Nantucket Planning & Economic Development Commission APPROVED Minutes
Hybrid Participation via Zoom Webinar & Meeting Trailer, Room A, 131 Pleasant St, Nantucket, MA 02554
May 20, 2024 @ 5:00PM

Commissioners: Chair Barry Rector, Vice-Chair Nat Lowell, Mary Longacre, Bert Johnson, Seth Engelbourg, Kristina Jelleme, Joseph Topham, Dave Iverson, John Trudel, Wendy Hudson, and Dawn Hill Holdgate

Staff: Leslie Snell, Director of Planning, Megan Trudel, Senior Planner, Michael Burns, Transportation Program Manager and Catherine Ancero, Administrative Specialist

I. Call to order:

Chair Barry Rector called the meeting to order at 5:00pm.
The Vice-Chair Barry Rector read a prepared statement in accordance with Chapter 2 of the Acts of 2023 regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

II. Establishment of quorum:

In Attendance:

Commissioners:
Seth Engelbourg *Aye*
Mary Longacre *Aye*
Dawn Hill Holdgate *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Barry Rector *Aye*
Bert Johnson *Absent*

Staff:
Leslie Snell, Director of Planning *Aye*
Megan Trudel, Senior Planner *Aye*
Michael Burns, Transportation Program Manager *Aye*
Raissah Kouame, Regional Planning Coordinator, MassDOT *Aye*
Barbara Lachance
Bob Davis, SSA
Nicky Sheriff, Land Use Specialist *Aye*

III. Approval of Agenda:

Motion/Vote: Mr. Iverson made a motion to approve the agenda. The motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Barry Rector *Aye*

IV. Public Comment for items not included on the agenda:

There were no public comments.

V. Minutes:

- **April 22, 2024**

Motion/Vote: Mr. Lowell made a motion to approve the minutes as drafted. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Abstain (was not present at that meeting)*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Barry Rector *Aye*

Bert Johnson attended the meeting at 5:04pm.

VI. Transportation Action/Discussion Items:

A. Massachusetts 2050 Transportation Plan (Beyond Mobility) – Notice of Public Comment Period ending May 31, 2024, and draft comment letter from NP&EDC
https://www.mass.gov/beyond-mobility

Discussion: The discussion was based on the Beyond Mobility plan and aligning it with the NP&EDC's planning priorities. The public comment was extended until May 31st. A chart comparing Beyond Mobility's priority areas with NP & EDC's planning priorities was reviewed. A comprehensive comment letter was prepared. There was positive feedback from the Board in the comment letter. Ms. Longacre expressed her appreciation for the comment letter prepared by Mr. Burns stating that it was well written and made excellent points.

Motion/Vote: Mr. Lowell moved to authorize the Chair to sign the comment letter on behalf of the NP&EDC. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *(having technical issues)*
Kristina Jelleme *Aye*

Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Barry Rector *Aye*

B. Transportation Program Manager Update (see packet)

a. Transportation Improvement Program (TIP):
https://nantucket-ma.civilspace.io/en/projects/transportation-improvement-program

i. Draft FFY2025-29 TIP – close 21-day public review period and approve draft TIP.

Discussion: Mr. Burns presented an update on the Transportation Improvement Program (TIP). The draft TIP had been available for public review for the past 30 days. There are two projects in the Highway program, design funding for the third grant award for the Wauwinet mutli-use path scheduled for federal fiscal year 2025 as well as supplemental funding for intersection improvements at Milestone and Polis Road in addition to the funding for 2024 for that project. An engineer has been confirmed for the Milestone Project. Barbara Lance confirmed that Fuss and O'Neil are on board for the Milestone Road reconstruction. However, no consultant has been assigned for the rotary project yet. Funding programs for the NRTA included workforce housing, operations, and vehicle replacements, replacing diesel fleets with cleaner options such as electric or biodiesel. Public Outreach there was only 10 responses from the public feedback due to Town Meeting. The majority supported the highway and transit improvements. Mr. Burns stated that staff request the committee to close the public comment period and approve the FFY2025-2029 TIP. Mr. Burns asked if there were any additional comments from the committee members. Ms. Lance confirmed that Fuss and O'Neill are on board for certain projects along Milestone Road. There was a brief discussion on the progress of the Milestone at Polpis Road intersection improvements and the widening of Milestone Road.

Motion/Vote: Mr. Lowell moved to close the public review period and approve the TIP. The motion was duly seconded by Mr. Iverson and the motion was passed unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *(having technical issues)*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

Chair Rector addressed procedural details regarding how motions should be recorded for the minutes. Chair Rector asked members to clearly state their names when making or seconding a motion to get accuracy in the minutes for proper documentation.

b. Unified Planning Work Program (UPWP):

i. FY 2024 UPWP Reallocation Request

Discussion: Mr. Burns stated that the staff needed to adjust the allocation of hours based on actual time used for different tasks. Time was subtracted from data collection and planning activities and added to administrative and implementation activities. Staff requested approval for the reallocation of the

FY 2024 UPWP budget.

