes flexibility is needed to be able to implement paid parking, if needed.

approved at 2020 ATM

[HISTORY: Adopted by the 1863 Town Meeting of the Town of Nantucket, approved 9-7-1863. Amendments noted where applicable.]

§ 46-1 Seal and subscription.

[Amended 6-25-2020 ATM by Art. 70, approved 10-27-2020]

All conveyances under seal which may hereafter be executed on behalf of the Town, or otherwise, shall be sealed with the Town's Common Seal and subscribed by a majority of the Select Board for the time being.

§ 46-2 Short-term leases by Select Board.

[Added 11-13-1990 STM by Art. 58, approved 3-19-1991; amended 6-25-2020 ATM by Art. 70, approved 10-27-2020]

The Select Board may enter into short-term leases of Town-owned property (not to exceed five years), including vacant or improved land or portions thereof, on terms and conditions it deems reasonable, without the further necessity of Town Meeting approval.^[1]

[1] *Editor's Note: All procurement procedures will be governed under the stipulations of the Uniform Procurement Act, which is Chapter 30B of the Massachusetts General Laws.*

§ 46-3 Short-term leases by Park and Recreation Commission.

[Added 11-13-1990 STM by Art. 58, approved 3-19-1991]

The Park and Recreation Commission may enter into short-term leases, not to exceed five years, of property under its jurisdiction, control and management, including vacant or improved land, or portions thereof, on terms and conditions they deem reasonable, without the further necessity of Town Meeting approval.^[1]

[1] *Editor's Note: All procurement procedures will be governed under the stipulations of the Uniform Procurement Act, which is Chapter 30B of the Massachusetts General Laws.*

§ 46-4 Acquisition of land for Town offices.

[Added 4-14-1997 ATM by Art. 77, approved 8-5-1997]

All acquisitions by the Town of Nantucket, whether by purchase or by lease, of vacant or improved land outside the downtown core district, the acquisition of which is for the construction and/or renovation for use as Town offices, shall require a vote of the Town Meeting; no offices presently within the downtown core district shall be relocated to any site outside the downtown core district without a vote of the Town Meeting.

§ 46-5 Limitation on transfer or use of real property interests owned by Town.

[Added 10-10-2018 STM II by Art. 3, approved 5-8-2019]

- A. Purpose: In view of the release and spill of approximately 3,000,000 gallons of wastewater, more or less, from a sewer line during the winter of 2018, the purpose of this bylaw is to reduce the risk of future such releases and spills and to protect the Nantucket environment and the health, safety and welfare of Town residents.
- B. Town Meeting approval of real property transfers for nongovernmental sewer use: In addition to any other requirement applicable by law with respect to state or local permits or approvals, including in addition to (and not in place of) the provisions of Chapter 396 of the Acts of 2008, and notwithstanding Chapter 46 of the Town of Nantucket Town Code or any provision of the Town of Nantucket Town Code to the contrary, no act by the Town of Nantucket to transfer, convey, or allow the use of real property owned by or under the jurisdiction or control of the Town of Nantucket, or interests therein or license thereto, however described, including grants of rights to use or occupy whether by conveyance, lease, easement, grant, transfer or license of any real property owned by or under the jurisdiction or control of the Town of Nantucket by deed, easement, grant, order, law or otherwise, including but not limited to Town street and ways, land owned by the Town, easement areas over which the Town holds an easement for sewer or other purposes, shall be authorized or approved by any Town board, commission, committee or official (the foregoing hereafter referred to as a "real property transfer"), to any private or nongovernmental person or entity for the purpose of operating or maintaining any wastewater sewer system drain, main or pumping station, whether gravity or force sewer mains, unless such real

Libby Gibson

From: John Giorgio <JGiorgio@k-plaw.com>
Sent: Monday, May 24, 2021 9:57 AM
To: Libby Gibson
Cc: Erika Mooney, Brian Turbitt
Subject: FW: Community Impact Fee
Attachments: KP-#657762-
v1-_This_is_the_correct_version_Local_Options_Rooms_Excise_Tax_-_Form_of_Town_Meeting_Votes.DOCX; KP-#655135-v3-MMA_eupdate_regulation_of_short_term_rentals_-_key_provisions.pdf

Dear Libby;

You have asked me to prepare a summary of the options the Town has in imposing a community impact fee on short-term rentals. I am attaching an EUpdate and a paper that I prepared which, among other things, summarizes the community impact fee options and provides the forms of the necessary town meeting votes.

Here are the highlights:

1. The Short-Term Rental Legislation provides for a process for cities and towns to assess two separate community impact fees on short-term rentals.
2. Town Meeting must vote by a majority vote to adopt the specific sections of the law and set forth in the vote the amount of the fee, which cannot exceed 3%.
3. These options are only available to towns that have already adopted the local option rooms excise tax, which, of course, Nantucket has.
4. The community impact fees are separate and apart from both the local options rooms tax and the Cape Cod and Islands Water Protection Fund rooms tax of 2.75%.
5. Nantucket has not, however, opted in to the CCIWPF, so the 2.75% additional tax is not being collected in Nantucket at this time.
6. Unlike the rooms excise tax, however, the community impact fees may only be assessed to short-term rentals and not the other classes of businesses such as hotels that are subject to the rooms tax.
7. The first community impact fee only applies to professionally-managed units, which under the law (G.L. c.64G,§1) includes "1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family or three-family dwelling that includes the operator's primary residence."
8. The second fee applies to owner-occupied units, which includes "a short-term rental unit that is located within a two-family or three-family dwelling that includes the operator's primary residence."
9. Town Meeting must adopt the two fees in separate votes.
10. The Town cannot adopt the fee on owner-occupied units unless it first votes to adopt the fee on professionally-managed units.
11. If adopted, the Department of Revenue collects the fee(s) along with the local option rooms tax and then remits the revenue to the Town quarterly.
12. The Town is required to spend a minimum of 35% of any community impact fee revenue on affordable housing or infrastructure.

13. From a municipal finance perspective, a minimum of 35% of the revenue from either fee is not unrestricted General Fund revenue. The revenue must be held in a receipts reserved for appropriation account and must be appropriated for either affordable housing or infrastructure projects.
14. The Town may dedicate without further appropriation all or a portion of either fee (but not less than 25%) to a general or special purpose stabilization fund. Moneys in the stabilization fund may be appropriated by Town Meeting for an allowable purpose by a two-thirds vote of Town Meeting.

