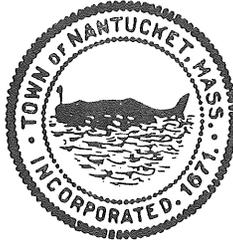


Town and County of Nantucket
Board of Selectmen • County Commissioners

James R. Kelly, Chairman
Rick Atherton
Robert R. DeCosta
Matt Fee
Dawn E. Hill Holdgate



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

*AGENDA FOR THE MEETING OF THE
BOARD OF SELECTMEN
MAY 25, 2016 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS*

I. CALL TO ORDER

II. BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Board of Selectmen Meeting is Being Video/Audio Recorded.
2. 2016 Committee/Board/Commission Vacancies.
3. Memorial Day Parade to be Held Sunday, May 29, 2016 at 1:00 PM Starting at American Legion.
4. Town Offices Closed Monday, May 30 in Observation of Memorial Day.

*IV. PUBLIC COMMENT**

*V. NEW BUSINESS**

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of April 27, 2016 at 6:00 PM.
2. Approval of Payroll Warrants for Week Ending May 22, 2016.
3. Approval of Treasury Warrants for May 25, 2016.
4. Approval of Pending Contracts for May 25, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VII. CONSENT ITEMS

1. Town Clerk: Request for Reappointment of Constables for Three-Year Terms.

2. Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcel A1, Woodbine Street as Shown on Plan of Land Entitled "Roadway Disposition Plan in Nantucket, Mass. Of Nobadeer Avenue, Woodbine Street, Assessors Maps 80 & 87," Dated December 29, 2010, Prepared by Bracken Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2011-10; and Parcel 2A, Weweeder Avenue as Shown on Plan of Land Entitled "Plan of Land in Nantucket, Mass., Prepared for the Inhabitants of the Town of Nantucket," Dated January 13, 2016, Prepared by Bracken Engineering, Inc. and Recorded with said Deeds as Plan No. 2016-20, Pursuant to Votes on Article 77 of 2010 Annual Town Meeting and Article 99 of 2011 Annual Town Meeting.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Nantucket Land Council, Inc.: Request for Approval of Conservation Restriction Donated by The Nature Conservancy, to be Held by Nantucket Land Council for 130 Eel Point Road.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Increasing Fee per Ton for Mixed Excavation Waste from \$30 per Ton to \$60 per Ton (Continued from May 18, 2016).
2. Public Hearing to Consider the Taking of Various Paper Streets for Public Access, Open Space and/or General Municipal Purposes as Authorized by MGL Chapter 79 and Town Meeting Votes as Noted:
 - a) Sesachacha Road between Northern Sideline of Beach Road and Southern Sideline of Proprietors Road, and Ocean Road between Northern Sideline of Beach Road and its Northern Terminus as Shown on Plan No. 2016-5, Recorded with Nantucket County Registry of Deeds and Authorized by Vote on Article 96 of 2014 Annual Town Meeting.
 - b) Mayhew Road between Southwestern Sideline of Old Tom Nevers Road and a Line Extending the Northern Property Lines of Assessor Map 92.4, Parcels 190 and 214, and Central Road (a.k.a Surrey Avenue) between Southwestern Sideline of Old Tom Nevers Road and Northeast Sideline of Nichols Road, and Portion of Hampshire Road (a.k.a Macey Road), all as Shown on Plan No. 2015-106, Recorded with said Deeds and Authorized by Vote of Article 96 of 2014 Annual Town Meeting.
 - c) Proprietors Road (a.k.a. Chase Lane in Quidnet) as Shown as Parcels A, B and C on Plan No. 2015-88, Recorded with said Deeds and Authorized by Vote of Article 96 of 2014 Annual Town Meeting.
 - d) Heller Way and Reedy Pond Lane between Western Sideline of Cudweed Road and Walbang Avenue, and Cudweed Road between a Line Extending the Northern Property Line of Assessor

Map 82, Parcel 145 Across said Way to its Southern Terminus (Cisco), all as Shown on Plan No. 2015-87, Recorded with said Deeds and Authorized by Vote of Article 96 of the 2014 Annual Town Meeting.

- e) Weweeder Avenue between Eastern Sideline of Surfside Road and Centerline of Naushon Way as Shown on Plan No. 2015-85, Recorded with said Deeds and Authorized by Vote of Article 98 of 2011 Annual Town Meeting.
- f) Lovers Lane as Shown as Parcels A, B and C on Plan No. 2014-107, Recorded with said Deeds and Authorized by Vote of Article 102 of 2015 Annual Town Meeting.

- 3. Public Hearing to Consider Applications for Agricultural Commission, Airport Commission, Board of Health, Capital Program Committee, Cemetery Commission, Conservation Commission, Contract Review Committee (Human Services), Council for Human Services, Council on Aging, Cultural Council, Finance Committee, Historic District Commission Associate and Mosquito Control Commission.

X. TOWN MANAGER'S REPORT

- 1. Update on Sconset Rotary Flagpole Project.
- 2. Update on Beach Maintenance/Preparation Plan for 2016 Summer Season.

XI. SELECTMEN'S REPORTS/COMMENT

- 1. Review/Discussion of Nantucket Planning & Economic Development Commission Annual Transportation Improvement Program.
- 3. Action on Policy for New Commonwealth of Massachusetts Department of Transportation "Complete Streets" Program.
- 4. Continued Discussion Regarding Board of Selectmen Strategic Planning Process.
- 5. Committee Reports.

XII. ADJOURNMENT

** Identified on Agenda Protocol Sheet*

Board of Selectmen Agenda Protocol:

- **Roberts Rules:** *The Board of Selectmen follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Board of Selectmen. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*

Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation:** *The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Selectmen may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.*
- **Selectmen Report and Comment:** *Individual Selectmen may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Selectmen will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Selectmen Comment.*

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY BOARD OF SELECTMEN
May 25, 2016

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding
Amendment #1 to Professional Services Agreement	Fire	Kaestle Boos Architects	\$4,000 to existing contract of \$976,000 for total contract of \$980,000	Additional design services for painting of entire 4 FG building in conjunction with new Fire Station addition	Art. 11/2015 ATM
Professional Services Agreement	DPW	Weston & Sampson	\$2,125,500	Design engineering services for Nantucket Harbor Shimmo and PLUS parcels sewer extension project	Art. 18/2016 ATM
Amendment #1 to Professional Services Agreement	Our Island Home	Kirkland, Albrecht & Fredrickson, LLC	Add \$8,000 to current amount of \$72,000 for total of \$80,000 over three years	Accounting services to assist with Medicaid and Medicare cost reports for Our Island Home	OIH Budget
Host Community Benefit Agreement	Town Admin/ Board of Selectmen	Mass Medi-Spa Inc.	Annual minimum payment of \$20,000/ maximum of \$300,000	Host Community Benefit Agreement (HCBA) for siting of registered marijuana dispensary (RMD)	n/a
Professional Services Agreement	Visitor Services	Paper Crane Associates	\$9,880	Operational assessment of Department of Culture and Tourism	Town Administration Budget
Supply Agreement	DPW	Myles Reis Trucking	\$10,000 over one year	Supply of various materials necessary for DPW repairs	Art. 10/2014 ATM
License Agreement	Board of Selectmen	Nantucket Electric Company	(\$1.00)	License agreement for installation of underground electric distribution system for new Intermediate School at 30 Surfside Road; will require future town meeting vote and easement agreement	n/a

Committee Appointments 2016 Timeline
As of 5/17/2016

April 20 – Board of Selectmen review list of openings.

April 21 - Notify members of committees whose terms are expiring.

April 28; May 5, 12 and 19 – Advertise committee openings in newspaper and on Town's website; put on BOS agenda as announcement starting late-April.

May 20 – Deadline for submitting applications for committee openings that will be heard on May 25 to Town Administration office. This includes applications for:

- Agricultural Commission;
- Airport Commission;
- Board of Health;
- Capital Program Committee;
- Cemetery Commission;
- Conservation Commission;
- Contract Review Committee, Human Services;
- Council for Human Services;
- Council on Aging;
- Cultural Council;
- Finance Committee;
- Historic District Commission Associate; and
- Mosquito Control Commission.

May 25 – Public hearing for above listed committee applicants.

May 27 – Deadline for submitting applications for committee openings that will be heard June 1 to Town Administration office. This includes applications for:

- Nantucket Affordable Housing Trust;
- Nantucket Historical Commission;
- Nantucket Historical Commission Alternate;
- Parks and Recreation Commission;
- Planning Board Alternate;
- Real Estate Assessment Committee;
- Roads and Right-of-Way Committee;
- Scholarship Committee;
- Town Government Study Committee;
- Tree Advisory Committee;
- Visitor Services Advisory Committee;
- Zoning Board of Appeals; and
- Zoning Board of Appeals Alternate.

June 1 – Public hearing for above listed committee applicants.

June 22 – Appoint new committee members.

2016 Committee Openings Information

As of 5/17/2016

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	1	2017	vacant
Agricultural Commission	2	2019	1 vacant
Airport Commission	1	2019	
Board of Health	1	2019	
Capital Program Committee	1	2019	
Cemetery Commission	1	2019	
Conservation Commission	3	2019	
Contract Review Committee, Human Services	1	2019	
Council for Human Services	1	2017	vacant
Council for Human Services	1	2018	vacant
Council for Human Services	3	2019	
Council on Aging	3	2019	
Cultural Council	1	2017	vacant
Cultural Council	3	2019	1 vacant
Finance Committee	1	2018	vacant
Finance Committee	3	2019	
Historic District Commission Associate	1	2019	
Mosquito Control Commission	1	2021	5-year term
Nantucket Affordable Housing Trust	2	2018	2-year term; at-large
Nantucket Affordable Housing Trust	1	2018	2-year term; real estate agent/broker
Nantucket Historical Commission	2	2019	
Nantucket Historical Commission Alternate	1	2019	
Parks and Recreation Commission	1	2018	vacant
Parks and Recreation Commission	1	2019	
Planning Board Alternate	1	2019	
Real Estate Assessment Committee	5	2016	suggest staggering the terms: 2 for 1 yr, 2 for 2 yrs, 1 for 3 yrs
Roads and Right of Way Committee	1	2018	vacant
Roads and Right of Way Committee	3	2019	
Scholarship Committee	2	2019	
Town Government Study Committee	7	2017	
Tree Advisory Committee	2	2019	
Visitor Services Advisory Committee	3	2019	
Zoning Board of Appeals	1	2021	5-year term
Zoning Board of Appeals Alternate	1	2019	

2016 Committee Openings Information - appointments by Town Manager

As of 3/2/2016

Committee	# seats open	Term Expiration	Notes
ACNVT	1	2017	vacant
ACNVT	2	2018	2 vacant
ACNVT	5	2019	1 vacant
ACNVT	2		alternate seats
Commission on Disability	2	2019	1 vacant

2016 Committee Openings Information - appointments by Assessor

Committee	# seats open	Term Expiration	Notes
Abatement Advisory Committee	3	2017	

AMERICAN LEGION POST 82
21 Washington Street
Nantucket, MA 02554

May 10, 2016

Dear Board of Selectmen:

Byron L. Sylvaro Post 82 of the American Legion would like to invite you and the community to the Memorial Day Parade on Sunday, May 29. If you would like to participate, please be at Legion Hall, 21 Washington Street to line up at 12:30PM. The parade will start at 1:00PM. We will march to Prospect Hill Cemetery where an observance ceremony will take place. We will then proceed back to Legion Hall for hot dogs and ice cream.

The American Legion and the Veteran's of Foreign War would like to thank you for this announcement and your support.

May God Bless America.

Yours truly,

A handwritten signature in black ink, appearing to read "Nick Duarte", written in a cursive style.

Nick Duarte
Commander

Town of Nantucket



OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590



Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

(508) 228-7216

FAX (508) 325-5313

Home: (508) 228-7841

Email: cstover@nantucket-ma.gov
townclerk@nantucket-ma.gov

WEBSITE: <http://www.nantucket-ma.gov>



Nantucket Board of Selectmen
16 Broad Street
Nantucket, MA 02554

May 13, 2016

Dear Mr. Kelly:

Per MGL, Chapter 41, §91A, I respectfully ask the Board to re-appoint the following as Constables for the Town of Nantucket, for terms expiring June 1, in 2019.

CONSTABLES FOR THE TOWN OF NANTUCKET

- (2016) Frank Psaradelis, Jr. 1 Toombs Court, Nantucket, MA 02554
- (2016) F. Manuel Dias 50 Surfside Road, Nantucket, MA 02554
- (2016) Jerry W. Adams 4 Fairgrounds Rd, Nantucket, MA 02554
- (2016) John H. Stover 5 Liberty Street, Nantucket, MA 02554
- (2016) **Catherine Flanagan Stover 16 Broad Street, Nantucket, MA 02554
** (BONDED)

Most sincerely,

Nancy L. Holmes
Assistant Town & County Clerk

REAL ESTATE SUMMARY
BOARD OF SELECTMEN
May 18, 2016 by Andrew Vorce, AICP

VII. CONSENT ITEMS

2. Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcel A1, Woodbine Street as Shown on Plan of Land Entitled "Roadway Disposition Plan in Nantucket, Mass. Of Nobadeer Avenue, Woodbine Street, Assessors Maps 80 & 87," Dated December 29, 2010, Prepared by Bracken Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2011-10; and Parcel 2A, Weweeder Avenue as Shown on Plan of Land Entitled "Plan of Land in Nantucket, Mass., Prepared for the Inhabitants of the Town of Nantucket," Dated January 13, 2016, Prepared by Bracken Engineering, Inc. and Recorded with said Deeds as Plan No. 2016-20, Pursuant to Votes on Article 77 of 2010 Annual Town Meeting and Article 99 of 2011 Annual Town Meeting.

The proposed action closes out a yard sale matter and preserves a walking path easement on the former Woodbine Street right-of-way.

Real Estate Items - 5/25/2016

CONSENT ITEMS

<u>Parcel</u>	<u>Purchaser</u>	<u>Purchase Price</u>	<u>Town Meeting Vote</u>	<u>Plan No.</u>	<u>Attorney</u>
Parcel A1, Woodbine Street and Parcel 2A, Weweeder Avenue	McMahon	\$5,001	A77/2010 ATM A99/2011 ATM	2011-10 2016-20	Sarah F. Alger

Parcel A1, Woodbine St

2011 0000018
 2011 0 Page 10
 Doc: PLAN 04550011 01:02 PM



RESERVED FOR REGISTRY USE

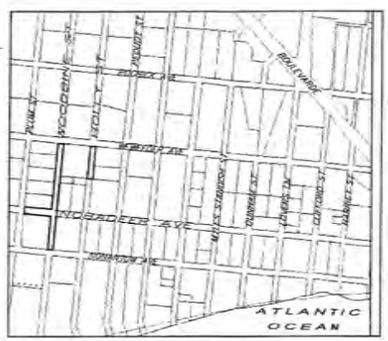
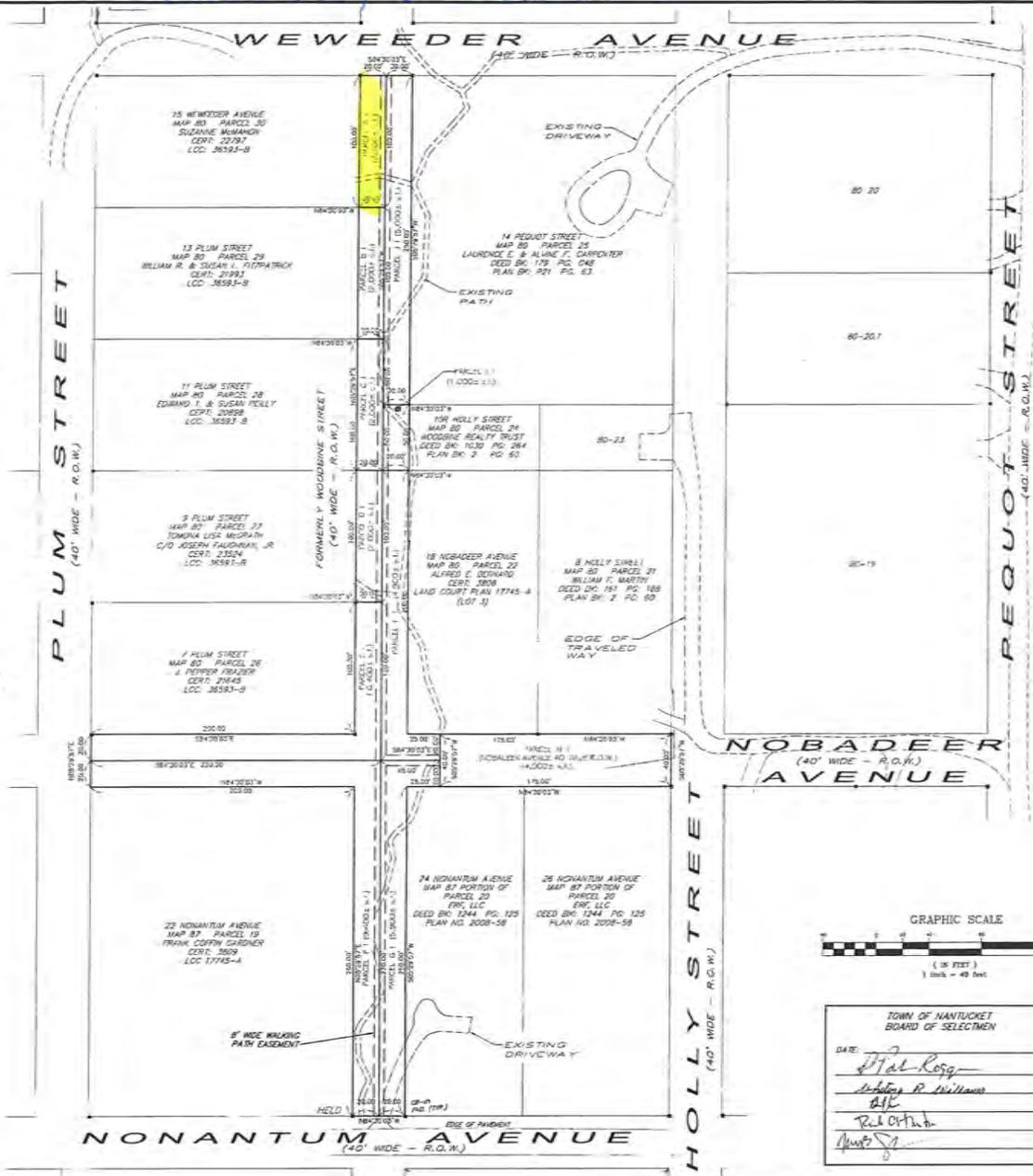
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



JOHN R. FARROW, PLS
 MASSACHUSETTS REG.
 NO. 33550

ROADWAY DISPOSITION PLAN
 IN
 NANTUCKET, MASS.
 OF
 NOBADER AVENUE
 WOODBINE STREET
 ASSESSORS MAPS 80 & 87
 PREPARED BY
 BRACKEN ENGINEERING, INC.
 19 OLD SOUTH ROAD, UNIT B
 P.O. BOX 3525
 NANTUCKET, MA 02584
 tel: (508) 325-0044
 SCALE: 1" = 40' DECEMBER 29, 2010

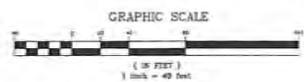
APPROVED BY THE
 NANTUCKET PLANNING BOARD
 DATE: 12/29/10
 FILE NUMBER: 10-25
 [Signatures]



LOCUS MAP

- Legend
- CONCRETE BOUND
 - DRILL HOLE FOUND
 - IRON PIPE FOUND
 - COUNTY ROAD BOUND
 - WIRE DISK FOUND

- NOTES
- LOCUS: NOBADER AVENUE WOODBINE STREET ASSESSORS MAPS 80 & 87
 - LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 250230-0012-D dated 11/06/1996.
 - LOCUS DOES NOT FALL WITHIN THE NATIONAL HERITAGE and ENDANGERED SPECIES PROGRAM (NHESP) AREAS OF ESTIMATED and PRIORITY HABITATS OF RARE SPECIES.
 - PLAN REFERENCE: PLAN #2010-55



TOWN OF NANTUCKET
 BOARD OF SELECTMEN
 DATE: 12/29/10
 [Signatures]

