SELECT BOARD

Minutes of the meeting of February 18, 2026. 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 Dawn E. Hill, Thomas Dixon and Brooke Mohr. Matt Fee was not present and Dr. Malcolm MacNab joined the meeting later as noted.

I. CALL TO ORDER

Chair Hill called the meeting to order at 5:37 PM following a meeting of the Nantucket Regional Transit Authority Advisory Board.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth reviewed the announcements as noted:

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

2. The Community Claims Fund Launched on Monday, January 26, 2026 to Accept Claims. This Fund was Created as Part of the Blade Failure Settlement with GEV. Verus, LLC, the Administrator of the Fund, has Created a Dedicated Website with More Information and Instructions for How to File a Claim: www.NantucketBladeSettlement.com. Claims Must be Filed No Later than June 26, 2026. For Questions, Please Contact the Verus Support Team at NantucketBladeSettlement@Verusllc.com or 508-305-7225.

3. Town of Nantucket Branding & Style Guide

The Communications Office is Developing a Branding and Visual Style Guide to Create a Clear, Consistent Look for Town Communications. Residents Have the Next Two Weeks to Complete the Survey, which Closes on February 28. Your Input Will Directly Inform How the Town Presents Information Across its Website, Publications, and Public Materials. Share Your Feedback Here: https://townofnantucket.typeform.com/to/PSaTUjLj.

4. No Select Board Meeting on Wednesday, February 25, 2026 (School Vacation Week); Next Meeting to be Held on Wednesday, March 4, 2026.

5. Select Board Announcements/Comments.

Chair Hill noted that this week the Town Biologist increased the commercial scallop bushel limit to 7 for the rest of the commercial scallop season, pursuant to a recent Board authorization to do so.

IV. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS (see https://www.nantucket-ma.gov/3788/2026-Public-Comment-Questions-Responses) Chair Hill reviewed responses to a public comment made at the Board's February 11, 2026 meeting.

Dr. MacNab joined the meeting at 5:41 PM.

V. PUBLIC COMMENT

Campbell Sutton asked if Town Counsel could comment on a recent "Letter to the Editor" regarding a short-term rental vote from the November, 2025 special town meeting.

Ms. Sutton asked what properties the Conservation Commission oversees.

Ms. Sutton stated that certain Town fines should be higher for certain types of violations.

Amy Eldridge expressed concern about the 2026 annual town meeting starting at 4:30 PM this year and suggested a 5:00 PM start.

Raphael Richter read a letter sent to the Nantucket Regional Transit Authority Advisory Board earlier today concerning the public transportation service operator.

Lucy Hehir questioned a citizen warrant article relating to a Town Council form of government on the 2026 annual town meeting warrant.

Operations Administrator Erika Mooney noted that paper copies of the 2026 annual town meeting warrant are available from the Inquirer & Mirror office.

VI. NEW BUSINESS
There was no New Business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
Ms. Mohr moved approval of items VII 1 – 4; seconded by Mr. Dixon; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

1. Approval of Minutes of February 9, 2026; February 11, 2026 at 5:30 PM.

2. Approval of Payroll Warrants for February 15, 2026.

3. Approval of Treasury Warrants for February 11, 2026.

4. Approval of Pending Contracts for February 18, 2026 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS
1. Capital Program Committee: Review of FY 2027 Capital Program Committee Report. Capital Program Committee (CapCom) Chair Jill Vieth provided an overview of the report as contained in the Select Board's agenda packet. Some discussion followed about two projects not recommended by the CapCom (new Our Island Home facility and Somerset Sewer Needs Area sewer extension). The Board thanked the CapCom for a thorough and detailed report.

2. Housing Department: Request for Supplemental Letter of Support from Select Board to Internal Revenue Service Regarding Nantucket Land Trust's 501(c)(3) Tax Exempt Status. Mr. Dixon recused from this item and left the table at 5:59 PM. Housing Director Kristie Ferrantella reviewed the request. Ms. Mohr moved to approve the request as presented; seconded by Dr. MacNab; by roll call vote: Chair Hill – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Mr. Dixon returned to the table at 6:00 PM.

3. Assessor: Request to Rename "Plover Lane" off South Shore Road to "Plover Way". Assessor Robert F. Ranney reviewed the request to rename "Plover Lane" off South Shore Road to "Plover Way", as there is

already a Plover Lane in the Wauwinet area. Ms. Mohr moved to approve the request; seconded by Mr. Dixon; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

4. Natural Resources Department: Request to Schedule Public Hearing to Consider Removing the Existing Time of Year Restrictions (November 1st to May 1st) for Head of the Harbor – Coskata to Allow for Year-Round Utilization. Natural Resources Director Jeff Carlson reviewed the request. Ms. Mohr moved to schedule a public hearing for March 11, 2026; seconded by Dr. MacNab; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

IX. REAL ESTATE MATTERS

1. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement of Town-owned Yard Sale Parcel Known as Parcel B, Nobadeer Avenue as Shown on Plan of Land Entitled "Plan to Acquire Land for General Municipal Purposes, Nobadeer Avenue in Nantucket, MA," Dated January 30, 2017, Prepared by Michael Connolly & Associates, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2017-12, Pursuant to Vote on Article 77 of 2010 Annual Town Meeting. Real Estate Manager Tracy MacDonald reviewed the item. Some discussion followed as to coastal resiliency concerns and public access. Mr. Dixon moved to approve the request as presented; seconded by Ms. Mohr; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

X. TOWN MANAGER'S REPORT

There was no Town Manager's report.