Clearly, however, not all short-term rentals will even be subject to the host community fee. For example, if an individual operates only one short-term rental on the Island which is not his or her primary residence, that Operator will not be required to pay a community impact fee even if the Operator rents the unit through a real estate agent or a hosting platform because the fee only applies to the rental of 1 of 2 or more units operated by the same Operator. Furthermore, If an Operator occupies one unit of a duplex and it is his or primary residence, the second unit is subject to the fee if it is rented out as a short-term rental. If an Operator rents a room in his or her single-family primary residence, that room rental is not subject to the fee because it is not a two-family dwelling.

According to the Department of Revenue website, the following major municipalities have adopted one or more of the community impact fees: Amherst, Arlington, Boston, Cambridge, Plymouth, and Swampscott. I think it will be difficult to estimate the revenue that the Town will receive from short-term rental community impact fee(s) unless the Town requires registration requirements by either bylaw or regulations that would enable the Town to break out the number and type of short-term rental units operating in the Town. For example, according to the DOR website, Plymouth has collected approximately \$50,000 in community impact fees so far in FY 2021.

John

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Short-Term Rental Law - Key Provisions

January 2019

On December 28, 2018, Governor Baker signed into law Chapter 337 of the Acts of 2018, "An Act Regulating and Insuring Short-Term Rentals" ("Act"), which Act, among other things, replaced sections 1-6 of G.L. c.64G with 11 new sections. These are the key provisions of the new law:

- **Applicability.** The term "short-term rental" as defined in G.L. c.64G, §1 means renting rooms, apartments, houses, or other units, to be occupied for a period of no more than 31 consecutive calendar days, and excluding hotels, motels, lodging houses and bed and breakfast establishments (four or more rooms to rent, with breakfast). Not included in the definition of a "short-term rental" is a "bed and breakfast home", defined as "a private, owner occupied house with up to three rooms to let, with breakfast included."
- **State Registration.** Operators of short-term rentals are required to register with the Department of Revenue and, pursuant to G.L. c.62C, §67, obtain a certificate of registration. The Executive Office of Housing and Economic Development will maintain a registry listing all registered certificate holders in the lodging industry, including short-term rentals, with short term rental locations identified only by street name and municipality.
- **State Excise Tax.** The existing room occupancy excise tax statute, G.L. c. 64G, §3, was amended to include short-term rentals. The state room excise tax remains at 5.7%, provided that no tax may be imposed if the rent is less than \$15 per day. Note that operators renting out their property for a period of 14 days or less in one calendar year are exempt from this tax.
- **Local Option Excise Tax.** The local option room occupancy excise tax, G.L. c.64G, §3A, has also been amended to apply to short-term rentals. This local option allows a municipality, by vote of its legislative body, to adopt and establish a local tax of up to 6% of the total amount of the rent per stay, up to 6.5% in Boston, subject to the same exclusions as the state excise tax. ***Importantly, municipalities that previously accepted G.L. c.64G, §3A need take no further action to apply the local option room occupancy excise to short-term rentals. If a municipality seeks to change the existing local option tax rate, however, local legislative action will be required.***
- **New Local Options.** Municipalities that have adopted the local option room occupancy tax may also consider adoption of two new local options. A municipality that accepts G.L. c.64G, §3D(a) by a majority vote of its legislative body may impose a community impact fee on short-term rental operators of up to

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3% of the total amount of each stay. The fee applies only to operators that own at least two rental units in the municipality, which units are detached from the operator's primary residence (unless that residence is in a structure containing four or more units). By separate vote, a municipality may also adopt G.L. c.64G, §3D(b), to make that fee applicable to units located within a two or three-family dwelling that includes the operator's primary dwelling.

NOTE: The municipality must dedicate at least 35% of the revenue from these two new local option fees to affordable housing or local infrastructure projects.

- ***Cape and Islands.*** In Barnstable, Dukes, and Nantucket Counties, the law imposes an additional room excise tax of 2.75% to generate revenue for a Cape and Islands Water Protection Trust Fund for water pollution abatement projects. This surcharge is automatically applicable in Barnstable County and applicable in Dukes and Nantucket Counties in the manner set forth in the statute. Should towns wish to withdraw from the Fund, a mechanism is available.
- ***Local Ordinances and Bylaws.*** General Laws c.64G, § 14 authorizes municipalities to enact ordinances and bylaws to regulate operators of short-term rentals and to impose civil penalties for violations. Types of regulation described include: establishment of a local licensing or registration requirement, the "number of local licenses or permits issued", and "the number of days" in a calendar year a person may make short-term rentals available for rent; zoning; mandated health and safety inspections; and establishment of fees for necessary local administration of the short-term rental program.

Consistent with the Home Rule Amendment to the Massachusetts Constitution, municipalities may enact local ordinances or bylaws containing provisions not enumerated in the Act provided that they are "not inconsistent" with the provisions of the Act. In addition, boards of health retain jurisdiction to enact health and safety regulations with respect to short-term rentals.

Cities and towns are also authorized to publish a "public registry" of all short-term rental accommodations offered for rent by registered operators within their limits, and may determine "what relevant information shall be listed, including where the accommodation is located."

- ***Effective Dates.*** The taxation portions of the Act will be applicable to short-term rentals commencing on or after July 1, 2019, but **will not** apply to contracts executed before January 1, 2019 for short-term rentals executed before January 1, 2019. The Department of Revenue is interpreting the July 1 effective date as excluding all rentals that begin June 30, 2019 or earlier, for the entire length of that rental.

Please contact Attorneys Joel Bard (jbard@k-plaw.com) or John Giorgio (jgiorgio@k-plaw.com) at 617.556.0007 with any questions concerning the Act.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

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Libby Gibson

From: Leslie Snell
Sent: Thursday, September 30, 2021 12:28 PM
To: Libby Gibson
Cc: Andrew Vorce
Subject: DRAFT Article concepts from Planning Board/PLUS
Attachments: DRAFT Article Concepts for 2022 ATM 093021.docx

Libby –

Attached is a DRAFT list of article concepts. The intention is not to move forward with all of these, but to provide a list of needed amendments for the Board to prioritize and choose from.