NO.	DATE	DESCRIPTION	BY

Parcel 2A, Weeweeder Ave

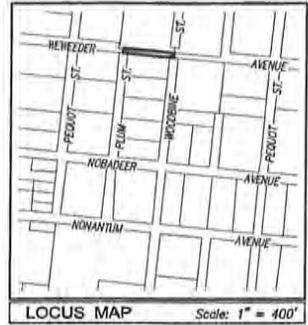
2018 0000000000
 Bk: Pg: 0 Page: 0
 Doc: PLAN 03/10/2018 03:47 PM

NANTUCKET REGISTRY OF DEEDS
 Date: March 10, 2016
 Time: 3:47 PM
 Plan No: 2016-61
Erin H. Terrence
 Attor: Register

Sheet 1 of 1

RESERVED FOR REGISTRY USE

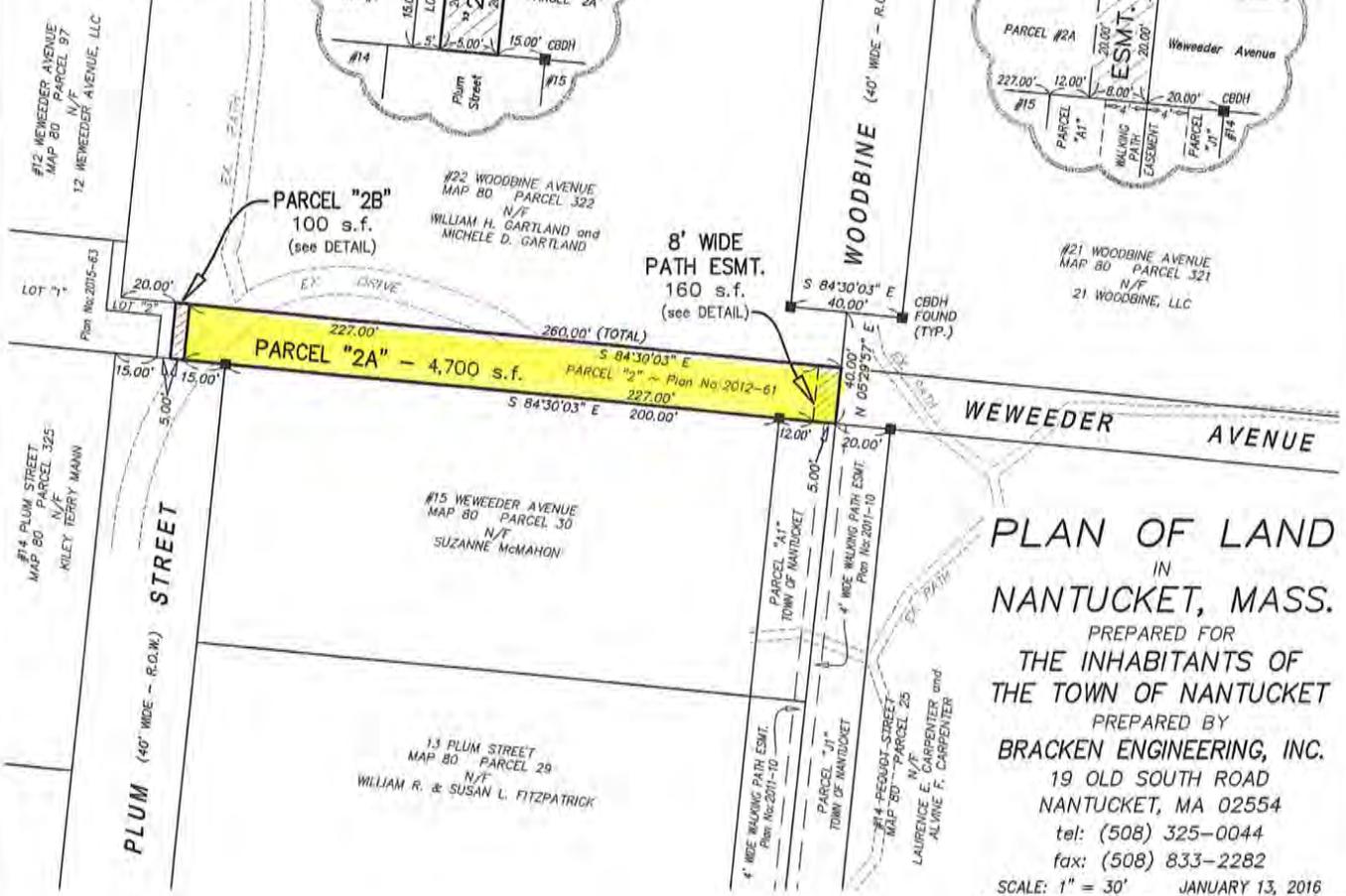
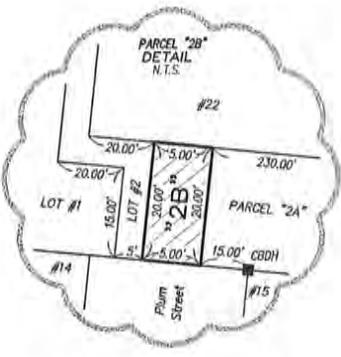
- NOTES:
- LOCUS: WEWEEDER AVENUE ASSESSOR MAP 80
 - OWNER: INHABITANTS OF THE TOWN OF NANTUCKET
 - DEED REF: Bk:1368 Pg:43 (ORDER OF TAKING)
 - PLAN REF: Plan No:2012-61
 - LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25019C-0089-G dated 08/09/2014.
 - PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER CURRENT ZONING.
 - THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE PARCEL 2 AS SHOWN ON Plan No:2012-61 TO CREATE UNBUILDABLE PARCELS "2A" AND "2B".



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



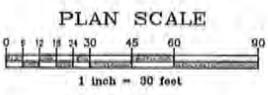
Alan M. Grady
 ALAN M. GRADY, PLS
 MASSACHUSETTS REG.
 No. 37732



PLAN OF LAND
 IN
 NANTUCKET, MASS.
 PREPARED FOR
 THE INHABITANTS OF
 THE TOWN OF NANTUCKET
 PREPARED BY
 BRACKEN ENGINEERING, INC.
 19 OLD SOUTH ROAD
 NANTUCKET, MA 02554
 tel: (508) 325-0044
 fax: (508) 833-2282
 SCALE: 1" = 30' JANUARY 13, 2016

- THE PLANNING BOARD DETERMINES THAT:
- PARCELS "2A" and "2B" DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
 - PARCELS "2A" and "2B" CONTAIN INADEQUATE LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BYLAW.

- NOTES:
- LOCUS: a portion of WEWEEDER AVENUE (ON ASSESSORS MAP 80)
 - PLAN REFERENCES: Plan No: 2015-63
 Plan No: 2012-61
 Plan No: 2010-58
 Plan File: 54-W



APPROVAL BY THE
 NANTUCKET PLANNING BOARD
 NOT REQUIRED

Robert Williams
Victoria Hill
J.M. Aubrey

FILE NUMBER: #7935
 DATE APPROVED: 3/3/2016

PURCHASE AND SALE AGREEMENT

Agreement made this _____ day of _____, 2016.

1. PARTIES AND MAILING ADDRESSES

The Town of Nantucket, a municipal corporation, acting by and through its Board of Selectmen having an address of 16 Broad Street, Nantucket, Massachusetts 02554, hereinafter called the SELLER, agrees to SELL and Suzanne McMahon of 27 Windsor Road, Rathmines Dublin, Ireland, hereinafter called the BUYER or PURCHASER, agrees to BUY, upon the terms hereinafter set forth, the following described premises:

2. DESCRIPTION

The premises are two certain parcels of land in Nantucket, Massachusetts described as follows:

- (a) Parcel A1, Woodbine Street, containing 2,000 square feet, more or less, shown on a plan entitled "Roadway Disposition Plan in Nantucket, Mass. Of Nobadeer Avenue, Woodbine Street, Assessors Maps 80 & 87," Prepared by Bracken Engineering, Inc., dated December 29, 2010, recorded with Nantucket County Registry of Deeds as Plan No. 2011-10; and
- (b) Parcel 2A, Weweeder Avenue, containing 4,700 square feet, more or less, shown a plan entitled "Plan of Land in Nantucket, Mass., Prepared for the Inhabitants of the Town of Nantucket," prepared by Bracken Engineering, Inc., dated January 13, 2016 , recorded with said Deeds as Plan No. 2016-20 (together the "Property" or "Premises"). The Premises are considered two non-conforming lots pursuant to the Town of Nantucket Code.

3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES

Intentionally Omitted (Vacant Land).

4. TITLE DEED

Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least seven (7) days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except:

- (a) Any liens for municipal betterments assessed after the date of this agreement;
- (b) Laws, by-laws, rules, and regulations, whether federal, state, or local, which

affect the use of the Premises, including, but not limited to, rules and regulations of the Nantucket Conservation Commission, Nantucket Zoning By-Law, Nantucket Historic District Commission, Nantucket Building Department, Nantucket Planning Board and Nantucket Board of Health;

(c) Real estate taxes for the then-current fiscal year and future periods which are not due and payable at the time of delivery of the deed;

(d) Any fee which may be imposed upon the transaction which is the subject of this agreement by the Nantucket Land Bank Commission, which the Buyer agrees to pay at the time of delivery of the deed;

(e) Any right, restrictions or easements and reservations of record, if any, so long as the same do not prohibit or materially interfere with the use of said premises for residential purposes;

(f) Any public rights existing below mean high water, if applicable; and

(g) Said deed shall contain a reversion clause and a restriction set forth in Section 35 below to require the Premises to be used, and effectively merged with, the BUYER'S existing property known as 15 Weweeder Avenue, Nantucket, Massachusetts, which is shown as Town Assessor's Map 80 as Parcel 30, for residential purposes and permanently restricting any further division or subdivision of the Premises as combined with said existing property; and

(h) Parcel A1 is conveyed subject to an easement for a 4' wide walking path and existing path shown on said Plan No. 2011-10; and Parcel 2A is conveyed subject to an 8' wide path easement as shown on Plan No. 2016-20..

5. PLANS

If said deed refers to a plan necessary to be recorded therewith the BUYER shall deliver such plan with the deed in a form adequate for recording.

6. REGISTERED TITLE

In addition to the foregoing, if the title to the said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title to said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable BUYER to obtain such Certificate of Title.

7. PURCHASE PRICE

The agreed purchase price for said premises is Five Thousand One and 00/100 Dollars (\$5,001.00), of which

\$ 125.05 was paid with the Proposal

\$ 4,875.95	is to be paid at the time of delivery of the deed in cash, or by certified, cashier's, treasurer's or bank check(s).
<hr/>	
\$ 5,001.00	Total

8. TIME FOR PERFORMANCE; DELIVERY OF DEED

Said deed is to be delivered to BUYER at the Nantucket County Registry of Deeds at 1:00 P.M. on the 26th day of May, 2016, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this agreement.

9. POSSESSION AND CONDITION OF PREMISES

Full possession of said premises free of all tenants and occupants is to be delivered at the time of the delivery of the deed, said Premises to be then (a) in the same condition as they are now, and (b) in compliance with provisions of any instrument referred to in clause 4 hereof. The BUYER shall be entitled to personally inspect the premises prior to the delivery of the deed in order to determine whether the condition of the premises complies with the terms of this clause.

10. EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM

If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of delivery of the deed the premises do not conform with the provisions hereof, then the SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for a period of thirty (30) days. In the event that such an extension occurs, BUYER agrees to close prior to expiration of the extension period and as soon as reasonably possible after SELLER is prepared to deliver the Premises in compliance with this Agreement. In no event shall SELLER be required to expend more than a total of \$1,000.00 to clear title to and deliver possession of the Premises.

11. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM

If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

12. BUYER'S ELECTION TO ACCEPT TITLE

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title.

13. ACCEPTANCE OF DEED

The acceptance and recording of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after delivery of said deed.

14. USE OF MONEY TO CLEAR TITLE

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed.

15. INSURANCE

Intentionally Omitted (Vacant Land).

16. ADJUSTMENTS

A payment in lieu of taxes shall be paid in accordance with G.L. c. 44, § 63A as of the day of performance of this Agreement and the amount thereof shall be added to the purchase price payable by BUYER at the time of delivery of the deed.

17. ADJUSTMENT OF UNASSESSED AND UNABATED TAXES

Intentionally Omitted.

18. BROKER'S FEE

Intentionally Omitted.

19. BROKER'S WARRANTY

Intentionally Omitted.

20. DEPOSIT

All deposits made hereunder shall be held in escrow by Town Treasurer, as escrow agent in a non-interest bearing account subject to the terms of this agreement and shall be duly accounted for at the time for performance of this agreement. In the event of any disagreement between the parties, escrow agent shall retain all deposits made under this

agreement pending instructions mutually given in writing by the SELLER and the BUYER, or by court order by a Court having competent jurisdiction.

All deposits made hereunder shall be placed in a non-interest-bearing account. The escrow agent hereunder shall not be liable for any loss suffered with respect to the escrow account or for any action or inaction taken by the escrow agent in good faith with respect to the account or deposit. The escrow agent may resign at any time by transferring the deposit to a successor escrow agent reasonably acceptable to SELLER and BUYER which successor agrees in writing to act as escrow agent. BUYER and SELLER jointly and severally agree to indemnify and hold the escrow agent harmless for any and all costs and expenses, including reasonable attorney's fees, incurred in connection with any such dispute.

21. BUYER'S DEFAULT; DAMAGES

If the BUYER shall fail to fulfill the BUYER'S agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated damages which shall be the SELLER'S sole and exclusive remedy at law and in equity for a breach of this agreement.

22. RELEASE BY HUSBAND OR WIFE

Intentionally Omitted.

23. BROKER AS PARTY

Intentionally Omitted.

24. LIABILITY OF TRUSTEES, SHAREHOLDERS OR BENEFICIARIES

If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

25. WARRANTIES AND REPRESENTATIONS

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the following additional warranties and representations, if any, made by either the SELLER: NONE. SELLER and SELLER's agents have made no warranties or representations, express or implied, and BUYER is purchasing the premises in it's "AS IS" and without inspection.

26. MORTGAGE CONTINGENCY CLAUSE

None.

27. CONSTRUCTION OF AGREEMENT

This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the SELLER and the BUYER or their respective counsel. The Parties may rely upon facsimile copies of such written instruments. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.

28. TITLE STANDARDS AND CONVEYANCING PRACTICES

Any matter relating to performance of this Agreement which is the subject of a title, practice or ethical standard of the Real Estate Bar Association of Massachusetts shall be governed by such standard to the extent applicable.

29. NOTICES

All notices, demands, consents and approvals required or permitted hereunder shall be deemed to have been duly given if in writing addressed to BUYER or SELLER at:

In the case of BUYER:

Ms. Suzanne McMahan
27 Windsor road
Rathmines Dublin, Ireland

With a copy to:

Sarah F. Alger, Esq.
Two South Water Street
Nantucket, MA 02554
(508) 228-1118
Facsimile: (508) 228-8004

In the case of SELLER:

Town of Nantucket
Town and County Building
16 Broad Street
Nantucket, MA 02554

With a copy to:

Vicki S. Marsh, Esq.
Kopelman and Paige, P.C.
101 Arch Street, 12th Fl.
Boston, MA 02110
(617) 556-0007
Facsimile: (617) 654-1735

and shall be deemed delivered upon the earliest to occur of (a) receipt or refusal to accept delivery; or (b) upon delivery prior to 5:00 P.M. on any business day by telecopy evidenced by written or printed receipt confirmation, provided a copy of any such notice sent by telecopy is sent also by means of one of the above-described manners of delivery. BUYER and SELLER may change the address to which any notice is to be sent by giving reasonable notice to the other party of such new address in the manner specified.

30. NO BROKER WARRANTY

The parties warrant and represent each to the other that there is no broker involved with the transaction to which this agreement pertains. In the event of a breach of the foregoing representation, the breaching party shall indemnify and hold harmless the non-breaching party for all expenses, including attorney's fees, which arise from such breach. The provisions of this section shall survive delivery of the deed hereunder.

31. SELLER'S CONTINGENCY

SELLER'S obligations hereunder shall be contingent upon SELLER complying prior to closing with the requirements of Massachusetts General Laws Chapter 30B concerning public procurement of the premises and obtaining all necessary authority to sell the premises, including but not limited to a declaration that the premises constitutes surplus property and an appropriate Town Meeting vote.

32. VENUE

The parties hereto agree that all actions on this Agreement shall be brought in the Superior Court Department of the Trial Court, Commonwealth of Massachusetts, Nantucket Division, to the extent that said Court shall have jurisdiction of the subject matter in any such action.

33. EXTENSION AUTHORITY

By executing this Agreement, Buyer and Seller hereby grant to their respective attorneys the actual authority to bind them by facsimile for the limited purpose of allowing them to grant extensions, and Buyer and Seller shall be able to rely upon the signature of said attorneys as binding unless they have actual knowledge that either party has disclaimed the authority granted herein to bind them.

34. CLOSING DOCUMENTS

BUYER agrees to sign at closing all forms reasonably required by SELLER including without limitation a disclosure statement pursuant to G.L. c. 7C, sec. 38. BUYER agrees to pay the legal costs incurred for preparing a Quitclaim Deed for the Premises.

35. MERGER OF PREMISES

BUYER shall consolidate the Premises with the BUYER'S existing abutting lot as set forth in the terms of the Request for Proposals for the "Nantucket Yard Sale Program." This consolidation process includes but is not limited to: obtaining a special permit from the Zoning Board of Appeals to alter any premises which is a nonconforming lot pursuant to Town Code 139-33A(8) and, filing a new perimeter plan with the Nantucket Planning Board and Massachusetts Land Court, if applicable.

BUYER warrants that the Premises shall not be used as separate buildable lots or resold as separate buildable lots and shall be used for residential uses only. Notwithstanding

any provision herein to the contrary, BUYER shall accept the deed required to be delivered pursuant to this Agreement if such deed contains permanent restrictions, held by SELLER and running with the land, to enforce such restrictions and covenants as follows:

“The Grantor’s conveyance of the parcels described herein is based in part on the Grantee’s warranty and representation to the Grantor that such parcels shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 15 Weweeder Avenue and shown on Town Assessor’s Map 80 as Parcel 30 previously acquired by Grantee pursuant to Deed filed with Nantucket Registry District of the Land Court as Document No. 122217 noted on Certificate of Title No. 22797 (collectively, the “Combined Premises”), and that no part of the Combined Premises shall be hereafter divided, subdivided or conveyed, unless prior written permission is granted by the Town of Nantucket Board of Selectmen and such permission is filed with said Registry District of the Land Court and recorded with said Deeds. Accordingly, the parcels hereby granted to the Grantee are conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Combined Premises to residential use as defined in Chapter 139 of the Town of Nantucket Code, prohibiting the division or subdivision of any portion of the Combined Premises, and prohibiting the use or conveyance of any portion of the Combined Premises apart from another portion of the Combined Premises, and automatically effectuating a reversion of the Parcels to the Grantor, if within twenty-four months of the Date of the Deed, the Parcels have not been merged with the Grantee’s existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used or conveyed in a manner inconsistent with these restrictions unless a prior written release is granted by the Town of Nantucket Board of Selectmen and filed with said Registry District of the Land Court and recorded with said Deeds.”

These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be “other restrictions held by any governmental body” pursuant to G.L. c. 184, Section 26 such that the restrictions contained herein shall be enforceable for the full term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the grantee hereby appoints the grantor as its agent and attorney in fact to execute and record such notice and further agrees that the grantee shall execute and record such notice upon request. The representations, warranties and provisions of this Section 35 shall survive the delivery of this deed and any conveyance of the Premises, and BUYER shall accept a deed required to be delivered pursuant to this Agreement if such deed contains permanent restrictions, held by SELLER and running with the land, to enforce these covenants.

36. CONDITION OF PREMISES

BUYER acknowledges that prior to the date of this Agreement, BUYER entered the

Premises for the purpose of surveying and inspecting the Premises, as necessary for BUYER's financing and purchasing of the Premises and BUYER agrees that BUYER and BUYER's agents fully and completely inspected the Premises, and that BUYER is wholly satisfied with the condition of the Premises. SELLER and SELLER's agents have made no warranties or representations with respect to the Premises, express or implied, on which BUYER has relied except as otherwise set forth in this Agreement. In the event that BUYER and/or BUYER's agents, contractors and employees access the Premises to make any further inspections, assessments, surveys, appraisals or other non-invasive examination of the surface of the Premises, then such access shall be solely at the BUYER's risk, and BUYER shall indemnify and save SELLER harmless from any and all claims, demands, suits or causes of action of any nature whatsoever arising from BUYER's and its agents', contractors' and employees' presence at and/or actions upon or about the Premises, including, without limitation, any claim for personal injury or property damage made by any such person afforded access to the Premises pursuant hereto. BUYER will, and will cause its agents, employees, and contractors, to observe any posted rules and regulations on the Premises.

