

Town and County of Nantucket

Select Board • County Commissioners

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C. Elizabeth Gibson
Town & County Manager

***AGENDA FOR THE MEETING OF THE
COUNTY COMMISSIONERS
JUNE 4, 2025 - 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS***

YOU TUBE LINK FOR VIEWING ONLY:
<https://youtube.com/live/twPXMqgQRc8>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_ROvCACk8RC2PJ3m5Ah1WpQ

- I. CALL TO ORDER***
- II. ANNOUNCEMENTS***
 1. The County Commission Meeting is Being Audio and Video Recorded.
- III. PUBLIC COMMENT****
- IV. NEW BUSINESS*****
- V. APPROVAL OF MINUTES AND WARRANTS***
 1. Approval of Minutes of May 28, 2025 at 5:30 PM.
- VI. OFFICIAL BUSINESS***
 1. Request for Review and Selection of Preferred Alignment Option for Tom Nevers Road Multi-use Path.
- VII. COMMISSIONERS REPORTS/COMMENTS***
- VIII. ADJOURNMENT***

****Public Comment: please see attached Public Comment Policy which can also be found at <https://www.nantucket-ma.gov/DocumentCenter/View/51055/Public-Comment-Policy---Adopted-by-the-Select-Board-on-February-12-2025-PDF>.***

*****New 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.***



Town of Nantucket
Public Comment Policy
Adopted by Select Board
February 12, 2025

A. Purpose:

This Policy is adopted to facilitate orderly and efficient public comment periods at meetings of Town public bodies. It will protect the ability of the residents of Nantucket, and other persons, to provide feedback or information to pertinent public bodies regarding matters of public interest, Town initiatives, operations, services, and programs. To allow speakers a fair opportunity to address a public body, and to ensure the public body may accomplish its stated business in an efficient manner, these guidelines seek to ensure compliance with the Open Meeting Law and meet other legal and constitutional obligations. Meetings of public bodies in the Town of Nantucket should be places to engage in orderly and peaceable discourse.

B. Authority:

Principles of free speech and freedom to petition the government, fundamental rights protected by the United States and Massachusetts Constitutions, prohibit public bodies from preventing all speech that may be upsetting or offensive. As such, this Policy establishes reasonable time, place, and manner restrictions sufficient to facilitate orderly and peaceable public comment periods at meetings of elected and appointed public bodies of the Town.

C. Legal Standards:

Meetings of public bodies are subject to the requirements of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Open Meeting Law empowers the chair of a public body to preside at and regulate the proceedings of meetings. Pursuant to G.L. c. 30A, § 20(g), no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. Any person wishing to speak at an open meeting must first be recognized by the chair. All questions raised and all comments made by a duly-recognized speaker must be directed to the chair of the public body alone, not to individual members of the public body, staff, or the public. The chair is authorized to maintain order, and, although a rare occurrence, has authority, after appropriate

warnings are ignored, to take action up to and including removal of a person who is disrupting a meeting.

D. Application:

To secure the rights of the public to participate in public comment periods in the Town of Nantucket in a manner consistent with law, and, to thereby protect the Town and members of elected and appointed bodies from civil rights claims, this policy shall apply to all public bodies in the Town of Nantucket.

E. Procedures:

1. All agendas of multiple-member bodies in the Town of Nantucket shall include a period for Public Comment, subject to the limitations set forth in paragraph 3. Where to place Public Comment on the agenda is at the discretion of the chair. If public comment is invited during a separate agenda item, this Policy shall govern.
2. While statements made during a Public Comment period are not required to address an agenda item for that particular meeting, such comments must relate to a matter within the public body's jurisdiction. Public comments on matters outside the public body's jurisdiction may be ruled out of order by the chair. To avoid due process issues, a person seeking to provide comments on a matter appearing on the same agenda will be asked to defer until the specific agenda item is reached.
3. Each speaker will be allowed to speak once for up to 3 minutes. The chair will curtail verbal comments exceeding the allotted time.
4. A recognized speaker may not cede or assign their time to another unless such an assignment is required as reasonable accommodation for such person because of a disability. All speakers who may need an accommodation are strongly encouraged to contact Town staff or the chair of the public body at least 48 hours prior to the meeting. That said, to facilitate an efficient public comment period, groups that have multiple speakers with the same viewpoint may consider consolidating their comments or designating one person to speak on their individual behalf's.

F. Disruptive Conduct/Unprotected Speech:

Disruptive conduct and engaging in other unprotected speech, including but not limited to the following, may be grounds for the chair of a public body to curtail speech and take other action as appropriate:

1. Speaking without being recognized;
2. Continuing to speak after the chair has curtailed additional verbal comment;
3. Interrupting a recognized speaker;
4. Speaking about matters not within the jurisdiction of the public body;
5. Engaging in conversations while another person is speaking;

6. Making true threats of violence directed toward a particular individual; and
7. Making comments inciting imminent lawlessness.

G. Public Body Response:

1. A public comment period is a listening session, and the public body is there to listen. The public body, in fact, should not respond to matters raised at the meeting unless they are on the agenda for the same meeting.
2. Matters raised during public comment periods are not required to, and are unlikely to, be addressed or resolved by the public body at the same meeting. Such matters may be appropriately deferred to a noticed-agenda item at a future meeting due to Open Meeting Law considerations.
3. At the sole discretion of the chair of the public body, matters raised during public comment may or may not appear on a future agenda or be referred to the Town Administrator for appropriate action, if any.
4. A public body cannot demand that persons attending meetings or participating in public comment be civil to one another. Nevertheless, the Town, or the members of the public, and those that appear before them are encouraged to make any/or all residents of the Town feel welcome, including listening to them speak, and acknowledging that speakers may have a different viewpoints.

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

H. Enforcement:

Concerns about Public Comment Periods may be brought to the attention of the Town Manager, who will discuss the concerns with the chair of the public body, and take appropriate action. Failure to comply with this Policy may be deemed a violation of the Town's Code of Conduct, and grounds for the removal of an appointed official.



