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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C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE
SELECT BOARD
MAY 1, 2024 - 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/DmOkS9lcj-w

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_9xNPyJ2pSdSAASrsezvEjA

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

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

2. Announce Applications Received for Planning Board Vacancy; Appointment to be Made at May 22, 2024 Select Board Meeting.

3. 2024 Annual Committee/Board/Commission Vacancies.

4. 2024 Annual Town Meeting is Tuesday, May 7, 2024 at 5:00 PM at Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road; Review of Informational Town Meeting Warrant Article Videos.

5. No Select Board Meeting on Wednesday, May 8, 2024 (Annual Town Meeting); Next Meeting to be Held on Wednesday, May 15, 2024.

6. Annual Town Election Scheduled for Tuesday, May 21, 2024 from 7:00 AM to 8:00 PM at Nantucket Hight School, 10 Surfside Road.

7. 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 April 8, 2024 at 11:00 AM; April 10, 2024 at 5:30 PM.

2. Approval of Payroll Warrants for April 14, 2024; April 28, 2024.

3. Approval of Treasury Warrants for April 17, 2024; April 24, 2024; May 1, 2024.

4. Approval of Pending Contracts for May 1, 2024 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Finance Department: Request for Approval of General Obligation Bond in the Amount of $20,610,000 for Various Municipal Purposes, Water and Sewer Projects.

2. Housing Director: Affordable Housing Trust Quarterly Report.

3. HallKeen: Update on Ticcoma Green/6 Fairgrounds Road Housing Project.

4. Request for Taxicab License Legacy Transfer of "Pirate's Taxi".

5. Appeal of Tree Removal Denial to Board of Public Works: 39 Hooper Farm Road.

6. Siasconset Beach Preservation Fund (SBPF): Update on Notice of Intent Application before Conservation Commission for Sconset Bluff Erosion Control Project.

7. Conservation Commission: Request for Approval of Special Counsel Contract.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Amending Chapter 316, Pedicabs Regulations including § 316-1 Allowing Pedal Assist Bicycles; § 316-2(A) to Allow for Four (4) Pedicab Licenses; § 316-2(P) Allowing Fees for Pedicab Service vs Gratuity; § 316-4 (A)(3) Extending Service Area Map.

2. Public Hearing to Consider Increasing Town of Nantucket Taxi Rates and Amending Chapter 367, Taxicabs, Charter, Limousine and Tour Vehicles Regulations including 367-4 (Prohibited Practices) E (Taxicab Operator Dress Code) (3) and (4); 367-6 (Violations and Penalties) A (Fines); and Introduce a Minimum Vehicle Age for Taxicabs; and to Amend 367-2 M (Accessible Taxicabs).

X. TOWN MANAGER'S REPORT

XI. SELECT BOARD'S REPORTS/COMMENT

1. Review/Discussion of Proposed Draft Timeline for Fall Special Town Meeting.

2. Committee Reports.

XII. ADJOURNMENT

**Identified on Agenda Protocol Sheet*

AGENDA PROTOCOL

For all Town of Nantucket Boards, Committees, Commissions, Work Groups, Councils and Trusts (herein collectively referred to as "Committees" in this document)

Roberts Rules: Town of Nantucket Committees 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 Committees. At the Committee's discretion, matters raised under Public Comment may be directed to Town Administration and/or appropriate departmental staff, or may be placed on a future agenda, allowing all viewpoints to be represented before the Committee takes action, if any. Except in emergencies, the Committee 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 Committee 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 Committee meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Committee to take up first. This time is reserved for speakers to address the Committee on matters that are not related to any other Agenda item. If a speaker wishes to address the Committee 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 Committee. Comments made during the Public Comment period do not reflect the views or positions of the Committee. Because of free speech principles, the Committee 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 Committee welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at their sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Committee Members may have questions on the clarity of the information presented. The Committee will hear any staff input and then deliberate on a course of action.

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

Approved: March 27, 2024

Select Board
Planning Board Vacancy Appointment Timeline
As of 4/3/2024

April 4 – Advertise Planning Board vacancy on Town's website

April 10 – Planning Board vacancy to be added to Select Board agendas as announcement

April 11 and April 18 – Advertise Planning Board vacancy in the Inky

April 26 at 12:00 PM – Deadline for submitting applications for Planning Board vacancy

May 1 and May 15 – The names of applicants who have submitted applications will be read aloud and applications will be included in the Board's packet.

May 22 – Meeting for applicants to introduce themselves and review their applications; Planning Board appointment made jointly by Select Board and remaining Planning Board members.

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 reminder 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.

Print

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.

Planning Board (5-yr terms)		
Dave Iverson	Chair	2024
Joseph Topham	Vice Chair	2028
Barry G. Rector		2025
~~John F. Trudel III~~ VACANT		2026
Nathaniel Lowell		2027

Planning Board Alternates (3-yr terms)		
John Kitchener	Alternate	2024
Abby De Molina	Alternate	2025
Stephen Welch	Alternate	2026

Applicants:

John Kitchener
Hillary Hedges Rayport

RECEIVED

APR 16 2024

NANTUCKET TOWN ADMINISTRATION

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: John Kitchener **Home Phone:** 917-825-4155

Mailing Address: 27 Monomoy Road, Nantucket **Alternate Phone:**

Email Address: Kitchenerj@icloud.com **Date Submitted:** April 15th 2024

REQUESTING APPOINTMENT TO:
Planning Board Member (Replace John Trudel)

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?

Since being appointed as a Planning Board Alternate member in September 2023 I have attended every regular and special Planning Board meeting. As a Voting Member of the Short Term Rental Workgroup over a one year period I attended every meeting except one (approximately 40 meetings). I commit to continue working with the Planning Board meeting schedule.

I believe the Planning Board has a critical role to play in achieving the right balance between more development and the need to maintain a sustainable level of land use on our island. As an Alternate Member I have enjoyed being part of that process. I am not an architect or a member of our real estate / construction industries. But I am reasonably intelligent and able to ask insightful questions that help get to the best solutions.

An important Planning Board role is to ensure all applications are evaluated against our State and local planning and zoning bylaws. This is not easy and demands that all Board members understand and make their decisions within the boundaries of the bylaws. Over the past eight months I have learned a lot from studying the bylaws and from watching/listening to the five Board members at our monthly meetings.

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?

Attached is a resume of my business and public service experience and skills. I have learned how to adapt my business skills to the world of public service. My STR Workgroup and Planning Board Alternate experience has taught me a lot about effective public service, especially in the area of Open Meeting regulations.

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.
  Planning Board Alternate Member

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

JOHN KITCHENER – 2024 PLANNING BOARD APPLICATION

NANTUCKET PUBLIC SERVICE

CURRENT: Planning Board Alternate Member.

2022 / 2023: Short Term Rental Workgroup - At Large Voting Member.

2019 – 2022: Monomoy Civic Association – Executive Board Member.

My time on the STR Workgroup and as an Alternate member of the Planning Board has given me a good insight into how public service works. By necessity it is very different to the private sector. Last year I participated in the State-run Open Meeting Webinar. This proved to be a very valuable experience that has helped me on the Planning Board.

I have attended every Planning Board meeting since I was made an Alternate Member in September 2023. I look at the last eight months as an apprenticeship towards becoming a full member of the Board. I have learned a lot from the five full Board members.

FOUNDER NANTUCKET PROPERTY WATCH – PROPERTY MANAGEMENT COMPANY.

2018: Founded a Nantucket property management company with a young Macedonian partner.

2021: Handed the business over to my partner to focus on public service opportunities on the island.

FOUNDER & CEO EUROPEAN GREENFIELD STARTUP

2008: With two business partners, founded (and funded) Tatra Spring, a green field startup in Poland. Tatra Spring is a cosmetics contract manufacturing company focused on serving Europe, Middle East & Africa markets.

As CEO led the venture from a startup company with no facility, no people and no customers to an important supply chain partner for brands that include Estee Lauder, Avon and Body Shop.

2015: Sold the company to one of Europe's largest cosmetic contract manufacturers.

FOUNDER & PRESIDENT GLOBAL SUPPLY CHAIN CONSULTING

2006: Successfully launched a global supply chain consulting company working mainly with clients owned by leading investment banking firms.

After selling Tatra Spring returned to consulting. Worked with the Board of a major nutritional supplements company based in Dallas. Led a global supply chain transformation initiative, took on role of Chief of Staff to the CEO and led a redesign of the company global operating model.

SENIOR CORPORATE SUPPLY CHAIN LEADER

Until leaving in 2006 served as Avon Products (Fortune 500 company) most senior supply chain executive and a member of the corporate senior management team. Global supply chain leadership and oversight responsibility for multi-year global process and technology transformation initiative.

Lived and worked in Asia, Europe and North America. Skill set includes issue diagnosis, supply chain transformation, change management, effective communication at all levels, people development and an aggressive focus on tangible results.

Developed the people, processes and physical infrastructure needed to open key markets that included China, India, Russia, Poland, Turkey and Colombia. The ability to quickly and cost effectively enter new markets was a key driver of Avon's mid 90's – 2008 revenue, market share and margin growth.

TEACHING OTHERS

2015: Assisted the Jon M. Huntsman Business School (USU) to develop a business case module for their one-year MBA program. Included developing the problem, hosting the class for a visit to Tatra Spring Poland, remote Q&A, participating in a two-day interactive session on site at the University in Logan, Utah.

Born and educated in the UK. Now an American citizen residing permanently in the USA.

JOHN KITCHENER
917 825 4155
kitchenerj@icloud.com

Erika Mooney

From: William Saad
Sent: Friday, April 26, 2024 12:14 PM
To: Erika Mooney
Subject: FW: Planning Board appointment interest

We have one more applicant, see below.

Best,

Billy Saad
Zoning Administrator/Land Use Specialist

wsaad@nantucket-ma.gov
Town of Nantucket
Planning & Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554

Tel: 508-325-7587 X 7071
Fax: 508-325-5346
www.nantucket-ma.gov



Town & County of
NANTUCKET, MA

From: Hillary Hedges Rayport <hrayport@mac.com>
Sent: Friday, April 26, 2024 11:54 AM
To: William Saad <wsaad@nantucket-ma.gov>
Subject: Planning Board appointment interest

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Billy,

Please accept this email as my application for the vacant seat on the Planning Board.

I've been attending or listening to most of the planning board meetings and the NP&EDC meetings for some years now. I've also shown my interest and qualifications by attending several citizen planner training classes that are offered by the official training body of the Commonwealth, the CPTC. I have qualifications in preservation planning and have done a lot of research on the history of planning and zoning on Nantucket.

I believe the role of a Planning Board member is to review applications and determine, with advice of staff and deliberation with applications and residents, if they follow the local and state laws. Planning Board members also have an important role planning for orderly development of Nantucket and keeping neighborhoods benefiting residents, while also planning intelligently for positive change. With the current planning cycle underway, I believe I would bring a great deal of care, attention, knowledge, and diversity of thought to the Planning Board over the next year.

Thank you for your assistance, and thanks in advance to the members of the Select Board and Planning Board for reviewing my application.

Kind Regards,
Hillary Hedges Rayport
617-697-6429

Select Board
2024 Committee Appointments Timeline
As of 4/11/2024

April 10 – Select Board review list of openings.

April 11 – Notify members of committees whose terms are expiring.

April 18, April 25, May 2 and May 9 – Advertise committee openings in newspaper and on Town's website; put on Select Board agenda as announcement starting May 1 (no meetings April 17 or April 24).

May 17 at 12:00 PM – Deadline for submitting applications for committee openings to Town Administration office. This includes applications for:

- Agricultural Commission
- Airport Commission
- Board of Health
- Capital Program Committee
- Cemetery Commission
- Coastal Resiliency Advisory Committee
- Conservation Commission
- Contract Review Committee, Human Services
- Council for Human Services
- Council on Aging
- Cultural Council
- Finance Committee
- Historic District Commission Associate
- Nantucket Affordable Housing Trust
- Nantucket Historical Commission
- Planning Board Alternate
- Real Estate Assessment Committee
- Roads and Right-of-Way Committee
- Scholarship Committee
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

May 22 – The names of applicants who have submitted applications will be read aloud and applications will be included in the Board's packet.

June 5 – Meeting for the applicants who applied to the following committees to introduce themselves and review their applications:

- Agricultural Commission
- Airport Commission
- Board of Health
- Capital Program Committee

- Cemetery Commission
- Coastal Resiliency Advisory Committee
- Conservation Commission
- Contract Review Committee, Human Services
- Council for Human Services
- Council on Aging
- Cultural Council

June 12 – Meeting for the applicants who applied to the following committees to introduce themselves and review their applications:

- Finance Committee
- Historic District Commission Associate
- Nantucket Affordable Housing Trust
- Nantucket Historical Commission
- Planning Board Alternate
- Real Estate Assessment Committee
- Roads and Right-of-Way Committee
- Scholarship Committee
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

June 26 – Committee appointments.