Motion/Vote: Mr. Iverson moved to approve the reallocation of the FY 2024 UPWP budget. The motion was duly seconded by Mr. Topham and the motion was carried unanimously.

<u>Vote taken by Roll Call:</u>
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *(having technical issues)*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

ii. Draft FFY 2025 UPWP – authorize release of 21-day public review period.
Discussion: There was a brief discussion about the draft Unified Planning Work Group (UPWP) for FY 2025. The UPWP outlines federally required planning activities, which are broken down into administrative tasks, data collection, planning studies and implementation activities. The budget for direct costs, like the previous year, which includes travel and equipment, is around $22,000. Staff requested authorization for a public review period for the FFY 2025 UPWP from May 24th to June 24th, with a public meeting on June 24th to have discussions and action. Staff requested a motion to authorize the public review period and schedule the public meeting.

Motion/Vote: Ms. Hudson moved to authorize a public review period for the FFY 2025 UPWP from May 24th to June 24th, 2024, with a public meeting for discussion and action on June 25th, 2024, at 5pm. The motion was duly seconded by Ms. Jelleme and the motion was carried unanimously.

Discussion: Ms. Hudson expressed interest in improving public outreach to gather more community input.

<u>Vote taken by Roll Call:</u>
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *(having technical issues)*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

c. Safe Streets and Roads for All (SS4A) – update on development of the Safety Action Plan
Discussion: Mr. Burns stated that the project received a $575,000 grant to develop Safety Action Plans for Nantucket, Martha's Vineyard, and Franklin County. The consultant has completed data collection and is identifying high injury networks and potential improvements. Public outreach events and site visits are scheduled for July with a public feedback meeting in October. Mr. Burns provided the Commissioners

with the crash data and analysis. Meetings in August and public sharing of recommendations in October. Nantucket 's crash data is being compared with similar regions like Franklin County and Martha's Vineyard. Findings indicate that Nantucket has higher rates of bicycle crashes and crashes involving older population, however overall severity scores are lower compared to regions with more frequent serious injuries and fatalities. Questions were raised about how Nantucket's accident rates compare with similar communities. Mr. Burns responded that further comparative data will be shared in future meetings. This discussion/update was mainly informational with no immediate action required.

VII. Other Action/Discussion Items:

A. Discussion of Submitting a Letter(s) RE: NOAA North Atlantic Right Whale Vessel Strike Reduction Rule

1. **Discussion:** The Commissioners discussed the North Atlantic right whale vessel strike reduction rule proposed by NOAA, which is to protect right whales by reducing vessel speeds in certain areas. The rule would lower the speed limit to 10 knots for vessels 35 feet or longer from November 1st to May 30th impacting areas like Nantucket and Vineyard sound. The Steamship Authority and other stakeholders are concerned about the significant operational and economic impacts this rule would have. Bob Davis from the Steamship Authority stated that the reduced speed would add 30-35 minutes to sailing, limiting their trips, and affecting their ability to transport essential goods. The Steamship Authority is seeking to exempt Nantucket and Vineyard Sound from these regulations and plans to provide testimony to the Office of Information and Regulatory Affairs. John Tuig and Greg O'Brien, along with Dave Fredericks from Island Energy Services, stressed the severe consequences these regulations would have on the island. Mr. Tuig stressed the importance of balancing whale protection with the practical needs of Nantucket's residents and businesses, advocating for technology solutions and urging prompt community action to address the impending regulations. Ms. Longacre expressed the need for a coordinated response involving multiple organizations such as the Chamber of Commerce and the Transportation Authorities. Ms. Hudson agrees, stressing the importance of engaging economic experts to point out the potential billion-dollar impact especially on local businesses and daily operations. There was a suggestion of organizing a meeting with NOAA, engaging elected representatives and the need for an economic study to potentially exceed regulatory authority limits. Mrs. Snell stated that she asked Mr. Burns to reach out to other regional planning agencies such as the New Bedford Commission, Martha's Vineyard Commission and Cape Cod Commission which have yet to address these regulations. Chair Rector suggested considering sending a letter of grave concern to escalate the issue and raise awareness among organizations about the potential impacts. Mrs. Snell stated that she was planning to circle back for further discussions and the possibility of in-person meetings to complement virtual ones, especially with NOAA's regional headquarters in Boston. Mr. Engelbourg stressed the importance of considering both economic development and scientific evidence in policymaking. Mr. Engelbourg suggested deploying acoustic monitoring systems in areas like Nantucket Sound to implement restrictions only when whales are detected. There was a brief discussion on using non-invasive acoustic detection technologies. Ms. Holdgate discussed the need for a broader consultation involving local bodies like NP&EDC, Select Boards, and regional commissions. Ms. Longacre appreciates Mr. Engelbourg's comments on the importance of using science to inform policy. Ms. Longacre suggests involving the Martha's Vineyard Commission and the Cape Cod Commission in an economic impact study due to their resources. Mr. Engelbourg suggested that the ferry companies might be willing to invest in technologies to avoid business disruptions. Mr. Iverson is doubtful that other Regional Planning Agencies will help as they do not seem to see it as their problem. There were concerns about the economic impact potentially over $100 million. There's a question of whether a retroactive waiver could be sought if the impact is severe. Ms. Longacre questioned the potential penalties for violating new maritime regulations and the broader implications for the island's transportation and economy. The vessels would be monitored via Automatic Identification System (AIS) to make sure they don't exceed a speed of 10 knots. The exact fines for exceeding the speed limit are unclear, however could be substantial. Multiple violations could lead to significant financial penalties. There was a suggestion to conduct an economic impact study. This would provide data to argue against the implementation of the regulations. Funding and support from state representatives may be needed. A letter of concern should be sent as the first step, followed by requesting funds for stud6. Mr. Davis stated that the timeline for implementing the regulations is uncertain however there might be a 30-day comment period after the