MEMORANDUM

TO: Town Manager

FROM: Mike Burns, AICP
Transportation Program Manager

DATE: April 16, 2025

RE: Tom Nevers Road – Multi-use Path Alignment Options

This memo is to request the County Commissioners review and select a preferred alignment option for the Tom Nevers Road multi-use path. Options were developed by the project engineer, Weston and Sampson, based on feedback from staff and feedback staff received from property owners impacted by the project during summer 2024. The Nantucket Planning and Economic Development Commission and Bicycle and Pedestrian Advisory Committee reviewed these options and selected Options 3 and B. A description of the options, and associated property impacts and cost, are described in the attached slide deck and are as follows:

Options 1, 2, and 3 – Milestone Road to Old Tom Nevers Road:

Option	Description	Property Impact (Square Feet)	Total Cost Estimate	Comment
Option 1 – Path by Roadway	10-foot wide path abutting the east side of the road, and narrowing to 5-feet wide at utility pole locations.	6,760 sqft	\$4,747,672	Minimal impact on abutters. Increased risk if the path narrows without separation
Option 2 – Path with Maximum Buffer	10-foot wide straight path on east side of road, behind utility poles, +/- 8-foot grass buffer.	32,378 sqft	\$5,039,031	Enhanced safety for users. Greater impact on abutters.
Option 3 – Path with 4' Buffer	10-foot wide path on east side of road, 4-foot grass buffer, realigned behind utility poles.	19,892 sqft	\$5,081,025	Enhanced safety for users. Balance of safety and cost.

Options A and B – Old Tom Nevers Road to end of road (Old Navy Base Playing Fields):

Option	Description	Property Impact (Square Feet)	Total Cost Estimate	Comment
Option A – Bike Lanes	5-foot bike lanes / usable shoulders on each side of road.	1,547 sqft	Up to \$5,081,025	Supported by abutters.
Option B – Separated Path	10-foot wide path on south side of road, behind utility poles	18,639 sqft	\$5,841,872 (additional costs unknown)	Enhanced safety for users. Greater impact on abutters.

Thank you.



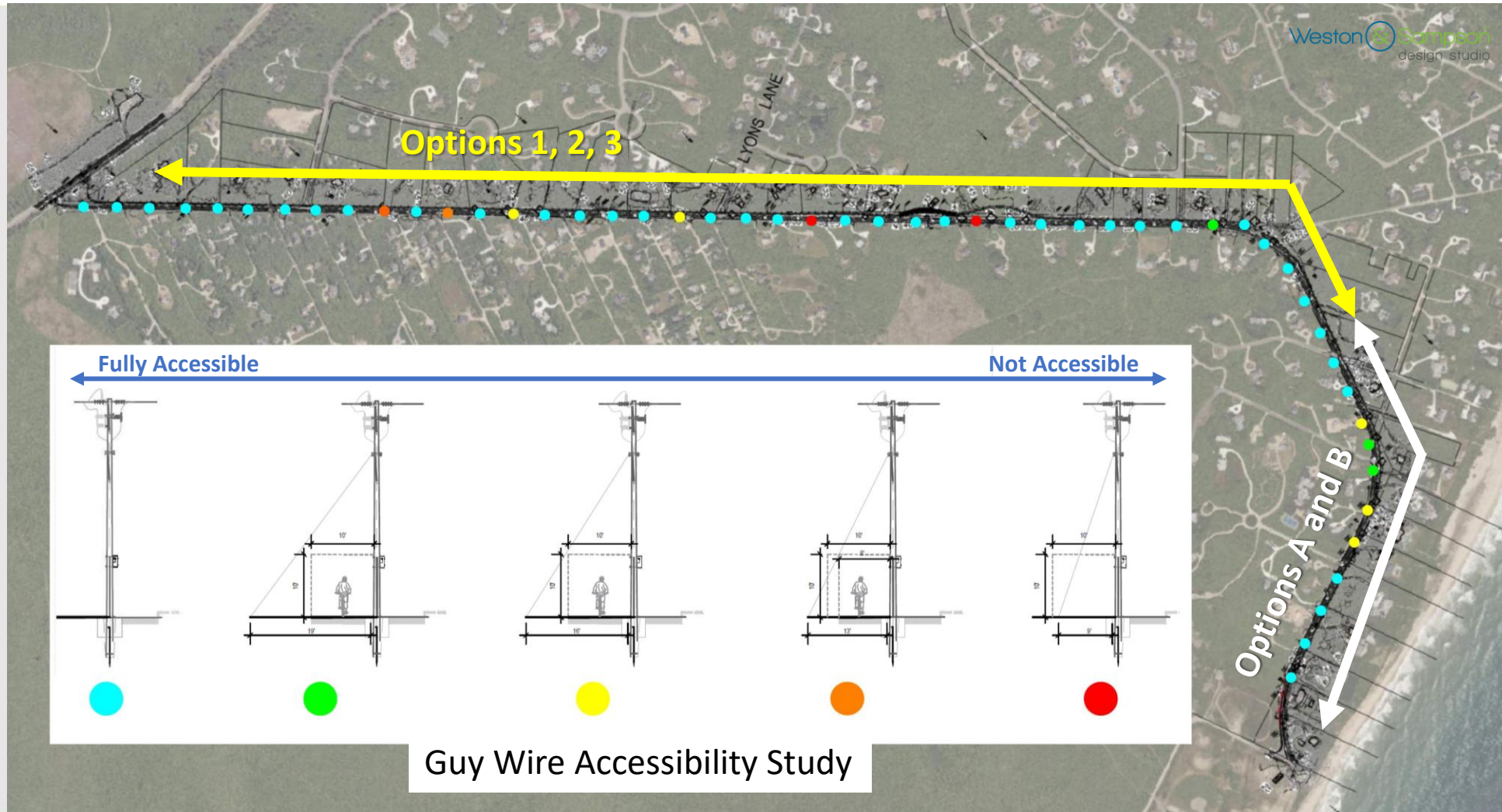
Tom Nevers Multi-Use Path Alignment Options



Nantucket Planning & Economic Development Commission
Nantucket Transportation Planning Organization