2024 Committee Openings Information
As of 4/26/2024

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	1	2027	
Airport Commission	2	2027	
Board of Health	1	2027	
Capital Program Committee	1	2027	
Cemetery Commission	2	2027	
Coastal Resiliency Advisory Committee	1	2027	
Conservation Commission	2	2027	
Contract Review Committee, Human Services	1	2027	
Council for Human Services	3	2027	
Council on Aging	1	2026	vacant
Council on Aging	3	2027	
Cultural Council	2	2027	
Finance Committee	3	2027	
Historic District Commission Associate	1	2027	
Nantucket Affordable Housing Trust	2	2026	2-year term, at-large
Nantucket Affordable Housing Trust	1	2026	2-year term; real estate agent/broker
Nantucket Historical Commission	3	2027	
Planning Board Alternate	1	2027	
Real Estate Assessment Committee	1	2026	vacant
Real Estate Assessment Committee	2	2027	
Roads and Right of Way Committee	3	2027	
Scholarship Committee	3	2027	
Tree Advisory Committee	1	2025	vacant
Tree Advisory Committee	1	2027	
Zoning Board of Appeals	1	2029	5-year term
Zoning Board of Appeals Alternate	1	2027	3-year term

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
May 1, 2024

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
No Funding Agreements						
Contract Amendment	Natural Resources	Geosyntec Consultants, Inc.	N/A	Extension of time for permitting Miacomet Pond Dredging	N/A	Feb 1, 2023 - Jan 31, 2025
Contract Amendment	Public Works	Setronics Corp	N/A	Extension of time for installation of security video camera at Take It or Leave It area (Landfill)	N//A	Feb 21, 2024 - Dec 30, 2024
License Agreement	Select Board	NFI Realty Trust	N/A	Annual license for public use of section of privately-owned property at 40th Pole	N/A	May 1, 2024 - Oct 15, 2024
Contractual Services						
Professional Services Agreement	Culture and Tourism	Artsopolis, LLC	$1,800	Annual web hosting & maintenance services	Culture and Tourism Budget	Apr 28, 2024 - Apr 27, 2025
Lease Agreement	Housing	Hidden View, LLC	$38,000 (including security deposit)	Rental of 34R Cliff Rd for full-time municipal employee(s)	Housing Budget - Rent Employee Housing	Apr 10, 2024 - Oct 31, 2024
Lease Agreement (Renewal)	Our Island Home	Kevin Marshall	$96,000/yr	Rental of 20 Miacomet Ave for full-time municipal employees/contractors	Our Island Home Budget - Rent Employee Housing	Jan 1, 2024 - Dec 31, 2024
Contract Amendment	Our Island Home	E.F. & Associates	$32,200	Administrative and Operational Assistance	Our Island Home Budget - Managing Services	Jul 1, 2023 - Jun 30, 2024
Professional Services Agreement	Parks and Recreation	Amy Manning	$8,002.40	Seasonal planting & maintenance of flower boxes at 10 Washington St	Parks and Recreation Budget - Professional Services	Apr 1, 2024 - Mar 31, 2025
Professional Services Agreement	Parks and Recreation	Amy Manning	$8,190	Seasonal planting & maintenance of flower	Parks and Recreation	Apr 1, 2024 - Mar 31, 2025

				boxes at 25 Federal St, 3 E. Chestnut St & Veterans Park Memorial	Budget – Professional Services	
Contract Amendment	Parks and Recreation	Landscaping by J. Michael	$2,620	Adding OIH to existing contract for irrigation systems services (spring startup and winter shutdown)	Our Island Home Budget – Repair & Maintenance	Feb 1, 2023 – Jan 31, 2026
Professional Services Agreement	Public Works	Tiger Training Corp	$17,400	Required job-specific safety & training classes for CPR/first aid/AED, OSHA, bloodborne pathogens, etc.	Public Works Budget – Professional Services	Apr 11, 2024 - Sept 1, 2024
Lease Agreement (Renewal)	Public Works	Residence at Sherburne Commons	$38,484/yr	Apt at Sherburne Commons for full-time municipal employee	Solid Waste Budget – Employee Housing	May 1, 2024 – Apr 30. 2025
Professional Services Agreement	Public Works	K5 Corporation	$300,000	Installation & upkeep of essential road markings (long lines, stop bars, crosswalks, shared lane markings, sharrows, etc.)	Public Works Budget – Professional Services	May 1, 2024 – Apr 30, 2025
Contract Amendment	Public Works	Nantucket Septic, Inc.	$87,570/yr	Supply, delivery & maintenance of portable toilets & pump-out services at various Town-owned beaches & properties	Public Facilities Budget – General Custodial	May 1, 2024 – Apr 30, 2025
Memorandum of Understanding	Select Board	Waste Options Nantucket	$1,000,000 (Composter) $3,400,000 (Transfer Station)	Acquisition of Composter and Transfer Station; Subject to Appropriation at Town Meeting	Article 19 – 2024 Annual Town Meeting	May 1, 2024 – Nov 27, 2025
Professional Services Agreement	Town Administration	Process First, LLC	$20,000	Implementation support for implementation of Short-term Rental Registry	Town Administration Budget	May 1, 2024 – Apr 30, 2025
License Agreement	Town Administration	Nantucket Food, Fuel and Rental Assistance	($1.00)	License for use of portion of 10-12 Washington St for Food Pantry	N/A	Apr 15, 2024 - Apr 14, 2025
License Agreement	Town Administration	Nantucket Island Tours, Inc.	($10,000)	License for use of portion of 10-12 Washington St for bus tour kiosk	N/A	Apr 15, 2024 - Oct 31, 2024

Agenda Item Summary

Agenda Item #	VIII. 1.
Date	5/1/2024

Staff

Brian E. Turbitt, Finance Director

Subject

Approval of the issuance of General Obligation Bonds in the amount of $19,240,000

Executive Summary

On Tuesday April 23, 2024 the Town conducted a competitive sale for the issuance of $19,240,000 in General Obligation Bonds. The sale generated 14 bids for the bonds. The winner of the sale was RBC Capital Markets with a Total Interest Cost (TIC) of 3.137709.

Staff Recommendation

Recommend approval of the sale of the bonds to RBC Capital Market.

Background/Discussion

The sale funded a variety of projects for the including projects in the General Fund ($15,221,000), such as the Town Pier, School Athletic Field construction, Sidewalk improvements, the Fire Station, DPW Design, OIH Improvements, and Design. Also included in the borrowing was funding for the Water Department (933,000) for water main extensions West of the Airport, and The Sewer Department (3,086,000) for upgrades to the treatment facility and continuation of the CMOM inspection and repair program.

Impact: Environmental ☐ Fiscal ☒ Community☐ Other☐

Debt Service principal and interest payments will impact future budgets.

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

Vote of the Select Board

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Nantucket, Massachusetts (the "Town"), certify that at a meeting of the board held May 1, 2024, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the $19,240,000 General Obligation Municipal Purpose Loan of 2024 Bonds of the Town dated May 9, 2024 (the "Bonds"), to RBC Capital Markets at the price of $20,774,170.60 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on May 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2025	$2,055,000	5.00%	2035	$870,000	4.00%
2026	2,015,000	5.00	2036	870,000	4.00
2027	1,705,000	5.00	2037	870,000	4.00
2028	1,630,000	5.00	2038	870,000	4.00
2029	1,180,000	5.00	2039	430,000	4.00
2030	930,000	5.00	2040	430,000	4.00
2031	925,000	5.00	2041	425,000	4.00
2032	920,000	5.00	2042	425,000	4.00
2033	920,000	5.00	2043	425,000	4.00
2034	920,000	4.00	2044	425,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 16, 2024, and a final Official Statement dated April 23, 2024, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement for the Bonds.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking with respect to the Bonds in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain

the tax-exempt status of the Bonds and to comply with relevant securities laws with respect to the Bonds.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: May 1, 2024

_____
Clerk of the Select Board

137203601v.1

Agenda Item Summary

Agenda Item #	VIII. 2.
Date	5/1/2024

Staff

Kristie Ferrantella, Municipal Housing Director

Subject

Affordable Housing Trust Fund (AHTF) update to Select Board

Executive Summary

The AHT would like to provide quarterly updates to the Select Board. The purpose of the report is to provide a summary to the Board of the activities of the Trust and implementation of the Board's strategic goals on housing.

Staff Recommendation

N/A

Background/Discussion

The Trust is seeking ways to inform the public about their activities and believes a quarterly update to the Select Board assists in this goal.

Impact: Environmental ☐ Fiscal ☐ Community☒ Other☐

Board/Commission Recommendation

The AHT recommends implementing a quarterly update to the Select Board with activities from the past three months.

Public Outreach

N/A

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

Strategic Plan – Housing

Attachments

1) Quarterly Report attached.







Affordable Housing Trust Fund (AHTF)

Housing Department

Kristie Ferrantella

5/1/2024

Quarterly Report to Select Board

For January – March 2024

Highlights From the Quarter

- Closing Cost Assistance awarded to two families
- Developing Year-Round Deed Restriction Program
- Housing Advocacy Day partnership with Cyrus Peirce Middle School Civics Class
- Submitted a request for special municipal local preference to EOHLC

Year-Round Deed Restriction Pilot Program

- The program would establish a permanent deed restriction, which would limit properties to year-round residency.
- This deed restriction can be either sold to the Affordable Housing Trust by existing homeowners or created during the acquisition of a property by a year-round resident as a form of down payment assistance
- This initiative aims to enhance housing affordability and accessibility for the year-round community while establishing a permanent inventory of year-round housing.
- Judi Barrett held info sessions with the community in the Fall and has developed the pilot program. Launching soon.



Year-Round Deed Restriction Home Rule Petition

- Article 80 at 2024 Annual Town Meeting
- The home rule petition would create a definition for a year-round deed restriction to promote year-round housing occupancy; the program will be created by the AHT
- This aligns with the select board's strategic goal around creating affordable homeownership opportunities.
- The housing occupancy restriction would require at least 10 months of the year by either owner or rental occupancy
- Provincetown approved a similar HRP at their 2023 ATM

Affordable Homes Act

- Gov. Healey introduced the Affordable Homes Act in October of 2023, a comprehensive bill to increase housing production.
- This is a $4.1b bond bill that includes several policy options for housing
- Includes an option for a real estate transfer fee and a seasonal community designation
- Bill has been referred to the House Ways and Means committee
- If the bill passes, it will be at end of July, and we will need a special town meeting to opt in



Housing Advocacy Day – April 11

- Organized a Housing Advocacy day with MV and GBIO
- Brought nearly 40 islanders to the State House in Boston to advocate for affordable housing, include students from the 8th grade civics course



Real Estate Transfer Fee - Home Rule Petition

- Article 79 at 2024 Annual Town Meeting
- Nantucket voters have been approving this HRP since 2016
- Would impose a fee of 0.5% on real estate transactions over $2m

Status: Construction and Land Acquisition: Developments in Progress

Developer	Location	Status	Potential Unit Count	R/O
Habitat for Humanity Nantucket	Waitt Drive	In Progress; Completion Date Fall 2025	6	O
Richmond Development	Gooseberry Place	In Progress; Completion Date Fall 2024	55	R
Richmond Development	Sandpiper II	In Progress; Completion by December 2024	6	O
HallKeen Development	6 Fairgrounds	Building permits in 12/2024	64	R
Housing Nantucket	31 Fairgrounds	Completion by summer 2024	22	R

Status: Construction and Land Acquisition: Vacant Land Developments

Vacant Land	Status	Potential Unit Count	Rent/Own
135 and 137 Orange Street	RFP rejected; reissuing soon	32	R
16 Vesper	RFP to be released soon	19	R
12 and 12R Bartletts Rd	RFP to be released soon	12	R
7 Amelia	RFP to be released soon	3	R
8 White Street	RFP to be developed	3	O

AHT Grants and Loans

- Approved a $3.1m short-term loan to Richmond Development for the construction of 7 homes for ownership in Sandpiper Place II
  - Homes will be constructed and sold by 12/31/24
- Approved a $4m grant to Habitat for Humanity Nantucket for the construction of 6 homes for ownership on Waitt Drive
  - Construction has begun

- The Trust has established a critical partnership with Bond Counsel and financial advisors to aid in the comprehensive analysis of grant and loan requests.

SHI List & Safe Harbor

- 2020 Census updated our Subsidized Housing Inventory (SHI) Requirement from 490 units to 618 unit (up 26%)
- Must create 31 units in a calendar year for one year of Safe Harbor; 62 units for two years of Safe Harbor
- Nantucket currently has 332 SHI units out of 6,184 housing units; or 5.37% (goal is 10%).

Steps to Safe Harbor

Estimated Timing for SHI Unit Additions

Estimated SHI List Count	2024	2025	2026	2027
Starting Balance	332	462	531	586
Sandpiper II (Richmond) [O]	6			
Ticcoma Green (6 Fairgrounds Road) [R]	64			
Scattered rentals (Housing Nantucket) [R]	1	1	1	1
Scattered ownership (Habitat for Humanity) [O]	4	2	2	2
135 + 137 Orange Street [R]		32		
Richmond Meadows II (Gooseberry Place) [R]	55			
7 Amelia Drive [R]		3		
Vesper Lane [R]		19		
Bartlett Road [R]		12		
Potential				
Potential Development [R]			20	
Potential Buydown [R]			32	
TBD				29
Subtotal net additional units =	130	69	55	32
Ending balance	**462**	**531**	**586**	**618**
Units potentially eligible to count toward Safe Harbor =	75	69	55	32
Minimum Safe Harbor deficit =	0	0	0	0

[R] denotes Rental units; [O] denotes Ownership units

Notes: If Surfside Crossing is ultimately permitted at 156 units, it will at a future point add 39 units to our SHI list, 24 of which may be eligible toward a future Safe Harbor period.

SHI Goal:
618 Units

Future Funding Needs for Safe Harbor, 10%, and Attainable Housing

Project	# of Units	Future Subsidy Need
12 & 12 R Bartlett Road	12	$ 4,800,000
135 & 137 Orange Street	32	$ 6,500,000
8 White Street Land	3-6	$ 2,400,000
16 Vesper Lane	19	$ 7,600,000
7 Amelia Drive	3	$ 1,600,000
SHI Maintenance 2024	27	$ 6,700,000
SHI Maintenance 2025	32	$ 2,000,000
Future Homeownership Project	30	$ 8,000,000
Year Round Deed Pilot Program	10	$ 2,000,000
Housing Nantucket Construction	1	$ 1,000,000
		$ 42,600,000

On the Horizon

- Preparing for 2024 ATM
- Advocating for passage of the Affordable Homes Act
- Exploring “Good Landlord Tax Exemption”
- Lease to Locals presented their pilot program to the AHT
- Request EOHLC approval of special municipal local preference



Kristie Ferrantella
Kferrantella@nantucket-ma.gov

Agenda Item Summary

Agenda Item #	VIII. 3.
Date	May 1, 2024

Staff

Kristie Ferrantella, Municipal Housing Director

Subject

Project update for Development at 6 Fairgrounds Road.

Executive Summary

HallKeen, the developer of Ticcoma Green would like to update the Board and the community on the status of the project. HallKeen is seeking the board's approval of their request to extend the diligence period of the agreement for an additional 12 months through December 15, 2024.

Staff Recommendation

N/A

Background/Discussion

As the Board is aware, there have been significant delays resulting from the neighbor appeal of the Planning Board Special Permit, which has resulted in increased construction cost for the project. At the January 17th meeting, the SB approved HallKeen's request of an extension of their diligence period through December 15, 2024.

The Housing office has been working closing with HallKeen to ensure all units are eligible for inclusion on our SHI list and are eligible for certification of our Housing Production Plan prior to the expiration of our current Safe Harbor, which expires Dec 11, 2024.

HallKeen will be presenting an update to the board and community on the status of the 64-unit project.

Impact: Environmental ☐ Fiscal ☐ Community☒ Other☐

Addressing the housing crisis; Select Board strategic goal around maintaining Safe Harbor.

