

SELECT BOARD

Minutes of the Meeting of November 20, 2024. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Brooke Mohr, Thomas Dixon, Matt Fee and Dawn Holdgate. Dr. Malcolm MacNab was absent.

I. CALL TO ORDER

Chair Mohr called the meeting to order at 5:34 PM following a meeting of the County Commissioners.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted, with a New Business item added as shown.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the announcements:

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

2. No Select Board Meeting on Wednesday, November 27, 2024; Town Offices Closed on Thursday, November 28, 2024 in Observation of Thanksgiving.

3. 2024 Committee Vacancies – Round 3: Capital Program Committee; Council for Human Services; Council on Aging; Cultural Council; Real Estate Assessment Committee; Town of Nantucket Scholarship Committee; Zoning Board of Appeals.

4. Select Board Announcements/Comments.

No announcements or comments.

IV. FOLLOW-UP ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS

Chair Mohr noted a number of questions were asked by one individual pertaining to offshore wind projects at the Board's November 13th meeting, those have been answered, and answers are posted on the Town's website. She emphasized that a Damage Information Collection form that is also posted on the website is not a "Claim Form", it is merely to collect information and urged people to complete it if they feel they have been economically harmed by the Vineyard Wind turbine blade failure last July.

Mr. Fee emphasized Chair Mohr's explanation and said it is not a guarantee of any reimbursements, but it is important for future potential legal action the Town could potentially enter into as a result of the blade failure.

Ms. Holdgate commented on the potential impact of offshore wind projects on real estate values, noting it could have an enormous impact on the Island.

V. PUBLIC COMMENT

Burton Balkind thanked the Board for the public comment system that has been developed, stating that he appreciates the transparency.

Mr. Balkind noted an enforcement order has been filed against the Town by the Conservation Commission for unauthorized work at 63 Baxter Road.

Jesse Sandole spoke on the Vineyard Wind projects, and specifically spoke against the Good Neighbor Agreement between the Town and Vineyard Wind. He further spoke in opposition to offshore wind projects in general.

Mary Chalke spoke in opposition to offshore wind projects.

Veronica Bonnet spoke on the November 19, 2024 offshore wind forum held by the Board. She expressed frustration at questions she said were not answered and spoke on “adverse impacts” of the projects.

Madeline Hay concurred with comments made by Mr. Sandole and Ms. Bonnet and suggested the Board engage a different law firm and “fight hard” for Nantucket.

Amy DiSibio concurred with all comments made by speakers on the topic of offshore wind. She spoke against the Good Neighbor Agreement and urged the Board to exit from it.

Helen Parker spoke against offshore wind projects in general.

Jon Walker thanked the Board for its service and for allowing public comment. He spoke against offshore wind projects and referenced other offshore wind projects that he said were “cancelled” because of local opposition and strong legal representation.

Val Oliver thanked the Board for allowing public comment on offshore wind and spoke in opposition to offshore wind. She also thanked the Board for its service.

Mr. Sandole asked for more time to continue speaking on the topic of offshore wind. Chair Mohr agreed. Mr. Sandole spoke on future planned offshore wind projects and commented on the impacts to Nantucket.

Diane Coombs spoke in opposition to the federal offshore wind permitting process.