37. REPRESENTATION BY COUNSEL

BUYER and SELLER each acknowledge and agree that they have by counsel of their own choosing or have had an opportunity to be so represented by counsel, and both BUYER and SELLER have read and understand the terms of this Agreement.

38. ASSIGNMENT AND RECORDING OF AGREEMENT

BUYER shall not file this Agreement with any Registry of Deeds or recording office. BUYER shall not assign this Agreement to any party without SELLER's prior written consent, which consent SELLER may withhold for any or no reason. In the event BUYER so files or assigns this Agreement without SELLER's prior written consent, then SELLER may elect, upon written notice to BUYER, to terminate this Agreement and to retain any and all deposits.

39. SEVERABILITY

If this Agreement shall contain any term or provision which shall be invalid, then the remainder of the Agreement, as the case may be, shall not be affected thereby and shall remain valid and in full force and effect to the fullest extent permitted by law, provided such term or provision does not materially affect the obligations of either of the parties nor the essence of the Agreement.

SELLER:
TOWN OF NANTUCKET
By its Board of Selectmen:

548054v2NANT 19712/0004

ESCROW AGENT:
TOWN TREASURER

BUYER:

By:

Suzanne McMahon

QUITCLAIM DEED

Parcel A1, Woodbine Street and Parcel 2A, Weweeder Avenue, Nantucket, Massachusetts

The **TOWN OF NANTUCKET**, a Massachusetts municipal corporation having a principal place of business at 16 Broad Street, Nantucket, Nantucket County, Massachusetts acting by and through its Board of Selectmen (the “Grantor”), in consideration of Five Thousand One and 00/100 Dollars (\$5,001.00), receipt of which is hereby acknowledged, pursuant to the authority of Article 77 voted upon at the 2010 Annual Town Meeting and Article 99 voted upon at the 2011 Annual Town Meeting, certified copies of which are attached hereto, grants to **Suzanne McMahon**, of 27 Windsor Road, Rathmines Dublin, Ireland (the “Grantee”), with QUITCLAIM COVENANTS, two certain parcels of land in Nantucket, Massachusetts described as follows:

Parcel A1, Woodbine Street

A certain parcel of land shown as Parcel A1, Woodbine Street, in Nantucket, Massachusetts on a plan of land entitled “Roadway Disposition Plan in Nantucket, Mass. Of Nobadeer Avenue, Woodbine Street, Assessors Maps 80 & 87,” dated December 29, 2010, prepared by Bracken Engineering, Inc., recorded with Nantucket County Registry of Deeds as Plan No. 2011-10. Parcel A-1 is a portion of Woodbine Street, and contains 2,000 square feet, more or less, of vacant land (“Parcel A-1”).

Parcel 2A, Weweeder Avenue

A certain parcel of land shown as Parcel 2A, Weweeder Avenue, in Nantucket, Massachusetts on a plan of land entitled “Plan of Land in Nantucket, Mass., Prepared for the Inhabitants of the Town of Nantucket,” prepared by Bracken Engineering, Inc., dated January 13, 2016, recorded with said Deeds as Plan No. 2016-20. Parcel 2A is a portion of Weweeder Avenue and contains 4,700 square feet, more or less, of vacant land (“Parcel 2A”).

Parcel A-1 and Parcel 2A are collectively referred to as the “Parcels.”

Parcel A-1 is conveyed subject to an easement over a four foot (4’) wide walking path (the “Walking Path”) and an Existing Path shown on said Plan. Parcel 2A is conveyed subject to an eight foot (8’) wide path easement (“Path Easement”). The Grantor reserves an easement over the Walking Path, Existing Path, and Path Easement for the following purposes:

1. public access only by foot or by non-motorized transportation over the Walking Path and the Existing Path, except for the use of motorized wheelchairs or other mobility devices for

the disabled or vehicles used in the construction, maintenance, repair, replacement or relocation of the Walking Path or the Existing Path; and

2. the right to cut or trim trees, shrubbery or vegetation in order to construct and maintain the Walking Path and Path Easement as shown on said Plans and to re-surface the Walking Path and Path Easement with any materials in the Grantor's sole discretion; and

3. the discontinuance and re-location of the Existing Path.

The Grantor's conveyance of these Parcels is based in part on the Grantee's warranty and representation to the Grantor that such Parcels shall be used for residential purposes only and shall, for all intents and purposes, be combined with and considered as one parcel with the abutting property at 15 Weweeder Avenue and shown on Town Assessor's Map 80 as Parcel 30, previously acquired by Grantee by Deed filed with Nantucket Registry District of the Land Court as Document No. 122217 noted on Certificate of Title No. 22797 (collectively with the Parcels, the "Combined Premises"), and that no part of such Parcels or the Combined Premises shall hereafter be used for non-residential purposes nor divided, subdivided or conveyed as a separate parcel or parcels, unless prior written permission is granted by the Town of Nantucket Board of Selectmen and such permission is filed with said Registry District of the Land Court and recorded with said Deeds. Accordingly, the Parcels hereby granted to the Grantee are conveyed subject to permanent restrictions hereby reserved to and held by the Grantor, forever restricting the Parcels and Combined Premises to residential use as defined in Chapter 139 of the Town of Nantucket Code, prohibiting the division or subdivision of any portion of the Combined Premises, and prohibiting the conveyance or use of any portion of the Combined Premises apart from another portion of the Combined Premises, and automatically effectuating a reversion of the Parcels to the Grantor, if within twenty-four (24) months of the date of this Deed, the Parcels have not been merged with the Grantee's existing property in accordance with the Town of Nantucket By-Laws and statutes. These restrictions shall run with the title to the Combined Premises, and no part of the Combined Premises shall be hereafter used, conveyed, divided or subdivided in a manner inconsistent with these restrictions unless prior written release is granted by the Town of Nantucket Board of Selectmen and filed with said Registry District of the Land Court and recorded with said Deeds.

By accepting and recording this Quitclaim Deed, the Grantee expressly agrees to the Grantor's reservation of, and otherwise grants to the Grantor, such restrictions on the use of the Combined Premises. These restrictions shall be enforceable for a term of 200 years from the date hereof, and all of the agreements, restrictions, rights and covenants contained herein shall be deemed to be "other restrictions held by any governmental body," pursuant to G.L. c. 184, §26, such that the restrictions contained herein shall be enforceable for the term of 200 years and not be limited in duration by any contrary rule or operation of law. Nevertheless, if recording of a notice is ever needed to extend the time period for enforceability of these restrictions, the Grantee hereby appoints the Grantor as its agent and attorney in fact to execute and record such notice and further agrees that the Grantee shall execute and record such notice upon request.

The undersigned certifies that there has been full compliance with the provisions of G. L. c. 44 §63A.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For Grantor's title, see Order of Taking dated September 22, 2010 recorded with said Deeds in Book 1250, Page 134 and filed with said Registry District of the Land Court as Document No. 131791, and Order of Taking dated January 23, 2013 recorded with said Deeds in Book 1368, Page 43 and filed with said Registry District of the Land Court as Document No. 139987.

Remainder of Page Intentionally Blank

EXECUTED under seal this _____ day of _____, 2016.

TOWN OF NANTUCKET
BY ITS BOARD OF SELECTMEN

James R. Kelly

Dawn E. Hill Holdgate

Rick Atherton

Robert DeCosta

Matthew G. Fee

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss

On this _____ day of _____, 2016, before me, the undersigned Notary Public, personally appeared James R. Kelly, Dawn E. Hill Holdgate, Rick Atherton, Robert DeCosta and Matthew G. Fee as Members of the Board of Selectmen of the Town of Nantucket, proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as the free and deed of the Board of Selectmen of the Town of Nantucket.

Notary Public
My Commission Expires:

SETTLEMENT STATEMENT

Town of Nantucket ("Seller")
Suzanne McMahon ("Buyer")
Parcel A1, Woodbine Street and Parcel 2A, Weweeder Avenue,
Nantucket, MA (Property)
May 26, 2016 (Closing Date)

Purchase Price: \$ 5,001.00

Less:

Deposit \$ 125.05

Plus:

Payment in Lieu of Tax Adjustment
5/26/-6/30/16 and \$ 20.60
7/1/16-6/30/17

Reimbursement of Town's Legal Fees \$ 1,400.00

Net Amount Due Seller: \$ 6,296.55

Checks:

Town of Nantucket \$ 6,296.55

BUYER:

**SELLER: TOWN OF NANTUCKET
BOARD OF SELECTMEN**

By: _____
Suzanne McMahon

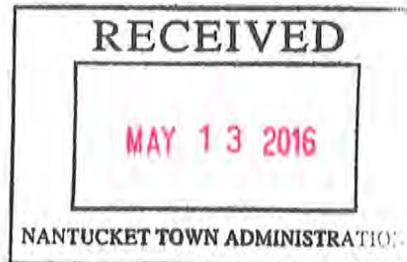


KOPELMAN AND PAIGE, P.C.

The Leader in Public Sector Law

101 Arch Street
Boston, MA 02110
T: 617.556.0007
F: 617.654.1735
www.k-plaw.com

May 11, 2016



John Goldrosen
jgoldrosen@k-plaw.com

Hon. James R. Kelly and
Members of the Board of Selectmen
Nantucket Town Hall
16 Broad Street
Nantucket, MA 02554

Re: Conservation Restriction – The Nature Conservancy to Nantucket Land Council, Inc.
(130 Eel Point Road, Nantucket, MA)

Dear Members of the Board of Selectmen:

I have been asked to review a proposed Conservation Restriction (“CR”) on a parcel of land located at 130 Eel Point Road (Assessors Map 38, Parcel 4 in the Town of Nantucket (the “Property”), and to provide a report to the Board of Selectmen. The CR is being granted by The Nature Conservancy (“Grantor”) to the Nantucket Land Council, Inc. (“NLC”). The Property is approximately 18.3 acres in size. It is shown on Exhibit A to the CR, entitled “Conservation Restriction Plan in Nantucket, MA” (“Plan”), dated June 15, 2015. As explained below, the proposed CR does not grant any interest in the Property to the Town or to the general public, but the CR is being presented to the Board of Selectmen for its approval, before being submitted to the Secretary of Energy and Environmental Affairs for the Secretary’s approval as being in the public interest.

I have been provided with a copy of the proposed CR, including Exhibit A as described above. It is my understanding that the Division of Conservation Services (“DCS”) has given preliminary approval to the CR. I have also reviewed the deed by which the Grantor acquired the Property, and a Land Court plan (L.C. No. 15400A) that shows abutting parcels. I recommended to the NLC that some minor revisions and corrections be made to the CR, and I have reviewed the final version that incorporates those changes. I approve the final CR as to form.

The CR describes the conservation values that will be protected by the CR and that support the approval of the CR as being in the public interest. The Property is adjacent to other parcels, with a total of approximately 264 acres, on which NLC already holds a conservation restriction. (Following the recording of this CR, it is the intent of The Nature Conservancy to convey the fee interest in the Property to the Linda Loring Nature Foundation, which also owns most of the adjacent parcels that are subject to NLC’s existing conservation restriction.) Therefore, the CR will contribute to the protection of the scenic and natural character of the surrounding and abutting parcels that are already restricted, by providing significant open space corridors. The CR will also

Hon. James R. Kelly and
Members of the Board of Selectmen
May 11, 2016
Page 2

contribute to the protection of water quality by limiting the development of land and thereby reducing nutrient and pollutant runoff to Nantucket Sound to the north and Head of Long Pond to the southeast of the Property. The entire Property is within areas mapped as Priority Habitat for protected species by the Massachusetts Natural Heritage and Endangered Species Program. In particular, the Property is comprised of sandplain grassland and coastal heathland, with a mix of coastal shrub understory that provides unique foraging and nesting habitat to bird, mammal and insect species. Preservation of the Property through the acquisition of a CR is consistent with the open-space protection objectives of the Nantucket Master Plan, the Nantucket Comprehensive Community Plan, and Nantucket's Goals and Objectives for Balanced Growth.

With the exceptions described in the next paragraph, activities prohibited within the Property by the CR include the construction of temporary and permanent buildings or other structures; excavation and removal of soils, sand, and gravel; cutting or removing trees, grasses, and other vegetation (except for limited mowing and cutting to manage the wildlife species or habitat, subject to NLC's permission); the use of pesticides and fertilizers, and the use of all motorized vehicles and activities (including motorcycles, motorized trail bikes, and snowmobiles), except for public safety and other government vehicles, as well as vehicles used for exercising permitted reserved rights.

Notwithstanding the general prohibitions of various activities, the CR preserves the rights of the Grantor and its successors and assigns to make use of the Property for several purposes. The clearing, maintenance, and use of fire breaks, trails, clearings, and unpaved roads on the Property are allowed, to the extent that those activities are reasonably necessary for the permitted uses, provided that the activities do not alter the present condition of the Property or harm wildlife habitat. The development of new trails or roads, and the control of invasive species by mechanical and/or chemical means, is allowed, subject to NLC's approval. Dead and diseased trees may be removed, in a manner that does not alter the character of the natural vegetation. The Grantor retains the right to allow walking and other passive educational and recreational activities, on foot. Scientific research is allowed, and existing solar panels, which provide power for water quality testing, may be maintained, repaired, and replaced. Hunting is permitted.

As the Grantee of the CR, NLC has the right to enforce compliance with the terms of the CR. As noted above, certain activities within the Property are permitted only with the prior approval of NLC. The CR does not grant any enforcement authority to the Town, nor does the CR grant any public right of access to, or use of, the Property. NLC has a limited right of access to the Property for the purpose of inspecting and ensuring compliance with the CR. The CR runs with the Property, in perpetuity, and is enforceable against the original Grantor and its successors and assigns. The terms of the CR are to be incorporated in any deed conveying an interest in the Property, and NLC is to be notified of any transfer of interests.

Where the CR is to be held by a charitable corporation (i.e., NLC) and not by the Town itself, G.L. c. 184, §32 requires that the CR must be approved by the Board of Selectmen, as well by as the

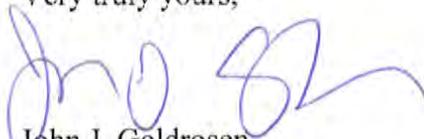
KOPELMAN AND PAIGE, P.C.

Hon. James R. Kelly and
Members of the Board of Selectmen
May 11, 2016
Page 3

Secretary of Energy and Environmental Affairs, as being in the public interest. For this reason, the CR is being submitted to the Board of Selectmen for your approval and signatures. After you have approved and signed the CR, it will then be submitted to the Secretary by NLC and, upon the Secretary's approval, will be recorded in the Nantucket Registry of Deeds.

Please feel free to contact me with any questions concerning this matter.

Very truly yours,



John J. Goldrosen

JJG/eon

cc: Town Manager
Cormac Collier (Nantucket Land Council, Inc.)
554661/NANTCR/0021

Grantor: The Nature Conservancy. Boston, MA
Grantee: Nantucket Land Council, Inc.
Nantucket, MA
Property Address: 130 Eel Point Road Nantucket, MA
Title Reference: Book 0504 Page 187

The Nature Conservancy, a non-profit corporation organized under the laws of the District of Columbia ("Grantor"), with its offices located at 4245 North Fairfax Drive, Suite 100, Arlington, VA 22203-1606, and with Massachusetts Chapter offices at 99 Bedford Street, Fifth Floor, Boston, MA 02111, its successors and assigns, acting pursuant to Sections 31, 32, and 33 of Chapter 184 of Massachusetts General Laws, for One Dollar and other good and valuable consideration, grants with quitclaim covenants, to the Nantucket Land Council, Inc., a Massachusetts non-profit corporation, whose purposes include conservation of land in Nantucket County, Massachusetts, with its offices located at 6 Ash Lane, Nantucket, Massachusetts, its successors and permitted assigns ("Grantee") in perpetuity and exclusively for conservation purposes, the following described Conservation Restriction on a parcel of land located in the County of Nantucket, Massachusetts. A plot plan prepared by Blackwell & Associates dated June 15, 2015 depicts the parcel as "Restricted Area" which is subject to the Conservation Restriction hereunder and is attached hereto as Exhibit A (the "Premises").

For Grantor's title see Book 0504 Page 187 at the Nantucket Registry of Deeds.

Grantee warrants that Grantee is a charitable organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations thereunder (the "Code"), whose primary purpose is "To encourage, support and engage in research, study, and education regarding land in the County of Nantucket ...and to engage in, institute, defend and to support in any legal manner or way any litigation or administrative procedures regarding such land, its ownership and utilization; and to engage in such other activities as are necessary or reasonably appropriate thereto."

Grantee represents that Grantee is a “qualified organization,” as that term is defined in Section 170(h)(3) of the Code; and Grantee has received a determination letter from the Internal Revenue Service dated November 24, 2003, to the effect that Grantee is a “publicly-supported” organization described in Section 509(a)(1) and Section 170(b)(A)(vi) of the Code, and is not a private foundation under Section 509(a)(1) of the Code; and

Grantee holds a Conservation Restriction on 264 acres of abutting registered land owned by the Linda Loring Nature Foundation (the “Foundation”) and Linda Loring, said restriction being filed on April 4, 2007 as Document # 120125 in the Nantucket Registry District of the Land Court. Grantee acknowledges Grantor’s intent to donate the fee interest in the Premises to the Foundation immediately following the recording of this instrument; and

Grantor and Grantee recognize the natural, scenic, and special character of the Premises and have the common purpose of the conservation and protection in perpetuity of the Premises through the use of restrictions on the Premises;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, in consideration of the above and mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to Section 170(h) of the Code and the laws of the Commonwealth of Massachusetts, including Massachusetts General Laws, Chapter 184, Sections 31-33, Grantor hereby voluntarily grants and conveys to Grantee and its successors and permitted assigns a conservation restriction (the “Restriction” or “Conservation Restriction”) in perpetuity and for conservation purposes over the Premises. Grantor herein declares that the Premises shall be held, mortgaged, encumbered, transferred, sold, conveyed, used, and occupied subject to the covenants, conditions, and restrictions hereinafter set forth, which covenants, conditions, and restrictions shall be deemed to run with the land in perpetuity and to burden the Premises in perpetuity.

A. Purposes.

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained substantially in its current condition in perpetuity and for conservation purposes, predominantly in a natural, scenic and undeveloped condition, and to prevent any use or change that would materially impair or interfere with its conservation and preservation values.

The specific conservation values of the Premises are documented in a report to be kept on file at the offices of Grantee and incorporated herein by this reference, which documentation (“Baseline Documentation”) the parties agree provides an accurate representation of the Premises as of the effective date of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant,.

This Conservation Restriction is intended to protect the aforementioned natural and scenic resources of the Premises and Nantucket by restricting the size and extent of buildings; by prohibiting practices such as commercial agriculture and raising of animals which can damage or alter natural plant communities; and by encouraging conservation of the land in its predominantly vacant and undeveloped condition. These values include the following:

- **Open Space Preservation.** The protection of the Premises contributes to the protection of the scenic and natural character of surrounding and abutting permanently protected land and other Nantucket protected lands, and the protection of the Premises will enhance the open-space value of these lands, provide significant open space corridors and improve the overall public benefit and value of open space in the neighborhood.
- **Water Quality.** The Premises are located on Nantucket Island which has an EPA designated sole source aquifer for the use of its inhabitants. Protection of the Premises will further protect the water quality of the aquifer and surrounding wells. Protection of the premises will also reduce nutrient and pollutant leaching and runoff which will protect down gradient water sources including the Nantucket Sound to the north and Head of Long Pond to the southeast.
- **Protection of Wildlife Habitat.** The entire Premises falls within an area designated as “Priority Habitat for State-Protected Rare Species” by the Massachusetts Natural Heritage Program. The Premises provide a unique natural habitat for a wide variety of plant and animal species. The Premises are comprised of a globally rare sandplain grassland and coastal heathland, with a mix coastal shrub understory consisting of huckleberry, viburnum, black cherry, low bush blueberry and scrub oak which provides unique foraging and nesting habitat to bird, mammal and insect species.
- **Furtherance of Government Policy.** Preservation of the Premises is pursuant to clearly delineated conservation policy expressed in Nantucket’s Master Plan, adopted by Nantucket’s voters at the Annual Town Meeting in April 2009, which states in the Town of Nantucket 2007 Open Space and Recreation Plan as Goal/Objectives 1C: “The town should encourage the use of creative regulatory and non-regulatory land protection tools such as conservation restrictions, tax abatements, gifts and zoning measures.”; and in *The Nantucket Comprehensive Community Plan* (NCCP), including the following objectives

therein: Objective 4.1, "To aggressively acquire land and conservation restrictions to protect natural ecosystems;" Objective 4.2, "To encourage land management activities by the Land Bank and nonprofit entities to provide permanent resource protection;"

Preservation of the Premises as open space is further pursuant to clearly delineated governmental conservation policy in accordance with "Nantucket's Goals and Objectives for Balanced Growth" which was adopted in November 1990 by Town Meeting and states as Objective A-1: "To identify and acquire critical open spaces through outright ownership or by less-than-fee means, such as conservation restrictions, scenic easements, and the purchase of development rights, in order to complete the Island's open space network."