Board/Commission Recommendation

N/A

Public Outreach

N/A

Attachments

N/A

Agenda Item Summary

Agenda Item #	VIII. 4.
Date	5/1/2024

Staff

Erika D. Mooney, Operations Administrator

Subject

Request for Taxicab License Legacy Transfer of Michael Shaw's "Pirate's Taxi".

Executive Summary

Michael Shaw owned Pirate's Taxi since 2012, when he obtained the license by a legacy transfer from his deceased father, Bill Shaw. Michael passed away on March 25, 2024 and his wife, Nancy Shaw, would like the opportunity for the license to pass to her through a legacy transfer which is allowed under Town Regulation Chapter 367 – Taxicabs, Charter, Limousine and Tour Vehicles, § 367-2(F)(3), which states:

"Legacy taxicab licenses. The spouse or immediate family member (i.e., mother, father, son, daughter, sister, brother, registered domestic partner) of a current taxicab license holder who dies or becomes legally incapacitated may apply for the license within 30 days of the death or determination of incapacitation of the taxicab license holder. Upon approval by the Select Board, the taxicab license may be transferred to the spouse or immediate family member, if said person does not already hold a taxicab license."

Staff Recommendation

N/A

Background/Discussion

N/A

Impact: Environmental ☐ Fiscal ☐ Community☐ Other☐

N/A

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

Letter from Nancy Shaw; § 367-2(F)(3)







Nancy Shaw
9 Pearl Street
Stoughton, MA 02072
1-781-956-2475

RECEIVED
APR 16 2024
NANTUCKET TOWN ADMINISTRATION

Nantucket Board of Selectman
16 Broad Street
Nantucket, MA 02554

April 16, 2024

Dear Honorable Members of the Select Board,

I am writing to you today regarding consideration for a Legacy Taxicab License under M.G.L. c240-2, §f3. My husband Michael Shaw is current proprietor of Pirate's Taxi. Regretfully, Michael passed away on March 25, 2024. Michael and I have been frequenting Nantucket for decades. Michaels father Bill, was a thirty-year resident and well-respected barber on the island up until his death in 2012. The name "Pirate's Taxi," is a tribute to Bill's beloved dog, Pirate, who passed away the day Bill received word that he had been awarded a taxi license. Under the provisions of the Town of Nantucket Taxi Regulations, and with Select Board approval the legacy license was transferred to Michael in August 2012.

It was always Michael's wish that I carry on his father's legacy of Pirate's taxi and keep Bill's memory alive. Losing someone you love so dearly is hard and I hope with your approval, I can carry out Michael's wish to continue Pirate's taxi. I have read and reviewed all of the articles in M.G.L. Chapter 240-2. I understand and agree to abide by the terms and conditions spelled out. I recognize that my husband is in 100% compliance with these terms as well, making it easier for me to want to fulfill his request. It is my intention to operate Pirate's taxi year round and to maintain Pirate's Taxi's reputation as dependable and courteous. I was unable to locate an application online, but will be glad to complete the appropriate paperwork and background checks required.

I appreciate the time and consideration you have given this letter. I look forward to hearing from you.

Sincerely,

Nancy A. Shaw

Cc: Nantucket Town Clerk's Office

licensed. If such registration document does not indicate maximum passengers, then the applicant must provide the original motor vehicle title document issued by the Massachusetts Registrar of Motor Vehicles. The Town Clerk is prohibited from issuing any taxicab license to a motor vehicle which exceeds a carrying capacity of 10 persons, including the taxicab operator.

F. License transfer.

(1) No taxicab license provided for in the regulations shall be sold, assigned or transferred, nor shall a majority in interest of any entity holding such a license be sold, assigned or transferred without the approval of the Select Board. Such sale, assignment or transfer, without such approval, shall automatically terminate said license, and any such license held shall immediately be surrendered to the Town Clerk. The Town maintains a waiting list for those applicants who wish to obtain a taxicab license when it becomes available, as defined in § 367-1 and codified at § 367-2. The Select Board shall deny a request for a sale, assignment or transfer of an available taxicab license if there is any applicant on the Official Waiting List at the time of such request, except as provided for in Subsection F(3).

(2) No motor vehicle which is operated under the regulations shall be leased or borrowed by the taxicab license holder without the approval of the Select Board or its designee. No person or business which holds a taxicab license shall allow said license to be used or in any way controlled by any other person or business that is not the taxicab license holder as approved by the Select Board or its designee.

(3) Legacy taxicab licenses. The spouse or immediate family member (i.e., mother, father, son, daughter, sister, brother, registered domestic partner) of a current taxicab license holder who dies or becomes legally incapacitated may apply for the license within 30 days of the death or determination of incapacitation of the taxicab license holder. Upon approval by the Select Board, the taxicab license may be transferred to the spouse or immediate family member, if said person does not already hold a taxicab license.

G. Vehicle inspections; vehicle condition.

(1) Taxicabs are subject to periodic inspections by the Police Department throughout the year to determine fitness for continued operation, compliance with the regulations, and availability to serve the public.

(2) Taxicabs shall comply with all provisions relative to the operation and equipping of motor vehicles under MGL c. 89 and c. 90, any bylaw of the Town, or any rule or regulation promulgated by the Massachusetts Registrar of Motor Vehicles.

(3) Taxicabs shall be well maintained and be in a good and reliable mechanical condition. Taxicabs must have a valid state inspection sticker. No motor vehicle shall be operated with an inspection "rejection" for equipment or emissions, in accordance with state requirements.

(4) Taxicabs shall be clean inside and outside and be well-painted; all wheels of said taxicab shall be covered with hubcaps if so designed.

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Agenda Item Summary

Agenda Item #	VIII. 5.
Date	5/1/2024

Staff

Erika D. Mooney, Operations Administrator

Subject

Tree Removal Denial "Appeal" to Board of Public Works: 39 Hooper Farm Road

Executive Summary

Jim Wiemann on behalf of Dreadlock Holidays Inc., owners of 39 Hooper Farm Road, are "appealing" the February 15, 2024 decision of the Tree Warden and the Tree Advisory Committee (TAC) denying the removal of one Linden tree at that location. Town Counsel has opined that Select Board, acting as the Board of Public Works, through the authority of Chapter 169 of the Acts of 1965, should hold hearings to review the Tree Warden/Tree Advisory Committee's decision to deny requests to remove Town-owned trees. The appeal hearing is not a public hearing, does not require advertised notice, sworn testimony, abutter notice, etc. Dreadlock Holidays Inc. should be allowed to make their case for removal of the tree in question and the Tree Warden, David Champoux, to explain why the tree should stay.

Staff Recommendation

Tree Warden denied the removal of the tree based on:

- The tree is along the roadside and Town Counsel advises, under section 132 of the Town Code, if any part of the root system is on Town property, then it is Town property.
- Based on the Town Arborists assessment this tree has been worked on by the Town.
- The Tree poses no public safety issue and is healthy, two important considerations the TAC weighs when deciding whether or not to approve removal of a Town tree.
- The Tree Committee agrees that the building plans presented by owner are workable around the tree.

Background/Discussion

Jim Wiemann requested a hearing before the Tree Warden/Tree Advisory Committee to remove one Linden tree at 39 Hooper Farm Road, stating the tree is becoming a liability to the property and the exposed root system is heaving the walkway, creating a tripping hazard; impacting the sewer line, resulting in having to have the line cleared five times in the last 10 months; has compromised a side door to the building; and he is worried it will soon impact the foundation of the home. Mr. Wiemann has offered to replace the tree with two new trees of the Town's choosing. The Tree Warden/Tree Advisory Committee reviewed the matter at its February 15, 2024 meeting and voted that the tree was a Town

Tree pursuant to § 132-2 (Town tree designation) of the Code of the Town of Nantucket and should not be removed. Mr. Wiemann is appealing the denial.

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

Board/Commission Recommendation

n/a

Public Outreach

The tree hearing held by the Tree Warden/Tree Advisory Committee was publicized for two weeks in the local newspaper and the posting was also affixed to the tree in question.

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

N/A

Attachments

Email from Jim Wiemann

Memo from Tree Advisory Committee, TAC minutes, § 132-2 (Town tree designation) of the Code of the Town of Nantucket; photos; email from Buzz Polchinski; curb cut permit with plan; letter from Planning Board







From: Jim Wiemann
To: Erika Mooney
Subject: Tree removal
Date: Friday, March 29, 2024 12:51:04 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Dreadlock Holidays Inc. writing to request removal of tree at 39 Hooper Farm Rd. The tree, planted by the town forty some years ago, is threatening the physical house, as it sits 10 feet from the front door of the property. The trees root system which exists almost entirely above ground is already consistently clogging the sewer line and threatens to compromise the buildings foundation as the roots move under the front of the house. The walkway to the front door is also being impacted as the grade of the property has now changed. The resulting conditions are the result of where the tree was originally planted. In addition to these results, the tree presents a significant liability to the owners due to terrain the root system has created along the walkway to the front door.

Dreadlock Holidays was never made aware of the tree being town property until long after our plans for the front of the lot were drawn up. At the Tree Committee meeting we offered to offset the loss of the tree with improvements to the front of the property.

We feel strongly that a "That a Town Tree" should not be a "burden" to it's property host. According to the Tree Committee, the tree does not hold any specific designation as an especially valuable tree, and we have offered to mitigate it's loss with additional trees, and other improvements to the lot. We would appreciate the opportunity to further discuss this situation with the appropriate parties

Thank you,
Jim Wiemann

Town of Nantucket *Department of Public Works*
MUNICIPAL OFFICE BUILDING • 188 MADAKET ROAD • NANTUCKET, MA 02554 Ph (508) 228-7244 • Fax (508) 228-7289

Memo

To: Nantucket Select Board

From: Tree Advisory Commitee

cc: Andrew Patnode

Date: 3/27/2024

Re: 39 Hooper Farm Linden Tree Removal Denial

Town of Nantucket Tree Advisory Committee had a hearing on February 15, 2024, for the removal of a linden tree at 39 Hooper farm Road. The official vote of the Tree Advisory Committee was unanimous vote with individual roll call to deny removal. Thus, TAC is notifying the Select Board with this information packet of the Advisory Board's decision.

Below are the major criteria applied by the Tree Advisory Committee in arriving at its determination of our long term vested interest in this Town Tree as follows:

- The tree is along the roadside and Town Counsel advises, under section 132 of the Town Code, if any part of the root system is on Town property, then it is Town property.
- Based on the Town Arborists assessment this tree has been worked on by the Town
- The Tree poses no public safety issue and is healthy, two important considerations the TAC weighs when deciding whether or not to approve removal of a Town tree.
- The Tree Committee agrees that the building plans presented by owner are workable around the trees

Sincerely,

David Champoux, Tree Warden
Town of Nantucket
Tree Advisory Committee

Attached

- TAC minutes from the hearing
- Photos provided by the homeowner showing root issues
- Emails from local Contractor who was hired to clear the blockages and video inspect the pipe, still photos of the root intrusion of the sewer line from the video inspection included
- Notice of the public hearing
- Definition of a town tree per Local Bylaws
- Approved Site plan and letter from Planning Board

Nantucket Tree Advisory Committee

Posted meeting of February 15, 2024 at 2:30 PM

DPW Conference room, 188 Madaket Rd, with Zoom Connectivity

Draft Minutes for Review and approval

Attendance: Dave Champoux (Tree Warden), Mary Longacre(via zoom), Judy Deutsch (via zoom) Ben Champoux; Dale Gary Town Arborist, Scott Williams DPW Staff Charlie Polachi, DPW Staff. Jim Weimann of 39 Hooper Farm Road. Richard Arnold of 12 Winn Street

Absent: Whitfield Bourne

Public Hearing – 39 Hooper Farm.

- Call to Order
  At 2:30 Dave Champoux called to order the Public Tree Committee Hearing for the removal of the Town Owned Linden tree at 39 Hooper Farm Road. Jim Wiemann, owner of 39 Hooper Farm Road, was asked to present his case to the committee. Jim opened by stating that he is not looking for a fight and feels that he has run out of options as far as this tree is concerned. Jim expressed that he feels that the tree represents a liability to the house and its occupants. And this liability has overcome the usefulness of the tree in this location. Jim briefly shared an account of how he recently worked to mitigate liability at his business due to a recent snowstorm. Jim stated that by not allowing him to remove the tree would be like sending him downtown at 5 am after a snowstorm without a shovel. Jim also stated that if he is unable to do something about the liability and problems the tree is causing the it is only a matter of time before an incident occurs where he could be sued. Jim continued sharing they never knew this was a town tree, and had they known earlier that it was a town tree and they would be unable to take it down given the liability and costs associated with the tree, maybe they would not have purchased the property, stating again there was no medallion on the tree and that he only learned it was a town tree in passing. Jim continued to express that the girdling and exposed root system is heaving the walkway creating a tripping hazard. Furthermore the trees root system have compromised the sewer line, which runs beneath the tree. He has had to have the line cleared 5 times in the last 10 months. The tree's roots have also compromised a side entrance to the building, upon the replacement of the entry way the contractor noted that the tree's roots extend around the building and under the corner of the foundation and could possibly compromise the foundation in the future. Jim also noted that the building department has requested a turnaround driveway be installed on the property which also requires the removal of the tree. Jim stated that he is a lover of trees and that when the tree was planted it was appropriate and a good idea, but it has since outgrown the space. Jim continued to point out that due to the tree and its exposed root system the tree is posing a significant grading issue, causing part of the property to pitch towards the house and foundation. He would like to

remove the tree, re-grade the property and plant two new trees of the committee's choice in its place. Finally, Jim asked that if the town would not allow the tree to be removed and would not accept responsibility for the damage caused by the tree, what is he to do?

Ben Champoux at the request of Mary Longacre held up photos of the tree's root system for those on Zoom to be able to see. Mary Longacre asked about Documentation of the Sewer damage or foundation issues and stated that the surface roots alone are not an issue.

At this point Dave Champoux gave a brief history of the tree, that it was from a tree program back in the 80's and that the location was chosen by the homeowner at that time. The location was chosen as the area closest to the road was densely planted with pine trees. He estimated the tree to be 55 years old and has been in the current location for approximately 45 years. And nothing about the tree would trigger an outright removal by the Town. Dave proceeded to ask Dale Gary Town Arborist for his opinion of the tree.

Dale stated that the tree is healthy despite the sever girdling of the roots. Dale also stated that there is no chance of the tree falling over and he has spent plenty of time pruning and caring for the tree over the years. Dale continued that while the root girdling does compromise the tree, it is currently healthy, and he would not be in favor of its removal.

