

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Thomas M. Dixon
Matt Fee
Malcolm W. MacNab
Brooke Mohr



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Nantucket, Massachusetts 02554

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www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD OCTOBER 25, 2023 - 5:30 PM PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK FOR VIEWING ONLY:

<https://youtu.be/zbov0qMqTh8>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_b_q5wUG9S-SlmFgi5F-Ddw

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Special Town Meeting is Tuesday, November 7, 2023 at 5:00 PM at Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road.
3. No Select Board Meeting on Wednesday, November 8, 2023 Due to Special Town Meeting.
4. May 7, 2024 Annual Town Meeting Warrant Open for Citizen Warrant Article Submittals through November 13, 2023 at 4:00 PM.
5. Select Board Announcements/Comments.

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

1. Town Manager: Follow-up on Public Comment from October 18, 2023 Select Board Meeting.

V. PUBLIC COMMENT*

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of October 18, 2023 at 5:30 PM.
2. Approval of Treasury Warrants for October 25, 2023.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Request for Acceptance of \$50,000 from Siasconset Beach Preservation Fund (SBPF) for Consulting Services in Connection with Notice of Intent (NOI) to Conservation Commission for Sconset Beach Erosion Control Project.

IX. TOWN MANAGER'S REPORT

1. Continued Preliminary Review of Town-Sponsored Warrant Articles for 2024 Annual Town Meeting.
2. Review of Proposed 2024 Select Board Meeting Schedule.
3. Traffic Safety Work Group Recommendation: Installation of New Curb Cut at 34 Easton Street to Provide Two Off-Street Parking Spaces, Resulting in Elimination of One On-Street Parking Space.
4. Monthly Town Management Report.

X. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports.

XI. 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. 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 the United States Constitution and the Massachusetts Declaration of Rights.

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 an orderly and peaceable manner, without disruption to other speakers.

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 protected under the United States Constitution and the Massachusetts Declaration of Rights because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

Each speaker may not exceed three (3) minutes during any Public Comment portion of the meeting.

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 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.

Unanticipated Business: 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: April 26, 2023

Siasconset Beach Preservation Fund

PO Box 2279
Nantucket MA 02584

By Email

October 16, 2023

Erika D. Mooney, Operations Administrator
Town Administration
Town of Nantucket
Nantucket, Massachusetts 02554

Dear Erika Mooney:

This letter is being sent to you on behalf of the Sconset Beach Preservation Fund. We wish to have the Town of Nantucket accept a gift of Fifty Thousand Dollars (\$50,000.00) in connection with the Town's need for consultation services for the filing, processing and presenting a case for the Geotube expansion before the Conservation Commission. Please ensure that this gift is allocated for this specific purpose and no other.

Sincerely,

Sconset Beach Preservation Fund

By: 