B. Prohibited Uses:

Except for reserved rights as set forth in Paragraph C below, neither Grantor, nor the heirs, devisees, successors or assigns of Grantor, will perform or give permission to others to perform the following acts or uses which are prohibited on, under, or above the Premises:

(1) The construction or placement of any temporary or permanent building, landing strip, helicopter landing area, tennis court, mobile home, swimming pool, asphalt or concrete pavement, stadium, bleachers, outdoor lighting equipment, ropes course, sign, billboard, or other advertising display, utility pole, utility tower, utility conduit or utility line, windmills, septic system, or any other temporary or permanent structure on, above, or under the Premises;

(2) Excavating, mining, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit except as necessary for proper drainage or soil conservation and then only in a manner which does not impair the Purpose of this Conservation Restriction;

(3) Placing, filling, storing or dumping on the Premises of soil, refuse, trash, boats, trailers, vehicle bodies or parts, rubbish, debris, junk, waste or other substance or material whatsoever or the installation of underground tanks;

(4) Cutting, removing or otherwise destroying trees, grasses or other vegetation on the Premises;

(5) Activities detrimental to drainage, flood control, water conservation, water quality, erosion control or soil conservation;

(6) The use of motorcycles, motorized trail bikes, snowmobiles and all other motorized vehicles and activities;

- (7) The placement and maintenance of bee hives;
- (8) Division or subdivision of the Premises, except for transfer for all or a portion of the land to a conservation organization, and no portion thereof or any other parcel to be used for building or zoning requirements;
- (9) All commercial and municipal structures and all commercial or industrial activities and uses;
- (10) Any work, including, but not limited to, filling and/or construction of roads, in wetlands as defined by the Wetlands Protection Act (Chapter 131, Section 40) or the Nantucket Wetlands Bylaw (Chapter 136 of the Nantucket Code);
- (11) The use of the Premises for more than *de minimis* commercial recreation, business, residential or industrial use of the Premises.
- (12) The use of pesticides and fertilizers; and
- (13) Any other use of the Premises or activity which would materially impair conservation interests unless necessary for the protection of the conservation interests that are the subject of this Conservation Restriction.

C. Reserved Rights:

The provisions of Paragraph B notwithstanding, the following acts and uses by Grantor and the heirs, devisees, successors and assigns of Grantor are permitted provided they do not materially impair the conservation interests or purposes of this Conservation Restriction or are not considered inconsistent with the intent of this grant:

- (1) The right to excavate and remove soil, gravel or other mineral resource or natural deposit only as may be necessary for the conduct of those uses and activities permitted in this Conservation Restriction, or for the maintenance of good drainage, soil conservation practices or other permissible use of the Premises; provided that following the completion of such use or activity any disturbed area shall be restored to its prior undisturbed condition;
- (2) The right to excavate a known archaeological site identified by and under the direction of the Massachusetts Historical Commission and if applicable a qualified organization such as according to Massachusetts Regulations 950 CMR 70;
- (3) The clearing, maintenance and use of fire breaks, trails, clearings, and unpaved roads on the Premises as reasonable necessary for the uses herein permitted; trails, clearings or unpaved roads shall not in the reasonable opinion

of the Grantee, substantially alter the present condition of the Premises or harm wildlife habitat or natural vegetation nor place at risk the habitat of any rare or endangered species as identified by the Massachusetts Natural Heritage Program or its successors. The construction of new trails or roads are allowed subject to a plan approved by Grantee in accordance with Paragraph E hereof;

(4) Hunting in accordance with then applicable local, state and federal regulations;

(5) The right to conduct any activity, such as selective cutting, grazing, mowing or burning, which is used to manage the habitat of any threatened or rare species, as identified by the Massachusetts Natural Heritage Program or its successors, and/or any other natural plant community on Nantucket and/or to enhance or manage wildlife. Such activity shall be undertaken only with the express written permission of Grantee in accordance with Paragraph E and under the guidance of Grantee, which may include conditions or limitations to protect wildlife, natural vegetation and environmental systems, and such activity may include the limited erection of nest boxes or osprey poles;

(6) The right to control noxious or invasive plant and animal species by mechanical and/or chemical means on the Premises only pursuant and subject to a plan approved by Grantee in accordance with Paragraph E hereof;

(7) The right to walk and conduct other passive educational and recreational activities on foot;

(8) The right to remove diseased and dead trees only in a manner that maintains the character of the natural vegetation existing on the Premises on the date of this Conservation Restriction;

(9) The right to survey and to conduct scientific research, including but not limited to, the maintenance, repair, and replacement of existing solar panels to generate power for atmospheric deposition water quality testing;

(10) The right to erect signs which are no greater than twelve (12) inches square, to inform and educate the public;

(11) The use of motor vehicles only as necessary and solely for exercising any of the reserved rights in this Paragraph C or as necessary by the police, firefighters, Board of Health agents, Department of Environmental Protection personnel, or other governmental agents in carrying out their lawful duties.

Certain reserved rights under this Paragraph C may require permits from one or more public agencies. The inclusion of any such rights herein does not imply that

Grantee or the Commonwealth takes any position on whether any such permit should be issued.

D. Prior Notice to Grantee. Grantor agrees to notify Grantee, in writing, before exercising any right reserved herein, the exercise of which may have a significant impact upon the conservation interests associated with the Premises.

E. Notice and Approval. Whenever notice to or approval by Grantee is required under the provisions of Paragraphs B, C, or D, Grantor shall notify Grantee in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question; however, Grantee may waive or lessen the required period of time, provided said waiver is obtained in writing prior to the initiation of such activity. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold its approval in writing within sixty (60) days of the receipt of Grantor's written request. Grantor's written request shall specifically recite the length of time provided by this Conservation Restriction for review and response by Grantee. Grantee's approval shall not be unreasonably withheld, but it shall only be granted upon a showing that the proposed activity shall not materially impair the purposes of this Conservation Restriction. Failure of Grantee to respond in writing within sixty (60) days shall be deemed to constitute approval by Grantee of the request as submitted, so long as there exists no violation hereunder and the request sets forth the provisions of this section relating to deemed approval after sixty (60) days in the notice.

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor: The Nature Conservancy
99 Bedford Street, 5th Floor
Boston, MA 02111
Attn: Legal Department

To Grantee: Nantucket Land Council, Inc.
Post Office Box 502
Nantucket, Massachusetts 02554
Attn: Cormac Collier

or to such other address as either party from time to time shall designate by written notice to the other.

F. Breach by Grantor.

In the event that a potential breach of this Conservation Restriction by the Grantor, by a third party employed by the Grantor, or by a party under contract to the Grantor, comes to the attention of Grantee, and Grantee in the exercise of its best professional judgment concludes that a breach may have occurred or is occurring, Grantee shall notify Grantor in writing of such an alleged breach. Except in the event of an emergency which requires immediate action, Grantor shall have thirty (30) days - or such additional time as Grantee deems reasonably necessary depending on the circumstances of the alleged breach - after delivery of such notice to initiate corrective actions, including restoration of the Premises, that are reasonably calculated to correct swiftly the conditions constituting such a breach. If Grantor fails to initiate such corrective action within such time, Grantee may in its discretion undertake such actions, including appropriate legal proceedings as are reasonably necessary to effect the correction of each such alleged breach. If a court of competent jurisdiction determines, or the Grantor acknowledges, that such correction resulted from Grantor's violation of this Conservation Restriction, then Grantee's costs of each such correction, including Grantee's expenses, court costs, survey costs and legal fees, shall be paid by Grantor.

G. Acts Beyond Grantor's Control; Third Party Breach.

Nothing contained in this Conservation Restriction shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Premises resulting from causes beyond Grantor's control, including, but not limited to, fire, flood, storm, earth movement, and acts caused by trespass on the Premises not contributed to by acts or omissions of Grantor, or from any prudent action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Premises resulting from such causes. Parties to this Conservation Restriction agree that in the event of damage to the Premises from acts beyond the Grantor's control, that if it is desirable that the Premises be restored, the parties will cooperate in attempting to restore the Premises if feasible.

H. Extinguishment

(1) If circumstances arise in the future such as render the Purpose of this Conservation Restriction impossible to accomplish, this Conservation Restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law. If any change in conditions ever gives rise to extinguishment or other release of this Conservation Restriction

under applicable law, then Grantee, on the first subsequent sale of the Premises following termination or extinguishment, shall be entitled to a portion of the proceeds in accordance with subparagraphs (2) and (3) of this Paragraph H, subject, however, to any applicable law which expressly provides for a different disposition of proceeds. Grantee shall use its share of the proceeds to advance the conservation of Nantucket lands and waters in a manner consistent with the conservation purposes set forth herein.

(2) Grantor and Grantee agree that the grant of this Conservation Restriction gives rise to a real property right, immediately vested in Grantee, with a value that is determined by the ratio of the consideration recited herein for this Conservation Restriction to the assessed value ascribed by the Nantucket Assessor to the Premises on the effective date of this grant. Such ratio (hereinafter, the "proportionate value") shall be included in the Baseline Documentation and shall remain constant over time.

(3) Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds (including, for purposes of this subparagraph, proceeds from any lawful sale of the Premises unencumbered by the restrictions hereunder) shall be distributed between the Grantor and the Grantee in shares equal to said proportionate value.

I. Access. The Conservation Restriction hereby conveyed does not grant to the Grantee, to the public generally, or to any other person any right to enter upon the Premises, except as follows: there is hereby granted to the Grantee and its representatives the right to enter the Premises at reasonable times and in a reasonable manner, for the purpose of inspecting the Premises to determine compliance herewith, of enforcing this Conservation Restriction, and after thirty (30) days prior written notice of taking any and all actions with respect to the Premises as may be necessary or appropriate with or without order of court, to remedy, abate or otherwise enforce any violation hereof. Nothing herein, however, shall impair any rights of others or of the public generally now existing in any portion of the Premises, and shall in no way limit, amend or alter the legal authority of the Grantee to access the Premises of the Grantor, its successors and assigns.

J. Legal and Equitable Remedies of Grantee. The rights hereby granted shall include the right to enforce this Conservation Restriction in accordance with its terms, including by appropriate legal proceedings and to obtain injunctive and other equitable relief against violations, including, without limitation, relief

requiring restoration of the Premises to its condition prior to the time of the injury complained of (it being agreed that Grantee shall have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to Grantee. Grantee shall attempt to resolve issues concerning violations through negotiations with Grantor prior to resorting to legal means. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and permanent monumentation of the boundaries.

Grantor covenants and agrees to reimburse Grantee for those reasonable costs and expenses (including without limitation counsel fees) incurred by Grantee in enforcing this Conservation Restriction or in remedying or abating any violation thereof, provided Grantor has been determined by final judgment (after all appeal periods have passed) of a court of competent jurisdiction or by mutual agreement of Grantor and Grantee to be responsible for any such violations which resulted in Grantee's incurring enforcement, remediation or abatement costs.

By its acceptance of this Conservation Restriction, Grantee does not undertake any liability or obligation relating to the condition of the Premises not caused by the Grantee or Grantee's agents pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts which are not caused by the Grantee or anyone acting under the direction of the Grantee.

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any forbearance by Grantee in the manner and timing of its rights to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

K. Severability. If any provision of this Conservation Restriction shall to any extent be held invalid, the remainder shall not be affected and shall remain in full force and effect.

L. Duration and Assignability. The burdens of this Conservation Restriction shall run with the Premises in perpetuity and shall be enforceable in perpetuity against the original Grantor, all successors and assigns of the original Grantor holding any interest in the Premises, and third parties as described in this Conservation Restriction. Grantee is hereby authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction, and the original Grantor, and all successors in title or interest to the Premises, to the extent permissible under applicable law, appoints Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the original Grantor and all successors in title or interest to the Premises, agrees to execute any such instruments upon request.

The benefits of this Conservation Restriction shall be in gross and assignable, but only to an entity or governmental unit able and authorized to enforce such restrictions, which entity shall also have purposes similar to those of Grantee and which encompass the purposes set forth in this Conservation Restriction. Such entity or governmental unit must qualify under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and under Section 32 of Chapter 184 of the Massachusetts General Laws as an eligible donee to receive this Conservation Restriction directly. Any assignment of benefits by Grantee (or successor) must require the transferee to carry out the purposes of this Conservation Restriction. Furthermore, no assignment by the Grantee of this Conservation Restriction shall be effective unless previously approved in writing by the Nantucket Selectmen and by the Grantor, whose approval will not be unreasonably withheld. Any assignment shall be in accordance with Article 97 of the Amendments to the Massachusetts Constitution if applicable.

M. Effective Date. While the Grantor may execute this instrument prior to obtaining title to the Premises and the receipt of final acceptance and approvals of this Conservation Restriction, this Conservation Restriction shall be effective only when Grantor has obtained such title, Grantor and Grantee have both executed this Conservation Restriction, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded at the Nantucket Registry of Deeds.

N. Subsequent Transfers. Grantor agrees:

(1) to incorporate by reference the terms of this Conservation Restriction into any deed or other legal instrument which divests Grantor of any interest in all or a portion of the Premises, including, without limitation, a leasehold interest, and

(2) to make reference to this Conservation Restriction in any executory contract for the transfer of any interest in the Premises. Grantor further agrees to give written notice to Grantee of all transfers of any interest in all or a portion of the Premises and to provide such notice forthwith upon every transfer if such notice has not been given prior to a transfer. Such notice to Grantee shall include the name, address and telephone number of the transferee and his/her legal representative, if any. Failure of Grantor to comply with this Paragraph N shall not impair the validity of this Conservation Restriction or limit its enforceability in any way.

O. Estoppel Certificates. Upon request by Grantor, Grantee shall within twenty (20) days execute and deliver to Grantor any document which certifies the status of Grantor's compliance with any obligation of Grantor contained in this

Conservation Restriction and which otherwise evidences the status of this Conservation Restriction, as may be reasonably requested by Grantor, including a so-called estoppel certificate if applicable in form suitable for recording at the Nantucket Registry of Deeds

P. Limitation of Grantor Liability. The Grantor shall not be liable for violations occurring after its, his or her ownership. Liability for any acts or omissions not excepted by operation of Paragraphs F or G hereof occurring prior to any transfer and liability preceding any transfer if in violation of this Conservation Restriction and not excepted by operation of Paragraphs F or G hereof shall survive the transfer. Irrespective of the above, any new owner of the Premises shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s).

Q. Non Merger. The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner to ensure that merger does not occur and that the Conservation Restriction continues to be enforceable. If it is determined that a transfer or assignment of any interest will result in a merger, no deed shall be effective until this Conservation Restriction has been assigned to a non-fee owner or other action taken to avoid a merger and preserve the terms and enforceability of this Conservation Restriction. It is the intent of the parties that the Premises will be subject to the terms of this Conservation Restriction in perpetuity, notwithstanding any merger.

R. Successor Grantee. If Grantee shall cease to exist or to be a qualified organization under Section 170(h) of the Internal Revenue Code of 1986, as amended, or to be authorized to acquire and hold conservation restrictions under M.G.L. Chapter 184, Section 32, as amended, and a prior assignment of this Conservation Restriction has not been made, then Grantee's rights and obligations under this Conservation Restriction shall become vested in and fall upon the first (by order of listing) of the below-named organizations which agrees to acceptance of the assignment and which qualifies for assignment under the terms of this paragraph, and such vesting shall have been previously approved in writing by the Nantucket Board of Selectmen:

- (a) Nantucket Conservation Foundation, Inc., Nantucket, Massachusetts
- (b) Nantucket Islands Land Bank, Nantucket, Massachusetts
- (c) The Nature Conservancy, Boston, Massachusetts

In the event that none of the above-named organizations agrees to acceptance and qualifies for assignment, Grantee's rights and obligations shall become vested in such other organization, previously approved in writing by the

Nantucket Board of Selectmen and by the Grantor, whose approval will not be unreasonably withheld, as a court of competent jurisdiction shall direct under the doctrine of cy pres.

S. Restriction in Perpetuity. The provisions hereof shall inure to and be binding upon the heirs, executors, devisees, administrators, successors and assigns as the case may be of the parties hereto and shall be restrictions running with the land in perpetuity. The term "Grantor" herein, unless the context or wording otherwise requires, shall include all successors and assigns. The term "Grantee" herein, unless the context or wording otherwise requires, shall include all successors and assigns of the original Grantee Nantucket Land Council, Inc.

T. Amendment. If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and the Town of Nantucket, and if applicable, shall comply with the provisions of Art. 97 of the Amendments to the Massachusetts Constitution, and any gift, grant or funding requirements. Any amendment shall be recorded at the Nantucket Registry of Deeds.

U. Controlling Law The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

V. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Massachusetts General Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

W. Recordation. The Grantee shall record this instrument in timely fashion at the Nantucket Registry of Deeds.

X. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

Y. Pre-Existing Public Rights. Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

The foregoing Conservation Restriction is hereby executed by the undersigned, as a sealed instrument under Massachusetts law.

WITNESS my hand and seal this 3rd day of May 2016.

THE NATURE CONSERVANCY

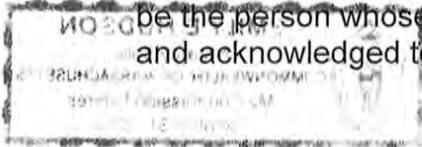
Wayne Klockner

Wayne Klockner, Massachusetts State Director

COMMONWEALTH OF MASSACHUSETTS

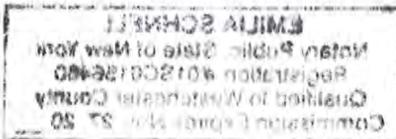
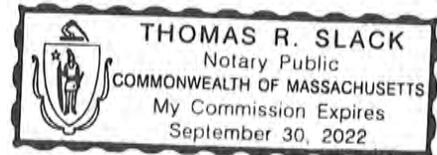
Suffolk, ss. , 2016.

On this 3rd day of May, 2016, before me, the undersigned notary public, personally appeared Wayne Klockner, proved to me through satisfactory evidence of identification, which were known personally, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Thomas R. Slack / Thomas R. Slack
Notary Public (Print Name)

My Commission Expires:



ACCEPTANCE OF GIFT BY THE NANTUCKET LAND COUNCIL, INC.

The gift of the above Conservation Restriction from The Nature Conservancy is hereby accepted this ___ day of ___, 2016.

Nantucket Land Council, Inc.

By:

Officer's Name

[Signature]

Officer's Name

[Signature]

COMMONWEALTH OF MASSACHUSETTS

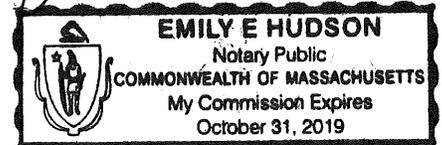
Nantucket, ss.

On this 13 day of MAY, 2016, before me, the undersigned notary public, personally appeared LUCY DILLON, proved to me through satisfactory evidence of identification, which were SELF, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

EMILY HUDSON
(Print Name) Notary Public

[Signature]

My Commission Expires: 10/31/19



State of NEW YORK
COMMONWEALTH OF MASSACHUSETTS

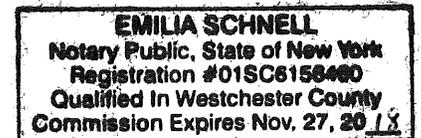
Nantucket, ss.