Ben Champoux commented that while he felt for the homeowner and understood his concerns, that if the committee granted everyone of these requests that it would set a president for every tree to be removed. He also stated that it is the property owners due diligence to see what is on their property regardless of what is on the deed.

To this Jim asked how to proceed? At what point does the town become responsible for the damage the tree causes to his property?

Ben Champoux replied that the Tree Advisory Committee looks for a justification for removal of a tree, is it healthy, does it present an imminent threat to public safety, is the tree a Hazard? And that while the tree may not be ideal it is an asset to the town and instructed Jim that his journey does not stop with the Tree Advisory Committee., and that his next step should be to appeal to the Select Board.

Mary Longacre stated that the root issue should be brought to the attention of the Sewer Department, and the sewer department should fix the pipe to prevent further intrusion.

Dave Champoux asked Judy Deutsch for her opinion on the tree in question. Judy commented that should would consider the removal as this was not an Elm tree.

Richard Arnold of 12 Winn St. who was in attendance asked the Chair why the tree had no medallion and if it was known how far from the road/property line the tree was planted, along with stating that the tree is gnarly and is an ugly installation. At which point Jim stated he never know it was a town tree and due to is position never thought to ask about its status.

Charlie Polachi stated the tree was approximately 30-35' from the property edge.

Dale Gary suggested that the property owner work with the sewer department on the root

issue and that he would do all he could to help the tree above ground, again stating that the building is not in danger from the tree.

Again, Jim asked to remove the tree so he could properly grade the yard and offered to plant 2 new trees of the committees choosing in its place, and he is willing to continue to the Select Board if that is the next step.

At this point Dave Champoux stated that as the committee is not in favor of removal, he moves the issues to the Select Board.

At 3:07 Dave Champoux closed the public hearing.

2/15/2024 Tree Advisory Committee Meeting.

1. Call to Order
   Dave Champoux called the meeting to order at 3:08pm and listed all in attendance.

2. Committee Acceptance of Agenda
   Agenda was unanimously accepted.

3. Committee approval of Minutes from 1/18/2024
   Minutes from 1/18/24 were approved and accepted unanimously.

4. Announcements
   No announcements were made.

5. Public Comment
   No Public Comment

6. Citizen/Departmental requests
   No Requests were made.

7. Old Business
   Dave Champoux asked if the committee had a chance to review the draft of proposed fines and mitigation.

   Mary Longacre asked for some clarification on definitions such as “Publicly owned trees” and asked if “Owned” is the proper terminology and what exactly is the relationship of the Town for a Town tree, particularly in a case where the tree is planted on private property with permission from the homeowner. Does the Town have legal fee ownership in the tree? Is owned the right word? Or should the terminology be changed to “town trees” as there is an existing definition of such.

   Judy Deutsch agreed that there should be continuity of language throughout the document.

   Mary Longacre suggested that if we are to incorporate language from Somerville that the

definitions should also match. Mary cited a “hazardous tree” as an example of a definition that might need clarification.

Ben Champoux replied that such decisions are often made or require an arborist designation.

Mary Longacre asked if the language of the definitions should be modified to be more specific, to which Ben Champoux stated that it may be better to leave the language loose as to not box in the committee’s abilities. Mary Longacre expressed concern that if the language is to loose it could allow people to wiggle out from under the rules. Judy Duetsch suggested adding the language “Town Arborist” to the “Hazardous tree section.”

Dave Champoux asked the committee to discuss the proposed fine schedule. Mary Longacre quickly reviewed the $500 fine, and proceeded to ask if the committee was comfortable with excluding hybrid Elms from the Elm section of the mitigation payments. The committee expressed that hybrid Elms can be replaced with another hybrid variety, while the true American Elms are irreplaceable. Which is why the mitigation language is “non-American elm trees” vs “American Elm trees” Mary clarified that the designation between the trees was of a genetic nature.

Dave Champoux asked about the mitigation formula. Judy Duetsch expressed that the language is confusing in the mitigation sections, and asked for the language to be made clearer.

The decision was made to remove the “private tree” section of the penalties be removed for now. But could be used to bolster the towns Tree webpage in the future. Mary suggested that if we were to use any of the Somerville language for the web page, we should change it to be Nantucket specific.

Mary Longacre asked for language clarification and on the mitigation payments.

Continuing with old business Dale Gary reported on the sewer project, stating that there were minimal issues and the construction crew has been great about communicating when they require Dales assistance in pruning trees that may be effected. Dale stated that the trenching on Atlantic Ave caused minimal damage as the crew did their best to avoid the trees. The discussion continued to the trees at 8 and 12 Atlantic Ave, to see about moving the sidewalk on to the already worn paths that have been created around the trees. Dale was to discuss with David Grey if there were any plans to address the side walks as part of the sewer project.

Dale Gary gave a brief summary of winter pruning and storm damage, reporting minimal damage from winter storms and that he will be planting two trees, `New harmony’ Elm cultivars in place of the large Elm that came down in the storm at silver street.

8. New Business
   Ben Champoux stated there some issues with the tree tag supplier but would continue to work on a solution.

9. Adjournment
   Meeting adjourned at 3:38 with a Ben Champoux Motion, Seconded by Dale Gary and unanimously approved.

Respectfully submitted by:

Charlie Polachi

Next Meeting Scheduled March 21st at 3:00pm in the DPW Conference room with zoom available.

§ 132-2. Town tree designation. [Added 4-13-1998 ATM by Art. 51, approved 7-31-1998]

Any tree will be designated a "Town tree" by meeting any one of the following conditions:

A. The tree was purchased, or its planting was paid for, by the Town.

B. The tree stands on or has its trunk partially on Town-owned property.

C. The tree was donated or otherwise conveyed to the Town.

D. The tree has been maintained more than once by use of Town funds, equipment or personnel during the last 20 years, with the visits separated by more than one year.

E. Town trees shall be marked with a medallion, the presence of which shall be conclusive of the status of the tree as a Town tree.

PUBLIC HEARING

Pursuant to MGL Chapter 87, § 3 and Chapter 132, § 4 of the Town Code, please be advised that the Tree Advisory Committee will hold a public hearing via Zoom on Thursday, February 15th at 2:30 PM to consider removal of the Linden Town tree at the following location: 39 Hooper Farm Road, Nantucket, MA 02554.

L27 TREE ADVISORY COMMITTEE


2212151620a.mp4
16: 21: 23
23. 8FT
12/ 15/ 2022
0:38 / 2:28


2212151620a.mp4
16: 21: 39
30. 4FT
12/ 15/ 2022
0:54 / 2:28


NATIVEDEVELOPMENT
PROPERTY DEVELOPMENT &
GENERAL CONTRACTING
774.485.2024


ANDERSEN

PROPERTY DEVELOPMENT &
GENERAL CONTRACTING

774.485.2024




PUBLIC
HEARING WILL
BE HELD
ND
NATIVEDEVELOPMENT
PROPERTY DEVELOPMENT &
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PROPERTY DEVELOPMENT &
GENERAL CONTRACTING
774.485.2024

NATIVEDEVELOPMENT

PROPERTY DEVELOPMENT &
GENERAL CONTRACTING

774.485.2024











From: Buzz Polchinski
To: Charles Polachi; Jim Wiemann
Subject: 39 Hooper Farm Road
Date: Friday, February 16, 2024 3:39:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jim and Charlie,

The tree is impacting the sewer line as seen from a stop made back in December of '22. The line is Orangeburg until a point out near the old fence line if memory serves.

You can see root intrusions into the pipe and bumps caused be roots applying exterior pressure on the Orangeburg pipe. The line runs just to the left of the trunk as viewed from the road. Repair work would literally cut most of the root system on that side of the tree as it appears to have rather shallow roots based on the amount of near surface roots that can be seen. Further, excavation would be close to two feet deep at the replacement depth of pipe. This will severely compromise the tree's wind resistance for some time until the roots can re-establish if it does not kill the tree to begin with. If the wind is out of the right direction the tree could potentially fall on the existing house.

I had been there three times at that point and many after that time. These things do not get better over time and eventually the tree will win by either finding other points to invade the interior of the line or by causing such a large deformation of the pipe nothing will pass it.

Best

Buzzsaw

---------- Forwarded message ---------
From: **Buzz Polchinski** <thesaw31365@gmail.com>
Date: Wed, Jan 4, 2023, 14:36
Subject: 39 Hooper Farm Road
To: Scott Kopp Stubby's <waltersdeli@yahoo.com>, <gita.nakarmi@yahoo.com>

2212151620a.mp4

2212151627a.mp4

Hello Scott and Gita,

SO, I have cleared the line there 3 times in about 6 months, cleared a blockage inside the house, and on the last line clearing I performed a video inspection. The line needs some new pipe from the video. I would be happy to get you a quotation on the work. Please see the videos attached. The black pipe is the old Orangeburg and is prone to delamination, root intrusion, deformation due to roots growing next to it, and even collapsing. The pipe under the road appears to be what is called AC (asbestos cement pipe) and that looks fine. So the work would be confined to the yard only. The line does go right beside the tree, I am trying to figure out a way to get new pipe in and not have to cut down and kill the tree. I think I have an idea

that will work.

I would like to be paid for the services but I am not certain who to send it to. Please advise.

Best,

Buzzsaw

Town of Nantucket Department of Public Works

Application for Curb Cut/Driveway Access Permit

Date: 9/28/2023

Property Owner: MDD, LLC Tel.: 508-332-9638

Address: 39 Hooper Farm Road

On-Island Agent: Doug Carlson Tel.: 781-325-4781

Address: 61 Old South Road, Suite 520, Nantucket, MA 02554

Location of Proposed Work: 39 Hooper Farm Road Map & Parcel: 67/127

Proposed Improvements: Complete 2 new curb cuts, aprons, & driveways
(See attached Planning board waiver)

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: _____ 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.

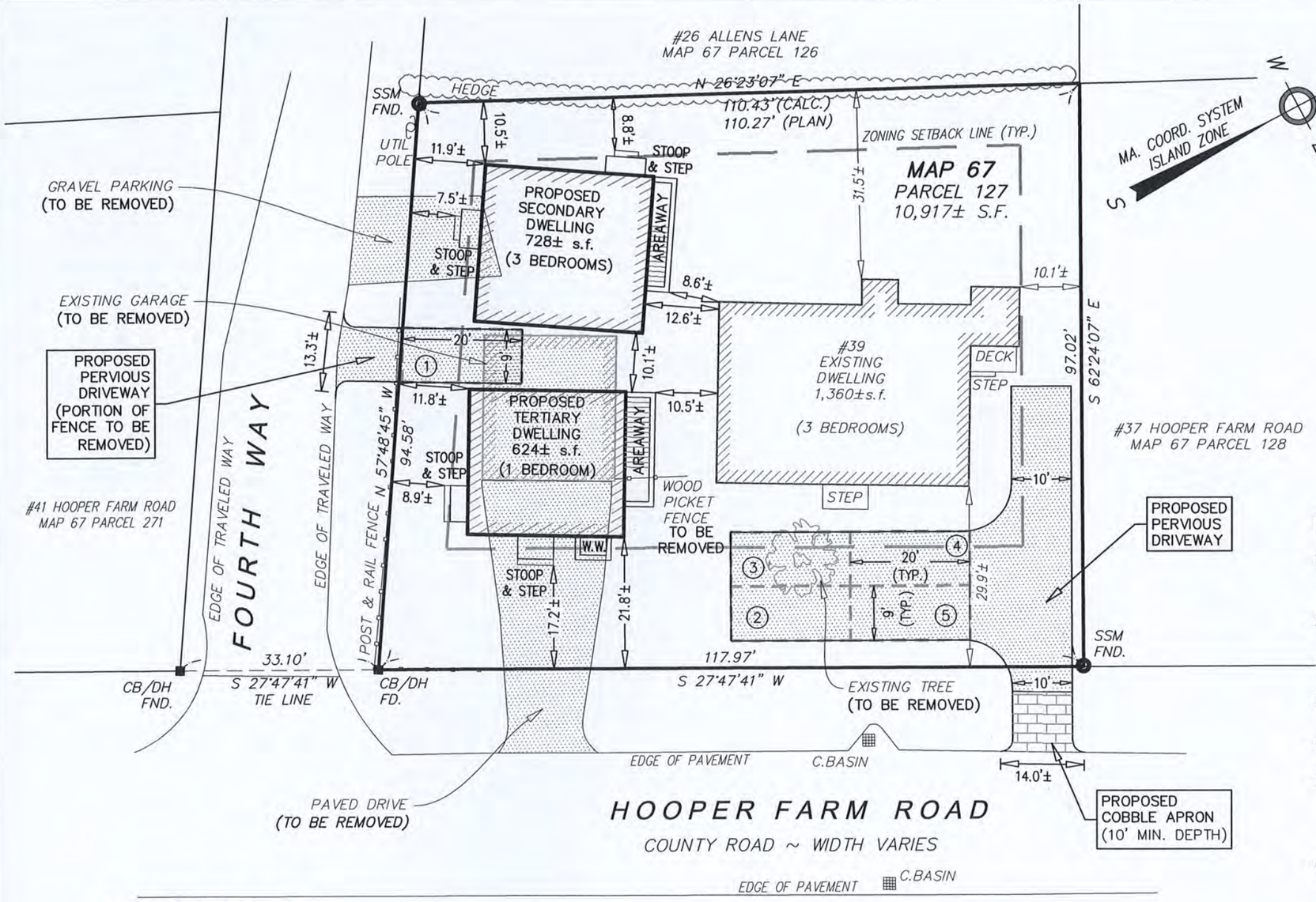
This permit will be subject to the following conditions. All conditions must be met before certificate of occupancy is issued.

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: _____ Issue Date: 10/2/23

Approved by DPW: Phyllis Ryer Expiration Date: 10/1/24



MA. COORD. SYSTEM ISLAND ZONE

N W E S

ZONE: R–10

	REQUIRED	EXISTING	PROPOSED
LOT AREA:	10,000 s.f.	10,917± s.f.	10,917± s.f.
FRONTAGE:	75'	117.97'	117.97'
FRONT YARD:	20'	29.9'±	21.8'± (a)
SIDE YARD:	10'	10.1'±	10.1'± (a)
REAR YARD:	NA	NA	NA
GROUND COVER:	25% (MAX)	17.1% (1,886 s.f.)	24.8% (2,712 s.f.)