VI. NEW BUSINESS

1. Harbor and Shellfish Advisory Board: Request to Increase Bay Scallop Bushel Limit for Commercial Scallopers from Five Bushels to Six Bushels for Remainder of 2024-2025 Bay Scallop Season, Pursuant to Town Regulations Chapter 260 (Fishing and Shellfishing), Section 4.29 (Bay Scallops), Subsection I (Commercial Bay Scallop Limits). (This Item was Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Posted Meeting.) Harbor and Shellfish Advisory Board (HSAB) Chair Andrew Lowell thanked the Board for adding this item under New Business. He explained the request, using a letter in the Board’s agenda packet. He said that HSAB voted unanimously to make this request. Mr. Fee commented that an item like this should be scheduled following a process which indicates that input has been sought from other parties. He asked for staff input from Natural Resources Director Jeff Carlson. Mr. Lowell apologized for the lateness of the request. Mr. Carlson referred the input request to Town Biologist Tara Riley. Ms. Riley spoke on the data that supports this one bushel increase per commercial scallop license through the end of the season. Chair Mohr concurred with Mr. Fee’s remarks. Bobby DeCosta spoke in favor of the request. Sharon Ames spoke in opposition to the request, stating that there are not enough scallop openers. She thanked Ms. Riley for her work to support the scallop industry. John Logan commented that approval of the request is not a “mandate” but an opportunity. Carl Sjolund spoke in favor of the request and added that if opening is a problem, scallopers do not have to take advantage of the

additional bushel. Ms. Holdgate moved approval of the request effective Monday, November 25; seconded by Mr. Fee; all in favor, so voted 4-0.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Correction to Minutes of September 25, 2024 at 5:30 PM; Minutes of November 13, 2024 at 5:30 PM.

2. Approval of Treasury Warrants for November 20, 2024.

3. Approval of Pending Contracts for November 20, 2024 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

Thomas Barada commented on a contract for seasonal planters to be funded from the Planning and Land Use Services budget, stating that he thinks it is too much money. Mr. Fee asked about the number of bedrooms in a house at 20 Miacomet Avenue. Ms. Gibson said she would get back to him on that, but it is multiple, perhaps more than five. Mr. Fee asked about the planter contract. Ms. Gibson explained it seems the contract came up after a Town-wide landscaping services contract was executed and funded through the Facilities department and that the intent is to add these into the next contract.

Mr. Fee moved approval of items VII. 1 – 3; seconded by Ms. Holdgate; so voted 4-0.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Housing Office: Request to Modify Waiver of Sewer Connection Permit Fee and Sewer Capacity Fees for Covenant Lot Located at 10 Field Avenue (Lot B on Plan No. 2024-4) as Approved on September 25, 2024. Housing Director Kristie Ferrantella introduced the item and explained the request using materials in the Board's agenda packet.

Mr. Fee moved approval as recommended; seconded by Ms. Holdgate; so voted 4-0.

2. Ticcoma Green: Request for Select Board Review of Draft Commitment Letter from Town of Nantucket to HallKeen Management for Ticcoma Green Project at 6 Fairgrounds Road. Ms. Ferrantella introduced the item and turned it over to Attorney Vicki Marsh from Town Counsel's office for further review. Ms. Marsh explained the commitment letter which relates directly to funding of this housing project, which is projected to come from a number of sources. She also spoke on the affordability restrictions of the project and other conditions of the commitment letter that will be obligations of the developer. Mr. Dixon spoke in favor of the request and said that the Affordable Housing Trust voted for it recently. Mr. Fee said he believes the commitment letter, which will provide Town funds to the project, is more of a grant than a loan. He asked about the cost of work that has already been done for the project, including some of the infrastructure. Mr. Turbitt responded and noted that while the Town funded the infrastructure there were also grants to offset the Town outlay. Mr. Fee questioned various costs of the project, who is paying and what profit is expected. James Haley of HallKeen, the developer, spoke on costs, funding sources and projected profit. Mr. Fee spoke against the letter and the project, expressing concern about the cost and the Town's outlay to date. Ms. Holdgate spoke in favor and stated that while she agrees it is not an ideal project it will move the Town forward toward reaching necessary affordable housing requirements. Mr. Dixon agreed with Ms. Holdgate and noted that while he believes Mr. Fee does have some good points, the project is important and is mostly being paid for by the state. Ms. Ferrantella explained that if the Board has input to include in the letter, it could be incorporated because the final letter will be before the Board on December 4th. Ms. Marsh

spoke further on some of the details of the letter. Ms. Holdgate moved approval as recommended; seconded by Mr. Dixon; so voted 3-1. Mr. Fee was opposed.