XI. SELECT BOARD REPORTS/COMMENT

1. Select Board Strategic Plan Update. Ms. Gibson introduced this matter, noting that the Board held its annual Strategic Plan retreat in October; since then a report on the Retreat was provided to the Board, the Plan has been updated and is now ready for Select Board approval. She noted that a preliminary implementation meeting is already scheduled with staff in early March. She turned the item to Deputy Town Manager Gregg Tivnan and Strategic Plan facilitator and consultant Michelle Ferguson of Raftelis. Mr. Tivnan reviewed statistics about the Board's Strategic Plans since 2018. Ms. Ferguson congratulated the Board and Town staff on their diligence with strategic planning. Ms. Mohr commented on the process and the need to be diligent with strategic planning and spoke on the productivity of the projects contained in the Plan. Mr. Dixon concurred and noted the Board and Town Administration has spent a lot of time discussing capital projects in particular. He commended Town Administration for its assistance and implementation efforts as well. Ms. Sutton asked for clarification as to a number referenced by Mr. Tivnan in his review of Plan statistics. Mr. Tivnan explained that the number relates to the implementation of projects and other goals that the Board prioritized. Chair Hill concurred that the Strategic Plan process has been very valuable. Vallorie Oliver asked if the Strategic Plan includes "the dump". Ms. Mohr responded and noted the most critical recent items relating to solid waste had to do with a new Waste Services Agreement and spoke on some of its new provisions. Mr. Dixon moved to adopt the updated Strategic Plan as presented; seconded by Dr. MacNab; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

2. Update on the Investigation of the Investigation of African Meeting House Vandalism. Dr. MacNab said that the investigator is well underway with the work.

3. Committee Reports.
Ms. Mohr spoke on a Nantucket Planning and Economic Development Commission (NPEDC) meeting held yesterday.

Mr. Dixon spoke on proposed Board of Health septic regulations and noted the status. He added that a special meeting is expected to be scheduled on March 2nd regarding artificial turf fields.

Ms. Mohr spoke on Affordable Housing Trust efforts to implement a year-round rental preservation program.

Chair Hill noted she has a meeting tomorrow regarding the Our Island Home project and preparing for the 2026 annual town meeting; and, a Cannabis Advisory Committee meeting tomorrow relating to recent social consumption regulation changes enacted by the state.

XII. PUBLIC HEARINGS

1. Public Hearing to Consider the Appeal of Schwartz Family Properties Trust, Gerald Schwartz, and Heather Reisman of Historic District Commission Approval of Certificate of Appropriateness No. HDC2025-08-13048 with Conditions to Install Fencing, Gates and Cattle Grates at 11, 13, 17 and 21 Nonantum Avenue, Map 87, Parcels 110, 139, 58 and 156. Chair Hill reviewed the HDC appeals procedure including the Board's determination parameters, and asked participants to be brief, noting the Board has already received and reviewed all of the information in its packet. She opened the public hearing. Caretaker for the appellant, Kurt Fortin, and Attorney Ryan Douglas, representing the appellants, outlined the reasons for the appeal as contained in the materials in the Board's agenda packet.

HDC Chair Stephen Welch called the HDC to order. Land Use Specialist Cathy Flynn reviewed HDC guidelines as to hardscaping, landscaping and fences. She noted that this matter was brought to the HDC's attention by a citizen complaint. Mr. Welch elaborated on these guidelines with additional detail. HDC Commissioner Vallorie Oliver commented on the proliferation of deer fencing and cattle grates around the Island noting they both require approval but the HDC does not have the resources to enforce what is being installed. Attorney Douglas spoke on the numerous other fences and grates around the Island that have not been enforced and questioned whether there is "selective enforcement". Linda Williams spoke on the history of screening and deer adaptations to it and stated that the HDC required the vegetative screening that is now being eaten by deer and the property owner is attempting to protect the required screening. Chair Hill asked if the appellant could request a rehearing with a different proposal. Mr. Welch said that is allowed but it would be a "waste of time" because the HDC has already made a determination consistent with prior determinations. He added that a remand will not change anything. Ms. Williams commented on the need for additional viewing by the HDC. Mr. Welch re-reviewed the HDC's review of this project, in detail and said that statements made by Ms. Williams are inaccurate. He added that the HDC must make decisions based on certain parameters and guidelines, not public input. Dr. MacNab asked for clarification on the HDC's viewing of the site. Mr. Welch and Ms. Oliver confirmed that viewings occurred by individual members. Chair Hill reviewed the Board's options for a decision on this matter. She again noted the appellant has indicated they would be willing to submit a revised application. Mr. Welch stated that opportunity has already occurred and was not taken advantage of. He spoke further on HDC statutory authority to raise funds and handle its own litigation. Discussion followed on the ability of applicants to modify applications. Mr. Welch spoke further on the specifics of the application when it was under discussion by the HDC. Discussion continued as to what was and was not being requested and/or suggested for change. Tori Ewing read an extensive letter from Andrew Wing about the need for protection of landscaping vegetation from deer. Ms. Ewing spoke further on her own comments about deer fencing. Ms. Oliver spoke on the HDC's criteria for fencing, noting it can differ in different locations. Mr. Welch criticized the appeals process and urged the Board to reconsider it. Ms. Mohr asked about the HDC's policy on hearing from applicants. Mr. Welch answered and emphasized that the HDC does not hold public hearings. Chair Hill noted that the Board must hold a public hearing on HDC appeals, which entails accepting public comment. Mr. Fortin elaborated on comments that he said were made during the HDC deliberations on the application. Mr. Welch objected. Dr. MacNab said some of the discussion is troubling and he would like additional time to review the video of the HDC meeting in question. Some discussion followed as to how the Board could consider what it might view on the video. Town Counsel

