SELECT BOARD

Minutes of the Meeting of January 17, 2024. The meeting was held by full remote participation using Zoom Webinar. Members of the Board present were Dawn Hill Holdgate, Brooke Mohr, Matt Fee, Thomas Dixon and Dr. Malcolm MacNab.

I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:52 PM, following a meeting of the Nantucket Regional Transit Authority Advisory Board.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

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

2. Select Board Announcements/Comments. Ms. Mohr thanked everyone who participated in last week's January 11th solid waste meeting, especially the Town's solid waste consultant George Aronson. She noted the meeting was videotaped and may be found on the Town website. She encouraged the public to view it.

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

Town Manager C. Elizabeth Gibson responded to the following items from the January 10, 2024 meeting:

- Affordable Housing "things" (Campbell Sutton) – Ms. Gibson said that an update on affordable housing current projects and initiatives has been scheduled for the Board's February 7, 2024 meeting.

- Historic District Commission operational review (Hillary Rayport) – Ms. Gibson said the Select Board will host a joint meeting with the HDC at its February 21, 2024 meeting to discuss the operational review. She added that this meeting was challenging to schedule with the various parties and associated conflict dates but it looks like this date will work.

- Select Board/Nantucket Planning and Economic Development Commission Memorandum of Agreement (Meghan Perry) – Ms. Gibson said a joint Select Board – NPEDC meeting is in the process of being scheduled for Tuesday, February 20, 2024 at 6:00 PM in Room A of the Meeting Trailer at 131 Pleasant Street.

- Select Board salary (Meghan Perry) – Ms. Gibson said that with respect to a question as to whether the Finance Department will be part of "negotiations for Select Board pay", there would not be any negotiations on this that involve any Town staff. She added that the Select Board compensation is set by Town Meeting.

Ms. Gibson said that although it was not a Public Comment item last week, in response to a request from Dr. MacNab, the topic of "boat discharge" will be scheduled for the Board's February 7th meeting.

V. PUBLIC COMMENT

There was no public comment.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES AND WARRANTS

Mr. Fee moved approval of items VII 1 – 2; seconded by Ms. Mohr; by roll call vote: Chair Holdgate – Yes; Ms. Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Dr. MacNab – Yes; so voted.

1. Approval of Minutes of January 10, 2024 at 5:30 PM; January 11, 2024 at 9:00 AM; January 11, 2024 at 6:00 PM.

2. Approval of Treasury Warrants for January 17, 2024.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Ticcoma Green: Request for Land Development Agreement Extension; Project Update for Housing Development at 6 Fairgrounds Road. Housing Director Kristie Ferrantella reviewed the scope of this project, to take place on Town property, noting it has experienced various delays due to lawsuits. She said that HallKeen is now requesting an extension of its due diligence period as a result of these delays. She introduced Andy Burnes and Mark Hess of HallKeen. Mr. Burnes said that this project has been the most challenging he has ever experienced. He reviewed his experience with housing development projects and his team's experience. He reviewed HallKeen's communications with the state with respect to funding for the project. Mr. Hess spoke on the timing of state funding and commitment to this project. He noted the commitment is significant at approximately $31,000,000. Dr. MacNab asked about the confidence level with being able to secure this funding, given the timing challenges. Mr. Hess responded and said that while the state funding team is "very sophisticated" and the Town's support has been very strong, he could not "hazard a guess" as to success. He added that if he thought they were at a point to give up, they would but there are several elements they do not control. Mr. Burnes concurred and said that affordable housing projects such as this are very complicated, but they have been at this project for several years and are not ready to "throw in the towel" at this point. Mr. Fee asked about the impact to the Town's Subsidized Housing Inventory (SHI) if this does not proceed. Ms. Ferrantella responded and said that the Affordable Housing Trust (AHT) is developing "back up plans". Mr. Fee asked about financial and legal exposure from either side if the project were to end, now. Mr. Burnes responded and said that Nantucket's support is necessary to move forward. Mr. Burnes indicated he is unsure specifically what financial and/or legal exposure there would be and emphasized the challenges his team has faced with this project. Some discussion followed. Ms. Mohr requested consistent and regular communication to continue. Mr. Burnes confirmed that is their intent. Dr. MacNab asked about a "drop dead" date for a decision. Ms. Ferrantella said the AHT would need several months in order to develop a back-up plan(s). Some discussion followed. Ms. Ferrantella said a decision is needed within the next six weeks or so. Mr. Burnes concurred that is a reasonable time frame. Chair Holdgate asked about municipal employee preference for some of the housing units. Mr. Hess responded and said if the state approves that and agrees those units can be included in the SHI, they would agree. Ms. Mohr moved to authorize the requested extension of the due diligence period to December 15, 2024; seconded by Dr. MacNab; by roll call vote: Chair Holdgate – Yes; Ms. Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Dr. MacNab – Yes; so voted.

2. Housing Office: Request for Letter of Support for Bill H.4138, "An Act Known as the Affordable Homes Act". Mr. Fee moved approval; seconded by Mr. Dixon; by roll call vote: Chair Holdgate – Yes; Ms. Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Dr. MacNab – Yes; so voted. Ms. Mohr encouraged people to submit testimony to the state legislature for the housing transfer fee legislation; she said there is a draft support letter available through the Housing Director and people can add their personal stories. Chair Holdgate said

she has been asked to sign on to an Op Ed in the Boston Globe with Somerville and Concord. The Board had no objection.

IX. TOWN MANAGER'S REPORT

1. Review of Proposed FY 2025 Enterprise Fund Budgets: Our Island Home; Sewer/Stormwater; Water. Ms. Gibson introduced each department head and/or representative.

