SELECT BOARD

Minutes of the Meeting of May 14, 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

Chair Mohr called the meeting to order at 5:43 PM following a meeting of the County Commission.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

Operations Administrator Erika Mooney reviewed the announcements.

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

2. Nantucket Police Department: May 11 - 17, 2025 National Police Week Proclamation; Annual Appreciation Awards. Police Chief Jody Kasper read the National Police Week Proclamation, as contained in the Board's agenda packet. Ms. Holdgate so moved to approve the proclamation; seconded by Mr. Dixon; all in favor, so voted. Chief Kasper presented the following awards to Police Department personnel who demonstrated "exceptional service and performance":

- Life Saving Award – Reserve Officer (and retired Lieutenant) Jerry Adams
- Unit Citation Award – Detective Lieutenant Dan Mack, Detective Amanda Schwenk, Detective Keith Mansfield and Detective Jimmy Olson

3. 2025 Annual Town Election Scheduled for Tuesday, May 20, 2025 from 7:00 AM to 8:00 PM at Nantucket High School, 10 Surfside Road.

4. 2025 Annual Committee/Board/Commission Vacancies and Appointment Timeline; Committee Appointment Process: Boards, Commissions & Committees | Nantucket, MA - Official Website
Deadline for Applications is May 16, 2025 at 12:00 PM.

5. Select Board Announcements/Comments. There were no announcements or comments from the Board.

IV. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS (see https://www.nantucket-ma.gov/3564/_2025)

There were no public comment question responses from the May 7, 2025 meeting.

V. PUBLIC COMMENT

There were no public comments.

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 Dr. McNab; all in favor, so voted.

1. Approval of Minutes of May 7, 2025 at 5:30 PM; May 8, 2025 at 9:00 AM.

2. Approval of Payroll Warrants for May 11, 2025.

3. Approval of Treasury Warrants for May 14, 2025.

4. Approval of Pending Contracts for May 14, 2025 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Resignation: Finance Committee; Cultural Council. Ms. Holdgate moved to accept the resignations of Denice Kronau from the Finance Committee and Michael Kopko from the Cultural Council with thanks for their service; seconded by Mr. Fee; all in favor, so voted.

2. Citizen Request for Waiver of Chapter 375, Traffic Regulations, § 375-16(A)(1) (Residential Parking Permit) to Allow One Additional Residential Parking Permit for Corporate Vehicle at 6 South Water Street. Licensing Administrator Amy Baxter reviewed the request, noting that the requestors, Eric and Lisa McKechnie, live at 6 South Water Street and have two vehicles with passenger plates which are registered to their corporate entity, and they are seeking residential parking permits for both vehicles. She explained that the Traffic Regulations allow issuance of only one residential parking permit. Ms. Baxter noted that one residential parking permit was issued to the McKechnies and they are requesting a waiver to allow for a second parking permit. She suggested the Board might want to amend the regulations to address this issue. Mr. Fee said he feels there is nothing to fix and said the Board should grant the waiver like it did in a similar instance in 2019. Ms. Baxter cautioned that this could come up again with a different circumstance and reiterated that the regulations should be reviewed. Ms. Holdgate noted that the requestors live above their shop and that this is a rare occurrence. Ms. Mooney added that if something comes up in the future, the regulations allow it to come before the Board for review. Chair Mohr spoke in favor of granting the waiver. Mr. Fee moved to approve the wavier and to grant the McKechnies an additional residential parking permit, for a total of two; seconded by Dr. MacNab; all in favor, so voted.

3. Finance Department: Request to Increase Nantucket Memorial Airport Fuel Revolver Spending Limit. Finance Director Brian E. Turbitt reviewed the Airport's request to increase the Fuel Revolver spending limit cap from $6 million to $8.5 million. He noted that revolving fund spending limit increases also require the approval of the Finance Committee, which reviewed and approved the request yesterday. Mr. Fee moved approval as recommended; seconded by Mr. Dixon; all in favor, so voted.