On this 12th day of May, 2016, before me, the undersigned notary public, personally appeared Howard N. Blitman, proved to me through satisfactory evidence of identification, which were self, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

Emilia Schnell
(Print Name) Notary Public

[Signature]

My Commission Expires: 11/27/18



APPROVAL BY BOARD OF SELECTMEN OF THE TOWN OF NANTUCKET

We, the undersigned members of the Board of Selectmen of the Town of Nantucket, Massachusetts, hereby certify that at a meeting held on _____, 2016, the Board of Selectmen voted to approve the foregoing Grant of Conservation Restriction by The Nature Conservancy to the Nantucket Land Council, Inc., pursuant to Massachusetts General Laws, Chapter 184, Section 32, as being in the public interest.

Board of Selectmen of the
Town of Nantucket



COMMONWEALTH OF MASSACHUSETTS

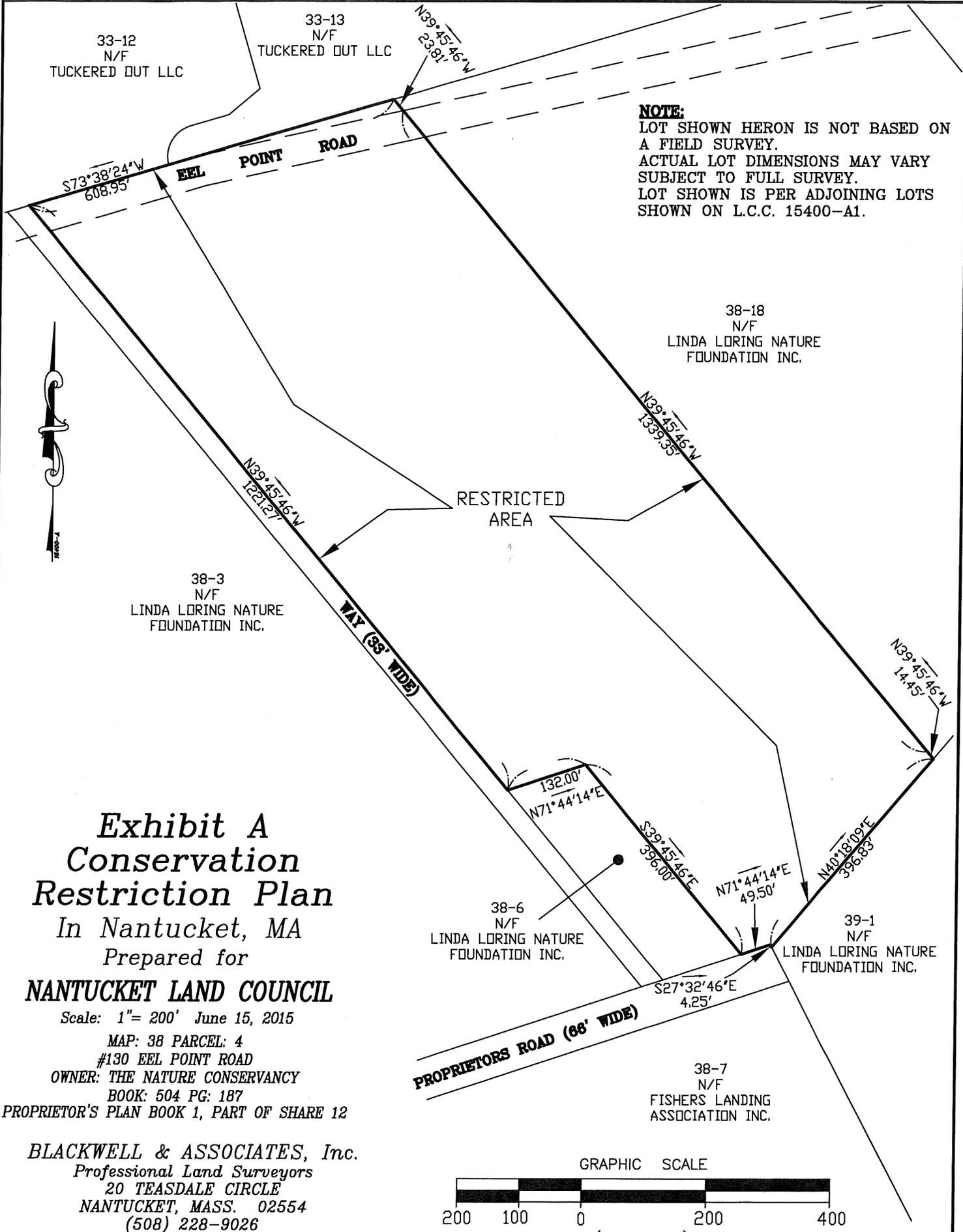
NANTUCKET, ss. _____, 2016

On this ____ day of _____, 2016, before me, the undersigned notary public, personally appeared

proved to me through satisfactory evidence of identification, which were _____, to be the person(s) whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a member of the Board of Selectmen for the Town of Nantucket.

Notary Public

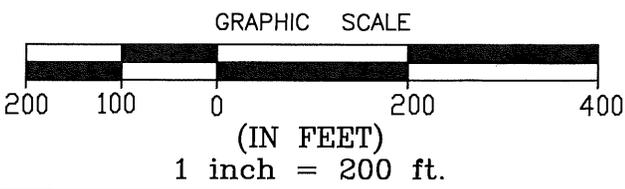
My Commission Expires: _____



**Exhibit A
Conservation
Restriction Plan
In Nantucket, MA
Prepared for
NANTUCKET LAND COUNCIL**

Scale: 1" = 200' June 15, 2015
 MAP: 38 PARCEL: 4
 #130 EEL POINT ROAD
 OWNER: THE NATURE CONSERVANCY
 BOOK: 504 PG: 187
 PROPRIETOR'S PLAN BOOK 1, PART OF SHARE 12

BLACKWELL & ASSOCIATES, Inc.
 Professional Land Surveyors
 20 TEASDALE CIRCLE
 NANTUCKET, MASS. 02554
 (508) 228-9026



Material Analysis - FY16 YTD (As of May 20, 2016)

DPW Customer	Actual Wgt	Total (\$)	%
1. TOSCANA CORP.	19,277	579,272	90%
2. JOHN KEANE PROPERTY MANAGEMENT	1,056	31,691	5%
3. TUCKET TREE CARE	83	2,498	0%
4. ATLANTIC LANDSCAPING	79	2,369	0%
5. VALERO & SONS INC	66	1,977	0%
Total Top Five Customers	20,562	617,806	96%
Total Other Customers	753	22,586	4%
Total All Customers	21,314	640,392	100%

REAL ESTATE SUMMARY
BOARD OF SELECTMEN
May 18, 2016 by Andrew Vorce, AICP

IX. PUBLIC HEARINGS

2. Public Hearing to Consider the Taking of Various Paper Streets for Public Access, Open Space and/or General Municipal Purposes as Authorized by MGL Chapter 79 and Town Meeting Votes as Noted:

a) Sesachacha Road between Northern Sideline of Beach Road and Southern Sideline of Proprietors Road, and Ocean Road between Northern Sideline of Beach Road and its Northern Terminus as Shown on Plan No. 2016-5, Recorded with Nantucket County Registry of Deeds and Authorized by Vote on Article 96 of 2014 Annual Town Meeting.

These two paper streets are part of the 1920s Norcross subdivision in Quidnet and run parallel to the shore. They serve no purpose and removing them will allow consolidation of ownership across their boundary. Eventual disposition would be proposed as part of the One Big Beach program linking northern and southern Land Bank parcels.

b) Mayhew Road between Southwestern Sideline of Old Tom Nevers Road and a Line Extending the Northern Property Lines of Assessor Map 92.4, Parcels 190 and 214, and Central Road (a.k.a Surrey Avenue) between Southwestern Sideline of Old Tom Nevers Road and Northeast Sideline of Nichols Road, and Portion of Hampshire Road (a.k.a Macey Road), all as Shown on Plan No. 2015-106, Recorded with said Deeds and Authorized by Vote of Article 96 of 2014 Annual Town Meeting.

These grid streets are part of the 1916 division of Tom Nevers and are no longer needed for the low density pattern that has developed. The land of the former roads can be allocated to abutting undersized, pre-existing non-conforming lots.

c) Proprietors Road (a.k.a. Chase Lane in Quidnet) as Shown as Parcels A, B and C on Plan No. 2015-88, Recorded with said Deeds and Authorized by Vote of Article 96 of 2014 Annual Town Meeting.

Three lots within Chase Lane are included in the proposed action which will narrow the width of this rural roadway, which has only recently been open to additional traffic. This section of Chase serves a small number of homes, some that have frontage directly on Quidnet Road. Retaining it as a narrow country lane is consistent with the wishes of the abutters and the low density area that it serves.

d) Heller Way and Reedy Pond Lane between Western Sideline of Cudweed Road and Walbang Avenue, and Cudweed Road between a Line Extending the Northern Property Line of Assessor Map 82, Parcel 145 Across said Way to its Southern Terminus (Cisco), all as Shown on

Plan No. 2015-87, Recorded with said Deeds and Authorized by Vote of Article 96 of the 2014 Annual Town Meeting.

Acquisition of proposed and never to be constructed subdivision roads in the Moorland Management District will primarily consolidate open space and remove a roadway that traverses a pond.

e) Weweeder Avenue between Eastern Sideline of Surfside Road and Centerline of Naushon Way as Shown on Plan No. 2015-85, Recorded with said Deeds and Authorized by Vote of Article 98 of 2011 Annual Town Meeting.

These two remaining parcels are remnants of the 1880s Surfside plan and no longer needed for roadway purposes because of low density development and elimination of connecting roads to the south and east.

e) Lovers Lane as Shown as Parcels A, B and C on Plan No. 2014-107, Recorded with said Deeds and Authorized by Vote of Article 102 of 2015 Annual Town Meeting.

This section of Lovers Lane has not been opened and serves a reduced number of homes than in the originally planned 1880s Surfside plan. Clifford Street, now a public street to the east, provides sufficient north/south access and the section of Lovers Lane to the north of this locus (between Weweeder and Pochick Avenues) has already been removed. A small scale beach path is proposed to be retained for future pedestrian access.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF SESACHACHA ROAD AND OCEAN ROAD

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 96 at its 2014 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Sesachacha Road and Ocean Road described below (“Parcels”) is required for general municipal purposes and/or public access purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Roadway Acquisition Plan in Nantucket, MA, Taking Plan of Sesachacha Road and Ocean Road,” dated December 21, 2015, prepared by J. Marcklinger & Associates and recorded with the Nantucket Registry of Deeds as Plan No. 2016-5 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 76A	Sesachacha Road	449± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 63	Marlin Miller, Jr.	Book 287, Page 194
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 78A	Sesachacha Road	928± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 78	Nantucket Islands Land Bank	Book 547, Page 116

And

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 65	Nantucket Islands Land Bank	Certificate of Title No. 18034

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 80A	Sesachacha Road	454± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 64	Nantucket Islands Land Bank	Certificate of Title No. 23378

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 80A	Sesachacha Road	1,456± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 99	Marlin Miller, Jr., Trustee of Quidnet Property Nominee Trust	Certificate of Title No. 23481

And

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 66	Marlin Miller, Jr., Trustee of Quidnet Property Nominee Trust	Certificate of Title No. 23481

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 84A	Sesachacha Road	1,336± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcels 67, 68, 100 and 101	Quidnet Properties, LLC	Certificate of Title No. 24746

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 84B	Ocean Road	486± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 68	Quidnet Properties, LLC	Certificate of Title No. 24746

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 86A	Sesachacha Road	1,600± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 102	Derek E. Till & Stephen E. Till, Trustees of the Drumlin Realty Trust u/d/t dated December 12, 1997 recorded with said Deeds in Book 558, Page 344	Book 559, Page 1

And

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 103	Derek E. Till & Stephen E. Till, Trustees of the Drumlin Realty Trust u/d/t dated December 12, 1997 filed with Nantucket Registry District of the Land Court as Document No. 78816	Certificate of Title No. 18240

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 86B	Ocean Road	1,600± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcels 103 And 69	Derek E. Till & Stephen E. Till, Trustees of the Drumlin Realty Trust u/d/t dated December 12, 1997 filed with Nantucket Registry District of the Land Court as Document No. 78816	Certificate of Title No. 18240

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 88A	Sesachacha Road	1,034± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 109	Susan Cooper Cronyn	Certificate of Title No. 24169

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 88B	Ocean Road	995± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcels 109 And 70	Susan Cooper Cronyn	Certificate of Title No. 24169

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 90A	Sesachacha Road	1,034± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcels 108 And 105	Quidnet Properties, LLC	Certificate of Title No. 24746

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 90B	Ocean Road	995± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcels 105 And 71	Quidnet Properties, LLC	Certificate of Title No. 24746

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 94A	Sesachacha Road	1,034± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 107	Richard A. Denby and Barbara E. Denby	Book 122, Page 131 and Certificate of Title No. 4617

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Road Lot 94A	Ocean Road	983± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 107	Richard A. Denby and Barbara E. Denby	Certificate of Title No. 4617

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF CENTRAL ROAD A.K.A. SURREY AVENUE,
MAYHEW ROAD AND HAMPSHIRE ROAD A.K.A. MACEY ROAD

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 96 at its 2014 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Central Road, Mayhew Road and Hampshire Road described below (“Parcels”) is required for general municipal purposes and/or public access purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Being a Subdivision of Private Ways Eliminated Pursuant to Articles 96 & 97 ATM April 5, 2014 as Shown on L. C. Plan #5004-D, Central Road A.K.A. Surrey Lane, Mayhew Road and Hampshire Road A.K.A. Macey Road, Plan of Land in Nantucket, Massachusetts,” dated November 9, 2015, revised: November 18, 2015, prepared by Nantucket Surveyors, LLC and recorded with the Nantucket Registry of Deeds as Plan No. 2015-106 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel B	Central Road	2,000± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 65	John L. Cordo and Amy P. Loudis	Certificate of Title No.24878

<u>Parcel</u>	<u>Address/ Location</u>	<u>Area ±</u>
Parcel C	Central Road and Mayhew Road	10,400± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 206	Jeffrey A. Spruill and Veronique N. Spruill	Certificate of Title No. 21398
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel D	Central Road and Mayhew Road	9,025± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 79	Dwight J. Davis and Brenda E. Davis	Certificate of Title No. 20359
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel E	Central Road	1,155± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 225	Ronald J. Kukot and Ronald J. Kokot, Trustee of the Trust under the Will of Pamela J. Kokot, Nantucket Probate Docket No. NA14P0059EA	Certificate of Title No. 11501
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel F	Central Road and Mayhew Road	7,400± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 221	John F. Alexander	Certificate of Title No. 25973
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel G	Mayhew Road	3,000± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 215	Timothy D. Sheeler and Elizabeth Q. Sheeler	Certificate of Title No. 23880

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel H	Mayhew Road	2,000± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 193	Craig Gerard	Certificate of Title No. 21248

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel J	Hampshire Road	274± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 225	Ronald J. Kokot and Ronald J. Kokot, Trustee of Trust under the Will of Pamela J. Kokot, Nantucket Probate Docket No. NA 14P0059EA	Certificate of Title No. 11501

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel K	Hampshire Road	7,189± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 221	John F. Alexander	Certificate of Title No. 25973

<u>Parcel</u>	<u>Address/Location</u>	<u>Area±</u>
Parcel L	Hampshire Road	7,171± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 237	Charles L. Boucher II and Francine B. Boucher	Certificate of Title No. 16722

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel M	Mayhew Road	2,000± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 215	Timothy D. Sheeler & Elizabeth Q. Sheeler	Certificate of Title No. 23880
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel N	Mayhew Road	2,000± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 92.4, Parcel 209	Seven Mayhew Road, LLC	Certificate of Title No. 22124

Supposed Owners of Parcels: Franklin E. Smith and Edgar C. Linn, Trustees of Nantucket Land Trust and their heirs, successors and assigns

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF PROPRIETORS ROAD

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 96 at its 2014 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Proprietors Road described below (“Parcels”) is required for general municipal purposes, public access and/or open space purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Plan of Land in Nantucket, Mass. Being a Subdivision of Portions of Unconstructed Proprietors Road Shown on L.C.C. #8798-E,” dated September 28, 2015, prepared by Bracken Engineering, Inc. and recorded with the Nantucket Registry of Deeds as Plan No. 2015-88 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot A	Proprietors Road	2,184± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 52	Stewardson Family, LLC	Certificate of Title No. 22478

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot B	Proprietors Road	2,039± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 51	Isabelle Pettit Seeman	Certificate of Title No. 20157

<u>Parcel</u>	<u>Address/ Location</u>	<u>Area ±</u>
Lot C	Proprietors Road	2,310± s.f

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 21, Parcel 50	Gary W. Beck, Trustee of Quidnet Nominee Trust u/d/t dated July 29, 2003 filed as Document No. 103129 with Nantucket Registry District of the Land Court	Certificate of Title No. 20812

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

MASS. REGISTRY OF DEEDS
 Doc. No. 15302516-03-18 PV
 Doc. PLAN 15302516-03-18 PV
 NANTUCKET REGISTRY OF DEEDS
 Date: 10/15/2015
 Title: 21-18-001
 File No: 21-18-001
 Sheet 1 of 1

RESERVED FOR REGISTRY USE

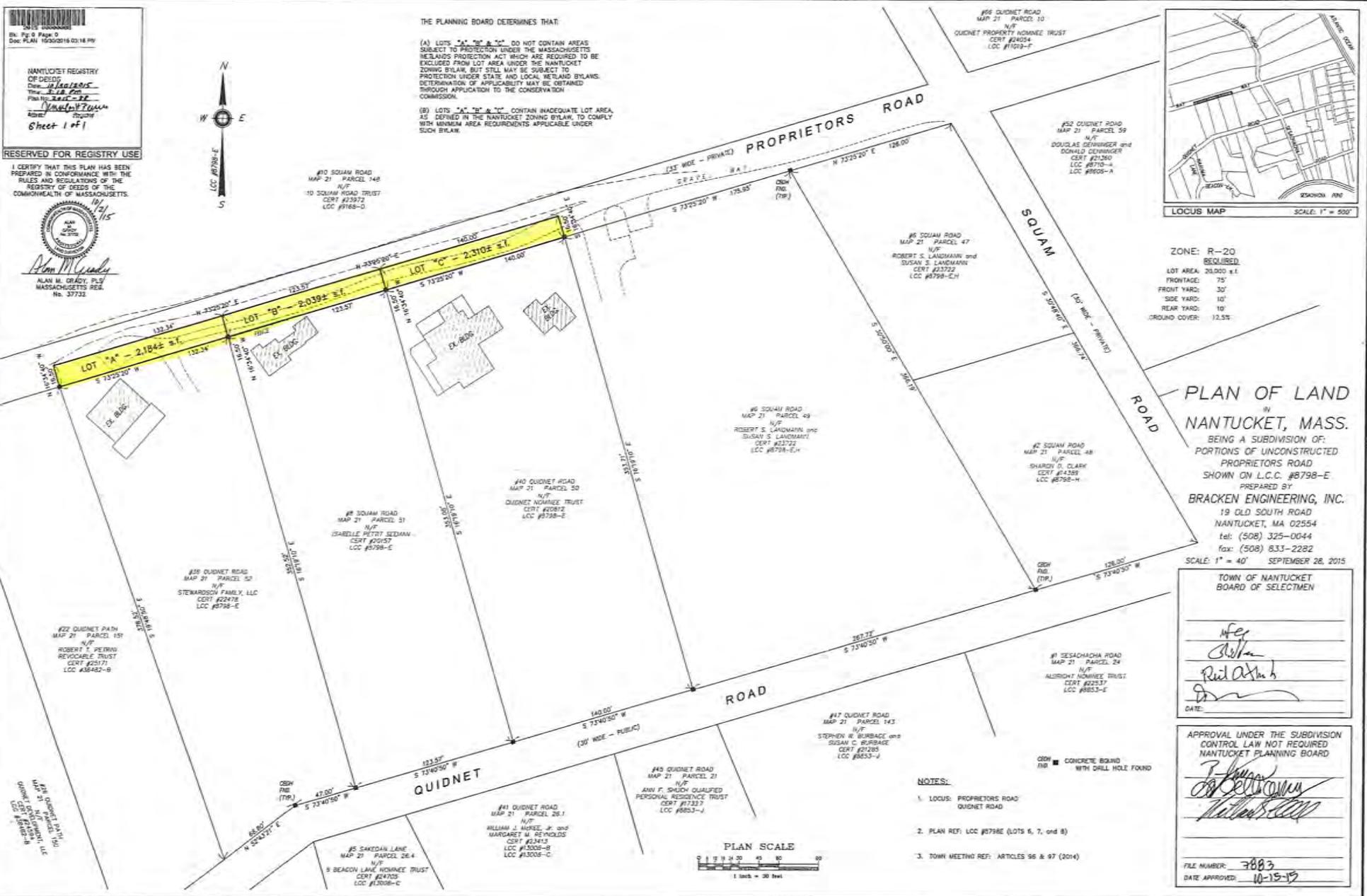
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



ALAN M. GRADY, PLS
 MASSACHUSETTS REG.
 No. 37732

THE PLANNING BOARD DETERMINES THAT:

- (A) LOTS "A", "B" & "C" DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BYLAW, BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BYLAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
- (B) LOTS "A", "B" & "C" CONTAIN INADEQUATE LOT AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW, TO COMPLY WITH MINIMUM AREA REQUIREMENTS APPLICABLE UNDER SUCH BYLAW.