Leslie

Leslie Woodson Snell, AICP, LEED AP BD+C
Deputy Director of Planning

Nantucket Planning & Economic Development Commission
Planning & Land Use Services (PLUS) Department
2 Fairgrounds Road
Nantucket, MA 02554

Telephone: 508-325-5385



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DRAFT Planning Board/PLUS Article Concepts for 2022 ATM (09/30/21)

RC-2 Phase Out Articles

- Remaining Nobadeer Farm Road parcels
- West side of Arrowhead Drive to CTEC
- East side of Surfside Road to CN (near Windy Way and Miacomet Avenue)
- Perry Lane/Bartlett Road to CTEC (one parcel)
- Nobska Way to R-5
- Bartlett and Raceway to CTEC or R-10
- Mioxes Way and Bartlett Road LUG-2 and RC-2 to R-5 or R-10

RC Phase Out Articles

- Galley Beach to CN
- Harbor Place/Commercial Wharf – to ROH and CDT
- End of Washington Street (Sayle (3)) to CN
- 77 Washington Street to ROH
- 34 and 36 Washington Street (TON) to R-40 or ROH
- Harbor Terrace/Spruce Street/Marine Home Center ?

R-1 Phase Out Articles

- SR-1 ? Dependent on Area Plan
- Vesper Lane/Cato Lane/Woodland Hills Subdivision – R-5L

Technical Amendment to the Zoning Map

- Richmond R-5/CN correction for parking areas in Sandpiper II (check to see if needed for Sandpiper I)
- Other split lot clean up

Zoning Bylaw Amendments

- Technical Amendments – all in a single article TBD
 - Correct language about 2nd driveways to include garage apartments and tertiary dwellings
 - Change definition of tent to allow for extension by special permit
 - Add a definition and specific allowance for food truck – currently treated as take-out
- Special permit allowance for regularity factor
- Short term rentals
- Cannabis articles from CAC?
- Additional covenant units allowed on a lot
- Open Space Bylaw

Real Estate

- Paper Street Acquisition/Disposition
 - Red Barn Road and Sheep Pond Road area
 - Surfside yard sale in vicinity of Curve Street (Plan 2012-60)
 - Tom Nevers Road network (additions to prior ATM votes)
 - Eel Point Road
 - Hawthorne (Sconset)
 - Westchester Street (public road? Land Bank)
- Home Rule Petition
 - Ames and New Hampshire Avenue (real estate disposition already voted)

LOCAL SHORT TERM RENTAL DATA
AND
BYLAW AMENDMENT OPTIONS

NOVEMBER 30, 2021

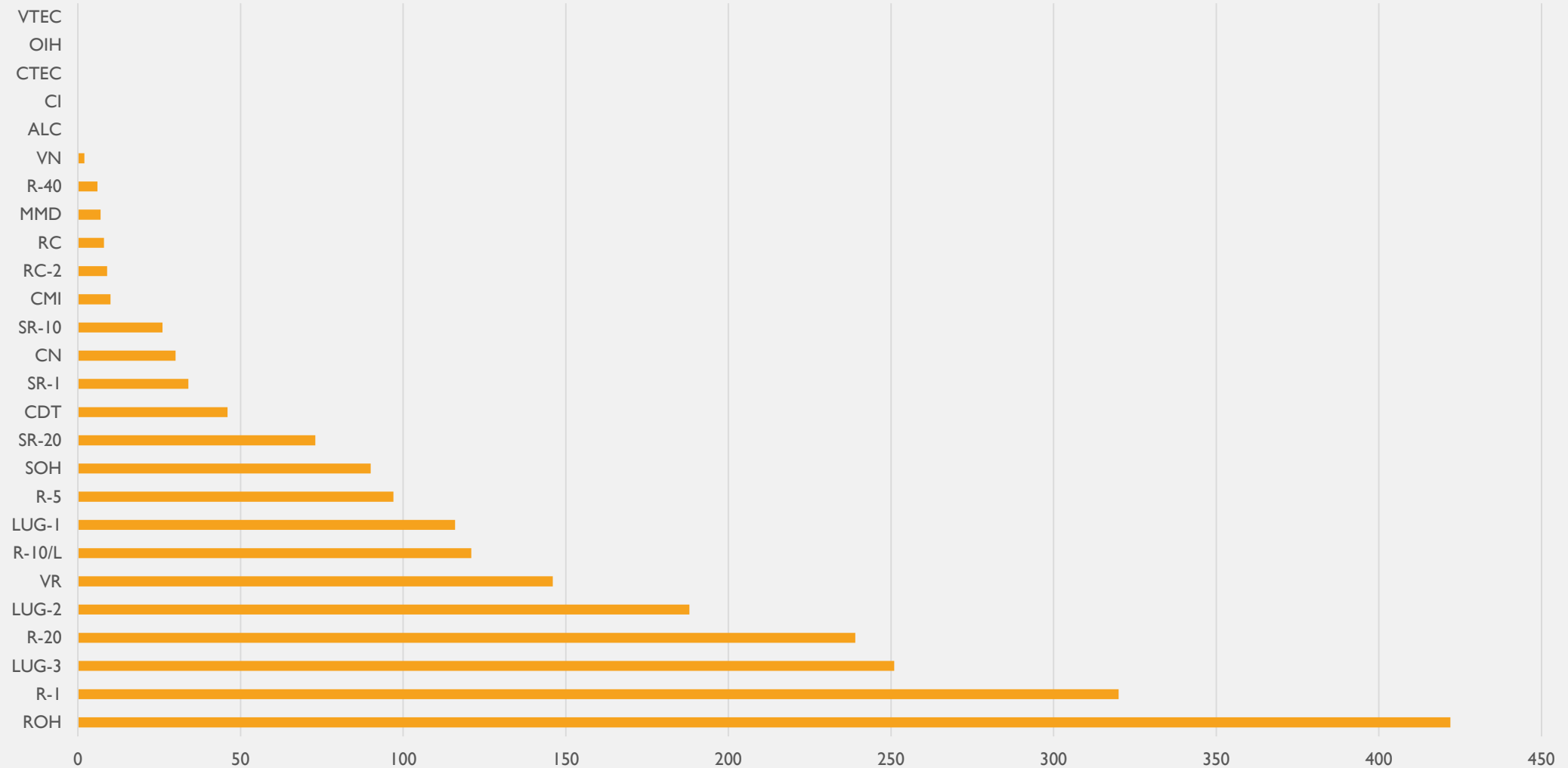
LOCAL SHORT TERM RENTAL HISTORY

- 1980 RC-2 was added to the Zoning Bylaw to specifically prohibit hotels.
- 1980's – approximately 500 lots per year were created.
- 1999 ATM Article 79: Short Term Rental Impact Fee (defeated).
- 2002 ATM Article 36: Seasonal Vacation Rental Fee (defeated).
- 2009 ATM Article 65: Expansion of Room Occupancy Tax (defeated).
- 2010 ATM Article 66: Expansion of Room Occupancy Tax (defeated).