(a) SETBACK TO STEP LESS THAN 3 FEET INTO SETBACK AND LESS THAN 20 s.f. IN AREA, ALLOWABLE PER THE CODE OF THE TOWN OF NANTUCKET ZONING CHAPTER 139–2, STRUCTURE DEFINITION ON A LOT WITH AREA LESS THAN 40,000 S.F.

ALLOWABLE BEDROOM DENSITY OF A LOT WITH TERTIARY DWELLING
(PER ZONING CH 139 SECTION 2, TERTIARY DWELLING 3(b))

ALLOWABLE BEDROOM DENSITY 1 PER 1,400 S.F. LOT AREA IN ZONE R–10
(10,917 s.f / 1,400 s.f. PER BEDROOM) = 7.8 BEDROOMS
7 BEDROOMS MAXIMUM

7/31/23
COMMONWEALTH OF MASSACHUSETTS
ALAN M GRADY
No. 37732
PROFESSIONAL LAND SURVEYOR
Alan M Grady

Notes:

1. LOCUS: #39 HOOPER FARM RD
MAP 67 PARCEL 127
2. OWNER: MDD, LLC
8 BROAD STREET
NANTUCKET, MA 02554
3. DEED REF: Bk: 1888 Pg: 308
4. PLAN REF: Bk: 17 Pg: 8 (LOT 27)
5. LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C–0088–G dated 06/09/2014.
6. STRUCTURES ARE TO BE SERVICED BY TOWN SEWER & TOWN WATER, SEE SEPARATE SEWER PERMIT PLAN.
7. SPECIAL PERMIT REQUIRED PER THE CODE OF THE TOWN OF NANTUCKET CHAPTER 139 SECTION 20.1B(1) FOR 2 DRIVEWAY CURB CUTS ON ONE LOT.

PARKING REQUIREMENTS:

	REQUIRED	PROVIDED
SINGLE FAMILY :	2	2
SECONDARY DWELLING :	2 (0.75/BDRM)	2
TERTIARY DWELLING:	1	1
TOTAL :	5	5

PLAN SCALE

0 4 8 12 16 20 30 40 60

1 inch = 20 feet

Date:	Drawn:	Checked:
JULY 31, 2023	ERC/BEI	DFB/DAF

BRACKEN ENGINEERING, INC.
49 HERRING POND ROAD
BUZZARDS BAY, MA 02532
(tel) 508.833.0070
(fax) 508.833.2282
19 OLD SOUTH ROAD
NANTUCKET, MA 02554
(tel) 508.325.0044
www.brackeneng.com

PROPOSED SITE PLAN
FOR SECONDARY & TERTIARY DWELLING
IN NANTUCKET, MA

Prepared for:
MDD, LLC
#39 HOOPER FARM ROAD
MAP 67 PARCEL 127

S:\Autocad Drawings\Nantucket\Hooper Farm Road\39 Hooper Farm Road\39 Hooper Farm Rd – Pr Site plan.dwg

Nantucket Planning Board

September 12, 2023

Paul Murphy,
Building Commissioner
2 Fairgrounds Road
Nantucket, Massachusetts 02554

RE: 39 Hooper Farm Road (Map 67 Parcel 127) – Second Dwelling Approval

Dear Mr. Murphy:

Please be advised that the Planning Board, at its meeting on September 11, 2023, considered the above application for adequate access, as per §139-20.1 of the *Nantucket Zoning Code*, and granted a secondary dwelling approval conditional upon the following:

1) That an apron at the driveway intersection with Hooper Farm Road shall be maintained with a minimum depth of ten (10) feet and a maximum width of fifteen (15) feet, flared to a width not to exceed nineteen (19) feet;
2) That a minimum of five (5) parking spaces shall be provided;
3) That the driveways be cleared free of vegetation and obstruction to a width of twelve (12) feet and a height of thirteen (13) feet;
4) That any landscaping at the driveway entrance be limited to low-growing plant material not to exceed three (3) feet in height; and
5) That the applicant shall submit an As-Built prior to the final inspection by staff which shall take place prior to the issuance of a Certificate of Occupancy.

In addition to approving the secondary dwelling, the Board approved a second driveway access, making the findings that the second access would not have a significant and adverse effect on the scenic or historic integrity of the neighborhood and that the separate access is not contrary to sound traffic and safety considerations.

The approval is also **conditional** upon adherence to the site plan submitted by the applicant and endorsed by the Senior Planner, showing the relative locations of proposed or existing dwellings and driveways or parking areas. As per Section 139-2 of the *Nantucket Zoning Code*, the approval referenced herein is valid for a period of **two years only**, calculated from the date of site plan endorsement by the Senior Planner.

If you have any questions regarding this approval, please contact the Planning Office at 508-325-7587.

Sincerely,

Megan Trudel, AICP,
Senior Planner, PLUS

Cc: Bracken Engineering, Inc. - Agent
Marcus Silverstein – Zoning Compliance Coordinator / Inspector

Libby Gibson

Subject: FW: ConCom Independent Counsel
Attachments: 2024.03.08 Beveridge & Diamond - Proposal to Nantucket Conservation Commission.pdf; RE: ConCom Request for Special Counsel

From: Jeff Carlson <JCarlson@nantucket-ma.gov>
Sent: Wednesday, April 17, 2024 10:27 AM
To: Libby Gibson <LGibson@nantucket-ma.gov>; Town Manager <townmanager@nantucket-ma.gov>
Cc: Gregg Tivnan <gtivnan@nantucket-ma.gov>; Rick Sears <rsears@nantucket-ma.gov>; Will DellErba <wdellerba@nantucket-ma.gov>
Subject: ConCom Independent Counsel

Good morning,
I have been authorized by the Nantucket Conservation Commission by unanimous vote (7-0) to formally request the Select Board to reconsider the proposal from Beveridge and Diamond to provide independent legal counsel to the Commission related to the joint Notice of Intent filed by the Town and SBPF. I have attached the proposal for review. The Commission felt that this would be the timeliest way to get the provided questions answered from an unrelated third party in the Commissions review of the application.

Thanks,
Jeff Carlson
Town of Nantucket
Natural Resources Director
131 Pleasant Street
Nantucket, MA 02554
508-228-7230

Libby Gibson

From: Libby Gibson
Sent: Wednesday, April 3, 2024 2:33 PM
To: Jeff Carlson
Cc: Vincent Murphy; George Pucci
Subject: RE: ConCom Request for Special Counsel

Jeff: in the interim, would the ConCom accept Town Counsel responding to the questions they have, for expediency purposes?

C. Elizabeth Gibson, ICMA-CM
Town Manager
Town of Nantucket
(508) 228-7255

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From: Jeff Carlson <JCarlson@nantucket-ma.gov>
Sent: Tuesday, March 26, 2024 10:40 AM
To: Libby Gibson <LGibson@nantucket-ma.gov>; Town Manager <townmanager@nantucket-ma.gov>
Cc: Vincent Murphy <vmurphy@nantucket-ma.gov>
Subject: FW: ConCom Request for Special Counsel

Good morning,
Please see below and we will work to find a new independent counsel for the Commission to put forward for Select Board approval. I will try to expedite this, but it will probably delay this review by a few weeks at a minimum.

Thanks,
Jeff Carlson
Town of Nantucket
Natural Resources Director
131 Pleasant Street
Nantucket, MA 02554
508-228-7230

From: Dylan Sanders <DSanders@bdlaw.com>
Sent: Tuesday, March 26, 2024 10:23 AM
To: Jeff Carlson <JCarlson@nantucket-ma.gov>
Cc: Will DellErba <wdellerba@nantucket-ma.gov>; Marc J. Goldstein <MGoldstein@bdlaw.com>
Subject: RE: ConCom Request for Special Counsel

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Jeff,

Thank you. With regrets, we cannot accept this engagement under the requirements from the Town Administrator and Select Board and thus need to decline pursuing this assignment further. Our proposal of $25,000 already reflected an effective significant discount from our market rates, given (a) our estimate of the work needed to thoughtfully and comprehensively analyze the four questions posed in the RFP, (b) that we have not been involved to date and are unfamiliar with the underlying facts and documents, and (c) that the Commission's actions are highly likely to be the subject of further litigation.

We would be happy to make a further referral to another law firm if that would help the Commission.

Thank you again for the opportunity.

Dylan

Dylan Sanders
BEVERIDGE & DIAMOND PC
O (617) 419-2311 ~ M (617) 549-5828 ~ DSanders@bdlaw.com

From: Jeff Carlson <JCarlson@nantucket-ma.gov>
Sent: Monday, March 25, 2024 4:24 PM
To: Dylan Sanders <DSanders@bdlaw.com>; Marc J. Goldstein <MGoldstein@bdlaw.com>
Cc: Will DellErba <wdellerba@nantucket-ma.gov>
Subject: FW: ConCom Request for Special Counsel

Please let us know your thoughts or if this is acceptable.

Thanks,
Jeff Carlson
Town of Nantucket
Natural Resources Director
131 Pleasant Street
Nantucket, MA 02554
508-228-7230

From: Town Manager <townmanager@nantucket-ma.gov>
Sent: Tuesday, March 19, 2024 5:46 PM
To: Jeff Carlson <JCarlson@nantucket-ma.gov>
Subject: RE: ConCom Request for Special Counsel

Jeff: thank you for your email, attached. The request is approved – within the parameters set forth by the Select Board on January 24th (noted below). Specifically:

The cap is $10,000
The legal engagement includes an opinion limited to the 4 questions outlined in the proposal
Meetings by Zoom as needed

If, somehow, the cap must be increased, the Commission may seek approval by the Board, as indicated below. Thank you.

C. Elizabeth Gibson, ICMA-CM
Town Manager

Town of Nantucket
(508) 228-7255

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From: Town Manager
Sent: Sunday, January 28, 2024 11:14 AM
To: Jeff Carlson <JCarlson@nantucket-ma.gov>
Subject: ConCom Request for Special Counsel

Jeff, good morning:

At its January 24th meeting, the Select Board voted to instruct Town Administration to engage a law firm as independent counsel for the ConCom for advice on technical issues for the NOI, with the following parameters: all requests for independent legal advice to come from a majority vote of the ConCom and be submitted in writing to Town Administration, and then after review, transmitted to independent counsel for written response; attendance of independent counsel at ConCom meetings will be subject to Town Administration approval; cap on legal expense of $10,000. In order to proceed with this, please submit a proposal for special counsel with an engagement letter demonstrating wetlands expertise with an hourly rate. In a spirit of cooperation, the Select Board also advised that representative Commissioners could return with additional requests if needed, and if there is any issue with Town Administration review and approval. Any questions, please let me know. Thank you.

C. Elizabeth Gibson, ICMA-CM
Town Manager
Town of Nantucket
(508) 228-7255

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Beveridge & Diamond

PROPOSAL TO PROVIDE

Independent Counsel to Town of Nantucket Conservation Commission

March 8, 2024

Marc Goldstein

617.419.2315

mgoldstein@bdlaw.com

Dylan Sanders

617.419.2311 (o) 617.549.5828 (m)

dsanders@bdlaw.com

PRIVILEGED & CONFIDENTIAL

1. Name, Firm and Contact Information

Marc Goldstein, Firmwide Managing Principal
Beveridge & Diamond
mgoldstein@bdlaw.com | 617.419.2315 (o)

Dylan Sanders, Counsel
Beveridge & Diamond
dsanders@bdlaw.com | 617.419.2311 (o) 617.549.5828 (m)

Beveridge & Diamond's (B&D) more than 125 lawyers across the U.S. focus on environmental and natural resources law, litigation, and alternative dispute resolution. Clients and colleagues in the industry consider us "The Environmental Law Firm." We help clients around the world resolve critical environmental and sustainability issues relating to their facilities, operations, and products. Clients frequently engage us as "go-to environmental counsel," and we function seamlessly as an extension of our clients' legal and leadership teams.

Representing clients in New England and nationwide on environmental issues impacting their facilities, operations, and projects, our B&D Massachusetts team offers a solid understanding of the interplay between practical business considerations and government regulations and enforcement. Our work involves compliance counseling, permitting, and enforcement defense related to air, water, solid and hazardous waste, right-to-know, and safety, as well as guidance through environmental crises such as release response and reporting, agency enforcement inspections, and deviation events.

2. What is your proposed scope of engagement and cost per hour?

Scope of Engagement

We understand that the Nantucket Conservation Commission (Commission) is requesting, initially, advice on four discrete issues, articulated below. We propose to provide the Commission with advice, guidance, and legal research on these four issues, as well any related or subsidiary legal issues that may arise from our review of these four areas. We will discuss with the Commission the deliverable and work product that would best assist the Commission and provide the same. We will also be available to answer and respond to questions at one or more meetings of the Commission.

If the Commission becomes involved in an administrative appeal and/or litigation arising from this matter, we would be happy to represent the Commission in any such proceeding, subject to further budgeting and terms of engagement.

Advice Requested by the Nantucket Conservation Commission

1. Rehearing limit: The Code of the Town of Nantucket, Chapter 136, § 136-3(F) reads:

> *Permit and waiver rehearing limit*: No permit or waiver which has been unfavorably and finally acted upon by the Commission shall again be eligible for consideration on a new application within three years after the date of final unfavorable action unless the Commission finds, by a favorable vote of a

majority of the members present and voting, specific and material changes in the circumstances upon which the previous unfavorable action was based and describes such changes in the records of its proceedings.

Does the final action taken on SE48-2824 on September 2, 2022, when the Superior Court affirmed the Commission's removal order, require that this rehearing limit be discussed regarding this application's eligibility for review?

2. How do the requirements of the previous and existing MOUs and license agreements factor into the review of the application?
3. How does the current removal order and ongoing lack of compliance with sand mitigation impact this NOI submission?
4. Do the engineer notes in the removal plan documents carry the force and effect of law and how does that impact the new NOI?

Pricing

We offer competitive rates as compared to peer firms of our caliber. In this case, we are willing to offer the Conservation Commission both a significant effective discount from our market rates for this discrete assignment and to take on the engagement for a fixed fee, providing the Commission with certainty.

For the initial scope of the representation, i.e., advising the Commission with respect to the four issues articulated above in the Scope of Engagement, we propose a fixed fee of $25,000, exclusive of costs. (The material costs we anticipate are possible travel costs associated with meeting with the Commission in person.) This fee would include familiarizing ourselves with the necessary background, underlying facts, and legal issues; performing legal research and analysis; strategizing with the client; and communicating our advice to the Commission on the four issues of concern, either in person, by email, or by an informal memorandum or letter.