IX. REAL ESTATE ITEMS

1. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement of a Portion of Two Town-owned Yard Sale Parcels Shown as Lots 35 and 36, Ames Avenue, in Block No. 31, Shown on Land Court Plan No. 2408-M, Dated April 30, 1912 and Filed with the Nantucket Registry District of the Land Court, Pursuant to Vote on Article 81 of 2013 Annual Town Meeting. Real Estate Specialist Tracy MacDonald explained the request, using materials from the Board's agenda packet. Mr. Fee moved approval as presented; seconded by Mr. Dixon; so voted 4-0.

X. TOWN MANAGER'S REPORT

Ms. Gibson said that the annual Employee Appreciation Event was held last Friday, November 15th and reviewed with the Board the list of employees who received years of service pins. Chair Mohr commented on the event, noting that it was a lot of fun.

1. Overview of FY 2026 Proposed Capital Projects and Capital Improvement Plan (FY 2026 – FY 2036) (Tabled from November 6, 2024). Ms. Gibson introduced the item noting that part of the annual capital project review process is a presentation to the Board of proposed projects for the upcoming fiscal year as well as a review of the outyears. She said some of the projects for FY 2026 will also be reviewed in the presentation that is part of next agenda item. She turned the presentation over to Finance Director Brian Turbitt. Mr. Turbitt reviewed the proposed FY 2026 capital projects using the materials in the Board's agenda packet. Mr. Fee asked about a project involving a heating system in the Fire Department apparatus bay. Fire Chief Michael Cranson answered. Mr. Fee asked about the Washington Street parking lot reconstruction in an out year. Public Works Director Andrew Patnode answered.

2. Review Near-Term Major Capital Projects Debt and Tax Impacts. Ms. Gibson stated that approximately a year ago, she and Mr. Turbitt were before the Board reviewing major capital projects expected to be put before voters in the near term and because of the size and cost of the projects, it was considered important to brief the Board and to let the public know what is coming up, along with projected tax impact information. She said that staff is working on ways to improve the presentation and make it easier to understand, and if the Board has suggestions, these are welcome. She said that FY 2026 and other near term major capital projects are coming at a time of considerable local, national and international economic uncertainty; these projects support the Board's Strategic Plan and are substantial, with two projects, new Our Island Home and new Public Works facility, totaling nearly half of the \$230,000,000 projected costs. She said that in light of climate change, population growth and associated service demand increases, the Town is facing many potential costly capital costs. She turned the presentation over to Mr. Turbitt and noted that while there are few options, other than not doing the projects at all, to mitigate the impact on tax bills, there are some ways which Mr. Turbitt will review. Mr. Turbitt reviewed the presentation as contained in the Board's agenda packet. Ms. Gibson state that staff is working on making this presentation more succinct and explanatory and pinpointing how the costs of these large projects, if approved, would impact taxpayers. She noted that the staff and others who are involved in planning these major projects, such as Our Island Home, are actively discussing ways to reduce costs and also the reality if they are not approved by the voters. She said with regard to Our Island Home (OIH), an option that would have to be reviewed is phased closure. Mr. Fee agreed that if OIH doesn't pass, the reality is it may need to ultimately close. Chair Mohr agreed and commented that if it doesn't pass that is an indication that the facility will have to phase out because there is no other realistic option. Ms. Holdgate spoke on the current facility and why a new facility cannot be

constructed at the current site, noting that the new facility will be larger for code reasons and will not fit on the site. She added that hopefully the site will accommodate a new senior center in the future. She spoke on the site planned for the new facility. She spoke on the amount of time, effort and thought that is going into this project and how to present it. Mr. Dixon asked about permitting by the state Department of Public Health at the current site. Ms. Holdgate responded and noted there are several issues with the current site associated with permitting.

Ms. Gibson said that before moving on to the next agenda item, she wanted to go back to the Employee Appreciation Event she mentioned earlier and say thank you to all Town employees for their hard work and that much of the hard work happens behind the scenes.