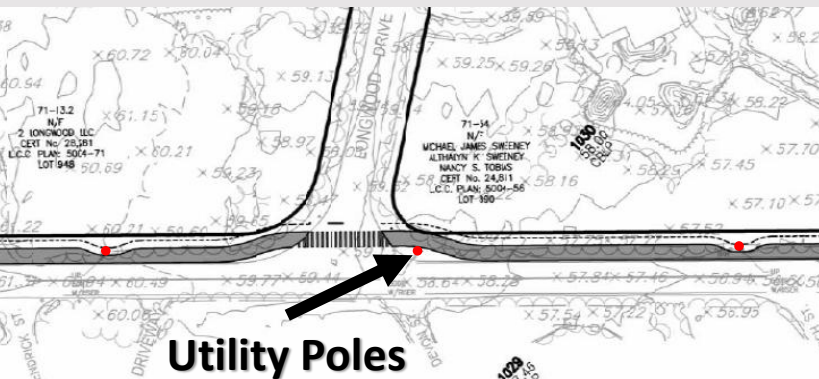


Alignment Options 1, 2, and 3

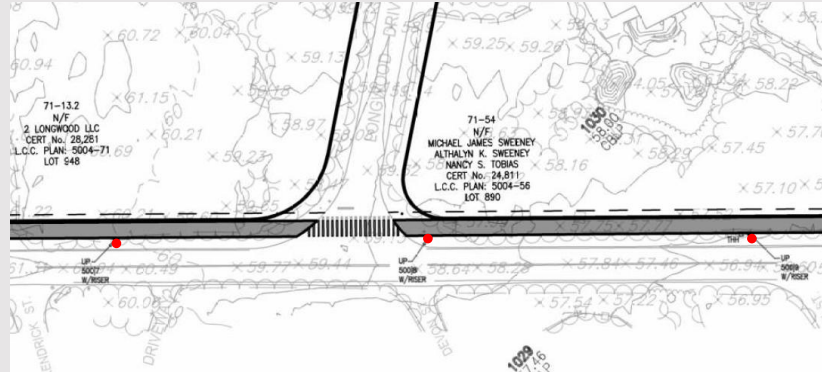


Path From Trail Head to Old Tom Nevers Rd

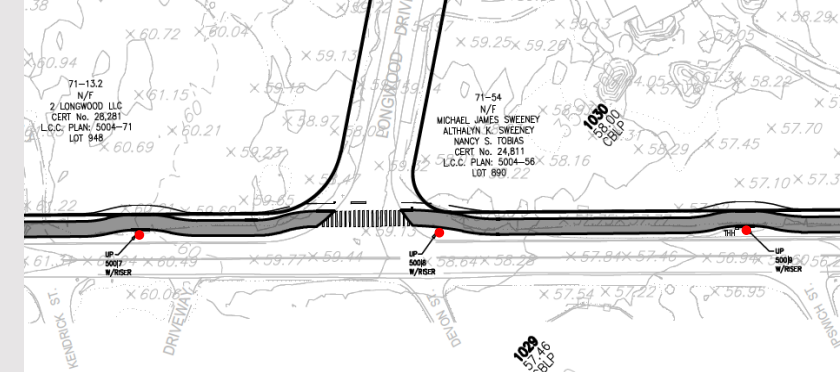
Option 1 –
Path by Roadway



Option 2 –
Path by Utility Poles



Option 3 –
Path with 4' Buffer



Option 1 – Path by Roadway

SECTION A



Weston & Sampson
design studio

Benefits

- Minimum impact on abutters property, no easement needed
- Risk reduction without the impact of the guy wire
- Cost efficient
- Low maintenance

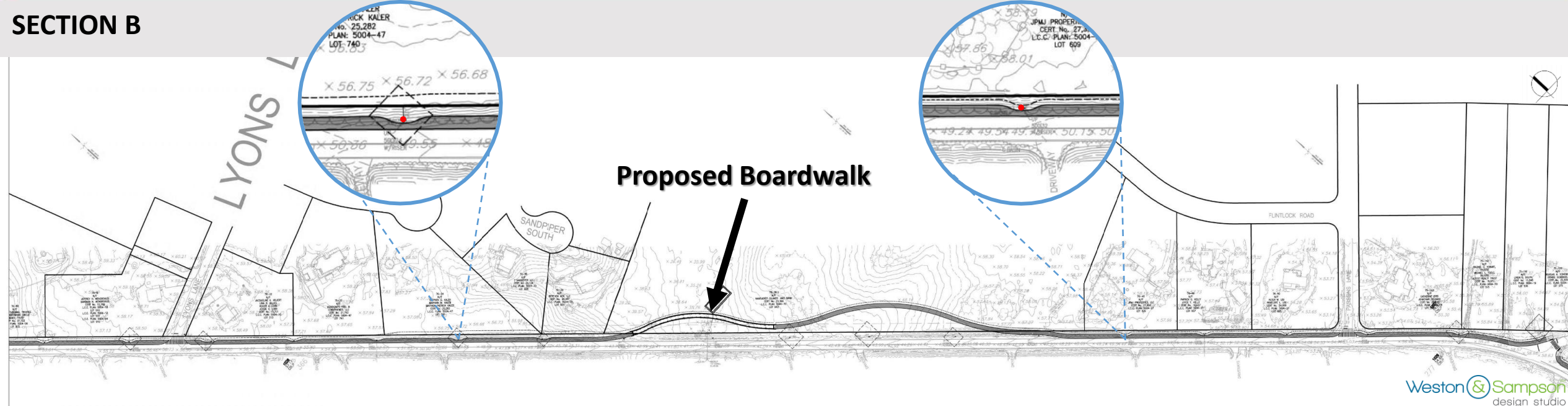
Challenges

- Path narrows at utility poles, causing inconsistencies and impacting safety and comfort
- Increased the risk of accident if the path isn't adequately separated

Nantucket Planning & Economic Development Commission
Nantucket Transportation Planning Organization