Team

For the initial scope of this assignment, we propose a team of two highly experienced environmental lawyers, whose background is ideally suited to advising the Conservation Commission on this complex matter. Dylan Sanders would take the lead in analyzing the issues, strategizing with the client, and communicating and meeting with the Conservation Commission. Marc Goldstein would second Dylan, providing additional analyses and strategic thinking.

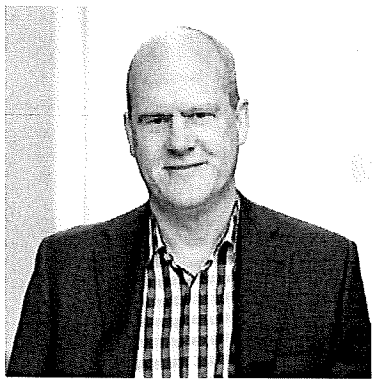


Marc Goldstein | Firmwide Managing Principal, Boston

Marc helps clients resolve environmental and land use disputes and develop commercial and industrial projects. He is a litigator and trial lawyer with experience defending the decisions of local boards on all types of permits and approvals to defending lawsuits ranging from citizen's suits and contaminated site actions under federal environmental statutes. Marc's project development practice focuses on the representation of builders, developers, and property owners seeking permits and approvals, including Comprehensive Permits, wetlands, Title V, historic districts, special permits, and variances.

Marc currently serves as B&D's Firmwide Managing Principal. He chairs the firm's Strategic Planning Committee, and he served previously as Boston Office Managing Principal and head of the firm's Technology Committee and Litigation Practice Group

Full biography | +1.617.419.2315 | mgoldstein@bdlaw.com



Dylan Sanders | Counsel, Boston

Dylan concentrates his practice in disputes involving complex land use, environmental issues, and administrative law. His experience includes representing developers, property owners, and land trusts in zoning, permitting, and land-use litigation, including litigation under the Massachusetts state zoning act (Chapter 40A), state hazardous-waste laws (Chapter 21E), wetlands laws, waterways laws (Chapter 91), and other federal and state environmental statutes and regulations, as well as handling a wide range of general land use and business litigation.

Dylan has extensive experience practicing in federal and state courts, including the Massachusetts federal courts, the state's Land Court and Superior Courts, and the Massachusetts Court of Appeals and Supreme Judicial Court. Dylan has participated in four landmark environmental cases before the Supreme Judicial Court: *Bank v. Thermo Elemental*, 451 Mass. 638 (2008), *Moot v. Golledge*, 448 Mass. 340 (2007), *Kain v. Department of Environmental Protection*, 474 Mass. 278 (2016), and most recently *Armstrong v. Secretary of Energy and Environmental Affairs*, 490 Mass. 243 (2022).

Dylan regularly practices before state and local administrative bodies, including the Massachusetts Department of Environmental Protection and local conservation commissions, planning boards and zoning boards of appeal.

Currently Dylan is handling several matters on Martha's Vineyard before the Edgartown Conservation Commission and other local bodies.

Full biography | +1.617.419.2311 | dsanders@bdlaw.com

Additional Questions

3. Questions for independent counsel must be authorized by majority vote of the Commission and then sent to the Town Managers office.
4. Submission of any bills to the Town Managers office.
5. Regular updates to the Town Manager or designee to monitor proceedings as required by the Town Charter.

We understand that our client would be the Nantucket Conservation Commission, and thus if engaged our duties would run exclusively to that board, as would be required of any independent counsel engaged on behalf of the Conservation Commission. Within those necessary ethical constraints of professional responsibility, we will work with the Commission and the Town Manager as required by the Town Charter, the Town Manager's procedures, and any other Town protocols to facilitate the engagement and execute it the orderly manner dictated by the Town's requirements.

NOTICE OF PUBLIC HEARING

Pursuant to MGL Chapter 40, § 22 and Chapter 2, § 2-1 and 2-2 of the Town Code, please be advised that the Select Board will hold a public hearing on Wednesday, May 1, 2024 at 5:30 PM to consider amending Chapter 316 (Pedicabs Regulations) including § 316-1 allowing pedal assist bicycles; § 316-2(A) to allow for four (4) pedicab licenses; § 316-2(P) allowing fees for pedicab service vs gratuity; § 316-4 (A)(3) extending service area map. The hearing will be held in-person in the first floor Community Room of the Public Safety Facility, 4 Fairgrounds Road and by remote participation via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email TownManager@nantucket-ma.gov.

N06

SELECT BOARD





NanTukTuk – Requested Amendments to the Pedicab Regulations





Nantucket Planning & Economic Development Commission
Nantucket Transportation Planning Organization

NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations



- Amend § 316-1 to allow pedal assist bicycles

  Definition – A bicycle with three or more wheels, which is designed to transport passengers on seats attached to the vehicle, which is operated by one person, which is powered solely by human power, and which is used for transporting passengers for hire.

  - Traffic Safety and BPAC recommends the request
  - NP&EDC recommendation:

  Definition – A bicycle with three or more wheels, which is designed to transport passengers on seats attached to the vehicle, which is operated by one person, which is powered solely by human power or by an electric pedal-assist motor with a maximum speed of 20 miles per hour, and which is used for transporting passengers for hire.

NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations



- Per § 316-2(A), request to allow four (4) pedicab licenses

  No person shall engage in the business of transporting persons for hire in a vehicle without first having obtained a license from the Nantucket Select Board (hereinafter "Board") authorizing him/her to engage in such business. <u>The Select Board shall set the number of pedicab owner licenses available in any calendar year at will.</u>

  - Two (2) licenses were approved for 2023 Summer pilot
  - Traffic Safety and BPAC recommends requested increase
  - NP&EDC recommendation:

  The NP&EDC to advocate support for an increase in the number of pedicab licenses for 2024.

NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations



- Amend § 316-2(P) allowing fees for pedicab service (vs gratuity)

  Owners/Operators shall charge no fare for pedicab service, operators shall be paid through voluntary payments or tips form passengers only.

  - Traffic Safety supports allowing a fee structure for pedicab service.
  - BPAC supports allowing a displayed fee structure (price to be determined)
  - NP&EDC recommendation:

  Owners/Operators shall be allowed to charge ~~no~~ a fare for pedicab service, nothing in this section will prohibit operators ~~shall be paid through~~ from accepting voluntary payments or tips form passengers ~~only~~.

NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations



- § 316-4 (A)(3) extending service area map.

  To operate, or cause to be operated, any pedicab upon or along any route unless the Select Board first approves such route. The Board shall approve a map designating a Pedicab Service Area which shall apply to this requirement. The Board may alter the map as it deems necessary.

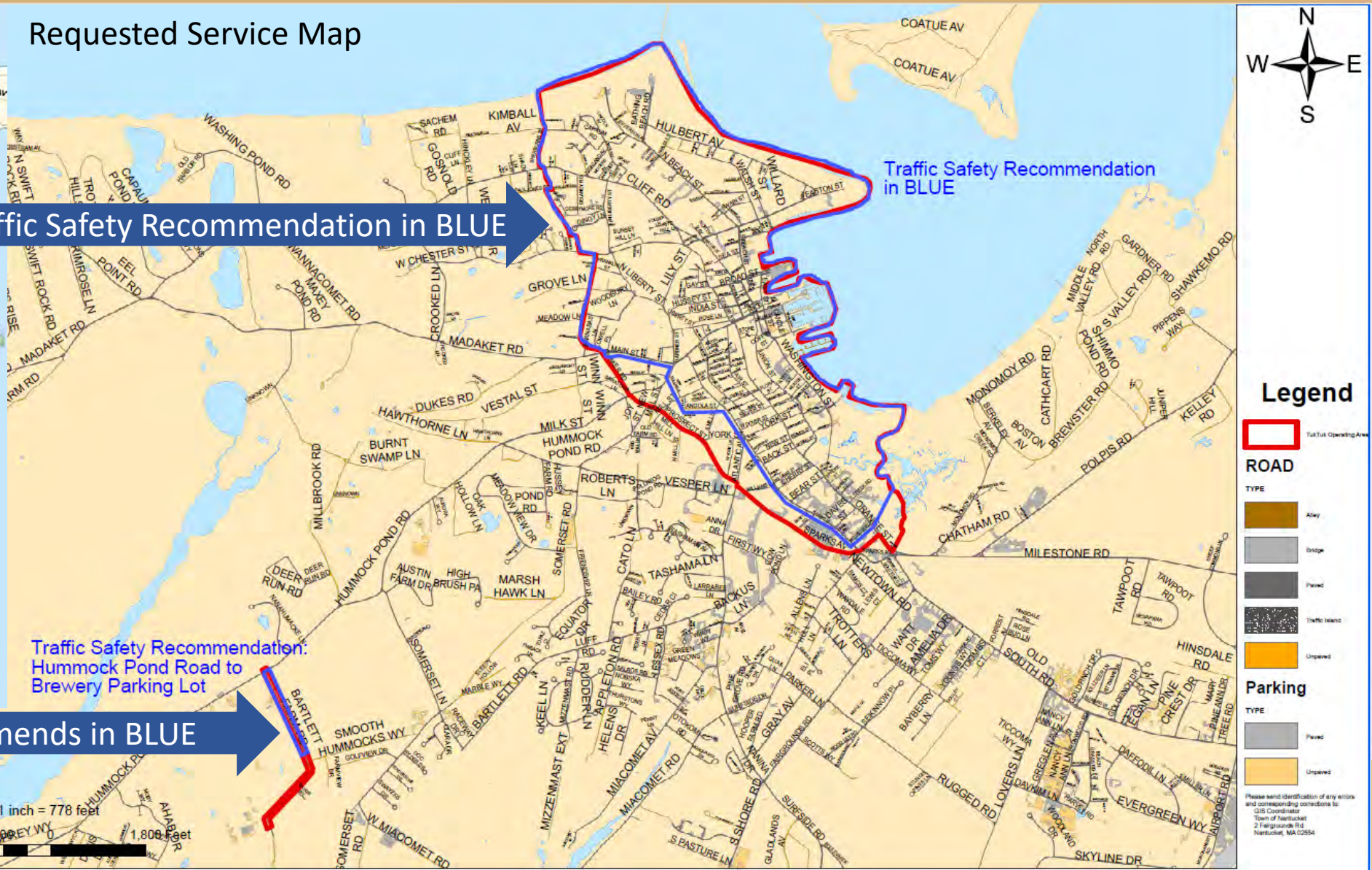
  - Map recommendations on subsequent slides
  - Traffic Safety recommends an adjusted boundary excluding Quaker Rd, Prospect St, and Sparks Avenue, and only a portion of Bartlett Farm Rd between Hummock Pond Rd and the Cisco Brewery parking lot.
  - NP&EDC and BPAC recommends an adjusted boundary excluding Quaker Rd, Prospect St, and Sparks Avenue.

NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations

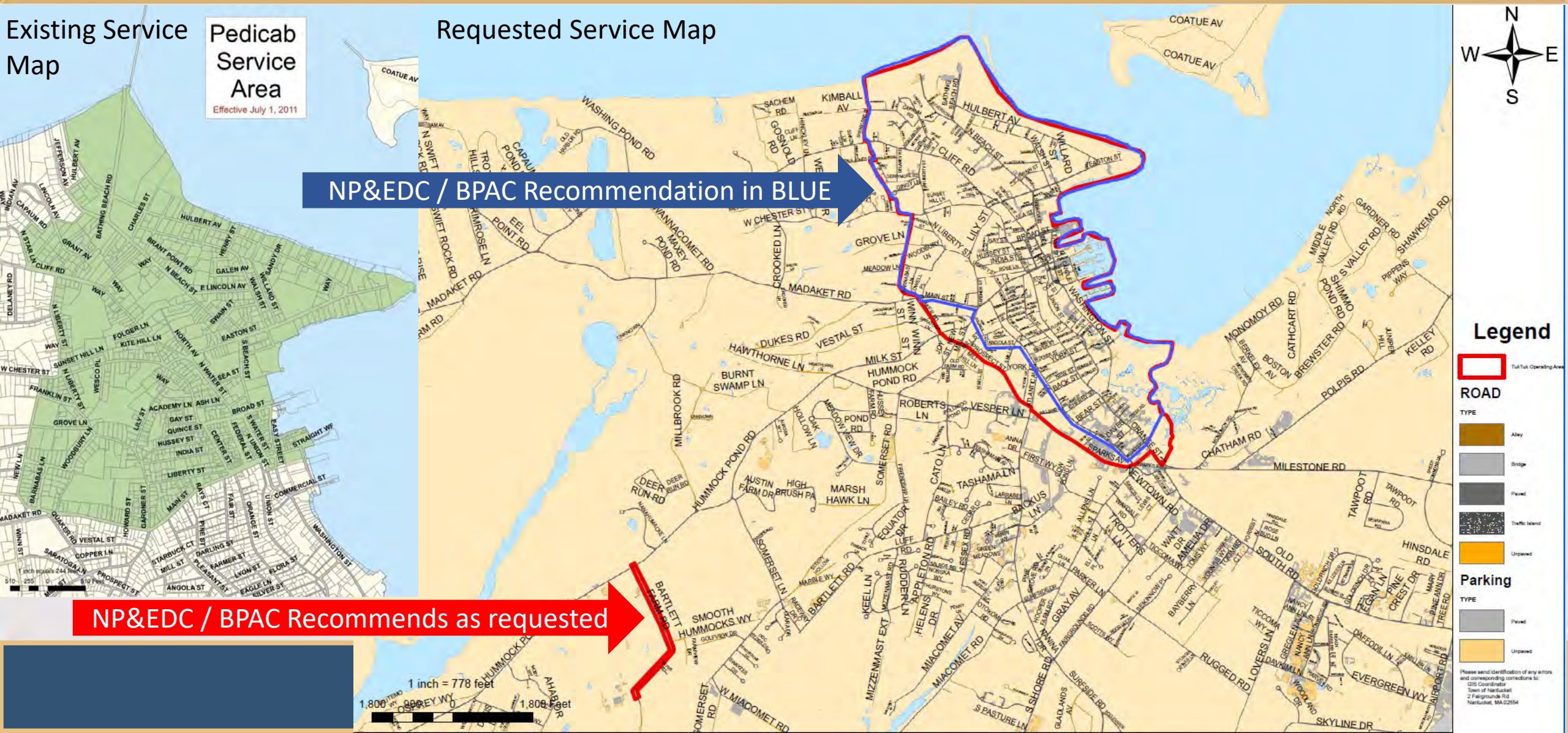
Existing Service Map



Requested Service Map



NanTukTuk Pedicab requested amendments to Chapter 316 (Pedicabs) of the Town Regulations



PUBLIC HEARING

Pursuant to MGL Chapter 40, § 22 and Chapter 2, § 2-1 and 2-2 of the Town Code, please be advised that the Select Board will hold a public hearing on Wednesday, May 1, 2024 at 5:30 PM to consider increasing Town of Nantucket Taxi Rates and amending Chapter 367, Taxicabs, Charter, Limousine and Tour Vehicles Regulations including 367-4 (Prohibited practices) E (Taxicab operator dress code) (3) and (4); 367-6 (Violations and penalties) A (Fines); and introduce a minimum vehicle age for taxicabs; and to amend 367-2 M (Accessible Taxicabs). The hearing will be held in-person in the first floor Community Room of the Public Safety Facility, 4 Fairgrounds Road and by remote participation via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email TownManager@nantucket-ma.gov.