4. Housing Office: Request for Approval of Ticcoma Green Land Development Agreement Extension. Housing Director Kristie Ferrantella reviewed the request, noting a lot of progress has been made with Ticcoma Green project. HallKeen Management President Andy Burnes explained the request is for an extension of the Land Development Agreement (LDA) because the presence of an endangered species (Northern long-eared bat) is preventing HallKeen from presenting lenders a "clean" borrowing report. He noted that HallKeen is otherwise "all set" to commence construction. Mr. Dixon said an organization he is affiliated with experienced a similar issue. Dr. MacNab asked if this delay will impact the budget for the project. Mr. Burnes answered no, stating that MassHousing voted yesterday to move forward with funding the project. Mr. Fee asked if the complex condominium structure will have any impact on the Town. Mr. Burnes explained that this structure is required by the tax credit syndicator because of the 4% and 9% Low

Income Housing Tax Credits (LIHTC). He feels there would be no negative impact to the Town at all. Mr. Turbitt concurred, saying it could be a positive because the structure separates ownership of workforce units with LIHTC units. Ms. Holdgate moved to approve the LDA extension as requested; seconded by Mr. Dixon; so voted 4-1. Mr. Fee was opposed. Ms. Ferrantella stated that this project will add 64 units to the Town's Subsidized Housing Inventory (SHI) list, resulting in two years of "Safe Harbor" from Chapter 40B developments.

IX. REAL ESTATE MATTERS

1. Request for Approval and Execution of Memorandum of Understanding for Sheep Pond Road Alternative Access. Chair Mohr noted that the memorandum of understanding (MOU) already approved by the County tonight also needs to be approved by the Board. Mr. Fee moved to approve and execute the MOU between the parties and to authorize betterments for the alternative access as presented; seconded by Ms. Holdgate; all in favor, so voted.

2. Request for Approval and Execution of Purchase and Sale Agreement for 77 Bartlett Road, Lot 171 on Land Court Plan No. 28933-U. Real Estate Specialist Tracy MacDonald reviewed the request, noting the Town is acquiring the property to accommodate a sewer pump station in connection with the Somerset sewer extension project, which is currently in design. Ms. Holdgate moved to approve the purchase and sale agreement for 77 Bartlett Road; seconded by Mr. Fee; all in favor, so voted.

Ms. Holdgate left the meeting at 6:15 PM; she returned at 6:16 PM.

X. TOWN MANAGER'S REPORT

1. Presentation of FY 2024 Audit Report by Town Auditor. Auditor Tony Roselli of Roselli, Clark and Associates, reviewed the presentation as contained in the Board's agenda packet. He noted that the Audit Committee met this afternoon. Mr. Roselli reviewed economic trends, and noted that the Town has a healthy increased trend in reserved balances and as a result, the Town continues to maintain a Aaa bond rating.

Dr. MacNab left the meeting at 6:19 PM; he returned at 6:23 PM.

Mr. Roselli answered questions from Board members. He said that while the Town needs to pay attention to the macro climate because bond and stock markets are very volatile, there are supply chain issues due to tariffs, federal grants are in question, and there are recessionary fears and possible stagflation, the Town is in a very good position financially.

XI. SELECT BOARD REPORTS/COMMENT

1. Committee Reports. Mr. Fee reported on a recent Coastal Resiliency Advisory Committee meeting. He also mentioned an article in today's New York Times about a restaurant in Montauk, NY trying to become a private club. He said they are experiencing the same issues and pressures as Nantucket.

XII. PUBLIC HEARINGS

1. Public Hearing to Consider the Appeal of G & G Burgee LLC of Historic District Commission (HDC) Approval of Certificate of Appropriateness No. HDC2024-12-11707 for an addition to an existing dwelling located at 23 Ocean Ave., Map 73.3.1, Parcel 19. Chair Mohr reviewed the HDC appeals procedure and opened the public hearing. Attorney Sarah Alger, representing the appellant, outlined the reasons for appealing the HDC's approval of an addition to 23 Ocean Avenue, including abutter notification

