

SELECT BOARD

Minutes of the Meeting of March 5, 2025. 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 Dr. Malcolm MacNab. Dawn Holdgate participated remotely.

I. CALL TO ORDER

Chair Mohr called the meeting to order at 5:30 PM following the Pledge of Allegiance.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted. Chair Mohr noted that Ms. Holdgate was participating remotely, and all votes will be taken by roll call vote.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth reviewed the following announcements:

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

2. Announce Applications Received for African Meeting House Investigation Procurement Workgroup; Appointments to be Made on Wednesday, March 19, 2025. Ms. Gibson read the names of the applicants: Abby De Molina, Brook Gibbs, Anthony "Rocky" Fox and Luke Thornehill.

3. New Public Works Facility and Nantucket Hunting Association Shooting/Archery Range Project: Informational Session
Join the Town of Nantucket and the Nantucket Hunting Association on March 6, 2025 at 5:30 PM for an Informational Session on the Proposed New Public Works Facility and Shooting/Archery Range at 1 Shadbush Road. Learn about Project Updates, Including Roadway Improvements and Utility Extensions, and Share Your Feedback. Attend in Person at 4 Fairgrounds Road, via Zoom, or Watch Live on YouTube. More Information at www.nantucket-ma.gov/newdpw.

4. Virtual Event: Easy Street Flood Mitigation
The Public is Invited to a Virtual Community Open House on Tuesday, March 18, 2025 to Learn About the Easy Street Flood Mitigation Project, Explore Three Proposed Design Options to Address Increasing Flood Risks, and Provide Feedback; Sessions Will be Held Via Zoom from 9:30 – 10:30 AM and 5:30 – 6:30 PM. More Information at www.nantucket-ma.gov/easystreet.

5. Soil Test Borings for Somerset Needs Area Sewer Extension Project to Begin March 10 through April 11, 2025 on Somerset Lane, Somerset Road, Raceway Drive, Bartlett Road, West Miacomet Road and Bartlett Farm Road.

Ms. Gibson added an announcement that the Winter Edition of the Town Manager E-Newsletter will be issued tomorrow.

6. Select Board Announcements/Comments.

Chair Mohr read emails (attached) she received today from the federal Bureau of Safety and Environmental Enforcement (BSEE) about a lightning strike that occurred on February 28, 2025 on the Vineyard Wind

turbine which experienced a blade failure last July; and, from Vineyard Wind regarding the Aircraft Detection Lighting System (ADLS) for the offshore wind project.

V. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS (see <https://www.nantucket-ma.gov/3564/> 2025)

Chair Mohr read responses to public comment questions from the Board's February 19, 2025 meeting, which are published on the Town's website. Chair Mohr added that a timeline of her communications with state and federal officials regarding offshore wind has been posted on the Town website.

V. PUBLIC COMMENT

Chair Mohr reminded the public of the 3-minute limit for Public Comment.

Veronica Bonnet thanked Chair Mohr for posting the information referred to above. Ms. Bonnet commented on offshore wind project issues about which she is concerned.

Sandra Craig expressed concerns about impact of debris from the Vineyard Wind turbine blade that failed last summer on public health and the environment, as well as offshore wind projects, generally.

Mary Chalke spoke on the lightning strike of the Vineyard Wind turbine and asked if the Town issued warnings to citizens of potential debris and any other actions, including withdrawing from the "Good Neighbor Agreement" with Vineyard Wind.

Cliff Carroll spoke on the lightning strike and commented on the need for federal officials to attend a Select Board meeting to answer questions about emergency planning and other issues with the Vineyard Wind project.

Amy Eldridge expressed concerns about the July Vineyard Wind blade failure, the current status of that turbine and the notification process.

Campbell Sutton spoke on the Public Response Comment page and suggested that it be placed more accessibly. She stated that "cordiality" comments should not be part of the 3-minute limit for Public Comment. She thanked the Board for its work.

VI. NEW BUSINESS

There was no New Business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII. 1 – 4; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes, Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

1. Approval of Minutes of February 19, 2025 at 5:30 PM.

2. Approval of Payroll Warrants for March 2, 2025.

3. Approval of Treasury Warrants for February 26, 2025; March 5, 2025.

4. Approval of Pending Contracts for March 5, 2025 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift Acceptances: Human Services; Our Island Home; Cemetery Commission. Mr. Dixon read the list of donors, amounts of gifts and purposes as noted in the Select Board agenda packet, and moved to accept all gifts for their designated purpose, with thanks to the donors; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Applicant Introduction/Review of Applications and Appointments to Cultural Council; Town of Nantucket Scholarship Committee; Zoning Board of Appeals Alternate, Pursuant to Select Board Committee Appointment Policy. Ms. Mooney noted that Jeremy White has withdrawn his application for the Cultural Council which leaves Kendall Graham as the sole applicant; she said that Cultural Council appointment can be made by acclamation as the seat is now uncontested.