Meredith Moldenhauer

PO Box 2279

Nantucket, MA 02584

meridith.h.moldenhauer@gmail.com

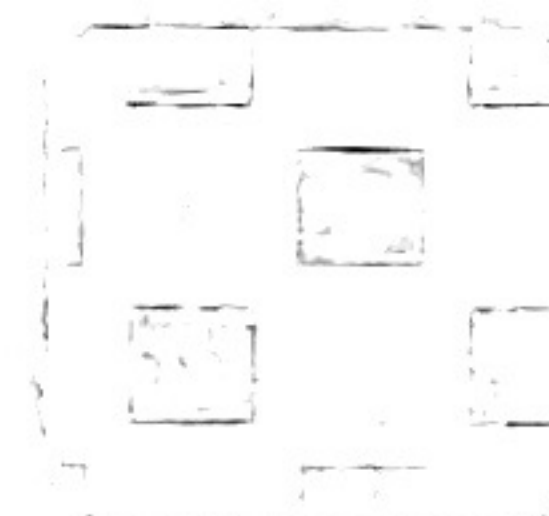
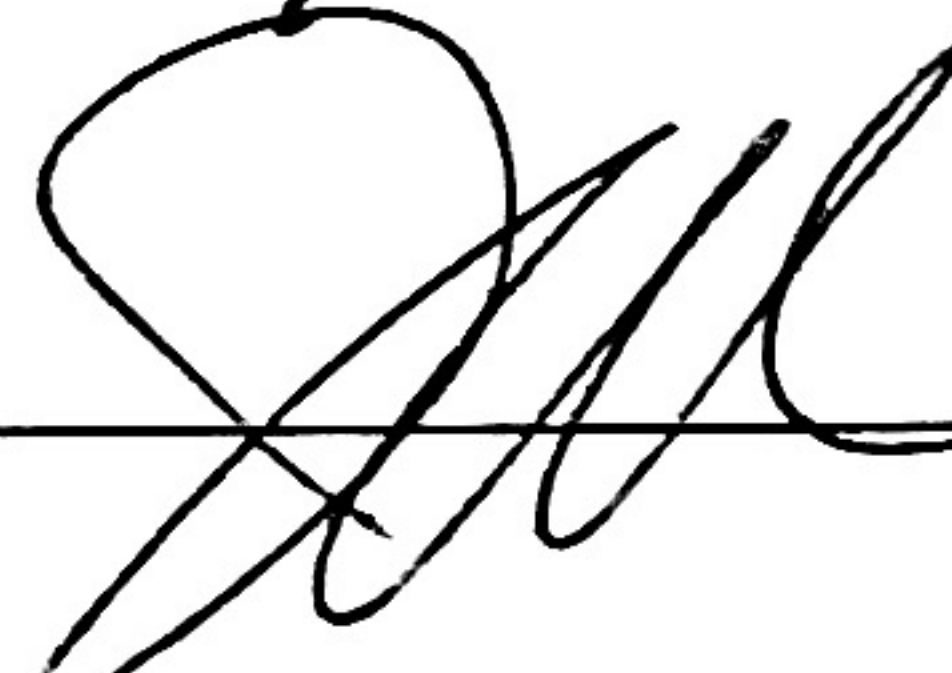
www.sconsetbeach.org

1573

SIASCONSET BEACH PRESERVATION FUND INC

PO BOX 2279
NANTUCKET, MA 02584

53-7107/2113

DATE 10/17/23PAY
TO THE
ORDER OFTown of Nantucket\$ 50,000.00Fifty thousand dollars 00/100 - DOLLARSFOR Gift - Consultation Geotube ExpansionCAPE
COD
www.capecodfive.com

Details on back



Security Features

Preliminary Outline #1 for 2024 Annual Town Meeting Warrant

For 10/18/23 SB review

As of 10/15/23

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 2024 General Fund Budget Transfers
7. Personnel Compensation Plans for FY 2025 (*add per diem dispatcher*)
8. Appropriation: FY 2025 General Fund Operating Budget
9. Appropriation: Health & Human Services
10. Appropriation: General Fund Capital Expenditures
11. Appropriation: FY 2025 Enterprise Funds Operations
12. Appropriation: Enterprise Funds Capital Expenditures
13. FY 2024 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 2025 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 2023 ATM

ZONING* BYLAW & GENERAL BYLAW AMENDMENTS

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

Zoning Bylaws

See attached from Planning (includes Zoning and other)

General Bylaws

- Paid parking (see vote on Article 66 of 2020 ATM – attached) (*NOTE: when the Board discussed this potential article in 2022, it was left that it needed to understand what it will take to implement paid parking (ie – the capital and any operational investments), that analysis began with the prior Transportation Planner but has not yet proceeded due to multiple other priorities*)
- Anything for E-bikes, E-scooters? (not sure where this stands with BPAC)
- Noise bylaw – any changes to hours/days/summer? (brought up at NCL 2023 annual forum; 2023 Sconset Civic Assoc annual meeting)
- Rental car bylaw changes?

HOME RULE PETITIONS

Resubmittal of Pending HRP's from prior ATMs (if these have not been acted upon by the Legislature)*

- Community Housing Bank (*Article 76/2022 ATM; Article 79/2019 ATM; Article 70/2018 ATM; Article 88/2017 ATM; Article 82/2016 ATM*)
- Sewer Act Amendment (*Article 84/2023 ATM; Article 77/2022 ATM*)
- Gov't Study Committee Recommendations (*Article 85/2023 ATM; Article 78/2022 ATM*)
- Fertilizer Ban (*Article 86/2023 ATM*)
- Real Estate Conveyances x 2 (*1 – Article 87/2023 ATM, Article 94/2022 ATM: 50 Altar Rock Rd to NCF; 2 – Article 88/2023 ATM, Article 95/2022 ATM: Portion of Ames Ave*)

NEW:

- Amend County Charter to change “Board of Selectmen” to “Select Board”
- Coastal Resiliency Districts - ?
- Conveyance of paper road (W Chester St ext) to Land Bank
- Year-round housing deed restriction program? (not sure if this is also bylaw)
- Licensing Board – holding off until we see if new separate monthly meeting works out?