Option 1 – Path by Roadway



Benefits

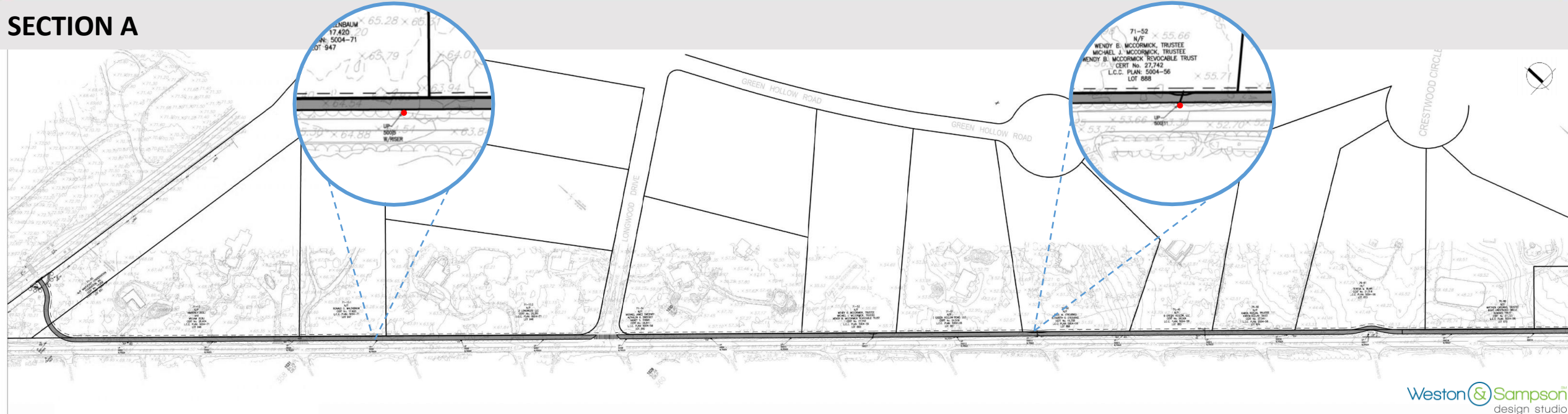
- Minimum impact on abutters property, no easement needed
- Risk reduction without the impact of the guy wire
- Cost efficient
- Low maintenance

Challenges

- Path narrows at utility poles, causing inconsistencies and impacting safety and comfort
- Increased the risk of accident if the path isn't adequately separated

Option 2 – Path by Utility Poles

SECTION A



Benefits

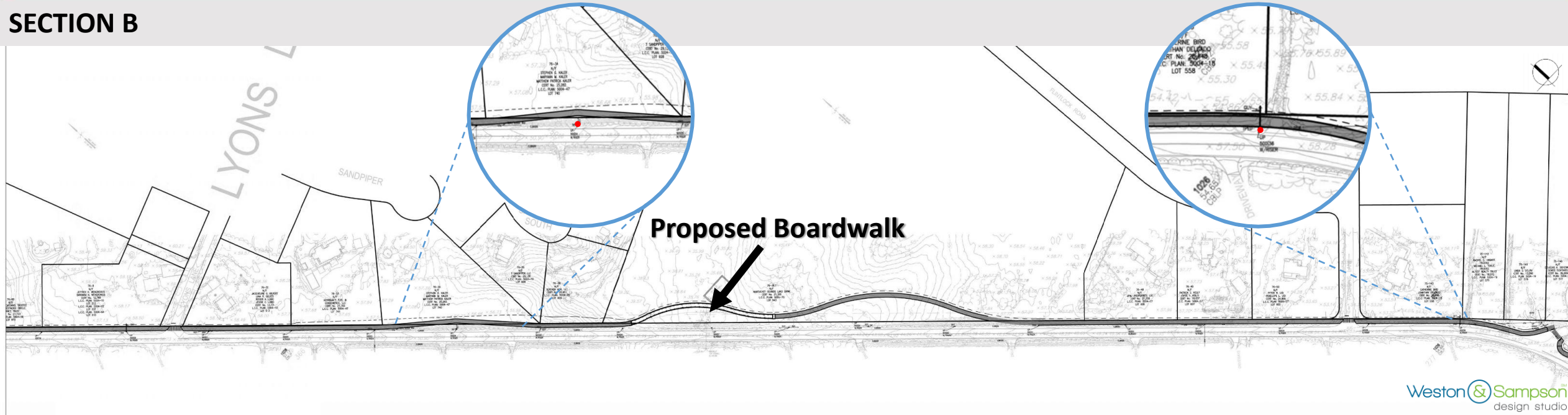
- Enhanced safety for cyclists and drivers with wider buffer
- Maintain consistency along the path

Challenges

- Greater impact to abutting properties
- Maintenance required for the green buffer

Option 2 – Path by Utility Poles

SECTION B



Benefits

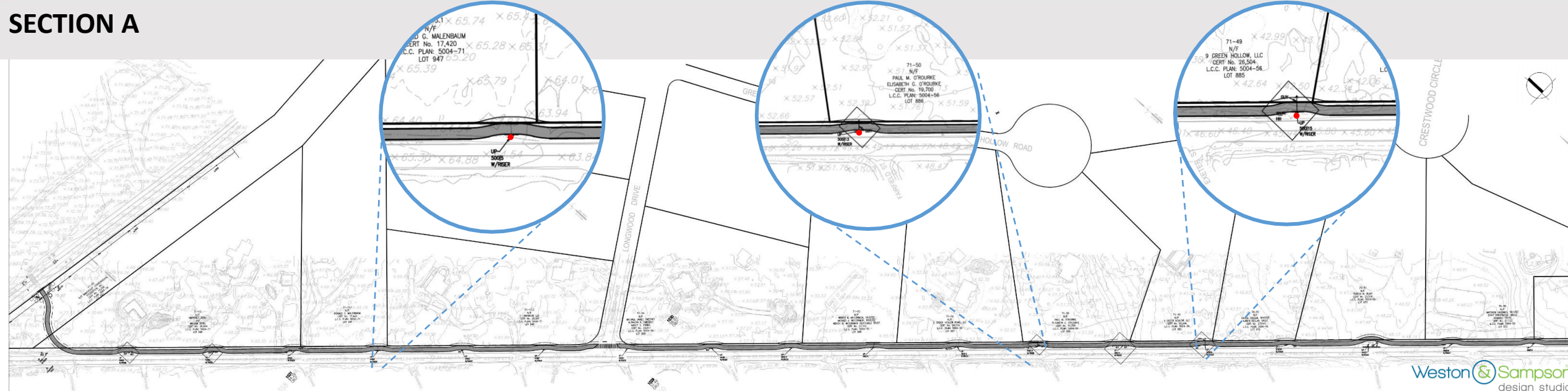
- Enhanced safety for cyclists and drivers with wider buffer
- Maintain consistency along the path

Challenges

- Greater impact to abutting properties
- Maintenance required for the green buffer