deficiencies, the lack of a demolition plan when the HDC was reviewing the application, and the fact that the structure is historic, contributing and significant. She urged the Board to vacate the HDC decision or at a minimum, remand the matter to the HDC and require a demolition plan. Preservation Planner Holly Backus responded to Ms. Alger's comments, noting that the structure is considered historic, contributing and significant. She noted that the full board did not support the approval as demonstrated by the 3-2 vote. HDC member Vallorie Oliver stated that significant structures can be altered and the proposed addition is very small, and reduced from the original 2022 submission of 382 square feet to the 2025 submission of 140 square feet. She agreed that a demolition plan should have been submitted but she feels the HDC decision should be upheld. Attorney Kurt Kusiak, representing the owner of 23 Ocean Avenue, also responded to Ms. Alger's comments, noting a demolition plan was submitted, although it was very simple. He stated that they are not saying the building is not historic, just that it was not one of the so-called Underhill Cottages, although Mr. Underhill lived at 23 Ocean Avenue. Linda Williams, representing the appellant, spoke in favor of the appeal and the research she submitted. She said the addition "obliterates" the structure and its unique profile and argued that the structure was indeed an Underhill Cottage. She said the demolition plan was not sufficient and requested that at a minimum, the matter be remanded to the HDC. 23 Ocean Avenue owner Marcia Brown spoke against the appeal. Appellant Gregory Dunbar spoke in favor of the appeal. Attorney Arthur Reade, representing the owner of 23 Ocean Avenue, stated the appellants were aware of the HDC meetings and were represented by counsel. He reminded the Board that it cannot substitute its judgement for that of the HDC and that the Board has to review the HDC action and determine whether it was arbitrary and capricious or a violation of law. Mr. Reade asked the Board to deny the appeal. Architectural Designer Angus Macleod, representing the owner, said it is not uncommon for there to be split votes on HDC decisions; that the stretch of Ocean Avenue has one type of architecture and Pochick Street, where the Underhill Cottages are located, has another. He said his design followed the HDC guidelines and he consulted with Marsha Fader, a known preservationist on island.

Dr. MacNab moved to close the hearing; seconded by Ms. Holdgate; all in favor, so voted.

Dr. MacNab said he heard a lot of views but the Board needs to determine if the HDC's actions were arbitrary and capricious. Ms. Holdgate concurred and questioned as to whether the lack of a sufficient demolition plan is enough for a remand. Mr. Dixon asked if the presence, or lack thereof, of a demolition plan is enough to remand the matter to the HDC. He added that the standard of arbitrary and capricious is quite high. Mr. Fee questioned if a more complete demolition plan is a necessity. Chair Mohr asked Attorney George Pucci of Town Counsel's office if the Board has any purview regarding a demolition plan. Mr. Pucci said that Ms. Backus's recommendation was for a demolition plan yet the HDC made its decision without a more detailed plan; he said the Board could remand the matter to the HDC for that reason, although it seems the Board doesn't feel that is an issue.

Mr. Fee moved to deny the appeal and uphold the decision of the HDC; seconded by Dr. MacNab; all in favor, so voted.

XIII. ADJOURNMENT

Ms. Holdgate moved adjournment at 7:37 PM; seconded by Mr. Fee; all in favor, so voted.

Approved the 28th day of May, 2025.

SELECT BOARD
MAY 14, 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. National Police Week Proclamation; Police Appreciation Awards
III. 4. 2025 Committee Appointment Timeline; 2025 Committee Openings Information
VII. 1. Draft minutes of 5/7/2025; draft minutes of 5/8/2025 open session
VII. 4. Pending Contracts spreadsheet
VIII. 1. Kronau - Finance Committee resignation; FinCom membership; Kopko - Cultural Council resignation; Cultural Council membership
VIII. 2. AIS re: Parking permit; Letter from Eric & Lisa McKechnie; § 375-16(A)(1) – Traffic Regulations, Residential parking permit; Select Board minutes of June 5, 2019
VIII. 3. AIS re: Airport Fuel Revolver; Airport Fuel Revolver presentation
VIII. 4. AIS re: Ticcoma Green housing project; Land Development Agreement Extension Request Letter from HallKeen
IX. 1. AIS re: Sheep Pond Rd; Sheep Pond Rd Memorandum of Understanding
IX. 2. AIS re: 77 Bartlett Rd; 77 Bartlett Rd Purchase & Sale Agreement; Land Court Plan No. 28933-U; GIS map
X. 1. Governance Report; Audit Exit Conference presentation; Management Letter
XII. 1. HDC Appeal of 23 Ocean Ave: HDC Appeals Procedure, public hearing notice, Appeal submission; HDC File: HDC memo re: decision on 23 Ocean Ave, Draft minutes of 3/18/2025; Letters: Owner submission, Letter from Janet Eyre, Letter from Christine Bernstein, Letter from Sconset Civic Association