**several of these are currently in hearings; need to confirm their status*

MGL ACCEPTANCES

REAL ESTATE RELATED

- 31 Western Ave (under consideration - TBD)
- Conveyance of paper road (W Chester St ext) to Land Bank
- Appropriation for acq of transfer station
- Appropriation for acq of composter

OTHER

- Do we need to increase any borrowing auth for Housing?
- Coastal erosion structure approval in connection with SBPF/Town project at Baxter Rd?

BALLOT QUESTIONS

- possible debt exclusion(s) and/or capital exclusion(s) for capital projects; real estate

CITIZEN ARTICLES

Submittal deadline Mon, November 13

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.

ARTICLE 67

(Prohibiting Roundabouts Near Schools)

To see if the Town will vote to: Prohibit the construction of a rotary, a roundabout or a traffic circle by any other name on any public way within 1000 feet of a public school in the Town of Nantucket.

; or otherwise act thereon.

(John F. McGrady, Jr., et al)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

ARTICLE 68

(Complaint Committee)

To see if the Town will vote to: Approve that all Town of Nantucket Departments and Boards, staffed by employees, elected or howsoever constituted, or empowered, and including the office of Town Administration and its head, set full, clear and published standards for their performance and, included therewith, have a full and clear accessible complaints procedure together with appropriated redress for the user of the services when its alleged that wrongdoing or maladministration has occurred. Moreover, see if the Town will vote to approve, within any limitations set by the laws of the Commonwealth of Massachusetts, the formation of a committee to deal with complaints of wrongdoing or maladministration made against and employee of the Town of Nantucket, any Department of the Town of Nantucket or any Board of Member of a Board elected by voters of the Town of Nantucket.

(Theresa Williams, et al)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

2024 ATM Concept List as of 10/02/23

Map Changes

R-1 to R-5 or R-5L– Hooper Farm Road/Cartwright/Shady Maple/Allens/First/Second

R-10 to R-10L Nobadeer Way (Correction)

RC-2 to CTEC – Appleton (3 Properties)

RC-2 to CMI or CTEC – 43 Nobadeer Farm Road (Single Property)

RC-2 to R-5 or CN 61 Surfside Road and 2 Miacomet Ave

RC-2 to ??? Rosebud/Hinsdale/Forrest

Bylaw Changes

Flex Development – ability for PB to grant waiver of CR when there is an affordability component to development

CMI- 40ft allowed by right when 25% is affordable (get some structural schematics)

Apartments and Apartment buildings – density increase when there is a min of 25% affordable (subject to PB review and Special Permit)

Move MMD Special Permit to ZBA (discuss with ZBA on 10/12)

Prohibit large residential swimming pools in the MMD (allow small and hot tubs by special permit?)

Technical Amendments

139-2 (update apartments building(s) to be three or more units)

139-2 (change 650 to 900 to reduce confusion with conflicting numbers)

139-2 (remove R-1 and RC-2 setback difference from the definition of yard, front)

139-12 (update language that referenced incorrect Bylaw sections)

139-12G(2)(e) (update Bylaw section reference)

139-16C(3) (remove R-1 and RC-2 setback differences)

Other articles prepared by staff NOT for Planning Board

Bylaw update to Chapter 127-20A to reference the appropriate TOD and COD map

Cannabis Advisory Committee article?

2024

Select Board Meeting Schedule

(Approved XX)

January

NO meeting 1/3

1/10

1/11 - xs

1/17

1/24

1/31 (+ County mtg)

February

2/7

2/8 - xs

2/14

2/21 (+ County mtg)

NO meeting 2/28 (school vacation week)

March

3/6

3/7 – xs

3/13

3/14 – 4pm - joint SB-FinCom-CapCom mtg re: FC & PB motions

3/20

3/27 (+ County mtg)

April

4/3

4/4 - xs

4/10

NO meeting 4/17 (school vacation week)

4/24 (+ County mtg)

May

5/1

5/2 – xs

5/2 – 2pm – Pre-ATM conference with Moderator

NO meeting 5/8 (Annual Town Meeting)

5/15

5/22 – 10am - Swearing-in & election of SB officers after 5/21 election)

5/22 (+ County mtg)

NO meeting 5/29 (5th Wed)

*June – start summer schedule (*added more meetings per Select Board request)*

6/5

6/6 - xs

6/12*

NO meeting 6/19 (Juneteenth)