ZONE: R-20
 REQUISITE
 LOT AREA: 20,000 s.f.
 FRONTAGE: 75'
 FRONT YARD: 30'
 SIDE YARD: 10'
 REAR YARD: 10'
 GROUND COVER: 12.5%

PLAN OF LAND
 IN
 NANTUCKET, MASS.

BEING A SUBDIVISION OF:
 PORTIONS OF UNCONSTRUCTED
 PROPRIETORS ROAD
 SHOWN ON L.G.C. #8798-E
 PREPARED BY:
 BRACKEN ENGINEERING, INC.

19 OLD SOUTH ROAD
 NANTUCKET, MA 02554
 Tel: (508) 325-0044
 Fax: (508) 633-2282
 SCALE: 1" = 40' SEPTEMBER 28, 2015

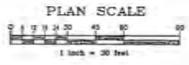
TOWN OF NANTUCKET
 BOARD OF SELECTMEN

 DATE: _____

APPROVAL UNDER THE SUBDIVISION
 CONTROL LAW NOT REQUIRED
 NANTUCKET PLANNING BOARD

FILE NUMBER: 7883
 DATE APPROVED: 10-15-15

- NOTES:
- LOCUS: PROPRIETORS ROAD QUIDNET ROAD
 - PLAN REF: LOC #8798 (LOTS 6, 7, and 8)
 - TOWN MEETING REF: ARTICLES 96 & 97 (2014)



COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF HELLER WAY, REEDY POND LANE
AND CUDWEED ROAD

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 96 at its 2014 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Heller Way, Reedy Pond Lane, and Cudweed Road and described below (“Parcels”) is required for general municipal purposes and/or public access purposes or open space purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Taking and Disposition Plan of Land in Nantucket, MA, Prepared for Nantucket Planning & Economic Development Commission,” dated October 3, 2015, prepared by Blackwell & Associates, Inc. and recorded with the Nantucket Registry of Deeds as Plan No. 2015-87 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 22	Heller Way	13,604± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 142	Paul K. Connolly, Jr. and Nancy J. Connolly, as Trustees of the Paul K. Connolly, Jr. Qualified Personal Residence Trust dated October 29, 2013, evidenced by Certificate of Trust Pursuant to M.G.L. c. 184, §35 filed with Nantucket Registry District of the Land Court as Document	Certificate of Title Nos. 25008 and 25009

No. 142899 and Paul K. Connolly, Jr.
 and Nancy J. Connolly, as Trustees of the Nancy
 J. Connolly Qualified Personal Residence Trust
 dated October 29, 2013, evidenced by Certificate
 of Trust Pursuant to M.G.L. c. 184, §35 filed with
 said Registry District of the Land Court as
 Document No. 142900

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 23	Heller Way	12,900± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 143	Norman M. Fidel and Susan I. Fidel	Certificate of Title No.16023

<u>Parcel</u>	<u>Address/ Location</u>	<u>Area ±</u>
Lot 24	Reedy Pond Lane	8,412± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 146	Charles Wrubel and Myra Wrubel, Trustees of Reedy Owl Realty Trust u/d/t March 18, 1991 filed with Nantucket Registry District of the Land Court as Document No. 53105	Certificate of Title No. 14807

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 25	Reedy Pond Lane	8,176± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 148	Nantucket Islands Land Bank	Certificate of Title No. 13927

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 26	Reedy Pond Lane and Cudweed Road	54,344 ± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcels 147, 149, 151, 153, 155, 157 and 159	Nantucket Islands Land Bank	Certificate of Title No.13927

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 27	Cudweed Road	4,211± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 145	Richard S. Millard & Jessica E. Millard, as Trustees of the Millard Family Revocable Trust u/d/t dated December 7, 2011, evidenced by Trustee's Certificate filed with Nantucket Registry District of the Land Court as Document No. 136853	Certificate of Title No.24228

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 28	Cudweed Road	31,450± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 18.3	Philip D. Bartlett and Dorothy W. Bartlett	Book 396, Page 99

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 29	Cudweed Road	2,828± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 161	Nantucket Conservation Foundation, Inc.	Certificate of Title No. 12908

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 89	Heller Way	13,994± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 142	Paul K. Connolly, Jr. and Nancy J. Connolly, as Trustees of the Paul K. Connolly, Jr. Qualified Personal Residence Trust dated October 29, 2013, evidenced by Certificate of Trust Pursuant to M.G.L. c. 184, §35 filed with Nantucket Registry District of the Land Court as Document No. 142899, and Paul K. Connolly, Jr. and Nancy J. Connolly, as Trustees of the Nancy J. Connolly Qualified Personal Residence Trust dated October 29, 2013, evidenced by Certificate of Trust Pursuant to M.G.L. c. 184, §35 filed with said Registry District of the Land Court as Document No. 142900	Certificate of Title Nos. 25008 and 25009
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 90	Heller Way	6,652± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 82, Parcel 143	Norman M. Fidel and Susan I. Fidel	Certificate of Title No. 16023
<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 91	Heller Way	5,721± s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 65, Parcel 16	Bartlett Farm, LLC	Book 980, Page 117
<u>Parcel</u>	<u>Supposed Owner (s)</u>	<u>Title Reference</u>
Lots 22, 23, 24, 25, 26, 27, 28, 29, 89 and 90 shown on said Plan	E. Garrett Bewkes, Jr.	Certificate of Title No. 12908

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IX 2 D



NOTE: PARCELS 82-28, 82-81 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MUST BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

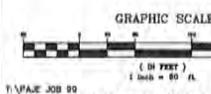
Fig. # of Pages: 1
Plan No. 10/2015-0318-P

NANTUCKET REGISTRY OF DEEDS
Date: 10/30/2015
Time: 8:18 PM
Plan No. 2015-87
Attest: [Signature]
Register: [Signature]
Sheet 1 of 1
RESERVED FOR REGISTRY USE

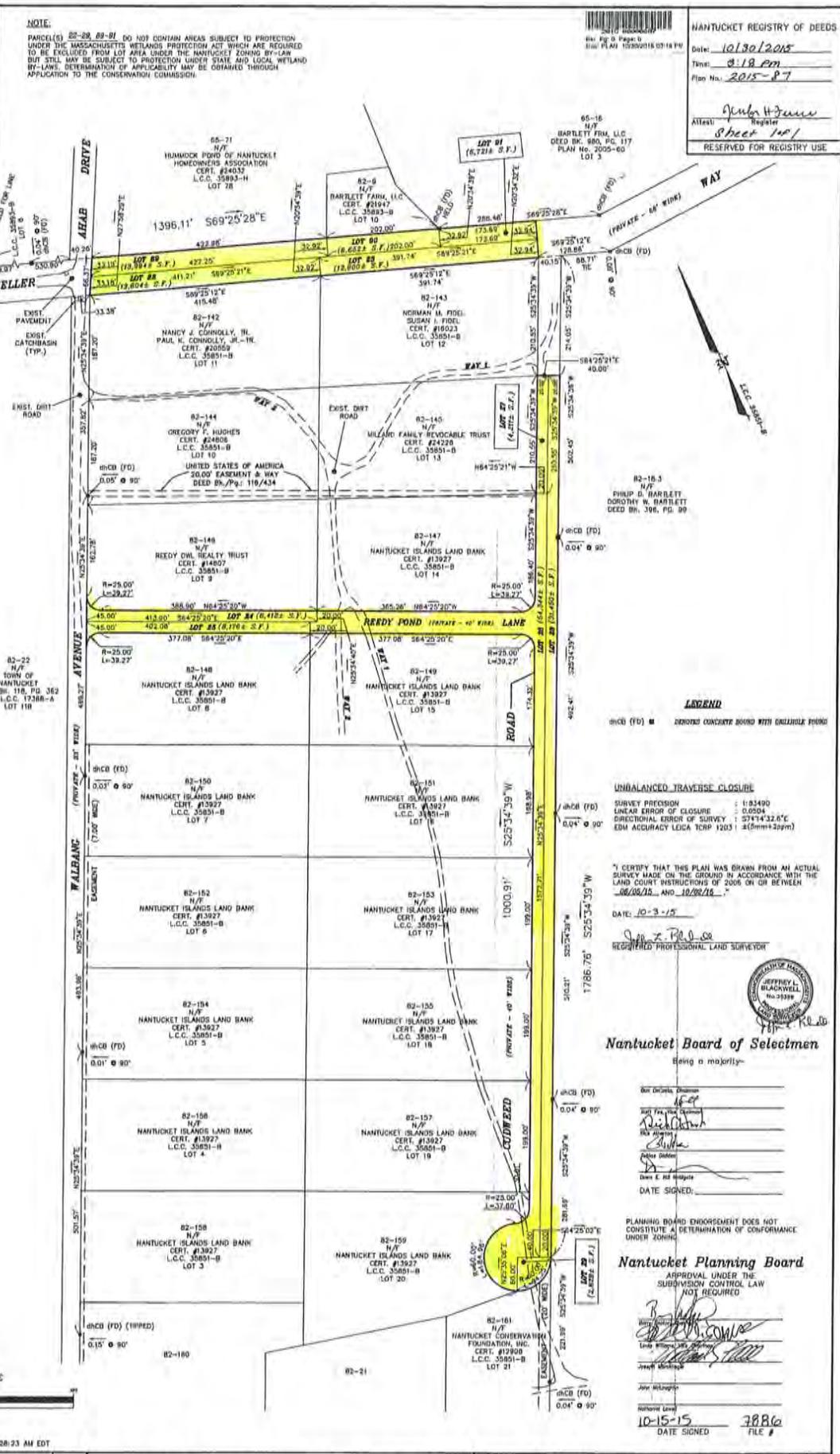
CURRENT ZONING CLASSIFICATION:
Limited Use District 3 (L.U.D.-3)
MINIMUM LOT SIZE: 150,000 S.F.
MINIMUM FRONTAGE: 300 FT.
FRONT YARD SETBACK: 35 FT.
REAR/SIDE SETBACK: 30 FT.
GROUND COVER %: 3%

CURRENT ZONING CLASSIFICATION:
Limited Use District 2 (L.U.D.-2)
MINIMUM LOT SIZE: 80,000 S.F.
MINIMUM FRONTAGE: 150 FT.
FRONT YARD SETBACK: 35 FT.
REAR/SIDE SETBACK: 30 FT.
GROUND COVER %: 3%

CURRENT ZONING CLASSIFICATION:
Mountains Management (MM)
MINIMUM LOT SIZE: 10 acres
MINIMUM FRONTAGE: 300 FT.
FRONT YARD SETBACK: 50 FT.
REAR/SIDE SETBACK: 50 FT.
GROUND COVER %: 0.5%



T:\PAJE JOB 00
V:\GRANFILES\17923\SP.dwg 10/8/2015 9:30:23 AM EDT



LEGEND
shCB (FD) ■ DENOTES CONCRETE BOUND WITH ORCHARD POOL

UNBALANCED TRAVERSE CLOSURE
SURVEY PRECISION: 1:83490
LINEAR ERROR OF CLOSURE: 0.0504
DIRECTIONAL ERROR OF SURVEY: 5714'32.6"
EDM ACCURACY LEICA TCRP 1203: ±(5mm+3ppm)

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON OR BETWEEN 06/05/12 AND 10/09/12

DATE: 10-3-15
[Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR

Nantucket Board of Selectmen
Being a majority:
[Signatures]
DATE SIGNED: 10-15-15

Nantucket Planning Board
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
[Signatures]
DATE SIGNED: 10-15-15

NO.	DATE	DESCRIPTION	BY

BLACKWELL & ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS
20 TEASDALE CIRCLE
NANTUCKET, MASSACHUSETTS 02554
(508) 228-6020
www.blackwellsurvey.com

REF. 2014 ATM WARRANT ARTICLES 86 & 97
TAKING AND DISPOSITION PLAN OF LAND
In Nantucket, MA
Prepared for
NANTUCKET PLANNING & ECONOMIC DEVELOPMENT COMMISSION
Design/Drawn by: PBD Date: OCTOBER 01, 2015
Approved by: USA Scale: 1"=60'
SHEET 1 OF 1 B7923

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF WEWEEDER AVENUE AND NAUSHON WAY

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the votes adopted by the Town on Article 98 at its 2011 Annual Town Meeting and on Article 12 of its 2012 Special Town Meeting, certified copies of which are attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Weweeder Avenue and Naushon Way described below (“Parcels”) is required for general municipal purposes, public access and/or open space purposes, do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Plan to Acquire Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket,” dated October 2, 2015, prepared by Michael Connolly & Associates, Inc. and recorded with the Nantucket Registry of Deeds as Plan No. 2015-85 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 1	Weweeder Avenue and Naushon Way	9,200 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 315	Jacqueline Miller Storey, as Trustee of Tracey A. Kaplan Qualified Personal Residence Trust u/d/t December 4, 2011, as evidenced by a Trustee’s Certificate Pursuant to M.G.L. c. 184, §35 and filed with Nantucket Registry District of the Land Court as Document No. 136873	Book 1402, Page 116

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Lot 2	Weweeder Avenue and Naushon Way	9,200 s.f.
<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 32	148 Surfside, LLC	Book 1522, Page 23

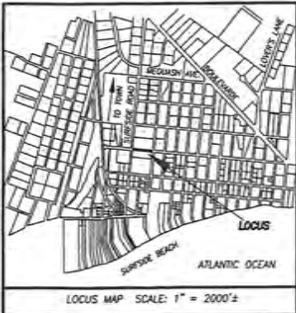
Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

REMAINDER OF PAGE INTENTIONALLY BLANK

2 E



LOCUS MAP SCALE: 1" = 2000'

POCHICK AVENUE

LEGEND

- d/CB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- I.P. FND. DENOTES IRON PIPE FOUND
- C.R.B. FND. DENOTES COUNTY ROAD BOUND FOUND

2015 000000005
 Bk: Pg: 0 Page: 0
 Doc: PLAN 10/30/2015 03:18 PM

CURRENT ZONING CLASSIFICATION: RESIDENTIAL-20 (R-20)

MINIMUM LOT SIZE: 20,000 S.F.
 MINIMUM FRONTAGE: 75 FT.
 FRONT YARD SETBACK: 30 FT.
 REAR/SIDE SETBACK: 10 FT.
 GROUND COVER % : 12.5 %

NANTUCKET REGISTRY OF DEEDS

Date: 10/30/2015

Time: 3:18 PM

Plan Bk.: Pg.:

Plan File:

Plan No: 2015-85

Attest: *Janet H. Jensen*
Register

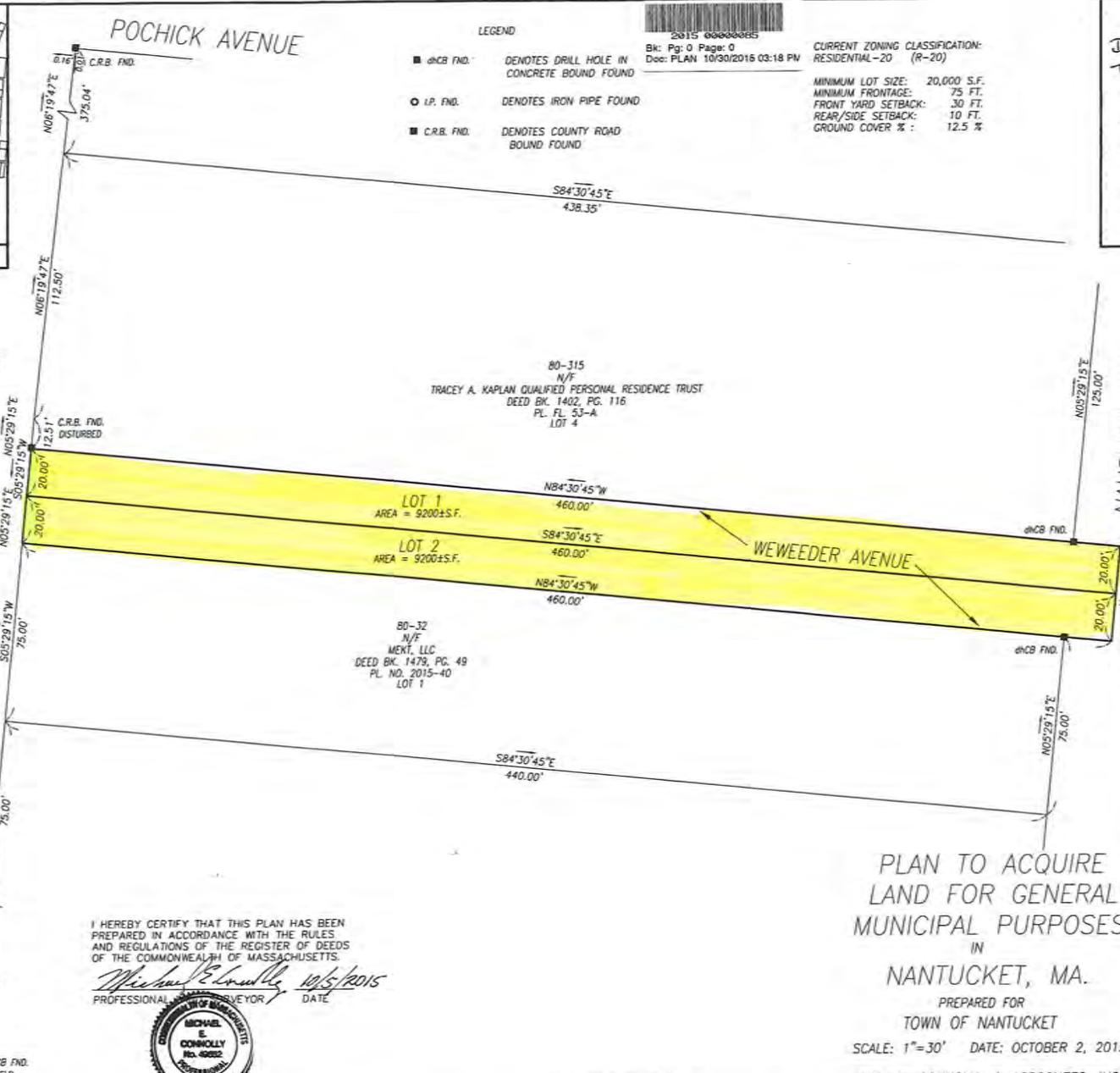
Sheet 1 of 1
RESERVED FOR REGISTRY USE

SURFSIDE ROAD
(COUNTY LAYOUT 12/20/1973 - VARIABLE WIDTH - PUBLIC)



80-315
 N/F
 TRACEY A. KAPLAN QUALIFIED PERSONAL RESIDENCE TRUST
 DEED BK. 1402, PG. 116
 PL. FL. 53-A
 LOT 4

80-32
 N/F
 MENT, LLC
 DEED BK. 1479, PG. 49
 PL. NO. 2015-40
 LOT 1



NAUSHON WAY



PL. NO. 2015-63
 LOT 1
 I.P. FND. HELD

NANTUCKET BOARD OF SECTMEN
 APPROVED PURSUANT TO ARTICLE 98, 2011 ATM

Michael E. Connolly
 DATE SIGNED: _____

NANTUCKET PLANNING BOARD
 APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
Michael E. Connolly

DATE SIGNED: 10-15-15
 FILE No.: 7884

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Michael E. Connolly 10/5/2015
 PROFESSIONAL LAND SURVEYOR DATE



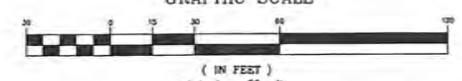
PLAN TO ACQUIRE LAND FOR GENERAL MUNICIPAL PURPOSES
 IN

NANTUCKET, MA.
 PREPARED FOR
 TOWN OF NANTUCKET

SCALE: 1"=30' DATE: OCTOBER 2, 2015

MICHAEL CONNOLLY & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 149 SURFSIDE ROAD
 NANTUCKET, MA. 02554
 (508) 228-8910

GRAPHIC SCALE



THE PLANNING BOARD DETERMINES THAT:
 (a) LOT(S) 1 & 2 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
 SUPPLEMENT-301
 10/15/15

C-7651

COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET
BOARD OF SELECTMEN

ORDER OF TAKING BY EMINENT DOMAIN
OF PORTIONS OF LOVERS LANE

The undersigned being the majority of the duly elected and serving members of the Board of Selectmen of the Town of Nantucket, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a principal place of business at Town and County Building, 16 Broad Street, Nantucket, Massachusetts (“Town”), acting by authority of Massachusetts General Laws Chapter 40, § 14 and Chapter 79, as amended, Article III, Section 3.3 of the Town Charter, St. 1996, c. 289, § 1, and the vote adopted by the Town on Article 102 at its 2015 Annual Town Meeting, a certified copy of which is attached hereto, and by virtue of every other power and authority hereto enabling us, having complied with all the preliminary requirements prescribed by law, having determined that the taking of the fee in those certain parcels of land comprising portions of Lovers Lane described below (“Parcels”) is required for general municipal purposes, public access, and/or open space purposes do hereby adopt and decree this Order of Taking on behalf of the Town and do hereby take from the supposed owners of the Parcels, those who hold easements and other rights to the Parcels, and all their successors, heirs and assigns, as their interests may appear, by the right of eminent domain, the fee in the Parcels, including but not limited to all rights of passage, if any, as follows:

The land shown on a plan of land entitled “Plan to Acquire Land for General Municipal Purposes in Nantucket, MA, Prepared for Town of Nantucket,” dated November 28, 2014, prepared by Michael Connolly & Associates, Inc. and recorded with the Nantucket Registry of Deeds as Plan No. 2014-107 (the “Plan”) and consisting of the following Parcels described on the Plan:

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel A	Lovers Lane	2,015± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 79, Parcel 22	James C. Herbert & Kathleen H. Herbert	Certificate of Title No. 24345

<u>Parcel</u>	<u>Address/Location</u>	<u>Area ±</u>
Parcel B	Lovers Lane	3,022± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 79, Parcel 23	Nancy J. Shugrue	Certificate of Title No. 19414

<u>Parcel</u>	<u>Address/ Location</u>	<u>Area ±</u>
Parcel C	Lovers Lane	5,037± s.f.