Mr. Dixon moved to appoint Kendall Graham to the Cultural Council by acclamation; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Ms. Mooney reviewed the appointment process (paper ballot for contested boards with the exception of Ms. Holdgate who will be texting her votes). Ms. Mooney noted that some applicants are present to be introduced. Votes on the remaining committees were tabulated by Ms. Mooney as follows:

Town of Nantucket Scholarship Committee (1 seat)

Peter A. Morrison, Alexis M. Sturgis and Jeannie Critchley, applicants. All three spoke on their applications.

Peter A. Morrison – received votes from : Dr. MacNab

Alexis M. Sturgis – did not receive any votes

Jeannie Critchley – received votes from : Chair Mohr, Mr. Dixon, Mr. Fee, Ms. Holdgate

So voted to appoint Ms. Critchley, with thanks to the other applicants.

Zoning Board of Appeals Alternate (1 seat)

Peter W. Lisi and Robert A. Constable, applicants. Mr. Lisi spoke on his application.

Peter W. Lisi – did not receive any votes

Robert A. Constable – received votes from : Chair Mohr, Mr. Dixon, Mr. Fee, Ms. Holdgate, Dr. MacNab

So voted to appoint Mr. Constable, with thanks to the other applicant.

2. Harbor and Shellfish Advisory Board (HSAB): Request to Extend Commercial Scallop Season to April 11, 2025. Harbor and Shellfish Advisory Board Chair Andy Lowell spoke on the request. Natural Resources Director Jeff Carlson explained the process for an extension which also requires approval from the state Department of Marine Fisheries. Shellfish and Aquatic Resources Manager Tara Riley spoke on how this year's abundant scallop population allows for the extension. Mr. Fee moved to extend the 2024-2025 commercial scallop season to April 11, 2025, unless the water temperature reaches 50 degrees before that

date, at which time the season will close; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted. Chair Mohr thanked the staff and Mr. Lowell for submitting the request in a timely and complete manner.

3. KOB Utility Construction Corp.: Request for Waivers of Town Noise Bylaw for National Grid's L1 Feeder Underground Conduit Upgrade Project, Starting March 6, 2025 through Completion: From 6:00 AM to 7:00 AM (7:30 AM after June 15th at 16 Broad Street; North Union Street/India Street; Coleman Court (aka Independence Lane)/India Street; Still Dock; Candle Street Substation; From 8:00 PM to 6:00 AM for Easy Street. Ms. Mooney reviewed the request. Paul Holt of KOB Utility was present to answer questions.

Mr. Fee moved to approve the waiver of the Town Noise Bylaw for KOB Utility as requested; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

4. Robert B. Our Co., Inc.: Request for Waiver of Town Noise Bylaw for Sea Street Third Sewer Force Main Project from 10:00 PM to 6:00 AM, March 6, 2025 through March 14, 2025 at Wastewater Treatment Facility at 81 South Shore Road; Intersection of Old South Road and Toombs Court; South Valley Pump Station at 95 Goldfinch Drive. Sewer Director David Gray reviewed the request.

Mr. Fee moved to approve the waiver of the Town Noise Bylaw for Robert B. Our as requested; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

X. PUBLIC HEARINGS

1. Nantucket Sewer Commission: Public Hearing to Consider Amendments to Nantucket Town Sewer District Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 76, 77, 78, 79 and 80 of the 2025 Annual Town Meeting. Chair Mohr opened the public hearing. Ms. Gibson introduced the matter. Mr. Gray reviewed his recommendations by article using the documents in the Board's agenda packet:

Article 76: Mr. Fee asked about the impact on water quality of other factors besides nitrogen from septic systems, such as run-off from impervious surfaces. Mr. Gray said that those factors should be evaluated going forward and he has plans to do so. Nantucket Land and Water Council Director Emily Molden commented that while Mr. Fee's question is difficult to answer it is important and the Town should review those issues. Campbell Sutton asked about restricting bedrooms as a condition of sewer district expansion. Chair Mohr said that is outside the scope of this hearing. Ms. Gibson and Town Counsel John Giorgio noted that regulatory requirements would have to be amended and that is not what is before the Board. Mr. Giorgio added that the Sewer Act does not allow for such conditions. Dr. MacNab commented that development needs to be examined. Mr. Gray noted that the capacity of the Surfside wastewater treatment facility allows for the inclusion of the parcels in this article.

