

SELECT BOARD

Minutes of the Meeting of March 26, 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, Dawn Holdgate and Dr. Malcolm MacNab.

I. CALL TO ORDER

The meeting was called to order at 5:40 PM following a meeting of the County Commissioners.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the announcements.

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

2. Town-Wide Info Session on Proposed New Our Island Home

Join the Town on Thursday, March 27th at 5:30 PM to Learn about the Vision for Nantucket's Proposed 45-Bed Skilled Nursing Facility and How it will Enhance Long-Term Elder Care for Generations to Come. More Information at www.nantucket-ma.gov/newoih.

3. Building for the Future: The Case for a New Department of Public Works Facility

Explore the Current DPW Facility and Learn About the Proposed Future Facility. Ask Questions and Share Your Feedback. Open Houses will be Held on April 5th and April 19th. Learn More at www.nantucket-ma.gov/newdpw.

4. Master Plan Two-Part Visioning Program Event

The Planning and Land Use Department (PLUS) Invites Residents to a Two-Part Master Plan Visioning Program on April 4th and 5th to Help Shape Nantucket's Future. Participate in Person at Nantucket High School Cafeteria, 10 Surfside Road or Online. Learn More at www.nantucket-ma.gov/masterplan.

5. Nantucket Lights: Request to Proclaim April 21 - 28, 2025 "International Dark Sky Week" on Nantucket.

Gail Walker of Nantucket Lights introduced the item, explained it and read the proclamation. Mr. Fee moved to approve the proclamation as requested; seconded by Dr. MacNab; all in favor, so voted.

6. Select Board Announcements/Comments.

There were no Select Board announcements or comments.

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

Chair Mohr responded to a comment made the prior week from Clifford Williams.

V. PUBLIC COMMENT

Chair Mohr noted that there will be no public comment on 2025 annual town meeting warrant articles.

George Ellis spoke on the Vineyard Wind “Good Neighbor” agreement and associated financial mitigation. He asked where the Town stands with negotiations with Vineyard Wind. He also inquired about offshore drilling for fresh water deposits that he read about in the Nantucket Current.

Matthew Peel encouraged the Town to revisit a roundabout project at the intersection of Old South Road and Faregrounds Road.

VI. NEW BUSINESS

There was no New Business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII 1 – 3; seconded by Ms. Holdgate; all in favor, so voted.

1. Approval of Minutes of March 19, 2025 at 5:30 PM; March 20, 2025 at 9:00 AM.

2. Approval of Treasury Warrants for March 26, 2025.

3. Approval of Pending Contracts for March 26, 2025 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. REAL ESTATE ITEMS

1. Request for Approval and Execution of Purchase and Sale Agreements, Quitclaim Deeds and Settlement Statements of Town-owned Yard Sale Parcels Known as Parcels A, B, C, D, E and F, Folger Road as Shown on Plan of Land Entitled “Plan to Acquire Land for General Municipal Purposes, Folger Road, Nantucket, Massachusetts,” Dated September 22, 2021, Prepared by Site Design Engineering, LLC and Recorded with Nantucket County Registry of Deeds as Plan No. 2021-68, Pursuant to Vote on Article 103 of 2015 Annual Town Meeting. Real Estate Specialist Tracy MacDonald introduced the item and explained the documents in the Board’s packet. She noted that the transactions have been reviewed and recommended by the Real Estate Assessment Committee and a coastal resilience assessment was also done. She explained that these transactions to different buyers was able to be done by a group since one attorney represented them all.

Mr. Fee moved approval as presented; seconded by Ms. Holdgate; all in favor, so voted.