Office of U.S. Regulatory Affairs makes a ruling. The Select Board and the town manager are aware and in contact with the Steamship Authority. A formal discussion with the select board, possibly acting as County Commissioners and involving the finance committee (FinCom), is recommended to address the issue comprehensively. Ms. Jelleme asked Ms. Holdgate if the Select Board is aware of, the new regulations discussed in March and if they have any plans. Ms. Holdgate confirms that the Town Manager has been in touch with the Steamship Authority, suggesting it's time for a Wednesday night discussion to shed more light on the situation. There was a discussion about whether to involve the County Commissioners, the Finance Committee (FinCom), the Chamber of Commerce, and possibly the High School. It's suggested that the Select Board act as the County Commissioners and invite FinCom to participate. The Chamber of Commerce and high School athletics department might also be asked to write supportive letters. Ms. Holdgate stated that she represents the NP&EDC at the Chamber of Commerce and will propose this issue as an agenda item at the next meeting. Mrs. Snell is tasked with reaching out to Senators Markey and Warren and re-engaging with groups like the Cape Cod Commission to provide them with the information discussed in the meeting. Ms. Jelleme questioned who would write the letter. Mrs. Snell stated that she will draft the letter and then circulate it for comments. The letter should state the economic impact and the significant human impact. This includes the disruption to daily life, access to medical care, and overall well-being of the island's residents. There's concern about the perception that only wealthy residents will be affected. The goal is to show that the regulations will impact the public, not just the wealthy and to bring attention to the essential services and quality of life that will be disrupted. Mr. Johnson stressed the challenges of tracking patient travel to and from medical appointments since these trips are often independently arranged and not coordinated through the hospitals. Mr. Johnson mentioned involving the local media (Nantucket Current and the Inquirer and Mirror). Ms. Holdgate brings up the reconstruction of the island's home and how the inability to provide local services might force families to relocate loved ones to the mainland, which would be significantly affected by these regulations. There is a concern that the federal and state governments do not fully grasp the extensive negative effects these regulations would have on the island's lifestyle and individual residents. Mr. Davis clarified that the NP&EDC does not need to submit a letter that they can log into the appropriate portal and request a hearing time and date for further discussions with the relevant authorities. The Commission agreed on a proposed action as follows: request a consultant and send a follow-up letter, priority; engage local authorities, contact state and federal representatives such as local congressmen and senators to advocate for their cause; reach out to reginal organizations; and if time permits seek funding or support for conducting an economic impact study to bolster their case with concrete data.

Motion/Vote: Ms. Longacre made a motion to approve the outlined action items as discussed and listed. The motion was duly seconded by Mr. Iverson and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