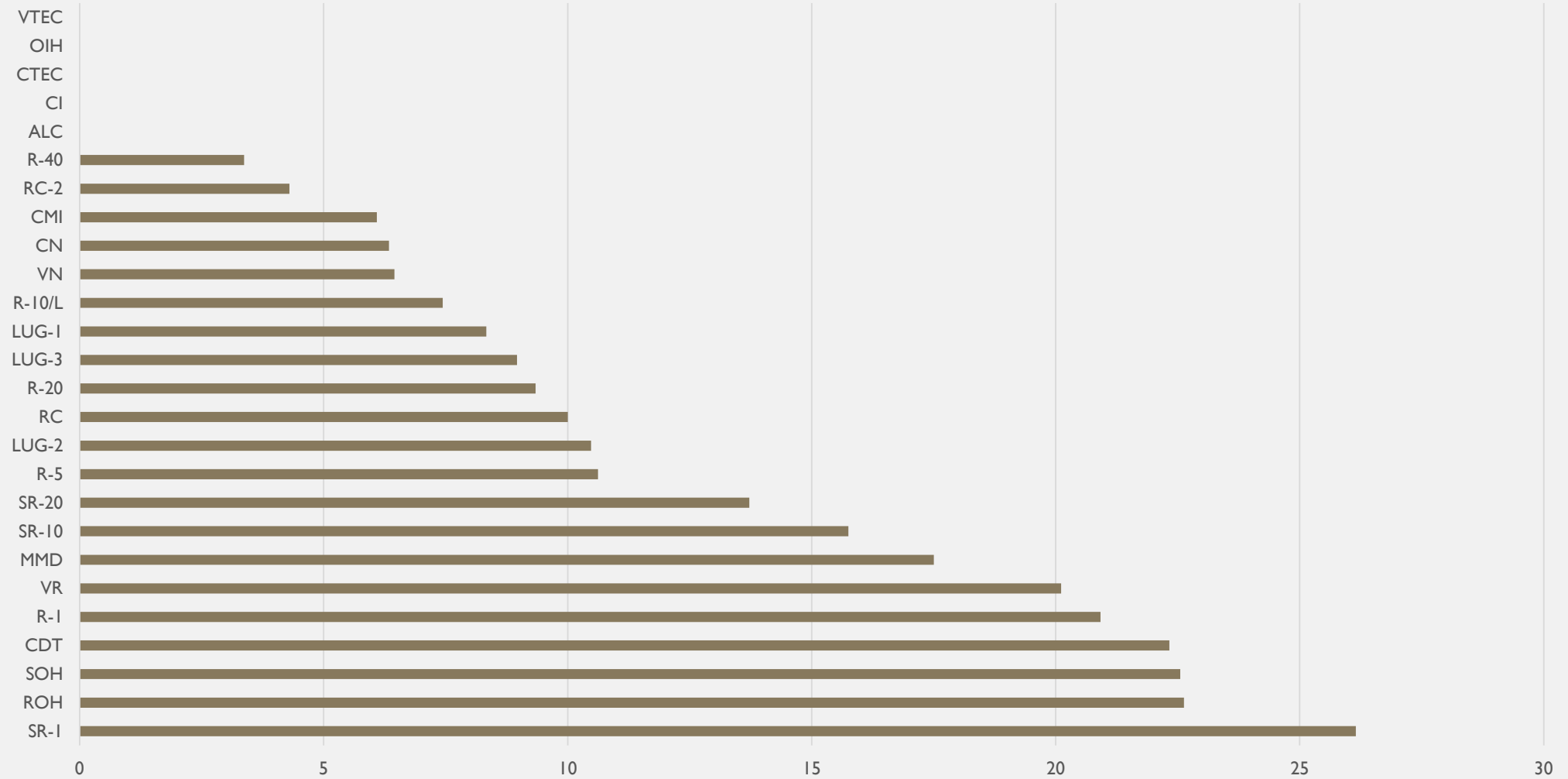
SHORT TERM RENTAL LOCATIONS



TOTAL SHORT TERM RENTALS BY ZONING DISTRICT



PERCENTAGE OF TOTAL BUILDINGS USED FOR SHORT TERM RENTALS IN EACH ZONING DISTRICT



NOISE COMPLAINTS/VIOLATIONS

- 2,241 registered short term rentals on Nantucket
- Data from Nantucket Police Department reviewed by PLUS staff:
May 1, 2020 through October 1, 2020.
 - 557 calls related to noise complaints.
 - 66 addresses registered as short term rentals (11.8% of all violations).
 - 10 addresses with more than one violation (15% of short term rental address violations).
 - 97.1% of short term rentals were not the subject of a noise violation.

LOCAL REGULATION OPTIONS (CHAPTER 337 OF THE ACTS OF 2018, SECTION 14)

- Existence of or location of operators:
 - Regulating the class of operator.
 - Number of days a person may operate in a calendar year.
-
- Licensing or registration different from the State process.
- No outstanding enforcement actions.
- Inspections.
- Penalties for violations.
- Reasonable fee.

BYLAW AMENDMENT WORKING CONCEPT #1

Allow a maximum of one rental lease per lot to be used as a short term rental at any time (example: rent entire property or one dwelling unit). This concept would not prevent year round occupancy of any unit on the property at the same time as a short term rental.

BYLAW AMENDMENT WORKING CONCEPT #2

Prohibit short term rentals
in apartments and in
workforce rental housing
units.

BYLAW AMENDMENT WORKING CONCEPT #3

Allow a maximum number of short term rentals (10?) to be in common ownership before the use is re-classified to a hotel.