Attorney George Pucci stated that it is within the Board's purview to watch the video. Mr. Welch apologized for a comment he made about "high priced" attorneys and said that he and the other members of the HDC are volunteers and are not attorneys. Discussion followed as to what specifically the Board should focus on when watching the HDC meeting video. Charity Benz spoke in support of a review of the video. Mr. Welch reiterated that the entire HDC hearing should be reviewed so that the proper context can be appreciated and understood.

Ms. Mohr moved to continue the hearing to March 11, 2026; seconded by Dr. MacNab; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

2. Public Hearing to Consider the Appeal of ACK Smart Energy of Historic District Commission Approval of Certificate of Appropriateness No. HDC2025-08-13115 with Conditions to Install Solar Panels at 65 Polpis Road, Map 43, Parcel 13. Chair Hill opened the public hearing. Ms. Mohr disclosed that she is a client of ACK Smart and believes she can participate in this matter without bias. Appellant Tobias Glidden of ACK Smart Solar outlined the reasons for the appeal as contained in the Board's agenda packet. Ms. Flynn spoke on behalf of the HDC's decision. Mr. Welch elaborated in more detail on the HDC's decision and the specific guidelines it uses for solar panels. Ms. Oliver stated that she is frustrated about "on-going conflicts with solar panels" and said the HDC is "trying to work with everyone on these". Chair Hill asked if the alternatives put forward by the HDC are viable. Mr. Glidden indicated that the solar guidelines do not specifically prohibit solar panels on the front of a structure and argued that the HDC's denial is arbitrary as a result. Mr. Welch and Ms. Oliver argued that the HDC's decision is within the guidelines.

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

Ms. Mohr commented that Nantucket is evolving both with the deer population and sustainable energy such as solar. She said that nonetheless, she is not persuaded by the appellant that the HDC acted arbitrarily. Mr. Dixon concurred with Ms. Mohr about the evolution of Nantucket and while in his own judgment he would agree with the appellant, he does not believe the HDC acted arbitrarily. Dr. MacNab stated that he does not believe the HDC acted arbitrarily. Chair Hill concurred.

Ms. Mohr moved to deny the appeal and uphold the HDC decision; seconded by Dr. MacNab; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

XIII. ADJOURNMENT
Ms. Mohr moved adjournment at 8:32 PM; seconded by Mr. Dixon; by roll call vote: Chair Hill – Yes; Mr. Dixon – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Approved the 4th day of March, 2026.

SELECT BOARD
FEBRUARY 18, 2026 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

VII. 1. Draft Minutes of 02/09/26; Draft Minutes of 02/11/26
VII 4. Pending Contracts spreadsheet
VIII 1. FY 27 Cap Com report
VIII. 2. AIS Re: Housing-Nantucket Land Trust Request; Draft support letter; 2025 Support Letter
VIII. 3. AIS Re: Plover Lane; Plan No.2019-38; GIS Map
VIII. 4. AIS Re: Time of year restrictions; Maps
IX. 1. AIS Re: Plan B Nobadeer Ave; GIS Map; Purchase and Sale Agreement; Quitclaim Deed; Article 77of 2010 ATM; Plan No. 2017-12; Plan No. 2025-40; Settlement Statement; Order of Taking; Coastal Resilience Assessment
XI 1. AIS Re: Strategic plan; Retreat Agenda; Strategic Plan Health Summary 2025; 2025 Strategic Plan Brochure; Debt Exclusion Collision report 2025; Strategic Plan Retreat Summary 2025
XII. 1. HDC Appeal of 11-21 Nonantum Ave; HDC Appeals Procedure; Public hearing notice; Appellant appeal submission; HDC File; Memo from HDC re: appeal; Supplemental information submitted by appellant
XII. 2. HDC Appeal of 65 Polpis Rd; HDC Appeals Procedure; Public hearing notice; Appellant appeal submission; HDC File; Memo from HDC re: appeal