6/26 (+ County mtg)

July

NO meeting 7/3

7/10

7/11 - xs

7/17*

7/24 (+ County mtg)

NO meeting 7/31

August

8/7

8/8 - xs

NO meeting 8/14

8/21 (+ County mtg)

NO meeting 8/28

September

NO meeting 9/4

9/11

9/12 - xs

9/18

9/25 (+ County mtg)

October

10/2

10/3 - xs

10/9

10/16

10/23 (+ County mtg)

NO meeting 10/30 (5th Wed)

November

11/6

11/7 - xs

11/13

11/20 (+ County mtg)

NO meeting 11/27 (day before Thanksgiving)

December

12/4

12/5 - xs

12/11

12/18 (+ County mtg)

NO meeting 12/25



Agenda Item Summary

Agenda Item #	IX. 3.
Date	10/25/2023

Staff

Erika Mooney, Operations Administrator, staff liaison to Traffic Safety Work Group

Subject

Traffic Safety Work Group Recommendation which requires Select Board approval.

Executive Summary

At its August 17, 2023 meeting, Traffic Safety reviewed a request for the installation of new curb cut at 34 Easton Street which will allow for two off-street parking spaces and will result in the elimination of one on-street parking space and voted to recommend it to the Select Board for action. There was previously no off-street parking for this property.

Staff Recommendation

N/A

Background/Discussion

N/A

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

N/A

Board/Commission Recommendation

Traffic Safety Work Group recommends approval.

Public Outreach

N/A

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

N/A

Attachments

Application for curb cut, locus map, site plan, GIS Aerial photo; street photo



Application for Curb Cut/Driveway Access Permit

Date: August 10, 2023Property Owner: 334 Easton Realty Trust, LLC Tel.: _____Address: 34 34 Easton Street, Nantucket, MA 02554On-Island Agent: Arthur Gasbarro, PE, PLS Tel.: 508-825-5053Address: Nantucket Engineering & Survey, PC - 20 Mary Ann Dr. Nantucket, MA 02554Location of Proposed Work: 34 Easton Street Map & Parcel: 42.1.4 -18 18Proposed Improvements: Remove 17+/- ft of existing granite curb to install on-site paver parking area for two vehicles.

Plot plan showing proposed improvements must be attached. Site must be marked prior to inspection. No permit will be issued unless complete plans showing driveway location and drainage control are attached.

If curb cut will eliminate a legal parking space, approval from the Board of Selectman is required.

Parking Space Eliminated: 1 B.O.S. Approved: _____

All proposed work must comply with Chapter 139 (Zoning Bylaw), Section 139-20.1, Curb Cut and Driveway Access, of the Code of the Town of Nantucket.

Drainage improvements associated with the installation of the driveway on the subject property are the sole responsibility of the property owner.

This permit will be subject to the following conditions. All conditions must be met before certificate of occupancy is issued.