Option 3 – Path with 4' Buffer

SECTION A



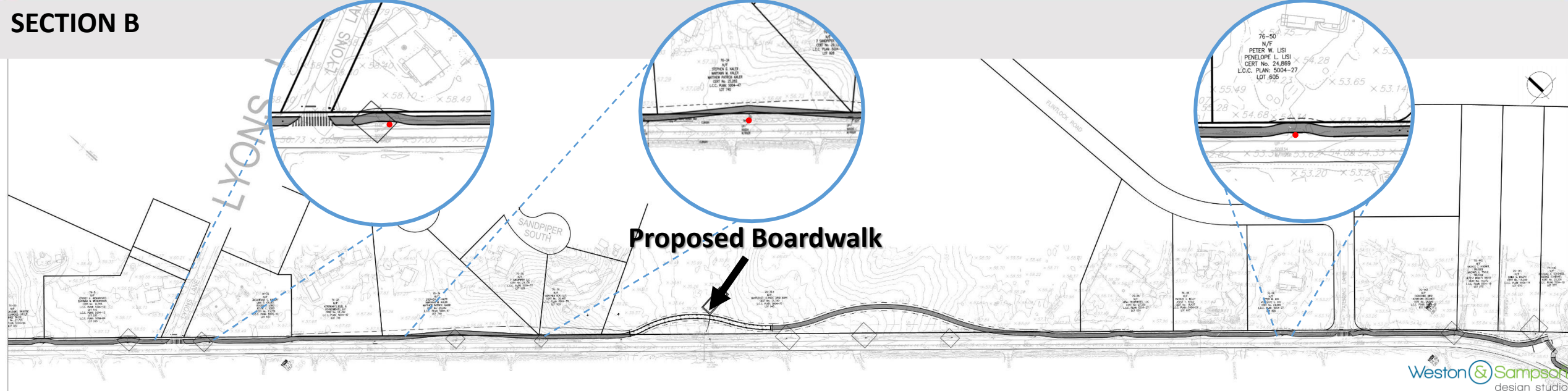
Benefits

- Enhanced safety for cyclists and drivers
- Reduced impact on adjacent properties
- More interesting alignment variation
- Offers a balance between safety and cost

Challenges

- Easements are still needed from abutters
- Maintenance may be required for the green buffer

Option 3 – Path with 4' Buffer



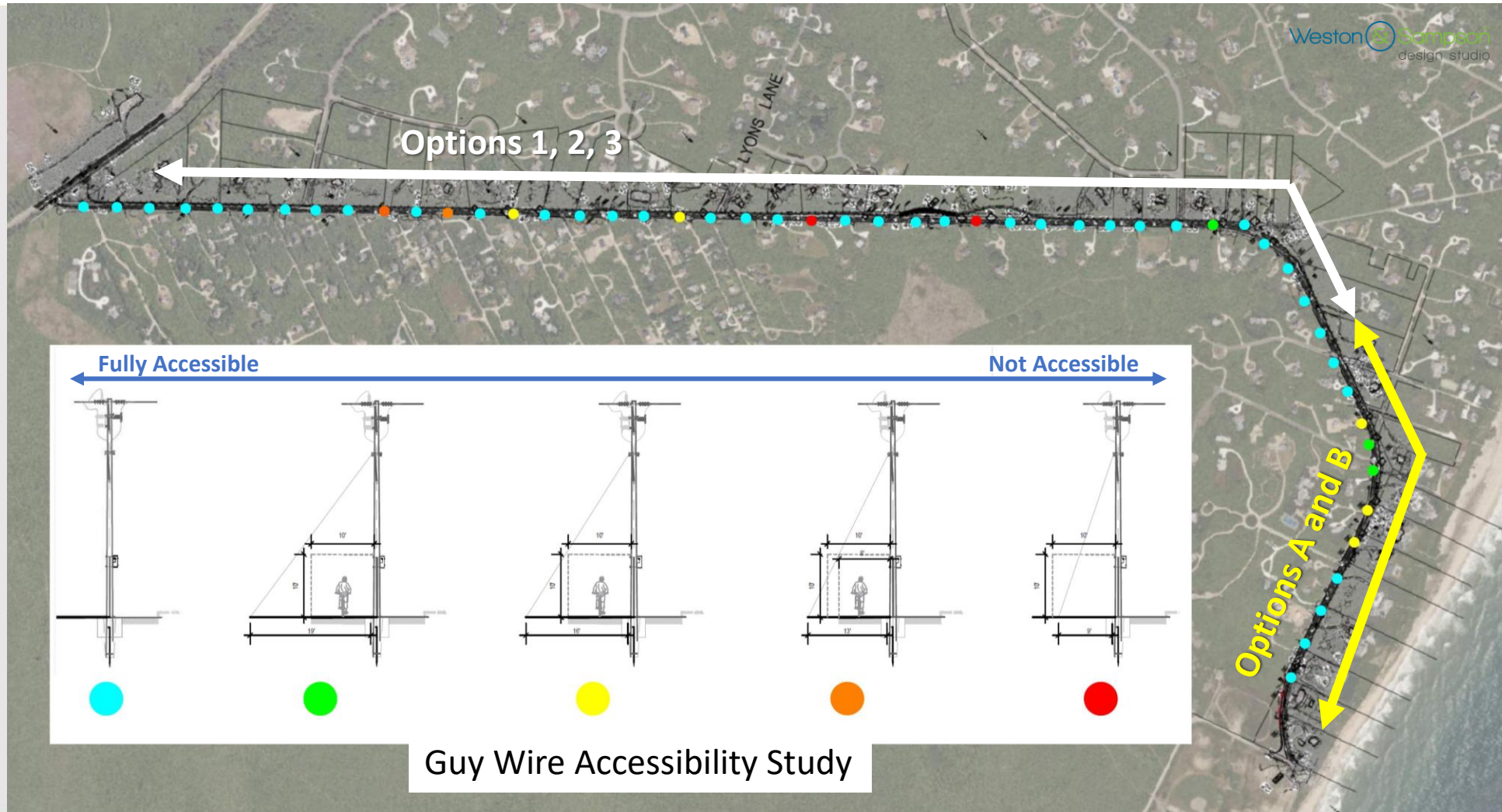
Benefits

- Enhanced safety for cyclists and drivers
- Reduced impact on adjacent properties
- More interesting alignment variation
- Offers a balance between safety and cost