<u>Assessor ID</u>	<u>Supposed Owner(s)</u>	<u>Title Reference</u>
Map 80, Parcel 196.1	73 Lovers Lane, LLC	Book 946, Page 133

Any and all trees, vegetation, structures and improvements on the Parcels are included in this Order of Taking.

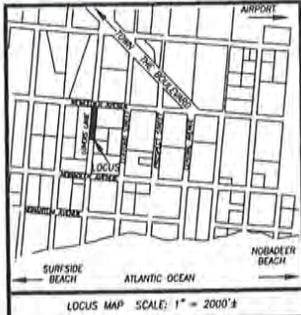
The damages sustained by the supposed owner(s) listed above by reason of this taking of the Parcels are valued and awarded in a resolution of even date adopted by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 79, as amended.

If any party named hereinabove as an owner of any Parcels taken hereby is not a true owner of said Parcels, then the award is made only to the true owner(s) of said Parcels.

IX.2.F

2014 00000107
Bk: Pg: 0 Page: 0
Doc: PLAN 12/11/2014 01:06 PM

HANTUCKET REGISTER
OF DEEDS
Date: 12/11/2014
Time: 1:06 PM
Plan No: 2014-107
Registrar: *Randy H. Decker*
Register
Sheet 1 of 1



CURRENT ZONING CLASSIFICATION:
Residential 20 (R-20)
MINIMUM LOT SIZE: 20,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 30 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER % : 12.5%

LEGEND

■ DHCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND

80-196.1
N/F
73 LOVERS LANE, LLC
DEED BK. 946 PG. 133
PLAN FL. 19-C, LOT B

79-23
N/F
NANCY J. SHUGRUE
CERT. 19,414
L.C. 41423-A

79-22
N/F
JAMES C. & KATHLEEN H. HERBERT
CERT. 24,345
L.C. 36819-A

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
Michael E. Connolly 4/28/2014
PROFESSIONAL LAND SURVEYOR DATE



PLAN TO ACQUIRE LAND FOR GENERAL MUNICIPAL PURPOSES IN NANTUCKET, MA.

PREPARED FOR:
TOWN OF NANTUCKET
SCALE: 1"=20' DATE: NOVEMBER 28, 2014
MICHAEL CONNOLLY & ASSOCIATES INC.
PROFESSIONAL LAND SURVEYORS
149 SURFSIDE ROAD
NANTUCKET, MA. 02554
(508) 228-8910

NANTUCKET BOARD OF SELECTMAN

APPROVED PURSUANT TO ARTICLE 2015 ANNUAL TOWN MEETING

David A. [Signature]
[Signature]
[Signature]
[Signature]
DATE SIGNED FILE #

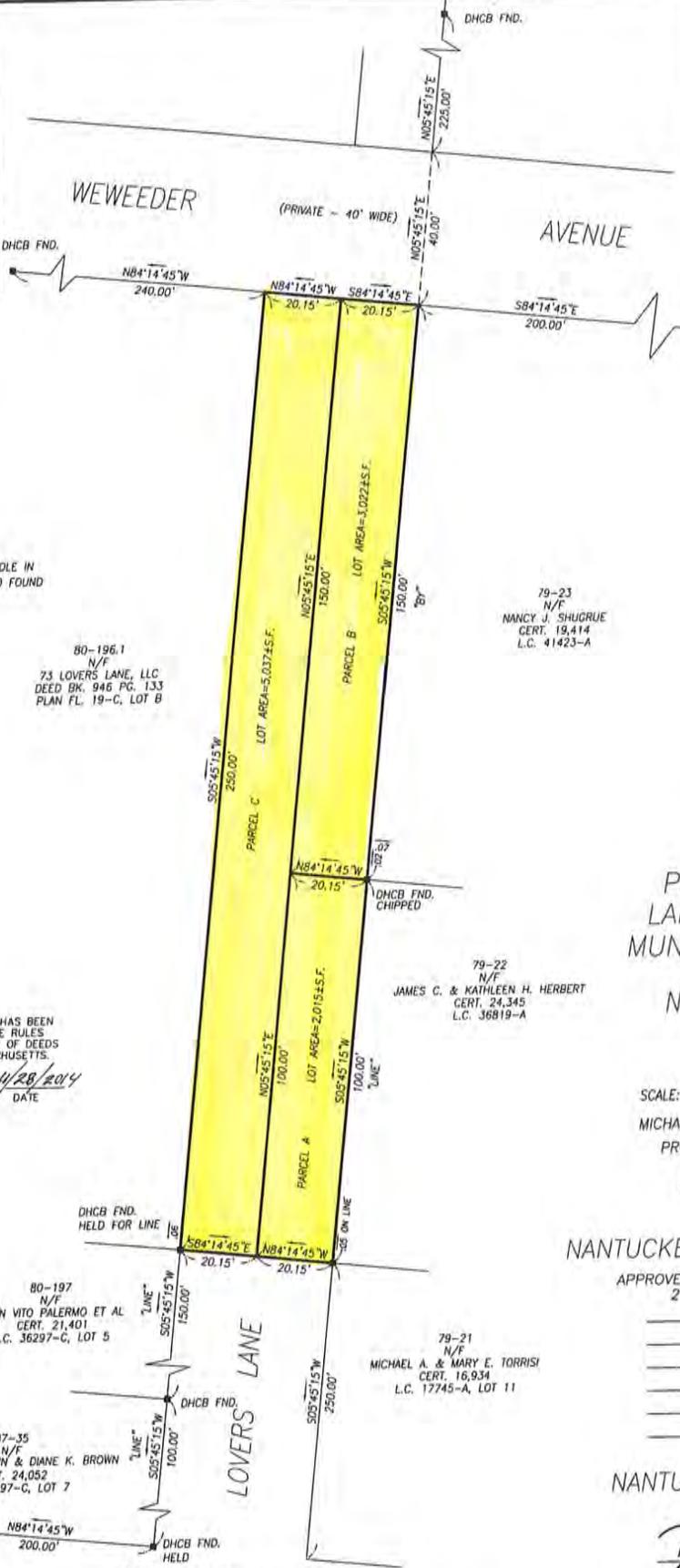
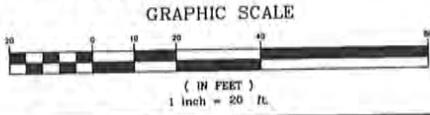
NANTUCKET PLANNING BOARD

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

[Signature]
[Signature]
[Signature]

DATE SIGNED FILE # C-7621

THE PLANNING BOARD DETERMINES THAT:
(b) LOT(S) A,B,C DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
C:\PROJ\14-7621\14-7621.dwg



Appointing Town Boards, Commissions and Committees
Considerations of Board of Selectmen
Endorsed by the Board of Selectmen April 26, 2006

Excerpt from *Handbook for Massachusetts Selectmen*:

- Seek a mix of skills
- Seek diversity
- Be clear about job requirements
- Look for persons who exhibit a cooperative spirit (*Boards function best when their members are willing to compromise. People with unshakable opinions can paralyze a board, making any progress impossible*)

Suggested questions for applicants/incumbents:

New applicant:

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- What experience, skills or insight would you bring to the committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

Incumbent:

- What has been your level of attendance at committee/board/commission meetings?
- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?
- Why do you want to continue serving on the committee/board/commission?

May 25, 2016 Public Hearing to Consider the Following Committee Applications:

Agricultural Commission

3 Seats Available; 2 Applicants

1 Seat Term Ends 2017
2 Seats Terms End 2019

Current Committee Members:

Richard Arnold	2016
VACANT	2016
John Kuszpa	2017
Campbell Sutton	2017
VACANT	2017
Tracey Pattenden	2018
Michelle Whelan	2018

Applicants:

Abby Wullschleger – new applicant
Joseph Bauer – new applicant

Pursuant to Article 99 passed by 2008 Annual Town Meeting, the Agricultural Commission must be comprised of “four members whose prime source of income is derived from farming or agricultural-based enterprises in Nantucket and another three who are interested in farming.”

Airport Commission

1 Seat Available; 1 Applicant

1 Seat Term Ends 2019

Current Committee Members:

Jeanette Topham	2016
Arthur D. Gasbarro	2017
Anthony Bouscaren	2017
Daniel W. Drake	2018
Andrea Planzer	2018

Applicants:

Jeanette Topham - incumbent

Pursuant to MGL Chapter 90, Section 51E, “Of the members appointed [to the Airport Commission] at least one shall be a person having experience in aeronautics.”

Board of Health

1 Seat Available; 1 Applicant

1 Seat Term Ends 2019

Current Committee Members:

Malcolm W. MacNab, MD, PhD	2016
Rick Atherton (BOS rep)	2017
Helene M. Weld, RN	2017
Stephen J. Visco	2017
James A. Cooper	2018

Applicants:

Malcolm MacNab – incumbent

May 25, 2016 Public Hearing to Consider the Following Committee Applications:

Capital Program Committee

1 Seat Available; No Applicants

1 Seat Term Ends 2019

Current Committee Members:

Phil Stambaugh (At-large)	2016	– not seeking reappointment
Christy Kickham (At-large)	2017	
Richard J. Hussey (At-large)	2017	
Peter T. Kaizer (At-large)	2018	
Jim Kelly (BOS rep)	2017	
Peter McEachern (FinCom rep)	2016	
Nathaniel Lowell (NP&EDC rep)	2016	

Applicants:

None

Cemetery Commission

1 Seat Available; 1 Applicant

1 Seat Term Ends 2019

Current Committee Members:

Barbara A. White	2016	
Allen Reinhard	2017	
Scott McIver	2017	
Lee W. Saperstein	2018	
Robert L. Gardner	2018	

Applicants:

Barbara White – incumbent

Conservation Commission

3 Seats Available; 4 Applicants

3 Seats Terms End 2019

Current Committee Members:

Andrew Bennett	2016	
David LaFleur	2016	
Benjamin Champoux	2016	
Ernest Steinauer	2017	
Ashley Erisman	2017	
Ian Golding	2018	
Joseph Topham	2018	

Applicants:

Benjamin Champoux – incumbent
Joseph Bauer – new applicant
David LaFleur – incumbent
Andrew Bennett - incumbent

May 25, 2016 Public Hearing to Consider the Following Committee Applications:

Contract Review Subcommittee, Human Services

1 Seat Available; No Applicants

1 Seat Term Ends 2019

Current Committee Members:

Dorothy Hertz (At-large)	2016
Mary Wawro (At-large)	2017
John W. Belash (At-large)	2018
Augusto C. Ramos (CHS rep)	2016
Joe Aguiar (CHS rep)	2016
Stephen Maury (FinCom rep)	2016
Bertyl Johnson (NP&EDC rep)	2016

Applicants:

None

Council for Human Services

5 Seats Available; 1 Applicant

1 Seat Term Ends 2017

1 Seat Term Ends 2018

3 Seats Terms End 2019

Current Committee Members:

Augusto C. Ramos	2016
John W. Belash	2016
Mary Wawro	2016
VACANT	2017
Dorothy Hertz	2017
Margaretta Andrews	2017
Joe Aguiar	2018
VACANT	2018
Ella B. Finn	2018

Applicants:

John Belash - incumbent

Council on Aging

3 Seats Available; 1 Applicant

3 Seats Terms End 2019

Current Committee Members:

Daryl Westbrook	2016	– not seeking reappointment
Ella B. Finn	2016	
Glenora Kelly Smith	2016	
Chuck Gifford	2017	
Randall C. Wight	2017	
Tom McGlenn	2017	
Joe Aguiar	2018	
Colleen McLaughlin	2018	
Charles A. Manghis	2018	

Applicants:

Glenora Kelly Smith – incumbent

Ella B. Finn - incumbent

May 25, 2016 Public Hearing to Consider the Following Committee Applications:

Cultural Council

4 Seats Available; 1 Applicant

1 Seat Term Ends 2017
3 Seats Terms End 2019

Current Committee Members:

Jordana Fleischut	2016
Justin Cerne	2016
VACANT	2016
John Belash	2017
VACANT	2017
John McDermott	2018
John R. Wagley	2018

Applicants:

Justin Cerne – incumbent

Finance Committee

4 Seats Available; 3 Applicants

1 Seat Term Ends 2018
3 Seats Terms End 2019

Current Committee Members:

Clifford J. Williams	2016
Craig Spery	2016
Stephen Maury	2016
John E. Tiffany	2017
Matthew Mulcahy, DMD	2017
Joseph T. Grause, Jr.	2017
Peter A. McEachern	2018
David Worth, Jr.	2018
VACANT	2018

Applicants:

Stephen Maury – incumbent
Clifford Williams – incumbent
Henry Sanford – new applicant

Historic District Commission Associate

1 Seat Available; No Applicants

1 Seat Term Ends 2019

Current Committee Members:

Matthew J. Kuhnert	2017
Vallorie Oliver	2018
VACANT	2019

Applicants:

None

May 25, 2016 Public Hearing to Consider the Following Committee Applications:

Mosquito Control Commission

1 Seat Available; 1 Applicant

1 Seat Term Ends 2021

Current Committee Members:

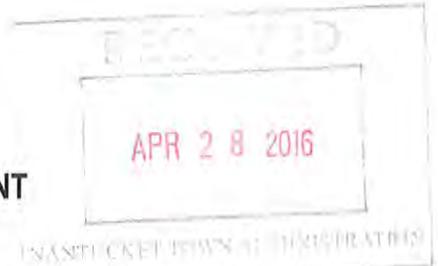
Ashley Erisman	2016
Helene M. Weld, RN	2017
Timothy Lepore, MD	2018
Charles Stott	2019
Mark L. Palmer	2020

Applicants:

Ashley Erisman - incumbent



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
 For Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
 Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Abby Wullschleger Home Phone: 774-236-9209

Mailing Address: 40 Polpis Rd. Alternate Phone: 508-228-2674

Email Address: abslosek@earthlink.net Date Submitted: 4/28/16

REQUESTING APPOINTMENT TO: Agricultural Commission

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission? *Yes, I'm hoping to take Patty Myers' empty seat.*
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission? *yes*

As a member of a farming family on Nantucket I feel it is important for someone involved in commercial agriculture to be represented on the Ag Comm.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

I have grown up farming and been a partner with Moors End Farm for the past twenty years. When it comes to farming and agricultural issues facing the town I feel I have a wealth of knowledge and experience that can help the Ag comm. I would like to see this committee grow and be more active in the community

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

*Rachael Freeman of the Land Bank is my sister-in-law.
 Jeff Carlson from Natural Resources is my fiancé.*



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Board of Selectmen

RECEIVED
MAY 19 2016
TOWN ADMINISTRATION

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Joseph Bauer Home Phone: 508 332 0481

Mailing Address: 8 Polpis Rd Nantucket Alternate Phone: _____

Email Address: JosephRBauer@gmail.com Date Submitted: May 18, 2016

REQUESTING APPOINTMENT TO: Ag Commission

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission? Yes
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

I am interested due to my extensive agricultural background
I am used to serving on boards and make a priority to attend and participate.

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

Ag High school. Worked in field on numerous farms.
Currently involved in growing and aquaculture projects.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

Founder + Owner - Nantucket Market

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
For Re-Appointment by the Board of Selectmen

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Jeanette Topham

Home Phone: 508-228-1792

Mailing Address: 29 Hammock Pond Road

Work Phone: _____

Email Address: _____

Date Submitted: _____

REQUESTING RE-APPOINTMENT TO: Airport Commission

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?



Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

1. I would say my level of attendance has been 90%--have been away for doctor's appointments.

I have enjoyed serving on the Airport Commission. I think we have a very committed commission who are very interested in having the Airport be the best that it can be and to be fiscally responsible. I have enjoyed working with them.

Mr. Rafter and the Commission have been actively looking at ways to have other airlines service Nantucket year round and summers. It does appear that we have a viable airline service which is actively vetting the process. We also have been exploring other avenues of revenue.

2. I would say that the years I have served on the Commission have given me experience. I go to meetings prepared, having read all the information presented to us. I am honest—approachable--residents feel comfortable coming to me with their questions and concerns.
3. I am on the Commission for Disability and my son, Joseph Topham is on the Conservation Commission.

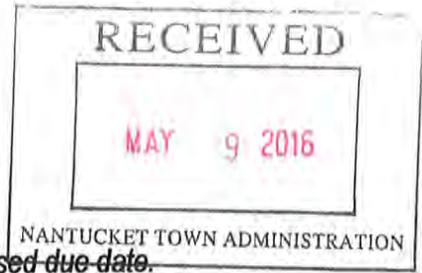
For many years I have served on various boards which serve the Town and community.

I volunteer for the Senior Work Plan to reduce payment of taxes.

I will be unable to attend the May 25 meeting. If you have any questions/concerns please call me at home.



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT**
For Re-Appointment by the Board of Selectmen



*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Malcolm W. MacNab **Home Phone:** 508 228-4796

Mailing Address: 13 North Water Street **Work Phone:** 973 978-5043

Email Address: mwwmacnab@comcast.net **Date Submitted:** May 7, 2016

REQUESTING RE-APPOINTMENT TO: Board of Health

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

I attended all meetings.