B. Area Plan Guidelines, review, and potential adoption

Discussion: The Commission discussed refining guidelines for the area plans to make it more practical and effective. The Commission introduced the AA (Area Plan) guidelines. The team has reviewed and focused on the key elements necessary for making area plans functional. Mrs. Snell and staff have worked on reducing some parts of the guidelines to focus on the essential aspects required for making an area plan work. There are two active area plans (Madaket and the Downtown area). If the new guidelines are approved these plans will need to comply with the new standards. There was concern about the amount of time that has elapsed without sufficient progress on some area plans. The suggested guideline proposes that an area plan should be completed for review within one year of its formation. There was discussion of the challenges such as the Open Meeting Law, which restrict how work can be conducted outside of posted meetings. This law makes it difficult to complete work quickly. Ms. Longacre suggests distinguishing between updating an existing plan and creating a new plan. Some of the Commissioners agreed that more time could help guarantee thorough and including planning. Also, it was discussed the use of technology, like Zoom, to facilitate participation from those who are not on the island year-round. The Commissioners agreed to adjust the timeline for completing area plans to 18 months, recognizing it as a more realistic time frame and the need to periodically review to keep the plans relevant and effective. It was discussed that the NP&EDC should oversee and make sure alignment between area plans and the Select Board's strategic plans.

Motion/Vote: Ms. Longacre moved to adopt the area plan guidelines with specific amendments, progress reports to be quarterly and the completion timeline for area plans to be extended from one year to 18 months. The motion was duly seconded by Mr. Johnson and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

C. Build Out Analysis – approval of revised contract, Weston & Sampson, $38,000
Discussion: Mrs. Snell briefly discussed the decision-making process regarding the approval of an amendment contract with Weston and Sampson for conducting a buildout analysis. Mrs. Snell asked the Commissioners to approve the amended contract with Weston and Sampson. A previous contract from 2022 initiated some work, however additional work and research are needed costing an additional $38,000. There are two buildout analyses, one already completed for sewered areas as part of the Comprehensive Wastewater Management Plan (CWMP). The new one is for unsewered areas. This analysis will remain as two separate documents. The additional funding for this work comes from Designated Target Area (DTA) funding provided by the State, reserved for planning future growth.

Motion/Vote: Mr. Lowell moved to approve the amended contract with Weston and Sampson. The motion was duly seconded by Mr. Johnson and the motion was carried unanimously.

Vote taken by Roll Call:
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Bert Johnson *Aye*
Dawn Hill Holdgate *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*

Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

D. Ongoing Discussion, Enabling Legislation
Discussion: Mrs. Snell reminding the Commissioners about their previous agreements on the mission, vision, membership sectors, and financial structure. The main objective is to finalize term lengths, transition plans for members and decide on a potential new name. The Commissioners would like to have an in-depth

discussion in June, however, might be postponed to July due to other pressing matters. The goal is to finalize the document for approval followed by drafting a new version of the legislation with council assistance. Members need to revisit their materials to refresh. There are three main elements that require attention: the name, term limits, and transition phase. A refresher document will be sent out to help members prepare. No immediate action needed however it is to set the stage for more detailed discussions in the upcoming meetings.

Steven Singh - possible technical issues

E. Other Committee Reports

- Rural Policy Advisory Committee – Wendy Hudson
  Discussion: Ms. Hudson stated that the meeting scheduled for May 10th was cancelled due to improper posting.
- Affordable Housing Trust – Dave Iverson
  Discussion: Mr. Iverson, a member, having served on the Affordable Housing Trust for five years is excited to introduce a new program approved by the Select Board from their last meeting, the Restriction Buy Down for year-round housing. The program is tied to the affordability metrics, however there are plans to propose a home rule petition to make it more effective by removing these constraints. Viewing the program as a valuable tool for future housing initiatives.
- Capital Program Committee – Barry Rector
  Discussion: Chair Rector stated that the Capital Program Committee was asked to start their work in early July instead of the usual September once the new financial period opens for the year. Even though this means working through the summer it allows more time for their tasks.
- Contract Review Committee of Human Services – Bert Johnson
- Bicycle and Pedestrian Advisory Committee – Joseph Topham
- Harbor Plan Update Committee -Seth Engelbourg
- Madaket Area Plan Workgroup Update – Joe Topham
- Others

VIII. <u>Other Business:</u>

A. At Large Seat, advertisement deadline for Friday, June 14, 2024, to be appointed at the June 24, 2024 meeting

Discussion: An At-large seat advertisement set submission deadline is June 14th.
Mrs. Snell reminded Planning Board members of a joint meeting with the Select Board on Wednesday at 5:30PM to appoint new members.

IX. <u>Adjournment:</u>

Motion/Vote: Mr. Johnson moved to adjourn the meeting at 7:48PM and the motion was duly seconded by Mr. Lowell and the motion was carried unanimously.

<u>Vote taken by Roll Call:</u>
Mary Longacre *Aye*
Seth Engelbourg *Aye*
Dawn Hill Holdgate *Aye*
Bert Johnson *Aye*
Kristina Jelleme *Aye*
Wendy Hudson *Aye*
Joseph Topham *Aye*
Dave Iverson *Aye*
Nat Lowell *Aye*
Chair Rector *Aye*

Submitted by: Catherine Ancero