Article 77: Mr. Gray explained his recommendation, noting that the property in the article is considered educational and/or for religious use and cited the "Dover Amendment". Ms. Gibson added that the recommendations as to whether or not to include a parcel in a sewer district is unrelated to zoning. Mr. Giorgio stated that the Dover Amendment is a zoning related issue and recommended that the Board limit its consideration to the established evaluative criteria.

Article 78: Mr. Gray explained the recommendation. Steven Maury, the article proponent, spoke in favor of his article and added that his housing project is intended to be affordable for the community and Town employees. Meridith Lepore spoke against the article and commented that the article did not achieve the necessary “points” on the Sewer District checklist to be recommended for inclusion. Art Gasbarro noted that he has submitted a letter to the Board in opposition to this article, noting that an affordable housing development could be constructed with a septic system(s). Graham Kilvert spoke in opposition to the article, citing density and other concerns. Mr. Maury responded and reviewed the density proposed. He noted that septic systems would be significantly more expensive than sewerage. He noted that a member of the Conservation Commission stated last spring that sewerage would have environmental benefits. Dan Sheahan of Weston and Sampson, the Town’s sewer engineers, explained what is and is not recommended for sewerage in this area, noting that the parcels in the article are not recommended to be sewerage and are not included in the capacity of the Surfside treatment facility. Ms. Molden commented that if the Board were inclined to vote against the recommendation(s) that the reasoning should be carefully considered. She spoke in support of the integrity of the sewer district checklist. Mr. Kilvert asked additional questions about the dwelling count. Mr. Maury responded. Mr. Gasbarro noted that the comment made by the Conservation Commissioner was based on concerns regarding PFAS, which he said Mr. Maury has indicated there is no detection of PFAS at this site. Ms. Sutton stated she supports sewerage the identified Needs Areas and does not support adding parcels that are not included in the wastewater treatment facility capacity. Darla Stuckey spoke against the article, citing density concerns. Mr. Maury spoke about the Wellhead Protection Zone (WPZ) properties and said there are negative impacts on the Town’s water supply, so the parcels in the WPZ should be allowed to be connected. Mr. Sheahan said there are no reports of contamination from septic systems in this area. Mr. Fee said if PFAS is in the septic systems and is going into the ground, is that a basis to sewer. Mr. Sheahan explained the WPZ and the associated WPZ Needs Area, which is a smaller area near a Wannacommet Water well that has not yet been installed. Some discussion followed.

Article 79: Mr. Gray reviewed the recommendation on this article, noting it is very similar to Article 78. Mr. Maury questioned the recommendation. Some discussion followed as to whether or not the properties could be actually connected. Ms. Holdgate asked why a plan would be needed from Mr. Maury if the treatment facility has capacity. Mr. Sheahan clarified that connection of these properties, is not included in the capacity of the treatment facility. Mr. Maury questioned the recommendation again and expressed frustration over what he stated is a lack of response from the Sewer Department. Mr. Gasbarro spoke in opposition to the article.

Article 80: Mr. Gray reviewed the recommendation for this article, noting it does not meet much of the sewer district criteria.

Dr. MacNab asked for clarification of the scoring for Article 77. Mr. Gray stated that it does not meet all of the criteria.

Dr. MacNab moved to close the hearing; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

The Commission voted as follows on each article:

Article 76: Mr. Fee moved to accept the recommendation of the Sewer Director, to include the parcels in the Sewer District; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Article 77: Mr. Fee moved not to recommend including the parcel in the Sewer District; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Article 80: Mr. Fee moved not to recommend including the parcel in the Sewer District; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Mr. Dixon stated that the Sewer Director's recommendations for Articles 78 and 79 should be upheld for the reasons expressed, mostly being the lack of capacity of the Surfside wastewater treatment facility.

Article 78: Mr. Dixon moved not to recommend including the parcels in the Sewer District; seconded by Dr. MacNab. Mr. Fee spoke in favor of the development that Mr. Maury is proposing. Chair Mohr and Mr. Dixon both commented that Mr. Maury's proposal, while laudable, is not fully "there yet". Mr. Fee again spoke in favor of Mr. Maury's proposal. Dr. MacNab agreed with Chair Mohr and Mr. Dixon. Ms. Holdgate noted Town Meeting could still vote for this. Discussion followed as to whether the Board could change its recommendation prior to Town Meeting, based on whether or not affordable housing deed restrictions could be put in place. On the motion, by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Article 79: Mr. Dixon moved not to recommend including the parcel in the Sewer District; seconded by Dr. MacNab. Discussion followed as to clarifying issues brought up Mr. Maury before Town Meeting. On the motion, by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted. Chair Mohr asked to make Town Counsel available to review the proposed deed restriction(s) drafted by Mr. Maury and have Mr. Gray work with Mr. Maury.