3. Continued Preliminary Review of Town-Sponsored Warrant Articles for 2025 Annual Town Meeting. Ms. Gibson reviewed "Outline #5" of potential warrant articles in the Board's packet, noting that items shown in bold are new or modified since the Board's November 13th meeting. She said that 26 citizen petitions were submitted, the signatures have been certified and these are posted to the Town's website. She thanked the Town Clerk's office for getting the signatures certified so quickly. She said that once Town Counsel has evaluated the citizen petitions, he will review them with the Board, in December.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Update on USS Nantucket (LCS 27) Commissioning. Chair Mohr and Mr. Dixon reviewed the pre-Commissioning reception and Commissioning event which took place on Friday, November 15th and Saturday, November 16th. They spoke on their experience and observations of various features of the ship and events and ceremony.

2. Debrief Discussion of November 19, 2024 Public Forum on SouthCoast Wind and Potential Vote on Mitigation Measures. Chair Mohr asked Attorney Will Cook of Cultural Heritage Partners, participating remotely, of the next steps. She thanked the community for their input at the November 19th forum. She emphasized the complexity and difficulty of the process. Mr. Cook explained the next steps stating that the Bureau of Energy Management (BOEM) has released a document that will close its part of the regulatory permitting process and that document is now out for a 30-day comment period. Discussion followed. Ms. Holdgate said that she would like to explore what could be done to delay the approval process, noting the strong community response as displayed at the November 19th forum. Mr. Cook spoke on ways that federal agencies could hear directly from the public. Chair Mohr said the Town's Communications Office is working on a strategy to facilitate a public response to the federal agencies. Mr. Cook spoke further on timelines and deadlines for required federal sign-offs. The Board discussed the impact of offshore wind projects on Nantucket. Mr. Fee commented that he is not at all convinced that the new presidential administration will stop offshore wind. Ms. Holdgate spoke about the importance of Nantucket's historic landmark status and initial signs of impact on property values. She noted that BOEM's initial mitigation offer is "insulting" and spoke on height reductions, lighting, and moving turbines further away as possible mitigation requests. Chair Mohr said there is a meeting tomorrow with BOEM and the Town team meeting with them plans to bring "everything" to that meeting that was heard at the November 19th forum. Mr. Dixon clarified that it is not a meeting for the public. Chair Mohr confirmed it is not. Mr. Cook said BOEM has a responsibility to consider the Town's comments. Chair Mohr said that most likely this will be on the Board's next meeting agenda.

3. Committee Reports.

There were no committee reports.

XII. ADJOURNMENT

Ms. Holdgate moved adjournment at 8:23 PM; seconded by Mr. Fee. So voted 4-0.

Approved the 4th day of December, 2024

**SELECT BOARD
NOVEMBER 20, 2024 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 3. Committee Vacancy Timeline - Round 3; Notice of Committee Vacancies
- VI. 1. NEW BUSINESS - Harbor & Shellfish Advisory Board request; S. 260-4.29(l) - Bay Scallop Regulations
- VII. 1. Amended minutes of 9/25/2024; Draft minutes of 11/13/2024
- VII. 3. Pending Contracts spreadsheet
- VIII. 1. AIS re: Modification of Sewer Fee Waiver; Packet material from 9/25/2024 meeting
- VIII. 2. AIS re: Ticcoma Green; Draft Commitment Letter
- IX. 1. AIS re: Lots 35 & 36, Ames Ave; Purchase & Sale Agreement; Quitclaim Deed; Settlement Statement; Land Court Plan No. 2408-M; Coastal Resilience Evaluation; Chapter 153 of the Acts of 2024; Article 95 of 2022 ATM; Article 95 plan
- X. 1. Capital Improvement Plan Update presentation – updated
- X. 2. Major Capital Projects Debt & Tax Impacts presentation – updated
- X. 3. Outline #5 for 2025 Annual Town Meeting Warrant; Planning article concept list