2. Request for Approval and Execution of the Following Items with Charlene B. Engelhard and Hugh J. Freund, Trustees of CBE Skyline Nominee Trust under Declaration of Trust Dated November 2, 2023 for 8 and 8R Skyline Drive Regarding the Surfside Area Transportation Enhancements Project over Lovers Lane, Okorwaw Avenue and Monohansett Road. Ms. MacDonald introduced the item and explained the following documents, as listed, in the Board’s agenda packet:

a) Memorandum of Understanding.

b) Acceptance of Grant of Drainage Easement for Two Permanent Non-Exclusive Easements In, On, Over and Under the Portion of Property Shown as “Parcel D-2” and “Parcel D-3” on Plan Entitled “Plan of Easements at Lovers Lane in Nantucket, MA, Nantucket County Prepared for the Town of Nantucket,” Dated May 17, 2024, Prepared By Greenman-Pedersen, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2025-1, Sheet 1 of 11, for the Purpose of Constructing, Inspecting,

Maintaining, Repairing, Removing, Replacing, Operating, Relocating and Abandoning in Place Stormwater Drain or Drains, and any Manholes, Pipes, Conduits and Other Structures or Facilities for the Drainage of Stormwater, and for All Uses and Purposes Incidental or Related Thereon; and Three Temporary Non-Exclusive Easements In, On, Over and Under the Portion of the Property Shown as "Parcel TE-2", "Parcel TE-3" and "Parcel TE-4" and Together with the Permanent Easement Premises for Construction Purposes for the Stormwater Drain or Drains, and any Manholes, Pipes, Conduits and Other Structures or Facilities for the Stormwater Drainage Including and Including but Not Limited to the Grading of Land, Landscaping, Loaming and Seeding, and Realigning or Reconstructing Slopes of Excavation.

c) Release of Easements in Portions of Property Shown as Dearborn Street, Oniska Avenue, Miacomet Avenue, Monomoy Avenue, Massasoit Avenue, Central Avenue and Hawthorne Street, Shown as Easement A, and in Portion of Irving Street, Shown as Easement B, on Plan of Land Entitled "Plan of Taking and Disposition for the Town of Nantucket, Nantucket, Mass.," Dated April 25, 2024, Prepared by Earle & Sullivan, Inc. and Recorded with said Deeds as Plan No. 2024-8.

Mr. Fee asked about the location of the specific easements. Ms. MacDonald reviewed the plans as shown on the screen. Mr. Fee moved approval of items VIII. 2 - a, b and c as presented; seconded by Ms. Holdgate; all in favor, so voted.

3. Request for Approval and Execution of the Following Items with Joanne C. Johnsen, Trustee of Johnsen III Family Trust Dated August 1, 2024 for 40 Lovers Lane Regarding the Surfside Area Transportation Enhancements Project over Lovers Lane, Okorwaw Avenue and Monohansett Road. Ms. MacDonald introduced the item and explained the following documents, as listed, in the Board's agenda packet:

a) Memorandum of Understanding.

b) Acceptance of Grant of Drainage Easement for a Permanent Non-Exclusive Easement In, On, Over and Under the Portion of Property Shown as "Parcel D-1" on Plan Entitled "Plan of Easements at Lovers Lane in Nantucket, MA, Nantucket County Prepared for the Town of Nantucket," Dated May 17, 2024, Prepared By Greenman- Pedersen, Inc. and Recorded With Nantucket County Registry of Deeds as Plan No. 2025-1, Sheet 1 of 11, for the Purpose of Constructing, Inspecting, Maintaining, Repairing, Removing, Replacing, Operating, Relocating and Abandoning in Place Stormwater Drain Or Drains, and any Manholes, Pipes, Conduits and Other Structures or Facilities for the Drainage of Stormwater, and for All Uses and Purposes Incidental or Related Thereon; And a Temporary Non-Exclusive Easement In, On, Over and Under the Portion of Property Shown As "Parcel TE-1" for Construction Purposes for Stormwater Drain or Drains, and any Manholes, Pipes, Conduits and Other Structures or Facilities for Stormwater Drainage Including and Including but Not Limited to the Grading of Land, Landscaping, Loaming and Seeding, and Realigning or Reconstructing Slopes of Excavation.

Ms. Holdgate moved approval of items VIII. 3 – a and b as presented; seconded by Mr. Fee; all in favor, so voted.