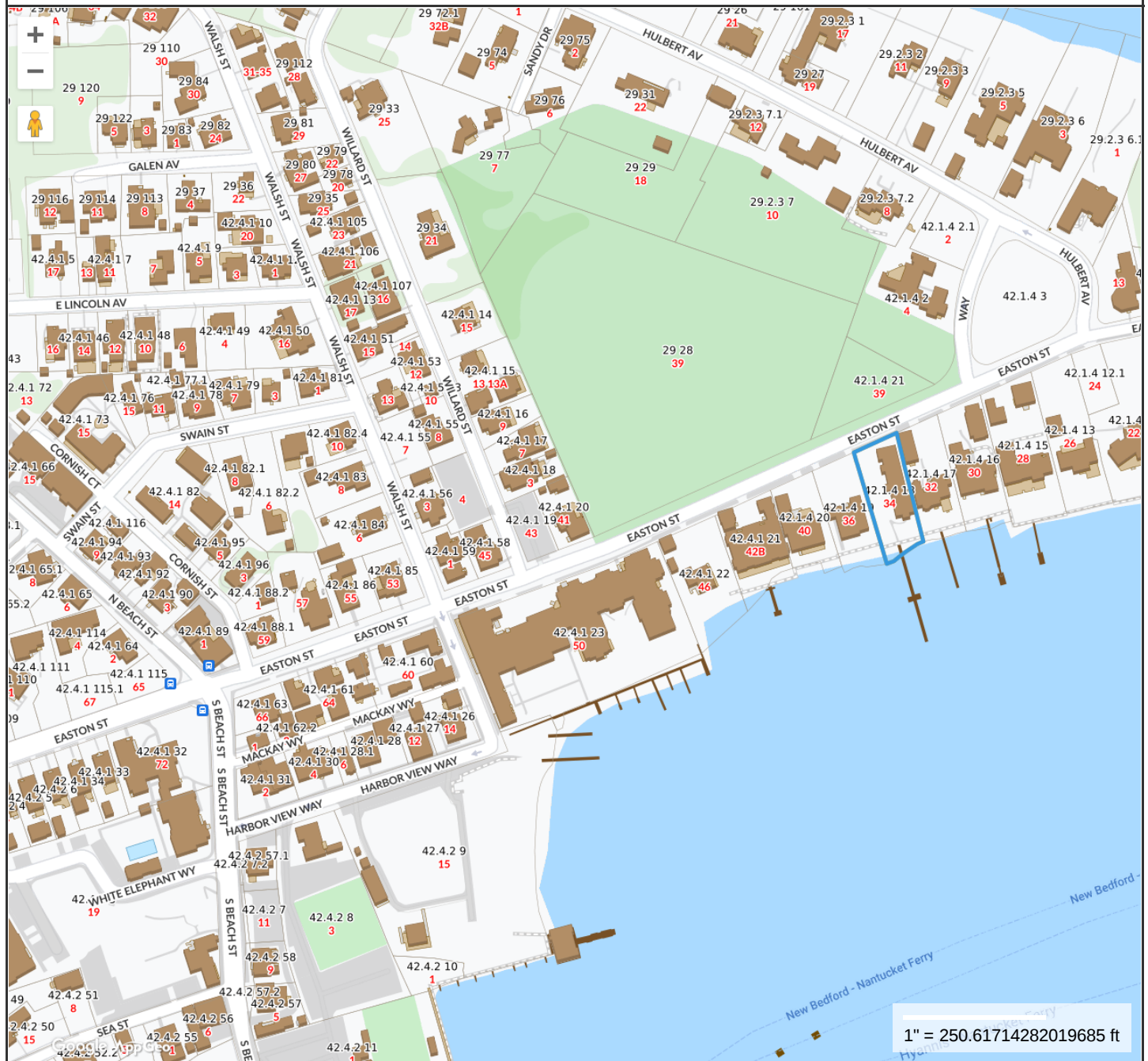
1. Any required pipe and/or appurtenances shall be installed at the owner's expense.
2. Stormwater run-off shall be prevented from discharging onto the public right-of-way.
3. Where applicable, an apron shall be installed by the property owner as per Ch. 139-20.1 B(2)(d).
4. Any granite or stone curbing removed shall be returned to the Department of Public Works garage.
5. Additional Conditions if any): _____

Applicant Signature:  Agent

Approved by DPW: _____

Issue Date: _____
Expiration Date: _____

Locus Map



Property Information

Property ID 42.1.4.18
 Location 34 EASTON ST
 Owner JOHNSON JOHN S III



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/29/2021
 Data updated Jan. 2021

Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.

THIS PLOT PLAN WAS PREPARED FOR PERMITTING PURPOSES ONLY AND IS NOT TO BE CONSIDERED A PROPERTY LINE SURVEY. THIS PLAN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, FENCES, HEDGES OR ANY ANCILLARY STRUCTURES ON THE PREMISES. THE PROPERTY LINES SHOWN RELY ON CURRENT DEEDS AND PLANS OF RECORD. THIS PLOT PLAN IS NOT A CERTIFICATION AS TO TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSOR RECORDS.

CURRENT ZONING CLASSIFICATION:
Residential 1 (R-1)