BYLAW AMENDMENT WORKING CONCEPT #4

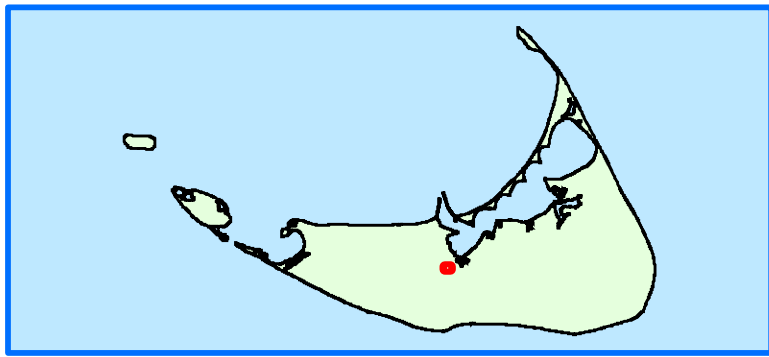
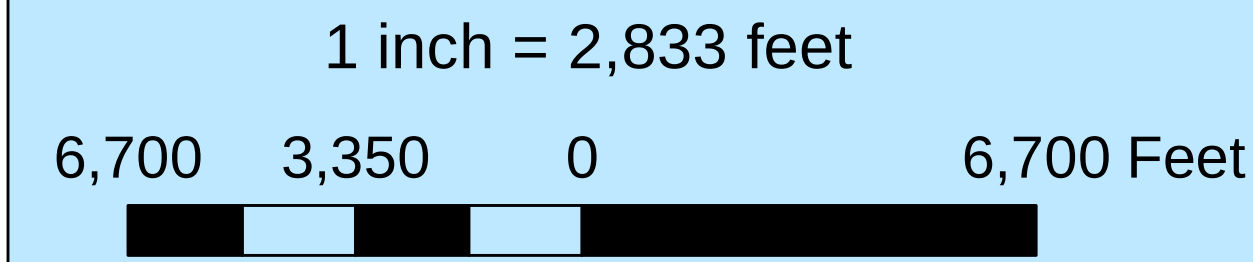
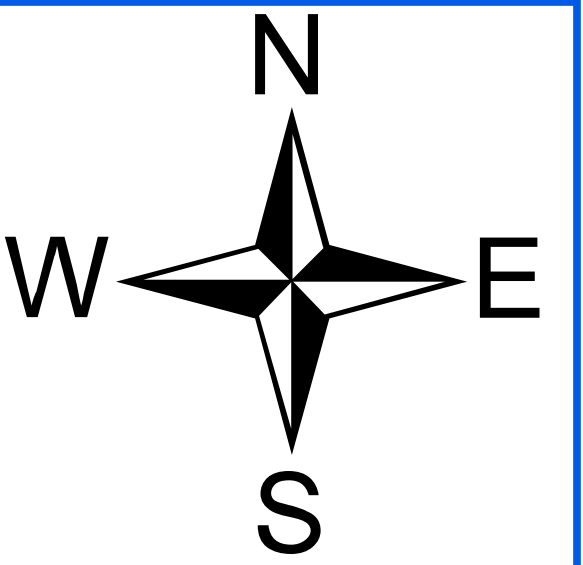
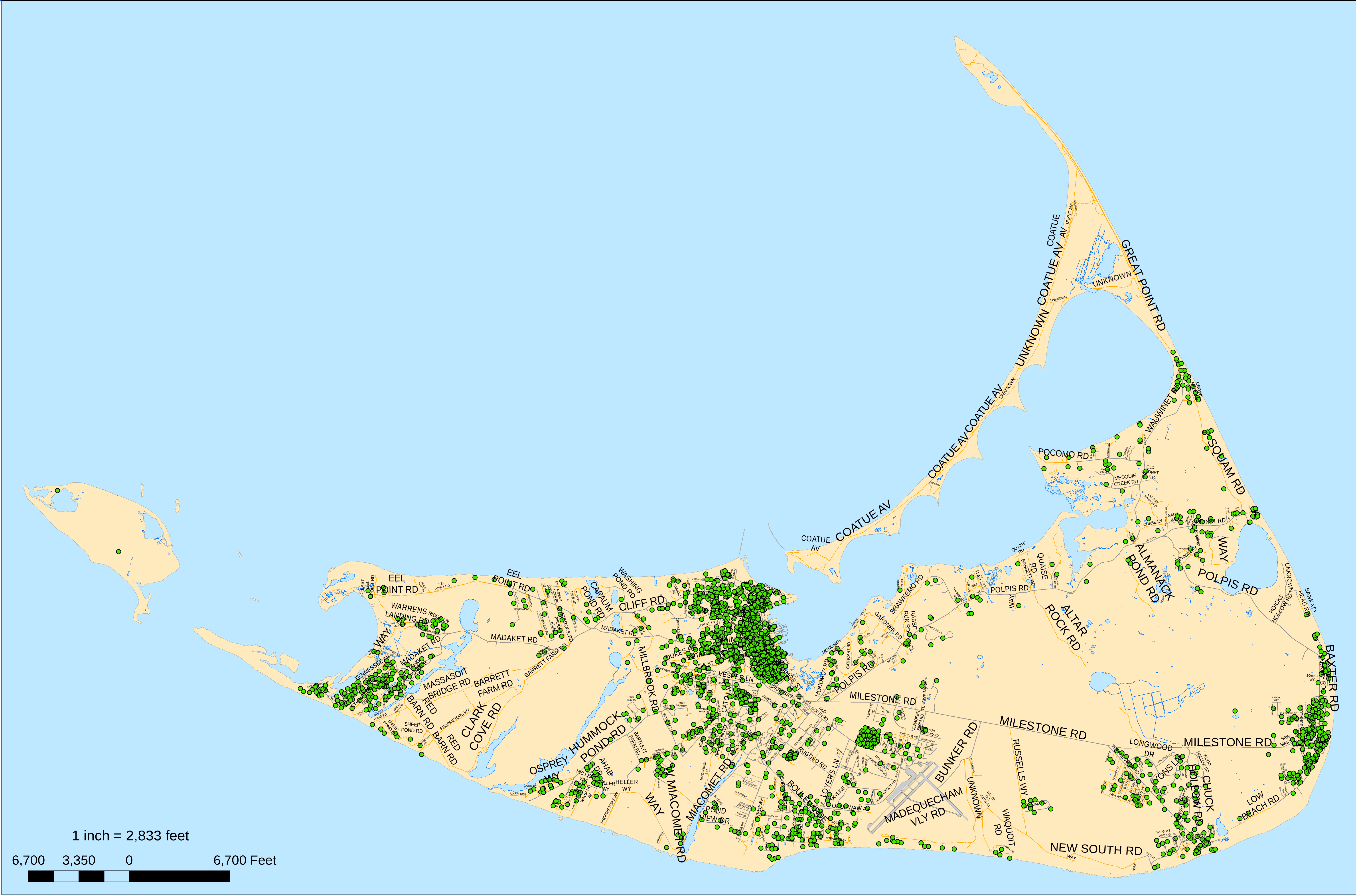
Define short term rental
and allow boarders in
owner occupied dwelling
units.