N05 SELECT BOARD

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From: Stanislav Pavlov
To: Erika Mooney
Subject: Taxi rates '24
Date: Friday, February 9, 2024 1:52:38 PM
Attachments: Taxi rates'24.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Town Administration
16 Broad street
Nantucket, MA
02554

Dear Town Administrator and Board Members,

My name is Stan Pavlov, owner of Stan's Taxi, 2A Yawkey Way, Nantucket.

I am writing on behalf of the local taxi industry and we would like to be put on the agenda (March 13th/March 20th/March 27th) for a public hearing on updating the current taxi rates .

We are kindly requesting an average increase of 16.9% to reflect the inflation and rise of the island cost of living .

Also , we would like to suggest few changes of the taxicab Town regulations :
367-4.Prohibited practices ,chapter :
E: Taxicab operator code
(3) to be omitted : "No T-shirts or halter tops"
to be added : " Sleeveless shirts and sleeveless T-shirts are prohibited "
(4) to be added : " Flip flops are prohibited "
367-6. Violations and penalties
A: Fines . Each offense to go up from $100 to $200

Introducing a minimum vehicle age for taxicabs (starting May 2025), between 10 and 15 years old .

Last , but not least : getting two extra parking spots near the HyLine ferry , specifically the two 30 minutes public parking spots by Summer Shades and Leah's Fudge. Nowadays, the three designated taxi parking spots are far from enough and will help community in catching a ride from the popular ferry service.

Many thanks in advance for your time and consideration, we look forward to hearing from you soon.

Best regards,

Stan Pavlov, representative of Nantucket
taxi owners and operator

email: stan1783@icloud.com

P.S. attaching a pdf file with the proposed taxi rates :

Town of Nantucket, proposed taxi rates (March 2024)

These fares are for one (1) passenger only; additional passenger (s) are charged $3 each

Airport/Cisco-Miacomet	32	Town/Cisco-Miacomet	25
Airport/Dionis	35	Town/Dionis	24
Airport/Eel Point	40	Town/Eel Point	30
Airport/Hoicks Hollow	36	Town/Hoicks Hollow	40
Airport/Low Beach	32	Town/Low Beach	36
Airport/Madaket	47	Town/Madaket	31
Airport/Madaquecham	32	Town/Madaquecham	37
Airport/Massassoit Bridge	49	Town/Massassoit Bridge	39
Airport/Mid Island A	21	Town/Mid Island A	17
Airport/Mid Island B	21	Town/Mid Island B	20
Airport/Mid Island C	26	Town/Mid Island C	22
Airport/Pocomo	37	Town/Pocomo	37
Airport/Polpis	32	Town/Polpis	32
Airport/Quaise	27	Town/Quaise	27
Airport/Quidnet	37	Town/Quidnet	37
Airport/Sankaty Head	35	Town/Sankaty Head	39
Airport/Shimmo	23	Town/Shimmo	23
Airport/Sconset	31	Town/Sconset	35
Airport/Tom Nevers	27	Town/Tom Nevers	30
Airport/Town	23	Town/Airport	23
Airport/Wauwinet	42	Town/Wauwinet	42
Airport/Cross Town	27	Cross Town/Airport	27
Airport/Squam	44	Town/Squam	44
Airport Zone	20	In-Town rate	14

Cross Island Fares :		**Additional charges :**	
Wauwinet/Sconset	50	Dogs	5 (driver's discretion)
Madaket/Sconset	65	Bicycles	5 (at own risk)
Madaket/Wauwinet	70	Dirt road	5 (driver's discretion)

Booking fee for reservations from Ferry/Airport : $6/$12

Baggage : 2 bags per person included in the above rates, an additional charge of $2 per bag in excess of two

Hourly rate : A pre-determined hourly rate maybe charged at $90 per hour or $1,5 per minute

Stand-by requests : May be charged at a rate of $1.50 per minute

Doubles : Taxis may take multiple fares to different locations, each party will be charged separately

11pm-7am : add $5 to all taxi fares

Senior rate : Offered as a courtesy to year-round residents only; $4 discount on all fares for Senior Citizens 65 years +

Accidental cleaning fee : $175 (applies only to bodily fluids or pet waste)

Airport/Cisco-Miacomet	27>32(+18,52%)	Town/Cisco-Miacomet	22>25(+13,64%)
Airport/Dionis	29>35(+20,69%)	Town/Dionis	20>24(+20,00%)
Airport/Eel Point	34>40(+17,64%)	Town/Eel Point	25>30(+20,00%)
Airport/Hoicks Hollow	32>36(+12,50%)	Town/Hoicks Hollow	36>40(+11,11%)
Airport/Low Beach	28>32(+14,28%)	Town/Low Beach	31>36(+16,13%)
Airport/Madaket	39>47(+20,51%)	Town/Madaket	26>31(+19,23%)
Airport/Madequecham	27>32(+18,52%)	Town/ Madequecham	31>37(+19,35%)
Airport/Massassoit Bridge	42>49(+16,66%)	Town/Massassoit Bridge	33>39(+18,18%)
Airport/Mid Island A	18>21(+16,66%)	Town/Mid Island A	14>17(+21,42%)
Airport/Mid Island B	18>21(+16,66%)	Town/Mid Island B	18>20(+11,11%)
Airport/Mid Island C	22>26(+18,18%)	Town/Mid Island C	20>22(+10,00%)
Airport/Pocomo	31>37(+19,35%)	Town/Pocomo	31>37(+19,35%)
Airport/Polpis	27>32(+18,52%)	Town/Polpis	27>32(+18,52%)
Airport/Quaise	23>27(+17,39%)	Town/Quaise	23>27(+17,39%)
Airport/Quidnet	31>37(+19,35%)	Town/Quidnet	31>37(+19,35%)
Airport/Sankaty Head	31>35(+12,90%)	Town/Sankaty Head	35>39(+11,43%)
Airport/Shimmo	19>23(+21,05%)	Town/Shimmo	19>23(+21,05%)
Airport/Sconset	27>31(+14,81%)	Town/Sconset	30>35(+16,66%)
Airport/Tom Nevers	24>27(+12,60%)	Town/Tom Nevers	26>30(+15,38%)
Airport/Town	20>23(+15,00%)	Town/Airport	20>23(+15,00%)
Airport/Wauwinet	35>42(+20,00%)	Town/Wauwinet	35>42(+20,00%)
Airport/Cross Town	24>27(+12,50%)	Cross Town/Airport	24>27(+12,50%)
Airport/Squam	38>44(+15,79%)	Town/Squam	38>44(+15,79%)
Airport Zone	18>20(+11,11%)	In-Town	11>14(+27,27%)

Average % increase = 16,896875 (16,90%)

Also, here are the auxiliary fares (in case you need them) :

Wauwinet/Sconset	45>50 (+11,11%)	Dogs	4>5(+25,00%), driver's discretion
Madaket/Sconset	55>65 (+18,18%)	Dirt road	5 (+0%), driver's discretion
Madaket/Wauwinet	60>70(+16,66%)	Bicycles	3>5(+66%)

Booking fee from Ferry/Airport : no change (0%) Hourly rate : no change (0%)
Senior rate discount 2>4 Stand by requests: $1>1,5 per minute (aligning with hourly rate)
Accidental cleaning fee 150>175 (+16,66%) Baggage: no change (0%)

Livery Detail List

A Cab — **Paul, Jeffrey M** — **508-566-0040**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX02-22	TAXI	2015 CHRY/ TOWN/VAN/WHITE	111	2C4RC1BGXFR742144	14FH	5/18/2023

Aardvark Cab — **Walton, Thomas E** — **508-560-4399**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX53-08	TRANSFER-TAX	2011 Jeep Compass Sport SUV Black	105	1J4NF1FB7BD154407	26867	10/17/2023

ACK ELITE CAR SERVICE — **Lyncooke, Kadian** — **508-901-3642**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
LIM03-22	LIMOUSINE	2015/TOYOTA/HIGHLANDER/GRAY	025	5TDJKRFH5FS168089	LV83503	5/31/2023

ACK Shoreline Taxi Inc. (A) — **Bruno, Charles B** — **508-228-8738**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX55-08	TAXI	2012 CHRYSLER TOWN VAN BLUE	021	2C4RC1BG6CR338379	17FG	5/22/2023

ACK Shoreline Taxi Inc. (B) — **Murray, Mary T** — **508-965-3751**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX56-08	TAXI	2012 SIENNA VAN WHITE	020	5TDZK3DC7CS265085	11DN	5/22/2023

ACK Taxi — **Barrett, David N.** — **508-228-5105**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX21-05	TAXI	2010 Mercury Marquis Sedan Blue	001	2MEBM7FV6AX601701	15FJ	5/15/2023

All Point Taxi, Inc. — **Turgeon, Kenneth R.** — **508-228-5779**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX24-05A	TAXI	2019 Dodge Van White	024	2C4RDGBG4KR649114	23115	5/30/2023
TUR04-22	TOUR	2007 Ford Econol Van White	014	1FMNE11L77DB26019	LV56838	5/30/2023
LIMO8-05A	LIMOUSINE	2017 Ford Expedition SUV Gray	019	1FMJK1JT5HEA01927	LV79899	5/30/2023
CHA02-05B	CHARTER	2019 Ford Expedition SUV Black	029	1FMJK1JTXKEA43386	LV58175	5/30/2023
LIM02-22	LIMOUSINE	2020 Ford Expedition SUV Black	013	1FMJK1JT5LE4A48657	LV56837	5/30/2023
TAX24-05B	TAXI	2018 Dodge Caravan Gray	106	2C4RDGBG2JR244111	650C	5/30/2023
CHA01-22	CHARTER	2019 Dodge Grand Caravan Van White	008	2C4RDGBG0KR78752	LV83523	5/30/2023

Altarock Taxi — **Bowen, Headley E.** — **508-648-5566**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX68-13	TAXI (ACCESSIB	2011 Toyota Sienna Van Gray	092	5TDZK3DCXBS124865	19EP	

ANDY REIS — **REIS, ANDY** — **508-221-8702**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX01-22	TAXI	2001 FORD ESCAPE WHITE	104	1FMYU021X1KA48555	12FG	5/15/2023

APLUS — **Bozhilov, Mihail** — **508-680-3068**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX06-21	TAXI	2010 CHRYSLER TOWN VAN GRAY	034	2A4RR5D14AR132158	481G	5/18/2023

AR STELLA — **Mosey, William V** — **508-221-3616**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX06-21	TAXI	TOYOTA SIENNA SILVER	085	5TDJK3DC6ES090649	16FH	5/15/2023

ARGO1 — **Howard, Viola C.** — **508-228-2234**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX14-05	TAXI	2011 CHRYSLER VAN SILVER	080	2A4RR5DG1BR702381	12AE	5/24/2023

Livery Detail List

Around Nantucket Taxi Service, LLC — **Viera, Wayne J.** — **508-325-5508**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX19-05B	TAXI	2009 TOYT Highlander White	057	JTEDA41A192001328	15FG	5/15/2023
TAX19-05A	TAXI	2018 TOYT Sienna Van Gray	010	5TDKZ3DC0JS902604	26873	5/15/2023

Arrowhead Taxi — **Flaherty, William S.** — **941-234-8285**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX11-22	TAXI	2023 KIA CARNIVAL VAN BLUE	041	KNDNB4H39P6278022	17DA	5/17/2023

Autopscot-1 Transportation — **St. Laurent, Jonathan** — **5086802950**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
CHA21-05	CHARTER	2005 Dodge Caravan Blue	048	2D4GP44LX5R346532	LV83512	6/6/2023
LIM21-06	LIMOUSINE	2005 Dodge Caravan Blue	050	2D4GP44LX5R346532	LV83512	6/6/2023

B & B Taxi Service — **Hickman, Robert** — **508-221-2671**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX07-21	TAXI	2014 DODGE GRAND CARAVAN BLACK	016	2C4RDGBG8ER468800	17HZ	5/25/2023

B&B Taxi (2) — **Hickman, Rebecca** — **508-228-9410**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX23-02	TAXI	2017 Toyota Sienna Van Gray	058	5TDZZ3DC1HS877852	13FG	6/22/2023
TUR01-22	TOUR	2016 Honda Odyssey Van Gray	018	5FNRL5H68GB018746	LV82797	5/30/2023

Beach Comber t-ACK-sea — **McDonald, Robert J.** — **508-360-1585**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX08-22	TAXI	2022 Toyota Sienna Van Silver	023	5TDKRKEC0NS114548	14DA	5/16/2023

Buddy's Taxi — **DiLuca, Maureen** — **508-325-0064**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX16-15	TAXI	2012 Honda Odyssey Van Gray	127	5FNRL5H49CB142100	11FG	5/19/2023

Carlos Cab (Picutinha, Inc) — **Moreira, Joao Carlos** — **508-221-2303**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX02-18	TAXI	2014 Toyota Sienna Van Gray	797	5TDDK3DC8ES077754	20788	5/15/2023

Clyde's Cab — **Fee, John J.** — **508-228-5534**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX54-08	TAXI	2017 Toyota Sienna Van Blue	011	5TDKZ3DC9HS824429	331E	5/15/2023

Clyde's Cab II — **Fee, Kerry** — **508-332-6200**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX02-17	TRANSFER-TAX	2023 Toyota Sienna Van Gray	112	5TDKRKECXPS156356	27531	3/27/2024

Coach's Cab, LLC — **Price, Therese M.** — **508-325-1974**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX03-05	TAXI	2022 Ford Transit Van Blue	109	NM0GS9E2XN1535777	19AE	6/23/2023