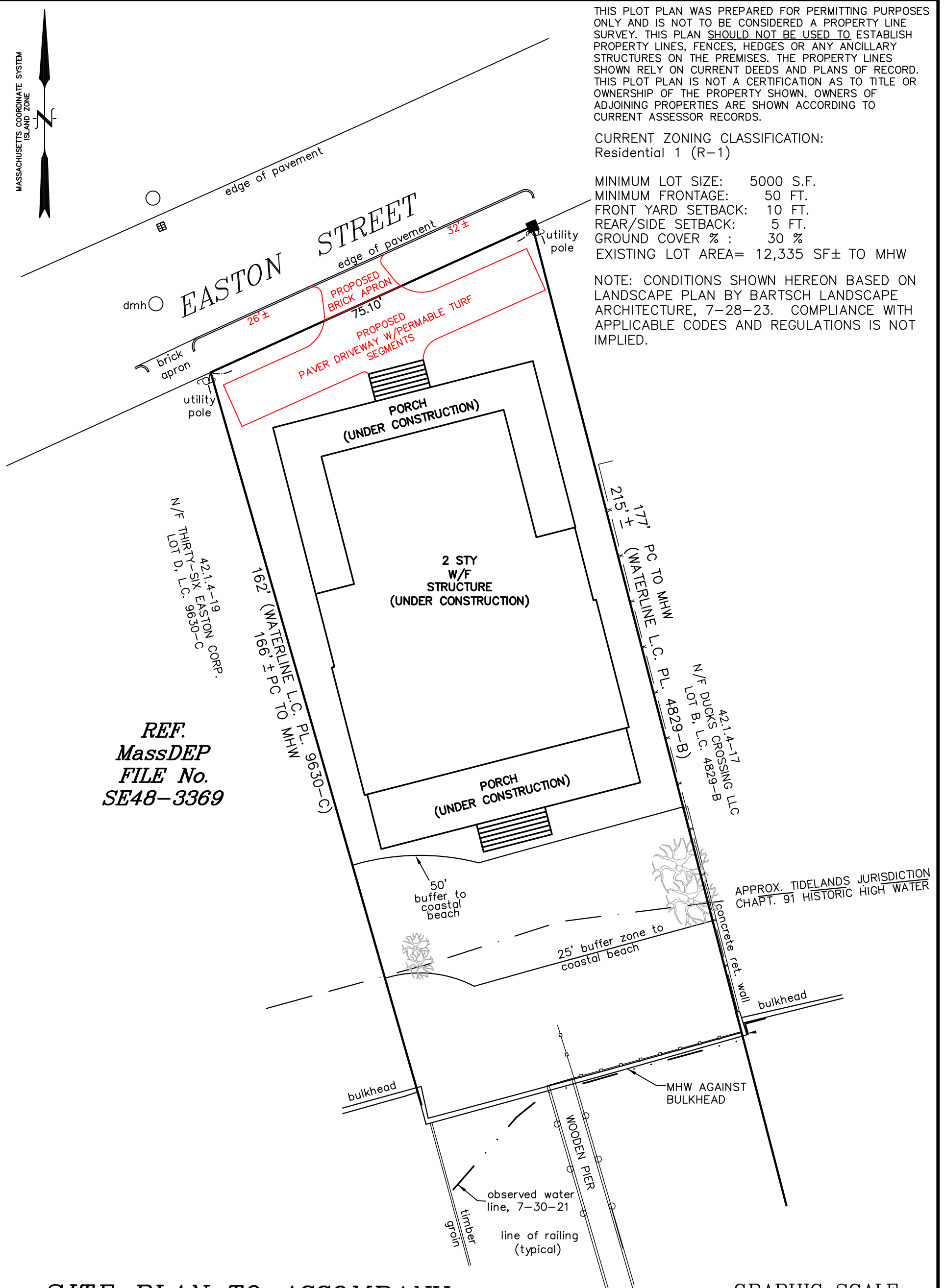
MINIMUM LOT SIZE: 5000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT.
REAR/SIDE SETBACK: 5 FT.
GROUND COVER % : 30 %
EXISTING LOT AREA= 12,335 SF± TO MHW

NOTE: CONDITIONS SHOWN HEREON BASED ON LANDSCAPE PLAN BY BARTSCH LANDSCAPE ARCHITECTURE, 7-28-23. COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS IS NOT IMPLIED.

REF.
MassDEP
FILE No.
SE48-3369

SITE PLAN TO ACCOMPANY A CURB CUT APPLICATION IN NANTUCKET, MA

OWNER: 34 EASTON REALTY TRUST
34 EASTON STREET
DEED REFERENCE: DBK 1864, PG 36
REF. PLFL 41-H, HOWEVER LAND COURT PLANS 9630-C
& 4289-B USED TO ESTABLISH LOT LINES AS PER DEED
ASSESSOR'S REF.: MAP: 42.4.1 PARCEL: 18
SCALE: 1"=20' DATE: AUGUST 10, 2023



42.1.4 21

42.1.4 1

42.1.4 17

42.1.4 18

42.1.4 19

420

41.28843,-

Map data ©2021

50 ft

Terms of Use

Report