BYLAW AMENDMENT WORKING CONCEPT #5

Limit the maximum
number of days (120-180?)
available for short term
rental use per calendar
year.

BYLAW AMENDMENT WORKING CONCEPT #6

Develop a registration or licensing process in the General Bylaw for short term rentals. Identify a department to manage the process, including any required inspections or enforcement (similar to a liquor license). Establish a fee.



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

9/28/2021

Town of Nantucket - GIS Mapsheet

Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.

The presence of information of this mapsheet does not necessarily imply public right-of-way or the right of public access.

The planimetric data on this mapsheet is based primarily upon interpretation of April, 2003 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.

The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2014.

Legend

ShortTermRental_2021_08_pt

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



Short Term
Rental Properties



Rules and Regulations for Town of Nantucket Controlled Cemeteries

Adopted: April 23, 2014

Effective: May 1, 2014

Proposed Amendments as of 111221

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In accordance with MGL Ch. 114 and Chapter 47 of the Acts of 2011, the Cemetery Commission has promulgated the following rules and regulations that govern burials in Town cemeteries, and the use and care of Town cemeteries. These rules and regulations may be amended from time to time, with the approval of the Select Board-of-~~Selectmen~~.

I. General Rules

Town Cemeteries are open daily from dawn to one-half hour after sunset.

The License Holder (owner of a lot) is limited to interring human remains or cremated human remains in that site. The owner also has a limited right to place a monument and plant flowers or shrubs. These limitations are outlined in other sections of these regulations.

Cemeteries are places for contemplation and quiet reflection. They are not recreation areas. Please respect these sacred grounds and use common sense: No loud noise, bad behavior or trash.

No person shall remove, cut, break or mark any tree or shrub; or mark upon, deface, or injure any monument or structure on the grounds.

Gravestone repairs require prior authorization of the Cemetery Commission or its designated agent. Rubbings are not permitted. Take photographs only.

Firearms shall not be discharged in the cemeteries, except for salutes at military funerals, Memorial Day, or Veteran's Day.

Dogs must be leashed at all times and be under control of their handler. Dog walkers must clean up after their dogs and must ensure that dogs do not trespass on any grave.

All trash must be removed from Town cemeteries, as there are no trash receptacles available.

Additional Rules and Regulations Applicable to the Polpis Burial Ground

Polpis Cemetery is open to cremation interments only.

Cremation lots are four feet (4') by six feet (6') and shall have no more than four (4) cremations in each lot.

Only one monument or marker per cremation lot will be allowed. A foundation must be placed under each monument. Only a professional who normally provides such a service in the community shall be permitted to place the foundation and monument, unless the Commissioners explicitly waive this requirement in writing. Markers may not be set to embrace two or more grave lots. All markers shall be flush with the ground. No wooden crosses shall be allowed.

The Town shall not be liable for damage to monuments or markers. Markers may be of granite, marble or bronze, the use of limestone, sandstone, cast or cement stone and metals for monuments shall not be allowed. Monuments may be made of native boulders.

Because Polpis Cemetery is a natural setting, no additional planting will be allowed on lots.

No other structure but approved markers or monuments may be placed on a lot.

No vehicles are allowed in the Polpis Cemetery.

No lights of any kind will be allowed.

II. Definitions

For the purpose of these Rules and Regulations, the following words shall have the following meaning, unless a different meaning is ascribed to such terms under the General Laws:

Cemetery – All property owned by the Town of Nantucket dedicated for the burial of deceased human remains.

Cemetery Administrator – The person charged by the Cemetery Commissioners with the day-to-day administration of Town Cemeteries in accordance with these Rules and Regulations, the directions of the Cemetery Commissioners, and applicable Federal and State laws.

Cenotaph – A monument erected in honor of persons buried at sea, or whose remains lie elsewhere.

Columbarium – A permanent structure, room or space in a mausoleum or other structure containing niches or other suitable spaces for the permanent placement of cremated human remains.

Cremated Remain - The final physical remains of a human being after having been cremated and processed.

Cremation Lot – An area of land specifically designed for the interment and placement of cremated remains only.

Cremation Niche – see Niche.

Crypt – A chamber in a mausoleum of sufficient size, generally used to contain the casketed remains of a deceased person.

Durable Outer Container (Grave Box, Grave Liner or Vault) - All burials, [except for approved green burials](#), of bodies and cremated remains shall be placed in a durable outer container. Durable outer containers shall be made of reinforced concrete or fiberglass and may include:

Grave Box / Grave Liner – An unsealed monolithic receptacle of two (2) or more pieces in which the casket is placed at time of burial.

Vault – A two-piece sealed receptacle for protection of the casket.

Urn Vault - A two-piece receptacle for protection an urn.

Governing Body – The Nantucket Cemetery Commission.

Grave – A space in a cemetery used or intended for use, for the in-ground burial of one (1) or more deceased persons. The size of a grave may vary as laid out by the Cemetery Commission.

[Green Burial – The burial of human remains, full body or cremated, with the intention of their return to the soil through natural decay processes; green burial necessitates the use of non-toxic and biodegradable materials, such as caskets, shrouds, and urns.](#)

Foot Marker – A flush to the ground memorial made of granite or bronze, which is placed at the foot of a grave.

Interment – The permanent placement of a dead human body [either in a green burial or](#) placed in a casket within a durable outer container and buried in the ground.

Inurnment – The permanent placement of cremated human remains in a niche, space in a columbarium, or burial in a grave.

License Holder – The original purchaser of a Right of Burial and others entitled to a Rights of Burial.

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Lot – A place designated in a cemetery comprised of one or more grave spaces.

Memorial or Monument –A monument or memorial usually made of granite, a flush-to-the ground memorial usually made of bronze or granite, or a foot marker, any of which is used for commemorating the life of a deceased person.

Niche – A discrete chamber, space or recess in a columbarium used for the permanent placement of cremated human remains, encased in an urn.

Perpetual care - The activities of routine cemetery maintenance such as, but not necessarily limited to, mowing, brush cutting, repair of fences and laneways, and signage.

Perpetual Care Fund –A fund authorized by the General Laws, whereby funds are set aside, the income of which is used for the perpetual care and maintenance of the cemetery or lots therein.