Coast to Coast Cab dba Crabby Cab — **Morash, Julia** — **508-479-9381**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX04-22	TAXI	2018 HONDA ODYSSEY VAN RED	055	5FNRL6H90JB035760	11FH	5/30/2023

Cranberry Transportation (All Point Taxi, Inc.) — **Turgeon, Kenneth R.** — **508-228-5779**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date

Livery Detail List

LIMO8-05B	LIMOUSINE	2017 Ford Expedition SUV Gray	030	1FMJK1JT1HEA79136	LV58181	5/30/2023
LIMO8-05E	TRANSFER-LIM	2021 Ford Expedition SUV Silver	128	1FMJK1JT1MEA25250	LV96811	9/26/2023
CHA02-23	CHARTER	2021 Ford Expedition SUV Silver	038	1FMJK1JT4MEA25646	LV96801	7/12/2023
TUR03-05	TOUR	2014 Ford Expedition Black	129	1FMJU1J57EEF14247	LV83520	5/30/2023
LIMO8-05D	LIMOUSINE	2014 Ford Expedition Black	101	1FMJK1J54EEF26930	LV58361	5/30/2023
CHA02-05A	CHARTER	2016 Lincoln MKT Black	031	2LMHJ5ATXGBL02622	LV83511	5/30/2023
LIMO8-05C	LIMOUSINE	2012 Ford Expedition SUV Gray	043	1FMJK2A57CEF29114	LV10712	5/30/2023
TUR02-05	TOUR	2012 Chev SUV Gray	032	1GNSKHE71CR326419	LV58374	5/30/2023
LIM01-23	LIMOUSINE	2024 Kia Carnival Van Gray	033	KNDNB4H35R6310712	LV83525	7/3/2023

Dave's Taxi — Roberts, John D. — 508-228-8936

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX41-05	TRANSFER-TAX	2013 Chevy Tahoe Brown	017	1GNSKBE0XDR260339	19BP	9/7/2023

Diane's Taxi — Flaherty, Diane M. — 508-228-5555

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX28-05	TAXI	2018 Chrysler Pacifica Van White	094	2C4RC1BG7JR278013	15AF	5/15/2023

Dora Lee's Taxi — Nolan, Dora Lee — 508-221-0855

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX15-15	TAXI	2023 Honda Odyssey Van Red	026	5FNRL6H73PB038448	788C	5/15/2023

Double Decker Taxi LLC, Roger's Taxi — Decker, Roger D. — 508-818-8294

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX20-05A	TRANSFER-TAX	2016 CHRYSLER TOWN VAN BLACK	116	2C4RC1BG6GR293787	18909	3/1/2024
TAX20-05B	TAXI	2019 Dodge Grand Caravan Gray	37	2C4RDGBG3KR602642	21490	5/15/2023

East Creek Taxi — Johnson, Michelle — 508-901-0242

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX61-10	TAXI	2014 Toyota Sienna Van Gray	088	5TDDK3DC1ES077143	12FJ	5/30/2023

East Creek Tour — Johnson, Michelle — 508-901-0242

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TUR01-05	TOUR	2007 Jeep Grand Cherokee Blue	081	1J8GR48K47C519491	LV83524	5/31/2023

Highland Taxi — Coombs, Diane W. — 617-803-8382

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX64-12	TAXI	2015 Ford Transi Van Gray	062	NM0GE9E75F1209213	28243	5/30/2023

HOLLA HOLLA — Johnson, Christopher V. — 508-656-7960

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX13-22	TAXI	2021 TOYOTA SIENNA VAN GRAY	115	5TDKRKECXMSO44586	11DA	5/17/2023
TAX13-22	TAXI	2023 TOYOTA SIENNA VAN GRAY	115	5tdkrkecp6ps157035	11DA	9/8/2023

Island Experience, LLC — Cilfone, Vincent J. — 508-221-4590

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
CHA01-23	CHARTER	2022 Chevy Suburban Black	009	1GNSKFKD2NR120964	LV83515	6/26/2023

Island Taxi — Smith, Derek M — 508-221-6069

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX65-13	TRANSFER-TAX	2020 Chrysler Pacifica Van White	095	2C4RC1BG5LR103875	26874	11/28/2023

Livery Detail List

Judy's Taxi, LLC			**Voss, William**			**508-265-3298**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX36-05B	**TAXI**	**2012 Honda Odyssey Van White**	**118**	**5FNRL5H60CB017777**	**26625**	**5/24/2023**
TAX36-05A	**TRANSFER-TAX**	**2012 Chrysler Town Van White**	**148**	**2C4RC1CG3CR362931**	**646C**	**2/22/2024**
Kal's Cab			**Velkov, Kaloyan Dimitrov**			**508-332-0789**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX07-21	**TAXI**	**2006 LANDROVER LR3 HSE GRAY**	**045**	**SALAG25426A368666**	**17FH**	**5/17/2023**
KCK Taxi, Inc.			**Murray, Kenneth J.**			**508-901-1686**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX08-13	**TAXI**	**2018 Chrysler Pacifica Van Blue**	**036**	**2C4RC1CGJR275177**	**645C**	**5/15/2023**
TAX01-21	**TAXI (ACCESSIB**	**2004 Dodge Caravan Blue**	**077**	**2D4GP44L54R606916**	**18FH**	**5/15/2023**
Lisa's Aardvark			**Bouchard, Lisa M.**			**508-228-2223**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX10-05	**TAXI**	**2018 Sienna Toyota Gray**	**333**	**5TDKZ3DC5JS961292**	**16FG**	**5/18/2023**
Marco Polo Taxi			**Navarro, Marco N.**			**407-922-8843**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX03-22	**TAXI**	**2017/TOYT/SIENNA/BLUE**	**018**	**5TDDZ3DC5HS186706**	**13FH**	**5/15/2023**
MICHAEL EDWARDS			**EDWARDS, MICHAEL**			**413-221-6729**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX03-23	**TAXI**	**2010 Jeep Liberty SUV Black**	**037**	**1J4PN2GK9AW135781**	**17AE**	**6/29/2023**
Milestone Taxi (TCET, INC)			**Robinson, Patrick W.**			**508-325-5511**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX34-05B	**TAXI**	**2008 Chry Town Van Black**	**099**	**2A8HR54P08R762316**	**15HR**	**5/30/2023**
TAX34-05A	**TAXI**	**2010 Chrysler Town Van Black**	**097**	**2A4RR4DE2AR203886**	**26872**	**5/31/2023**
MTC Taxi			**Manchester, Mark**			**508-560-7269**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX03-18	**TAXI**	**1999 Plymouth Voyager Van White**	**022**	**1P4GP44G4XB510483**	**19FJ**	**5/19/2023**
Nan's Cab (B&B Taxi Services, LLC)			**Hickman, Nancy L.**			**413-221-6729**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX06-22	**TAXI**	**2002 Jeep Libert Sport Util White**	**003**	**1J8GL48KO2W270521**	**19FG**	**5/25/2023**
Old Salt			**Reinemo, Karsten L**			**508-228-4343**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX67-13	**TAXI**	**2022 Toyota Sienna Van White**	**102**	**5TDKRKEC9NS120588**	**13JH**	**5/31/2023**
Patrick's Taxi			**Nolan, Patrick R.**			**508-221-6103**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX01-16	**TAXI**	**2010 Jeep Commander SUV Blue**	**069**	**1J4RG4GK6AC118906**	**326E**	**5/15/2023**
Pirate's Taxi			**Shaw, Michael W.**			**774-768-3839**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX60-10	**TAXI**	**2014 Toyota Sienna Van Black**	**067**	**5TDDK3DC0ES075576**	**27540**	**7/11/2023**
TAX60-10	**TAXI**	**2021 Toyota Sienna Van Gray**	**067**	**5TDKREKECXMS044586**	**27540**	**9/8/2023**

Livery Detail List

Pop's Taxi — **Baptiste, Sylvester** — **508-332-2323**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX12-22	TAXI	2014 Nissan Pathfinder SUV Gray	042	5N1AR2MM8EC674756	12DA	6/16/2023

Smitty's Taxi — **Smith, Gregory R.** — **508-221-5011**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX09-05	TAXI	2014 CHRY TOWN & COUNTRY VAN WHITE	070	2C4RC1CGXER454802	26870	5/31/2023

STAN ACK LLC, dba Stan's Taxi — **Pavlov, Stanislav** — **413-406-9050**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX16-21	TAXI	2023 Honda Odyssey Van Silver	005	5FNRL6H61PB054090	18FG	5/17/2023

Tank's Taxi — **Williams, Harold F., Jr.** — **508-228-2794**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX30-05	TAXI	2004 Mercury Marquis Gray	015	2MEFM75W04X679939	25085	5/15/2023

Tommy's Cab — **Tomov, Toma A.** — **508-901-9727**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX07-22	TAXI	2016 Subaru Outback Util Green	004	4S4SANC2G3278964	15DA	5/26/2023

Tom's Taxi — **ESTKO, TOMAS** — **508-901-1019**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX10-22	TAXI	2021 Toyota Sienna Van Gray	035	5TDKRKEC0MS029241	16AE	5/11/2023

TONY'S TOURS, LLC — **DUMITRU, TONY** — **508-680-6671**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TUR02-22	TOUR	2015/MAZD/CX5/GRAY	023	JM3KE4CY5F0434577	LV83522	5/31/2023

Town Taxi of Nantucket — **Larrabee, Harry C.** — **508-325-3391**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX04-05	TAXI	2002 Lexus RX300	028	JTJGF10U820126144	24525	5/25/2023
TAX- 16B	TAXI	2005 Ford Excurs SUV Red	33	1FMSU45P35ED43952	330E	5/25/2023

Tuck Tuck Taxi — **Dickerson, William John** — **508-332-0808**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX37-05	TAXI	2017 Subaru Forester Station Wagon	012	JF2SJABC7HH508502	16FJ	5/18/2023

Val's Cab (Ryder Enterprises Inc) — **Ryder, Valerie R.** — **508-228-9410**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX02-05B	TAXI	2017 Toyota Sienna Van White	074	5TDZZ3DC9HS812893	26875	5/25/2023
TAX02-05A	TAXI	2017 Toyota Sienna Van White	076	5TDKZ3DCXHS779209	14FG	5/25/2023

Val's Tours (Ryder Enterprises, Inc) — **Ryder, Valerie R** — **508-680-1300**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TUR09-07	TOUR	2020 Sienna Van White	056	5TDKZ3DC7LS022356	LV83501	5/25/2023

Vik's Cab — **Tsenov, Asen** — **508-332-2722**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX09-22	TAXI	2010 Honda Odyssey Van Silver	027	5FNRL3H7XAB038386	13DA	5/16/2023

Wendy McCrae — **McCrae, Wendy** — **508-228-6953**

New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TUR03-22	TOUR	HOND ACCORD SEDAN BLACK	006	1HGR2F82DA263023	LV83502	5/25/2023

Livery Detail List

Will's Taxi		Ferreira, Christopher J.				508-332-0499
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX62-12	**TAXI**	**2022 Toyota Sienna Van Gray**	**044**	**5TDKRKEC9NS125466**	**26621**	**5/16/2023**
Will's Taxi (2)		**Ferreira, Jennifer**				**508-332-0499**
New #	Code	AutoYear/Make/Model/Color	Livery #	Vin #	Reg #	Paid Date
TAX01-23	**TAXI**	**2016 DODGE GRANDC VAN BLACK**	**002**	**2C4RDGBG5GR342364**	**11AF**	**6/22/2023**

2024 Special Town Meeting Timeline
as of 04/24/24 - DRAFT
Endorsed by SB:

Date	Time	Activity
May - Jul		SB discussions at Wed SB meetings re: STR warrant article(s)
Wed, May 15	5:30 PM	SB schedules STM
Rest of May, Jun	5:30 PM	SB reviews warrant articles
Thurs, May 30	4pm	Warrant closes to citizen submittals (100 signatures required) [have not worked in TC consultation sessions? Include? Or?]
Thurs, Jun 6		Citizen zoning articles transmitted to Planning; all citizen articles rec'd forwarded to Town Counsel
Wed, Jun 26	5:30 PM	SB adopts warrant* with any ballot questions; formalize request to Secy of State office for local ballot at Nov Presidential election
		**zoning articles must be in final form for Pl Board hearings*
Mon Jul 8		Send warrant issuance notice to newspaper and FC public hearing notice to paper (for 7/11 issue)
TBD	TBD	Planning Board hearings re zoning articles
TBD	TBD	Planning Board motions submitted to Town Administration & FinCom
Thurs, Jul 11		Warrant published; FC public hearing notice published
Mon, Jul 15	4pm	FinCom meet to review warrant articles
Tues, Jul 16	4pm	FinCom meet to review warrant articles
Thurs, Jul 18	4pm	FinCom public hrg on warrant articles
Mon, Jul 22	4pm	FinCom meet to review warrant articles IF needed
Tues, Jul 23	4pm	FinCom adopts motions to articles
Mon, Jul 29	4pm	Joint SB-FC-PB meeting re FC and PB motions [is this needed?]
Wed, Aug 7	5:30 PM	SB review/adoption of recs/comments to warrant articles/motions (1 review only not 2)
Thurs, Aug 15		Warrant with motions sent to printer (2 weeks minimum needed to print & mail)
TBD	8 AM - 8 PM	Voter Registration
Thurs, Aug 29		Warrant with motions mailed out to voters
Thurs, Sept 12	1pm	FinCom reviews Technical Amendments
Thurs, Sept 12	2pm	pre-ATM conference with Moderator -- ZOOM
TUES, SEPT 17	**5:00 PM**	**STM**
NO CONTINUATION		
Tues, Nov 5	7 am - 8 pm	Local Election & Presidential
NOTES:		
Per Charter, the warrant with motions must be mailed out to voters 14 days prior to the TM/must allow for addl time to get warrants to voters in time		
No FinCom TM Info Session		
Need to confirm Secy of State Election Notif Date		
Planning Board hrgs TBD		
No SB Mtgs: 8/28, 9/4		
No advertising of Cit Art submittal dates		
Quorum reqs for financial articles		

2024 Special Town Meeting Timeline
as of 04/24/24 - DRAFT
Endorsed by SB:

Holidays/Vacations:		
Thurs, Oct 3, 2024	Rosh Hashanah	
Sat, Oct 12, 2024	Yom Kippur	
Mon, Oct 14, 2024	Indigenous People's Day	
Tues, Nov 5, 2024	Election Day	
Mon, Nov 11, 2024	Veterans' Day	
Thurs, Nov 28, 2024	Thanksgiving	