XI. TOWN MANAGER'S REPORT

1. Monthly Departmental Report: Health and Human Services. Public Health Director Roque Miramontes and Human Services Director Jerico Mele provided their report, using the materials in the Board's packet. Mr. Fee asked about COVID and flu vaccines. Mr. Miramontes responded. Some discussion followed as to Nantucket's vaccine rates.

2. Monthly Departmental Report: Town Administration (Tabled from February 19, 2025). Ms. Gibson introduced the presentation, using the document in the Board's agenda packet. Other staff participating in the presentation, included Assistant Town Managers Gregg Tivnan and Rick Sears, Ms. Mooney, Communications Manager Florencia Rullo, Real Estate Specialist Tracy MacDonald and Project Manager Kevin Manuel.

Dr. MacNab left the meeting at 8:20 PM; he returned at 8:23 PM.

Ms. Holdgate asked if Artificial Intelligence (AI) could be used for public records requests. Mr. Tivnan responded. Mr. Fee noted that the Finance Committee minutes were recently caught up using AI. Mr. Fee commended Ms. Gibson for putting together a strong team and the structure needed to run the Town. Mr.

Dixon concurred. Chair Mohr emphasized the volume of work and expressed special thanks to Mr. Sears and Ms. Rullo for their support and help during the Vineyard Wind blade turbine crisis last summer.

XII. SELECT BOARD REPORTS/COMMENT

1. Presentation of Compiled Town Manager Performance Evaluation. Chair Mohr introduced the item and explained how the compilation was prepared. She asked the Board to formally affirm the evaluation. Chair Mohr commented that the Town is well served by Ms. Gibson as Town Manager and her team. Mr. Fee moved to affirm the evaluation; seconded by Ms. Holdgate. Dr. MacNab asked if a range of the scores on individual performance categories could be provided. Chair Mohr said she would look into that. On the motion, by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

2. Committee Reports. Mr. Fee reviewed a discussion at yesterday's Finance Committee meeting about Article 72 of the 2025 annual town meeting warrant, involving rental cars.

Mr. Fee said he is worried about the costs of municipal projects, based on the recently imposed federal tariffs on imported goods.

XIII. ADJOURNMENT

Ms. Holdgate moved adjournment at 9:18 PM; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes, Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Approved the 12th day of March, 2025.

**SELECT BOARD
MARCH 5, 2025 – 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. 2. African Meeting House Investigation Procurement Workgroup applicant list; AMHIPW Applications; AMHIPW appointment timeline
- III. 3. New DPW Facility & Hunting Assn. Shooting/ Archery Range Public Info Session flyer
- III. 4. East Street Flood Mitigation Project Open House flyer
- III. 5. Soil Boring Work in Somerset Needs Area announcement; Boring plan
- VII. 1. Draft minutes of 2/19/2025
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. Gift summaries & recommended motion; Saltmarsh Senior Center gift; Our Island Home gift; Cemetery Commission gift
- IX. 1. Committee Applicants List - Round 4; Applications
- IX. 2. Request from Harbor & Shellfish Advisory Board re: Extend Commercial Scallop Season; Email from HSAB Chair re: vote; Letter of support from Natural Resources Department; Ch. 260 s. 4.29 of Town Regulations, Bay Scallops; Ch. 122 s. 8 of Town Code, Shellfish
- IX. 3. AIS re: KOBO Noise Waiver; Email from KOBO
- IX. 4. AIS re: RBO Noise Waiver; Email from RBO
- X. 1. Public Hearing Notice - Sewer District Amendments; Article 76; Sewer checklist - Article 76; Article 76 map; Article 77; Sewer checklist - Article 77; Article 77 map; Article 78; Sewer checklist - Article 78; Article 78 map; Article 79; Sewer checklist - Article 79; Article 79 map; Article 80; Sewer checklist - Article 80; Article 80 map; Informational Memo re: 2025 ATM Sewer District Articles; Nantucket Sewer Act; Letter of opposition – Gasbarro
- XI. 1. Departmental Report - Health & Human Services
- XI. 2. Departmental Report - Town Administration
- XIII. 1. Town Manager Performance Appraisal: Select Board Composite