Rights of Burial – The exclusive right of burial granted by the Town to a License Holder for the use of a specific grave, lot, crypt, or niche or other burial space in a cemetery.

Urn – A container to hold human cremated remains. An urn can be placed in a columbarium niche or buried in the ground within a durable outer container.

III. Interments and Inurnments

Lots in the cemeteries shall be used for no other purpose than a place for the interment of human remains as full casket burials, green burials, or inurnment of cremated remains.

No interment or inurnment shall be made until the Cemetery Administrator or designee has been furnished with a burial permit and/or cremation certificate as required by law, together with a written interment or inurnment order on a form approved by the Cemetery Commission and endorsed by the License Holder, or the legal representative of the License Holder in the lot in which interment is to be made. No grave shall be opened for interment, inurnment or removal unless authorized by the Cemetery Commission and cemetery personnel have flagged the area.

Green burial applications, on forms specific to green burials, will be reviewed by the Department of Health for minimal environmental impact before review and potential approval by the Cemetery Commission.

Except for green burials, aAll interments and inurnments shall be enclosed in a durable outer container or vault.

Each grave (minimum four feet (4') by ten feet (10')) includes the right of interment of either one (1) full casket or one green burial for regular depth burial and one cremation burial.

Each grave may have additional right (provided additional fees are paid) of:

- Replacement of the cremation burial with a second full casket interment as a “double-deep” burial;
- Replacement of the initial full casket burial and inurnment of up to four (4) cremated remains.

A cremation lot includes the right of inurnment of up to four (4) cremation burials.

Additional regulations will be drafted if a niche wall is constructed.

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IV. Cemetery Lots

When a Right of Burial is purchased, the License Holder will be given a written deed, granting the License Holder Rights of Burial in a specific grave, lot, crypt, or niche or other burial space in a cemetery. The Deed may contain certain specific terms and conditions for use of the Rights of Burial, and grant the right of erecting a monument or memorial on such terms and conditions as the Cemetery Commissioners may prescribe. Such deeds and all subsequent deeds of such Rights of Burial made by owners thereof shall be recorded by the Cemetery Administrator or designee in the records maintained by the Department of Public Works in the office of the Town Clerk in books in files kept for that purpose. Copies of lost deeds may be obtained by contacting the Nantucket Town Clerk or the Cemetery Commission. It shall be the duty of the License Holder and his/her heirs to notify the Commission of any changes in their mailing address. Notice sent to the License Holder at the last address on record shall be considered sufficient and proper legal notification.

The Cemetery Commissioners shall establish the cost of a Burial Right and fees related thereto and may amend the same from time to time. Cemetery personnel shall furnish, to those who desire to purchase Rights of Burial information relative to the cost of the same and the conditions upon which interments or inurnments may be made. See: Nantucket Cemetery Commission Schedule of Fees.

- A License Holder, or his/her heirs, shall not sell, transfer or convey the Rights of Burial, but such Rights of Burial shall pass to family members as permitted under Chapter 114 of the General Laws. The Town of Nantucket shall have the option of buying back Rights of Burial, subject to availability of funding. The price to be paid by the Cemetery Commission shall be no greater than the original purchase price, provided that all remains, if any, have been removed from the lot.
- Should the Town not exercise its option to buy Rights of Burial, a License Holder may assign or transfer such Rights of Burial only as permitted by the Cemetery Commissioners, who may limit such assignment or transfer to individuals who are current residents of the Town of Nantucket, past residents or relatives of such individuals. A License Holder wishing to assign Rights of Burial should contact the Cemetery Administrator. An assignment form needs to be completed, notarized and submitted to the Cemetery Administrator in order to ensure accurate recording of all assignments.
- Upon the death of the License Holder, Rights to Burial shall pass in accordance with the laws of the Commonwealth of Massachusetts.
- An existing single grave (minimum four feet (4') by ten feet (10')) containing recorded remains may also accommodate one cremation burial, provided the cremated remains are that of a family member, heir or others with verified rights of interment.
- Graves for the interment of any indigent (by state definition) resident veterans are

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provided at no cost and are set aside for burials of indigent resident veterans residing in the Town at the time of their entry into service and/or at the time of their death verified by the Veterans Agent and subject to the approval of the Cemetery Commission.

- Single grave space may be made available for the burial of the stillborn or infants without charge to the resident parents residing in the Town at the time of death.
- Under MGL Ch. 14 the Town shall provide grave space for interment or inurnment of the indigent. Heirs may place monuments on indigent burials only if the interment rights are purchased and paid in full prior to placing a memorial. The Cemetery Commission will determine indigent status based on state regulations and definition.
- No work shall be performed on graves or lots by or on the direction of License Holders unless authorization has been obtained from the Cemetery Administrator, in order to preserve as much as possible the natural appearance of cemeteries.
- The Town shall not be responsible for the maintenance of any flowers, flags, decorations, holiday arrangements, or other objects placed on a lot, and shall have the right to remove the same if, in the opinion of the Cemetery Commission, they are unsightly. The Town of Nantucket shall not be liable for items left at a grave, or damage to flowers, flags, decorations, monuments or other objects due to weather, vandalism theft or wear and tear.
- Annual/perennial flowers may be planted at the base of and within 12 inches of a monument/marker, so as to not interfere with the Cemetery Commission's maintenance procedures.
- Fences, borders, curbing, hedges, shrubbery, trees, rampant-growing plantings and crushed stone are prohibited. No signs or lettered wooden boards of any kind are permitted on a gravesite, unless the Cemetery Commission has granted prior approval.
- Any materials placed on a grave that are not in compliance with these regulations are subject to removal without notice.
- The Town may take over the ownership of an unoccupied grave after a minimum of seventy-five years has elapsed after the issuance of a license for the grave by the Town and that the Town cannot locate the owner or the owner's successor in interest after a diligent search. If the ownership of the license is ascertained after such a taking occurs, then the Town shall pay the fair value of the license at the time of taking, to the owner.

Reuse of an occupied grave will not be permitted except: upon the request and with the consent of a relative or descendant of the decedent occupying the grave, providing that no other descendant objects; to provide for the burial of a relative or descendant of the

decedent occupying the grave; and if the remains of the decedent occupying the grave will remain in the grave.

—

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V. Memorials

The Cemetery Commission must approve any memorial, including gravestones, markers, benches or other structures, in writing prior to installation.