Our Island Home Administrator Peter Holden reviewed the budget presentation for Our Island Home, a link for which was in the Board's agenda packet.

Sewer Director David Gray reviewed the budget presentations for Sewer and Stormwater, a link for which was in the Board's agenda packet.

Water Director Mark Willett reviewed the budget presentation for Water, a link for which was in the Board's agenda packet.

X. SELECT BOARD'S REPORTS/COMMENT

1. Review and Discussion and Potential Adoption of May 7, 2024 Annual Town Meeting and Election Warrant. Ms. Gibson reviewed updates and/or outstanding items since the Board's January 10th meeting:

Select Board compensation remains outstanding (Article 7).

Debt exclusion articles – Ms. Gibson noted the Board requested estimated tax rate impacts which were reviewed and wanted to consider the ordering of these articles at its meeting last week. Ms. Mohr reviewed her thoughts on prioritizing these projects by: critical need, finishing projects already funded to complete them, hazards/safety, town employee housing, since it is a "#1 priority" of the Board. Mr. Fee agreed with putting the employee housing article first and commented on the tax rate impacts. He said he would put the tennis courts and public safety auxiliary building as lower priorities. It was generally agreed to use that order.

Discussion followed on a new short-term rental (STR) general bylaw article as discussed by the Board last week and prepared by Town Counsel. Mr. Fee asked if there is a staff recommendation. Ms. Gibson said there was not really any thorough staff review due to timing, but she wasn't sure what new comments there might be. Some discussion followed. Chair Holdgate recused from the specific discussion about the STR articles. Vice Chair Mohr asked the Board if it felt comfortable including the new article. Mr. Dixon said he is concerned about unintended consequences. Dr. MacNab said the Select Board article does not seem much different from the two citizen articles. Some discussion followed as to the differences in the articles. Town Counsel John Giorgio noted that the Provincetown STR article discussed last week, will not be approved by the Attorney General's office before the Board adopts the warrant. Mr. Fee expressed concern about a lack of time to give these articles a more thorough review. Mr. Giorgio suggested the Board could also potentially seek to amend one or both of the citizen articles. Discussion continued about the content of the Select Board article. Mr. Fee suggested an accessory use zoning article. Ms. Mohr suggested an article that contains the two items most people seem to agree on: limit or ban corporate ownership and limit or ban fractional ownership. Mr. Fee moved to remove the new article entirely, saying the consequences haven't been thought through enough; seconded by Dr. MacNab; by roll call vote: Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – No; Mr. Dixon – No. The motion did not prevail. Mr. Fee noted that the Board had not previously voted to include this article, it was just added. Mr. Giorgio acknowledged this.

Discussion followed as to how to proceed. Mr. Dixon moved amend Mr. Fee's original motion and to retain the article and delete subsection "K" which relates to a limitation of two STRs per owner; seconded by Dr. MacNab; by roll call vote: Mr. Fee – No; Dr. MacNab – Yes; Mr. Dixon – Yes; Ms. Mohr – Yes; so voted. On the main motion as amended by roll call vote: Mr. Fee – No; Dr. MacNab – Yes; Mr. Dixon – Yes; Ms. Mohr – Yes; so voted. Some discussion followed. Mr. Giorgio suggested a potential discussion with the citizen article sponsors to potentially agree on a single article to be put before Town Meeting.

Mr. Fee moved to remove two potential articles relating to the bicycle bylaw due to inconsistencies with state law; seconded by Mr. Dixon; by roll call vote: Chair Holdgate – Yes; Mr. Fee – Yes; Ms. Mohr – Yes; Dr. MacNab – Yes; Mr. Dixon – Yes; so voted.

Some discussion followed on the coastal resiliency-related articles. Mr. Fee spoke on ensuring that the Board can assess betterments as needed for coastal resiliency projects.

The Board unanimously agreed to remove the currently numbered Article 89, a home rule petition pending before the legislature relating to the Nantucket Planning and Economic Development Commission.

With regard to Select Board compensation, Ms. Mohr moved to increase it by $1,000 across-the-board; seconded by Mr. Dixon. Mr. Fee suggested the Select Board compensation should be increased automatically annually by the cost-of-living; and, also for fees across-the-board. By roll call vote: Mr. Fee – No; Dr. MacNab – No; Ms. Mohr – Yes; Mr. Dixon – Yes; Chair Holdgate – Yes; so voted.

Ms. Mohr moved to adopt the Warrant as discussed and modified with any minor technical changes; seconded by Mr. Fee; by roll call vote: Chair Holdgate – Yes; Ms. Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Dr. MacNab – Yes; so voted.

2. Committee Reports. Mr. Fee reiterated that fees should be increased annually by the cost-of-living.

XI. ADJOURNMENT

Ms. Mohr moved adjournment at 8:24 PM; seconded by Mr. Dixon; by roll call vote: Chair Holdgate – Yes; Ms. Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Dr. MacNab – Yes; so voted.

Approved the 24th day of January 2024

SELECT BOARD
JANUARY 17, 2024 – 5:30 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

VII. 1. Draft minutes of 1/10/2024; Draft minutes of 1/11/2024 Open Session; Draft minutes of 1/11/2024 Solid Waste
VIII. 1. AIS re: Ticcoma Green/6 Fairgrounds Road; Extension Request Letter from HallKeen; Email correspondence
VIII. 2. AIS re: Affordable Homes Act; Draft letter of support for Bill H.4138 "An Act Known as the Affordable Homes Act"
IX. 1. Links for FY25 Budget Enterprise Funds: Our Island Home, Sewer/Stormwater, Water
X. 1. Draft 2024 ATM Warrant; tax rate information estimates