Challenges

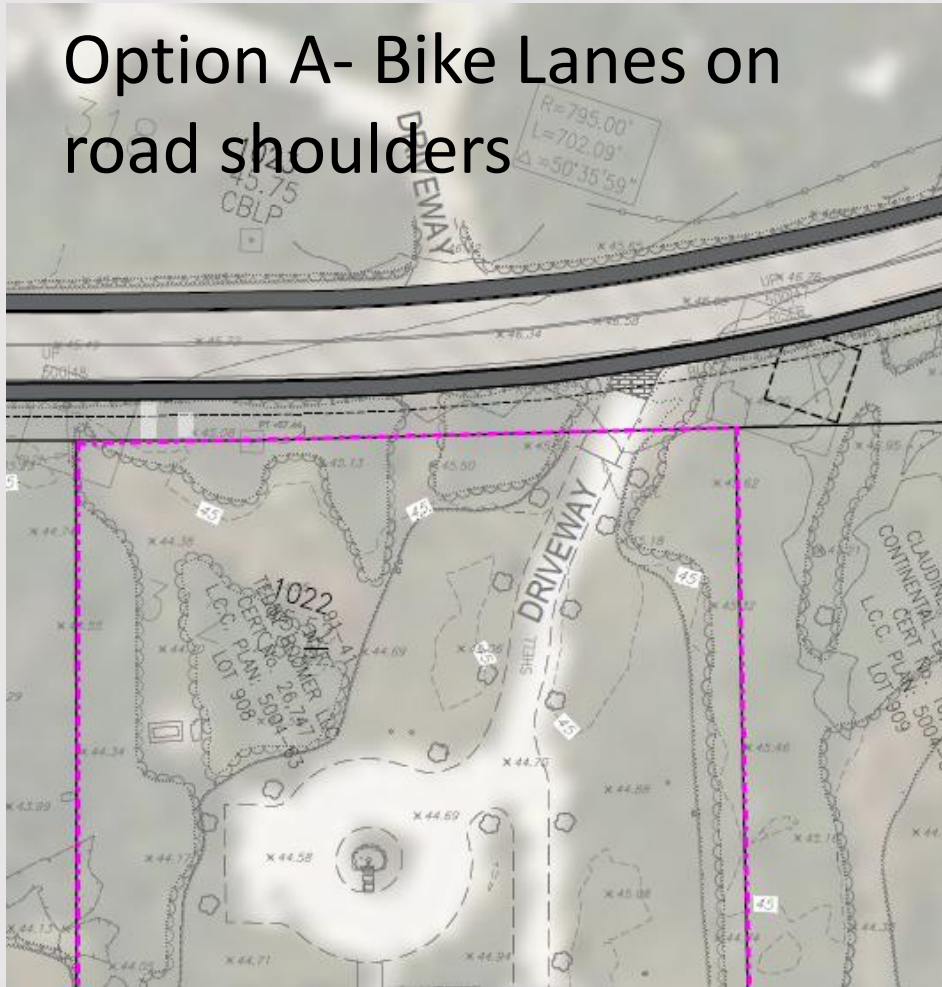
- Easements are still needed from abutters
- Maintenance may be required for the green buffer