- All inscriptions to be made on memorials shall be approved by the Cemetery Commission prior to carving. The Commission reserves the right to prohibit offensive language or imagery within the cemetery.
- Monument dealers, masons, stonecutters and all workmen working at any Town cemetery shall comply with the directions of the Cemetery Commission and must carry off all rubbish and restore roads, avenues and paths damaged by their operations. The Town of Nantucket will not be responsible for any errors made by any improper inscription on any memorial.

Memorial sizes shall be based on the following except at Polpis Cemetery where only flush memorials are permitted:

- **SINGLE LOT:** 16 inches by 24 inches flush memorial or 24 inches wide slant in designated areas.
- **CREMATION LOT:** 12 inches by 18 inches flush memorial or 18 inches wide slant in designated areas. If two or more names are to be inscribed in the memorial, it may be 12 inches by 24 inches wide."
- **MULTIPLE Grave LOTS**
 - Two (2) grave lot: three foot (3') wide base etc.
 - Three (3) grave lot: four foot (4') long base or bench etc.
 - Four (4) grave (or more) lot: six foot (6') long base or bench etc.
- Where family lots have been established in inactive cemeteries (a list of such cemeteries is provided below), those families will be allowed to place memorials that duplicate the style of the existing surrounding markers or headstones or, alternatively, use flush markers.
- No headstones, monuments, curbing or other structure will be permitted to be erected in the cemeteries without a sufficient foundation. All markers, headstones, monuments and other structures shall be made of granite, marble, slate, or other approved material. All monuments are to be centered at the head of grave/lot. Flush foot markers may be placed at the center of the foot of a grave.
- A marble or granite bench will be allowed on a lot with three (3) or more graves. If a bench is placed on a lot, no other memorials are permitted other than foot markers on individual graves within the lot.
- Special permission for alternate memorial sizes may be requested of the Cemetery

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Commission for consideration.

- The Cemetery Administrator is required to have written notification prior to any foundation work/memorials placement, with all information outlined and submitted on a Cemetery Department Monument Permit Order. Prior to the initiation of any monument work, the lot must be marked/flagged by Cemetery Department personnel. Monuments are required to be set in such manner that they will not conflict with the alignment of neighboring monuments.
- Memorials and structures that are not in compliance with these regulations are subject to removal without notice.

VI. Administration

The Cemetery Administrator shall have responsibility for the proper day-to-day administration of Town Cemeteries in accordance with the administrative direction of the Town Manager and the policy direction of the Cemetery Commissioners, these rules and regulations and applicable Federal and State laws. The Town of Nantucket Home Rule Charter and MGL Ch. 114 and Chapter 47 of the Acts of 2011 established the Cemetery Commission and the appointment of members. Duties of the Cemetery Commissioners are prescribed under MGL Ch. 114.

There may be circumstances when the strict or literal enforcement of these Rules and Regulations may impose unreasonable hardship. The Cemetery Commission reserves the right to make exceptions, suspensions, or modifications to these Rules and Regulations, without notice, whenever necessary in the judgment of the Cemetery Commissioners.

VII. Cemeteries in the Town of Nantucket

Active Town Controlled Cemeteries (*Burial rights may be available*):

Newtown Cemetery	Sparks Avenue	Space available.
Polpis Burial Ground (Cemetery)	Polpis Road	Plots to be laid out; Cremains only; flush monuments only.

Inactive Town Controlled Cemeteries (*No burial rights available for sale*):

Cemetery	Location	Status
Founders Burial Ground	Off Cliff Road	Closed to new interments.
The Historic Coloured Cemetery —	Mill Hill	No known space
available.		
Native AmericanMiacomet Indian Burial Grounds	Surfside Road	Closed to new interments.
New North Cemetery	New Lane (east)	No new plots, owners only.

Old North Cemetery	New Lane (west)	No new plots, owners only.
Quaker Cemetery	Madaket Road	Closed to new interments?
<u>(Friends Burial Ground)</u>		

Private Cemeteries not controlled or maintained by the Town of Nantucket:

As information only, the following cemeteries are known to exist within the corporate limits but the Town of Nantucket has no obligation or involvement therewith.

Saint Mary's Cemetery	Private, plots available.
Sconset Chapel Columbarium	Private, inurnments only.
Saint Paul's Memorial Garden	Private, ashes only.
Prospect Hill Cemetery	Private Board and regulations; plots available.
Edward Lewis Memorial Cemetery and the adjacent Jewish Cemetery on Somerset Rd are private and administered by the Prospect Hill Board.	

A Cemetery owned and currently maintained by the Nantucket Conservation Foundation:

Quaise Asylum Burial Ground	Polpis Road	Closed to new interments.
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VIII. Fees

The Cemetery Commission shall adopt a schedule of fees for the sale of Rights of Burial and other rights and services provided by the Cemetery Commission, which may be amended from time to time. All Rights of Burial must be paid for in full at the time of sale unless there are extenuating circumstances for which the Commissioners may offer a payment plan to the purchaser. No interments, inurnments or improvements shall be made to a lot, and no deeds shall be issued, until the Rights of Burial have been paid in full.

Nantucket Cemetery Commission**Schedule of Fees*****Voted 03.12.14*****Burial Rights**

The following prices have been established by the Nantucket Cemetery Commission for the sale of Burial Rights in plots laid out in Town owned cemeteries.

Newtown Cemetery

Newtown Cemetery can accommodate both full casket burials and also offers Cremation Lots.

Single Lot (4' x 10') **\$1200.00**

Each single lot (minimum 4 x 10 feet) includes the right of interment of one (1) full casket for regular depth burial and up to two cremation burials.

Double Deep Option - At time of lot purchase \$600.00 additional: **\$1800.00**

This option will accommodate two full casket burials. The first burial will be at a depth of eight feet (8'). This option offers replacement of the second full casket with inurnment of up to four (4) cremated remains.

Cremation Lots (4' x 6') **\$900.00**

Each Cremation lot will accommodate up to four (4) inurnments. Flush monuments only will be allowed on Cremation Only Lots.

Polpis Burial Ground

Only cremation burials are allowed at Polpis. Each lot includes the right of inurnment of up to four (4) cremated remains. Only flush monuments are allowed at Polpis.

Single Lot (4' x 6') **\$900.00**

A cremation lot includes the right of inurnment of up to four (4) cremation burials.

Rules and Regulations adopted by the Nantucket Cemetery Commission and the Nantucket Board of Selectmen govern operation of Town owned cemeteries.

All plots include perpetual care. Plot cost does not include services to open and close graves or funeral services.