IX. TOWN MANAGER'S REPORT

1. Monthly Town Management Report. Ms. Gibson reviewed the report as contained in the Board's agenda packet.

X. SELECT BOARD REPORTS/COMMENT

1. Review/Adoption of Select Board Comments to May 3, 2025 Annual Town Meeting Warrant Articles. Mr. Dixon reviewed a draft comment he agreed to prepare from last week's meeting for Article 71. Mr. Fee moved approval of the Comment as presented; seconded by Ms. Holdgate; all in favor, so voted.

Chair Mohr asked if the Board wanted to make any other comments on articles. Mr. Fee said he would like to discuss the possibility of Select Board Comments on one or more of the short-term rental articles (Articles 66 – 69).

Ms. Holdgate recused from the discussion and left the table at 6:08 PM.

Chair Mohr asked Attorney George Pucci of Town Counsel's office to review legal cautions about these articles. Mr. Pucci stated his advice that the Board not to discuss any of the warrant articles as they may relate to two specific pending lawsuits (Ward and McDermott) as they are under active litigation. Some discussion followed. Mr. Fee said while he has his own preferences, he understands the advice and would agree not to pursue any Board comments on those articles.

Ms. Holdgate returned to the table at 6:19 PM.

The Board did not make any further comments on warrant articles.

2. Committee Reports.

There were no committee reports.

XI. ADJOURNMENT TO EXECUTIVE SESSION, NOT TO RETURN TO OPEN SESSION

At 6:20 PM, Ms. Holdgate moved to adjourn to executive session pursuant To MGL C. 30A § 21(A)(3) for the purpose of discussing strategy with respect to litigation regarding national opioid litigation, where an open meeting may have a detrimental effect on the litigating position of the Select Board/County Commissioners and the Chair so declares, not to return to open session; 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.

Approved the 2nd day of April, 2025.

**SELECT BOARD
MARCH 26, 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. 5. Nantucket Lights proclamation request; International Dark Sky Week Proclamation
- VII. 1. Draft minutes of 3/19/2025; Draft minutes of 3/20/2025 open session
- VII. 3. Pending Contracts spreadsheet
- VIII. 1. AIS re: Conveyance of Parcels A - F, Folger Rd; AIS Exhibit A – background; GIS map - Folger Rd; Plan No. 2021-68; Order of Taking of Portions of Folger Rd; Coastal Resilience Evaluation; Parcel A - Purchase & Sale Agreement; Parcel A - Quitclaim Deed; Parcel A - Settlement Statement; Parcel B - Purchase & Sale Agreement; Parcel B - Quitclaim Deed; Parcel B - Settlement Statement; Parcel C - Purchase & Sale Agreement; Parcel C - Quitclaim Deed; Parcel C - Settlement Statement; Parcel D - Purchase & Sale Agreement; Parcel D - Quitclaim Deed; Parcel D - Settlement Statement; Parcel E - Purchase & Sale Agreement; Parcel E - Quitclaim Deed; Parcel E - Settlement Statement; Parcel F - Purchase & Sale Agreement; Parcel F - Quitclaim Deed; Parcel F - Settlement Statement
- VIII. 2. AIS re: 8 Skyline Dr; 2a - Memorandum of Understanding, Easement Plan; 2b - Grant of Drainage Easement, Acceptance of Easement, Easement Plan; 2c - Release of Easements, Plan No. 2024-8; Order of Taking; GIS map - 8 Skyline Dr
- VIII. 3. AIS re: 40 Lovers Ln; 3a - Memorandum of Understanding, Easement Plan, Driveway aprons (3) plan; 3b - Grant of Drainage Easement, Acceptance of Easement, Easement Plan; GIS map - 40 Lovers Ln
- IX. 1. Town Management Report
- X. 1. Draft 2025 Annual Town Meeting Warrant as of 3/23/2025; Email from Town Counsel re: Commerce Clause, South Lake Tahoe Ruling, Town Counsel memo 5/15/2024; Email from Anne Dewez re: Short-Term Rental articles