Alignment Options **A** and **B**

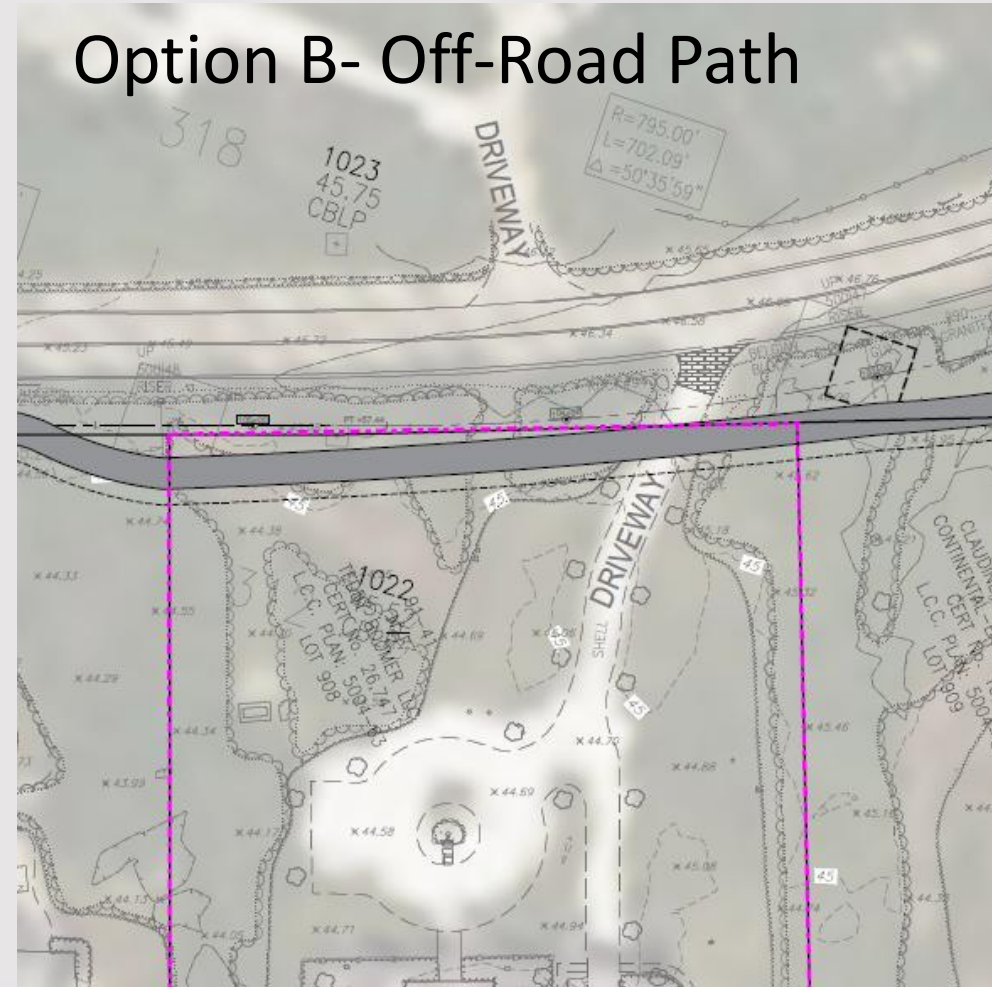


Path From Old Tom Nevers Rd to Playing Fields

Option A- Bike Lanes on road shoulders



Option B- Off-Road Path



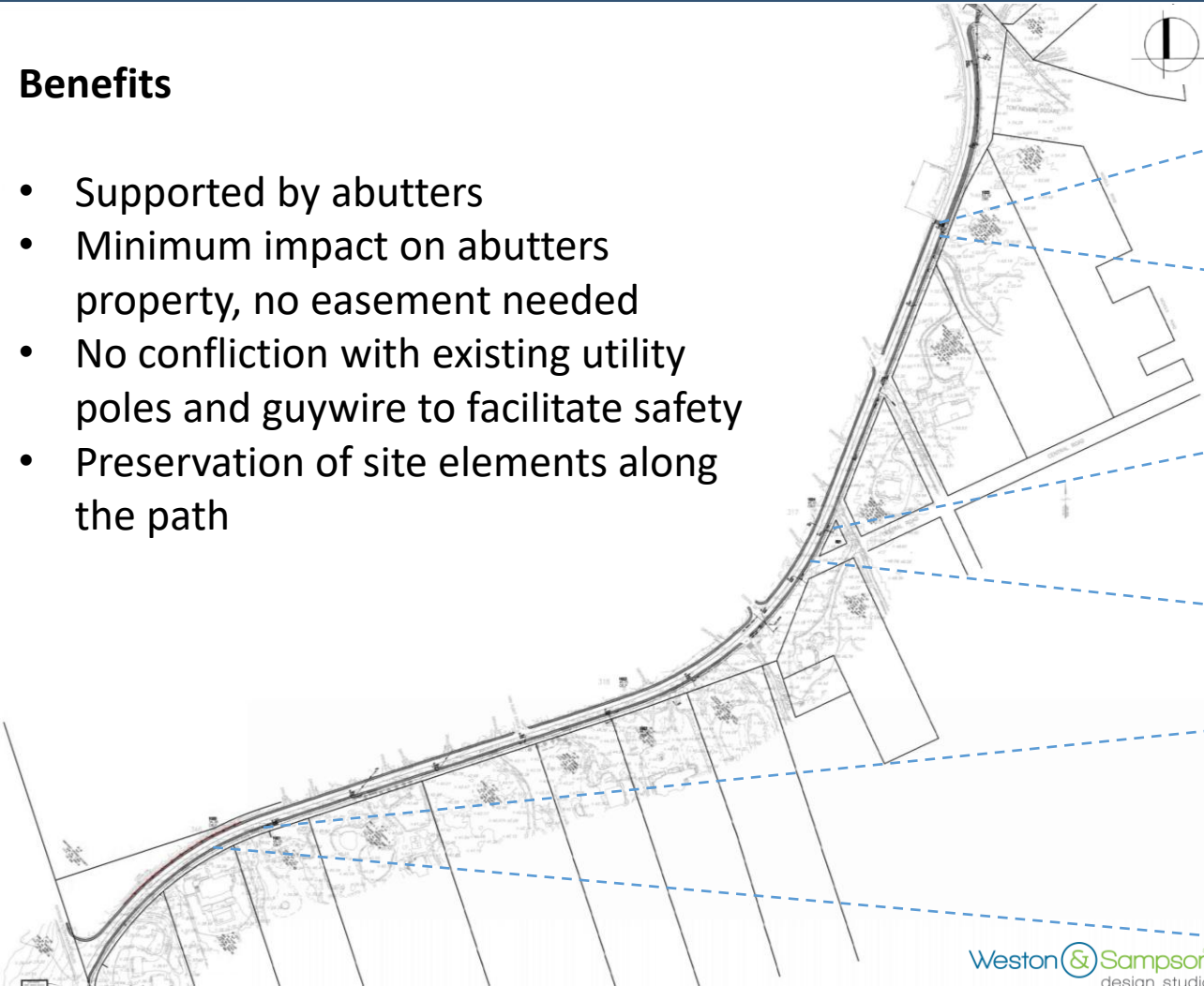
Option A – Bike Lanes on Road Shoulders

Benefits

- Supported by abutters
- Minimum impact on abutters property, no easement needed
- No conflict with existing utility poles and guywire to facilitate safety
- Preservation of site elements along the path

Challenges

- Potential conflicts with vehicles at driveways and intersections
- Additional costs if curbing is preferred



Weston & Sampson
design studio

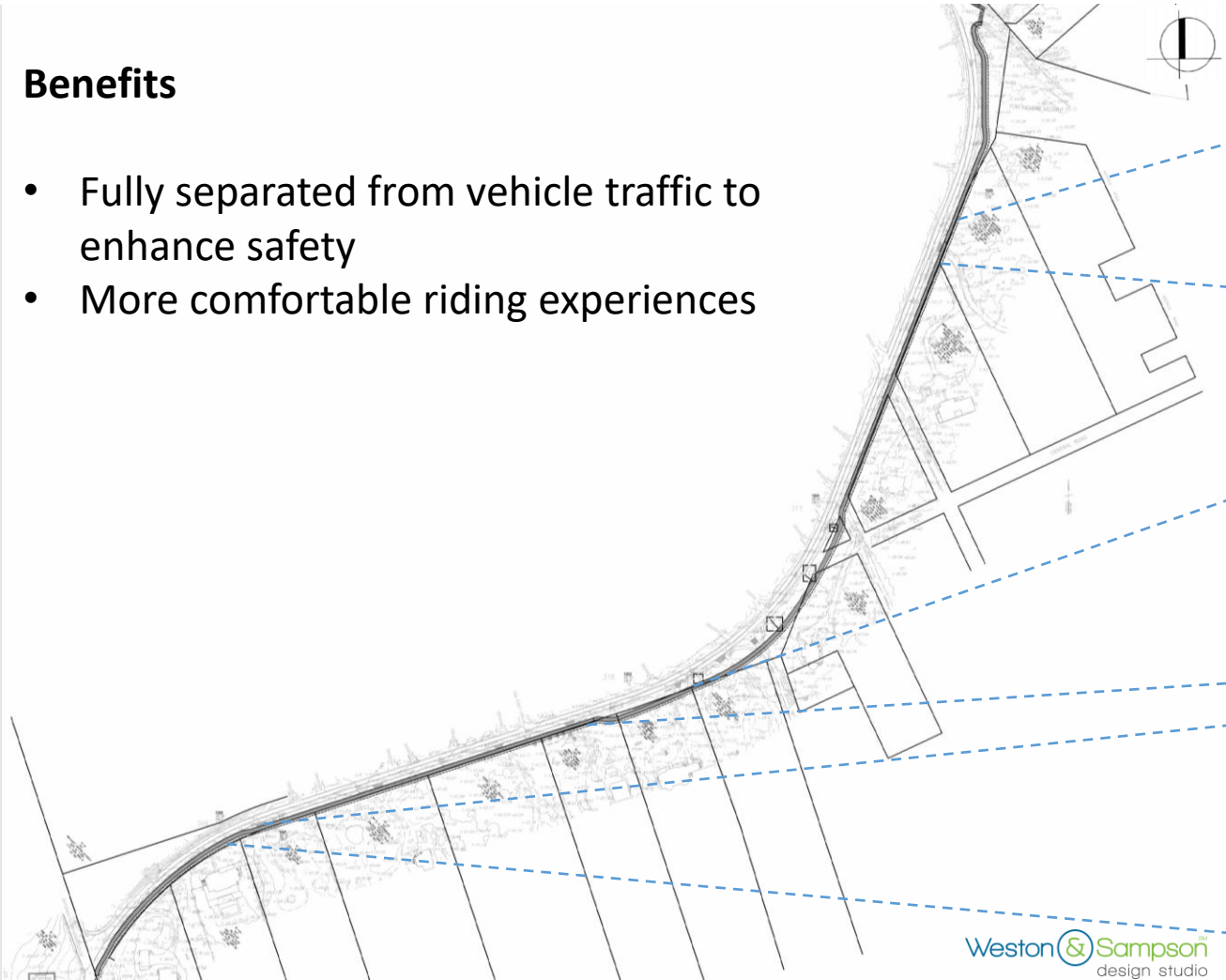
Option B – Off-Road Path

Benefits

- Fully separated from vehicle traffic to enhance safety
- More comfortable riding experiences

Challenges

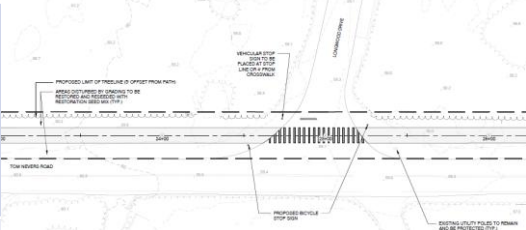
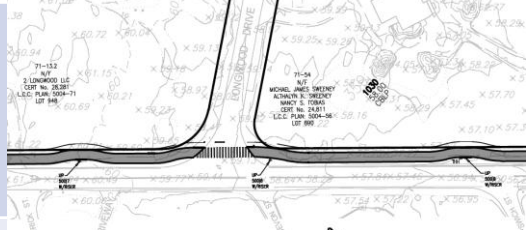
- Permanent easements needed from abutters
- Additional costs for property mitigation and tree removals
- Concern regarding utility pole and guy wires conflicts



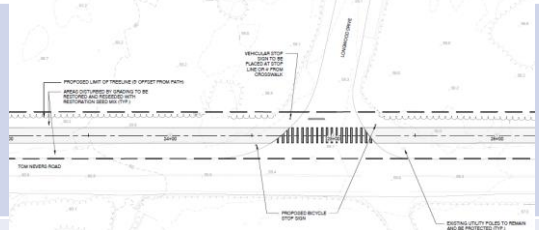
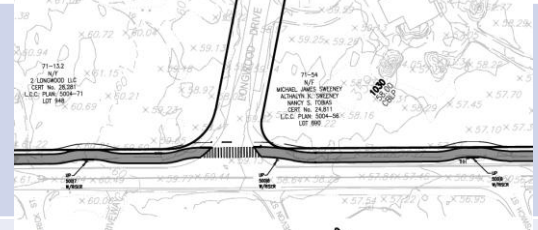
Weston & Sampson
design studio



Cost Analysis and Comparison – Option A – Bike Lanes from Old Tom Nevers to End

Original Concept Discussed with Abutters		Option 1 Roadside			Option 2 Utility Pole			Option 3 4 Foot Buffer		
										
Right of Way Impact:		Right of Way Impact:			Right of Way Impact:			Right of Way Impact:		
PE Area:	24,565	PE Area:	1,790	-92.7%	PE Area:	2,516	-89.8%	PE Area:	4,436	-81.9%
TE Area:	39,713	TE Area:	4,970	-87.5%	TE Area:	29,862	-24.8%	TE Area:	15,456	-61.1%
Total Area:	64,278	Total Area:	6,760	-89.5%	Total Area:	32,378	-49.6%	Total Area:	19,892	-69.1%
Cost Estimate:		Cost Estimate:			Cost Estimate:			Cost Estimate:		
ROW Cost:	\$2,621,444	ROW Cost:	\$256,227		ROW Cost:	\$547,586		ROW Cost:	\$589,580	
Const Cost:	\$4,491,444	Const Cost:	\$4,491,444		Const Cost:	\$4,491,444		Const Cost:	\$4,491,444	
Total Cost:	\$7,112,888	Total Cost:	\$4,747,672		Total Cost:	\$5,039,031		Total Cost:	\$5,081,025	

Cost Analysis and Comparison – Option B – Bike Path from Old Tom Nevers to End

Original Concept Discussed with Abutters		Option 1 Roadside			Option 2 Utility Pole			Option 3 4 Foot Buffer		
										
Right of Way Impact:		Right of Way Impact:			Right of Way Impact:			Right of Way Impact:		
PE Area:	35,522	PE Area:	9,101	-74.4%	PE Area:	9,827	-72.3%	PE Area:	11,747	-66.9%
TE Area:	51,290	TE Area:	16,298	-68.2%	TE Area:	41,190	-19.7%	TE Area:	26,784	-47.8%
Total Area:	86,812	Total Area:	25,399	-70.7%	Total Area:	51,017	-41.2%	Total Area:	38,531	-55.6%
Cost Estimate:		Cost Estimate:			Cost Estimate:			Cost Estimate:		
ROW Cost:	\$3,196,980	ROW Cost:	\$1,017,075		ROW Cost:	\$1,308,434		ROW Cost:	\$1,350,428	
Const Cost:	\$4,491,444	Const Cost:	\$4,491,444		Const Cost:	\$4,491,444		Const Cost:	\$4,491,444	
Total Cost:	\$7,688,424	Total Cost:	\$5,508,520		Total Cost:	\$5,799,878		Total Cost:	\$5,841,872	

Tom Nevers Multi-Use Path Alignment Options



- NP&EDC and BPAC recommend Options 3 and B
- Impacted abutters prefer Option A based on feedback received
- Presentation available on ZenCity website
 - <https://nantucket-ma.civilspace.io/en/projects/tom-nevers-road-sidepath-a3f5>
- **Requested action:**
 - Select preferred alignment options for the Tom Nevers Multi-Use Path