I believe the Board of Health has made significant progress in fulfilling our responsibility for disease prevention and control, environmental protection and promoting a healthy community. Clearly more needs to be done. Progress has been made in the area of environmental protection but more needs to be done in the areas of tick-borne disease, safe housing and opiate addiction. I would like to continue on the Board for at least another year. Two of the Board's most significant accomplishments during my tenure on the Board were the passage of new fertilizer regulations and new septic system and water protection regulations for the Hummock Pond and the Harbor district.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

The best reference to experience is the time as a member and Chair of the Board of Health; learning about the regulations, health and environmental law and the needs of the community. I am a physician-scientist with over 40 years of experience in clinical medicine and medical research. As a researcher I understand how to interpret and analyze conflicting data. I have been very successful in developing consensus and working in a team environment. As Chair of the Board of Health, I have attempted to be fair and listen to the concerns of the community.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

Board of Directors Maria Mitchell Association, member St. Paul's Church, member Shellfish Association

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

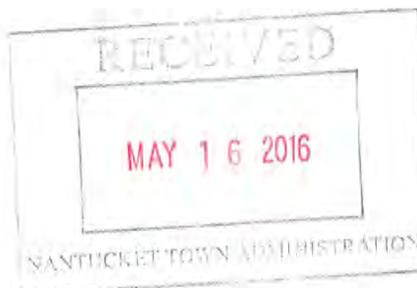
No



TOWN AND COUNTY OF NANTUCKET

16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov



April 26, 2016

Mr. Phil Stambaugh
151 Polpis Road
Nantucket, MA 02554

Dear Phil:

Our records indicate that your term expires June 30, 2016 for your seat on the Capital Program Committee. If you are interested in being considered for reappointment, please complete the enclosed "Committee Interest Form/Incumbent" and the "Statement of Commitment" form and return them to Town Administration in the enclosed envelope by **Friday, May 20, 2016**. If you chose not to apply for reappointment, please check the box at the bottom of this letter and return it in the enclosed envelope.

Please also note that a public hearing will be held on **Wednesday, May 25, 2016 at 6:00 pm** in the first floor Community Room at the Public Safety Facility at 4 Fairgrounds Road, Nantucket, MA to consider applications. All applicants should be present to answer questions concerning applications. Committee appointments are scheduled for June 22, 2016. If you have any questions or would like further information, please call (508) 228-7266. Thank you.

Sincerely,

Erika D. Mooney
Project Administrator

Enclosure

I do not intend to apply for reappointment.

Signature

Dear Lefty,
I have thoroughly enjoyed my six years on the CapCom, the last few as Chairman. It has been my pleasure to work closely with the Town Administration and the individual departments. I count as progress the long range Capital Plan, presenting to the public the tax impact of the approved capital expenditures, and the implementation of the Capital Improvement Planning software. Despite the progress in getting some very large capital expenditures approved, I realize much work remains. Best wishes and
Thanks,



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT**
For Re-Appointment by the Board of Selectmen

RECEIVED
MAY 10 2016
NANTUCKET TOWN ADMINISTRATION

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Barbara A White Home Phone: 508 224 3286

Mailing Address: P.O. Box 1251 Work Phone: 508-228-3286

Email Address: bw_cps22@yahoo.com Date Submitted: May 10, 2016

REQUESTING RE-APPOINTMENT TO: Cemetery Commission

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

I have been relatively good at attendance. And, I have called in via conference calling to most meetings that I have not been able to attend.

I wish to remain on the Commission mostly due to my interest in Nantucket history and as a fellow of the N.H.A.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

I helped document the African-American Burial ground with my 8th grade students years ago. Ours was the first on-line data base of a Nantucket Cemetery at the N.H.A.

I believe my contribution is regarding the importance of our historical cemeteries and my general interest.

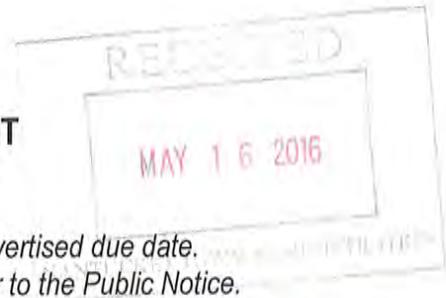
Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? *I am a retired Nantucket public school teacher, as is my husband.*



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
 For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
 Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Benjamin Champaz Home Phone: 508-228-2315

Mailing Address: 8 Upper Tappanshaw 02554 Work Phone: 508-560-3368

Email Address: _____ Date Submitted: 5/13/2016

REQUESTING RE-APPOINTMENT TO: Conservation Commission

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

① I've Attended All But One Meeting During My Term

② I am just beginning to feel comfortable with the process, roles, regulations, as such I believe I can be better at the position if I ~~can~~ continue + familiar

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

I believe I have an objective opinion and a fair disposition to the work.

My Education in Environmental Science, Arborist Credentials and training, and my experience as a Landscape Contractor has helped ~~me~~ shaped my thought process and decision making

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

Tree Advisory Board, Fertilizer Advisory Board

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/NEW APPLICANT
For Appointment by the Board of Selectmen

RECEIVED
MAY 19 2016
TOWN OF NANTUCKET ADMINISTRATION

*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Joseph Bauer **Home Phone:** 508-332-0481

Mailing Address: 8 Polpis Rd Nantucket **Alternate Phone:** _____

Email Address: JosephR.Bauer@gmail.com **Date Submitted:** May 18, 2016

REQUESTING APPOINTMENT TO: Conservation Commission

Reasons for Committee Interest

- Have you ever attended a meeting of the committee/board/commission?
- Why are you interested in this committee/board/commission?
- Are you prepared to commit to the meeting schedule of the committee/board/commission?

*Not Nantucket's Conservation - Have Set on Bantam Lake Protective, in CT
" " Inland & Wetlands Commission, CT*

*Interest in protecting environment with balance of community needs & economy
Can commit and will make priority to attend and participate*

Relevant Experience

- What experience, skills or insight would you bring to the committee/board/commission?
- What would you hope to accomplish on the committee/board/commission?

*Years of board experience, Years of environmental protection experience
Hands on, Educated, Resourceful, Concerned.
Accomplish long term goals of preservation + restoration*

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

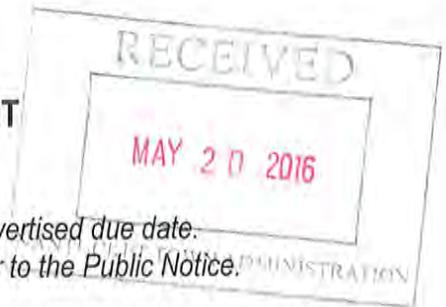
Owner - Nantucket Market

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No



TOWN OF NANTUCKET
 COMMITTEE INTEREST FORM/INCUMBENT
 For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
 Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: DAVID LAFLEUR

Home Phone: 508-228-6344

Mailing Address: 104 SURFSIDE RD.

Work Phone: 508-221-1239

Email Address: LAFLEURDAVID@YAHOO.COM Date Submitted: MAY 20, 2016

REQUESTING RE-APPOINTMENT TO: CONSERVATION COMMISSION

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

BECAUSE I ENJOY ^{THE} ABILITY TO SERVE THE COMMUNITY. VERY GOOD, MISSED ONLY 2 MEETINGS AWAY ON VACATION
 HAVING SERVED A HALF TERM TO DATE I FEEL COMFORTABLE ABOUT REGULATIONS AND THE PROCESS OF WORKING ON THE COMMITTEE,

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

HAVING MORE 25 YEARS IN THE MARINE CONSTRUCTION INDUSTRY. I BRING EXPERIENCE WHERE MARINE APPLICATIONS ARE INVOLVED. HAVING ATTENDED MA. CON-COM SEMINAR THIS SPRING AT HOLY CROSS COLLEGE, HAS HELP ME BECOME A BETTER COMMITTEE MEMBER.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members. NONE

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? NO.

TO

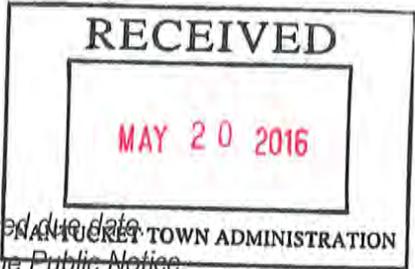
Erika Mooney
and Board of Selectmen

I am afraid I will be unable to
make the public hearing on May 25th
for I will be off island attending my
sons graduation

many thanks, Andrew Bennett



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT**
For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Andrew Bennett Home Phone: 228 1454

Mailing Address: Box 1333 Nantucket 02554 Work Phone: 680 4702

Email Address: CasCon@Comcast.net Date Submitted: May 19 2016

REQUESTING RE-APPOINTMENT TO: Conservation Commission

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

- I've missed 2 to 3 meetings a year
- Environment Conservation is for most when it comes to maintaining the health of the island. I would like to preserve it for my children and future generations.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

My education in Geology/Geomorphology has given me an understanding of the fragility of the island's resources while at the same time my occupation as a builder makes me aware of the need to maintain healthy controlled growth.

- I base my decisions on the regulations, even when it may conflict with my personal views, and what will have the least impact on the resource areas involved.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

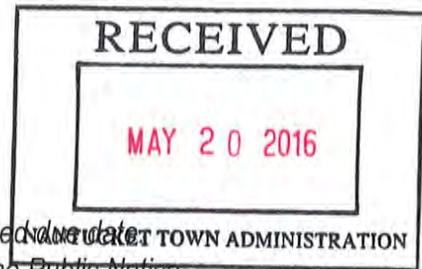
NPEDC
Polpis Harbor advisory group

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

No



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
 For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised date.
 Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: JOHN BELASH Home Phone: 228-4003

Mailing Address: 6 FARMER ST Work Phone: _____

Email Address: john.belash@live.com Date Submitted: May 20, 2016

REQUESTING RE-APPOINTMENT TO: Human Services Committee

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings? 60+%
- Why do you want to continue serving on the committee/board/commission?

I believe this body can play a meaningful role in identifying issues and, possible ways of addressing them, related to the Nantucket community

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
CONTRACT REVIEW committee
NANTUCKET CULTURAL committee
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?
NO



TOWN AND COUNTY OF NANTUCKET

16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov



April 26, 2016

Ms. Daryl Westbrook
PO Box 262
Siasconset, MA 02564

Dear Daryl:

Our records indicate that your term expires June 30, 2016 for your seat on the Council on Aging. If you are interested in being considered for reappointment, please complete the enclosed "Committee Interest Form/Incumbent" and the "Statement of Commitment" form and return them to Town Administration in the enclosed envelope by **Friday, May 20, 2016**. If you chose not to apply for reappointment, please check the box at the bottom of this letter and return it in the enclosed envelope.

Please also note that a public hearing will be held on **Wednesday, May 25, 2016 at 6:00 pm** in the first floor Community Room at the Public Safety Facility at 4 Fairgrounds Road, Nantucket, MA to consider applications. All applicants should be present to answer questions concerning applications. Committee appointments are scheduled for June 22, 2016. If you have any questions or would like further information, please call (508) 228-7266. Thank you.

Sincerely,

Erika D. Mooney
Project Administrator

Enclosure

I do not intend to apply for reappointment.

Signature



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT**

For Re-Appointment by the Board of Selectmen

RECEIVED

MAY - 6 2016

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Glenore Kelly Smith

Home Phone: 508-228-9238

Mailing Address: 12 Fulling Mill Rd

Work Phone:

Email Address: gksnantucket@gmail.com

Date Submitted: 5/4/16

REQUESTING RE-APPOINTMENT TO: Council on Aging

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings? *every meeting*
- Why do you want to continue serving on the committee/board/commission?
*I also volunteer at our Island Home & care about elders
I attend the Salt Marsh luncheon the day of meeting
& ask those in attendance if they know of anyone or anything
I should propose at the meeting*

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?
*Firstly - I am "tip-toeing" into 80 yrs of age myself!
I'm involved in many aspects of island life & a full*
time resident for over 25 yrs (family summered here for
3 generations)*

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? *no*



**TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT**
For Re-Appointment by the Board of Selectmen

RECEIVED

MAY 24 2016

Please return this form to the Town Administration offices by the advertised date. NANTUCKET TOWN ADMINISTRATION
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Ella B. Finn Home Phone: 508.332.9300

Mailing Address: P.O. Box 2993
Nantucket MA 02584 Work Phone: 508.901.5678

Email Address: ellabfinn@msn.com Date Submitted: _____

REQUESTING RE-APPOINTMENT TO: Council on Aging

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings? *I attend all meetings*
- Why do you want to continue serving on the committee/board/commission?

I wish to continue to advocate for a sometimes vulnerable and overlooked demographic. My personal and professional experience afford me valuable insight and opportunity to effect change.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

*Extensive work with elders in nursing management capacity both in facilities and in the community.
Boundless energy and enthusiasm, true and sincere respect for elders and a commitment to improving quality of life for them.*

Potential Conflicts of Interest

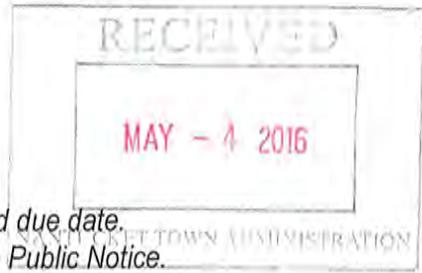
- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

*Council on Human Services Chair
Landmark House - Executive Director*

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? *NO*



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
 For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
 Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: JUSTIN CERNE Home Phone: 917 806 8940

Mailing Address: 20 ATLANTIC AVE Work Phone: 508 228 9001

Email Address: JCERNE@MAC.COM Date Submitted: 4/30/16

REQUESTING RE-APPOINTMENT TO: NANTUCKET CULTURAL COUNCIL

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

I have attended all council meetings and participated in all discussions and activities.

Continuing my service on the NCC allows me to be a part of an important local agency that positively affects the culture and arts on the island of Nantucket.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

As the Artistic Director of Theatre Workshop at Nantucket I bring a unique voice where live performance, not only in the theatrical arts but all performing arts are concerned. In that I help to continue the goals of keep culture alive on Nantucket.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

Theatre Workshop at Nantucket, Nantucket Cultural District Steering Committee

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

Theatre Workshop at Nantucket does apply for NCC grants



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
For Re-Appointment by the Board of Selectmen



Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Stephen Maury **Home Phone:** 508-228-8601
Mailing Address: 54 Old South Road **Work Phone:** 508-228-8602
Email Address: stephen.maury@gmail.com **Date Submitted:** May 3, 2016

REQUESTING RE-APPOINTMENT TO: Finance Committee

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

My attendance record has been good throughout my term and my availability will remain the same. Serving on the Committee is a privilege for which I am grateful. I look forward to employing during the next term the knowledge and experience I have gained during my first three years on the committee and its subcommittees.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

The Finance Committee is increasingly called upon to consider real estate matters such as the impacts of zoning bylaw changes. My experience as the owner of a real estate brokerage affords me insight into these and related issues.

I also bring to the Committee the perspective of a small business owner and, being 31 years old, I am a member of the generation perhaps hardest hit by the unavailability of economically accessible year round housing options. Both of these perspectives are important when considering issues likely to have long lasting impacts on our community.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

I am not aware of any such conflicts.

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

Uncle, Chris Maury, and aunt, Moira Parsons, are both employed at Nantucket High School.



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
For Re-Appointment by the Board of Selectmen

RECEIVED
MAY 18 2016

Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Clifford J Williams Home Phone: 508 360 5165

Mailing Address: 18 Williams St Work Phone: 508 360 5165

Email Address: CLIFFACK@Yahoo.com Date Submitted: May 19, 2016

REQUESTING RE-APPOINTMENT TO: Fin Com

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

- I was acting Chairman for most of the meetings last Fall, for the special Town meeting. I also chaired all the meetings for the sewer articles this year.

- I feel we have come a long way since I first started getting involved with the FinCom, but still see major problems in different areas that need addressing.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

I feel I bring years of experience working in the public and private sectors and working for the Federal Government while running a small business. I have been on different boards and gained the knowledge needed in the past six years to help run Town government.

- I am not afraid to make decisions and motions that are not popular, but in the best interest of the town.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members. None at this time

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? No



TOWN OF NANTUCKET
FINANCE COMMITTEE INTEREST FORM
For Appointment by the Board of Selectmen

RECEIVED
MAY 20 2016
TOWN ADMINISTRATION

Please return this form to the Town Administration offices by the advertised Nantucket date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.

Name: Henry Sanford Home Phone: 508-332-0070

Mailing Address: S Catherine Lane Alternate Phone: N/A

Email Address: edwardhenrysanford@gmail.com Date Submitted: May 20, 2016

REQUESTING APPOINTMENT TO FINANCE COMMITTEE

(No member of the Finance Committee shall be a Town or County officer or directly interested in the expenditures of the Town's appropriations (Nantucket Code Chapter 11-1).

Reasons for Committee Interest

- Why are you interested in being on the Finance Committee? *To play an active role in deciding policy priorities for our community. To learn more about the fiscal side of Nantucket's government. To take responsibility for decisions on policy that affect Nantucket's future.*

Relevant Experience

- What experience, skills or insight would you bring to the Finance Committee? *Strong back ground in real estate, have served and volunteered on various non-profits. Strong speaking skills.*
- What would you hope to accomplish on the Finance Committee? *To set forth a long term strategy for fiscal planning on island.*

Ability to Participate

- Are you prepared to commit to the meeting schedule of the Finance Committee? *Yes, full time year round*
- Have you attended meetings of the Finance Committee and if so how many/how often?

NO

Potential Conflicts

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.
Visitor Services Advisory, Housing Nantucket
- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket? *NO*



TOWN OF NANTUCKET
COMMITTEE INTEREST FORM/INCUMBENT
For Re-Appointment by the Board of Selectmen

RECEIVED
MAY 20 2016

*Please return this form to the Town Administration offices by the advertised due date.
Please call for date of the Public Hearing for applications review or refer to the Public Notice.*

Name: Ashley Erisman **Home Phone:** 508.265.2717

Mailing Address: PO Box 934 **Work Phone:** _____

Email Address: Ashley.erisman@gmail.com **Date Submitted:** 5/20/2016

REQUESTING RE-APPOINTMENT TO: _Mosquito Control Commission_

Reasons for Committee Interest

- What has been your level of attendance at committee/board/commission meetings?
- Why do you want to continue serving on the committee/board/commission?

I have attended all of the Mosquito Control Commission meetings since the date I was officially appointed. I would like to continue to serve on the Commission for a couple of reasons. I was officially appointed to the Commission this winter, therefore I have only served for two meetings (the third is scheduled for next week). I would like the opportunity to serve for a full term in order to gain a better perspective on the Mosquito response measures being taken by the Town. As a member of the Conservation Commission I think it is important to have input on management plans that directly impact wetlands and wetland ecology. Mosquito treatment clearly fits under that category. I find the study of disease vectors very interesting, and Mosquitos have the potential to transmit a variety of diseases. I would also like to continue to serve to see how climate change might be impacting the spread of Mosquitos. I would like to continue my role on the Commission to help enable that better Mosquito education reach the public. In doing this I believe we can stop unnecessary panic about Mosquito borne diseases that are unlikely to reach Nantucket at this point in time. I would like to help educate the landscape community, so that ultimately less unregulated pesticide spraying is occurring. I believe if individuals were aware about the Town's Mosquito treatment plan they would be more likely to find the source of their Mosquitos rather than treating individually.

Relevant Experience

- What have you brought to the committee/board/commission in terms of experience, skills, ideas, insight?
- How do you feel you have helped the committee/board/commission in its goal(s)/mission?

I have a Master's in Environmental Studies from the University of Pennsylvania with a focus on water resource management. I also have over ten years experience working in the landscape/gardening field on Nantucket. I think my background gives me a perspective unlike other individuals currently on the committee. I have witnessed how private homeowners choose to treat for mosquitos, and I am aware of the environmental consequences associated with improper pest management. I think I bring a fresh perspective to the Commission. Unfortunately I have only been on the Commission a short time, so it is difficult to quantify how I have helped the mission so far. I have given ideas on how to expose the public to mosquito education, and I have tried to get a mosquito education assembly scheduled for science students at Nantucket High School.

Potential Conflicts of Interest

- Please list any committees appointed by the Board of Selectmen, local agencies or non-profit organizations of which you or a member of your immediate family are current members.

The Nantucket Conservation Commission

- Are you or any member of your family employed by, or receive any financial consideration from, the Town of Nantucket?

Yes, I am currently working for Nantucket Public Schools.



TOWN OF NANTUCKET MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS
188 MADAKET ROAD
NANTUCKET, MA 02554

OFFICE: (508) 228-7244
OFFICE: (508) 228-7245
FAX: (508) 228-7289

Memo

To: Libby Gibson, Town Manager
From: Kara Buzanoski, DPW Director
RE: Sconset Flagpole
Date: 5/20/16

At this time:

The jack staff has been installed in the rotary (since Veteran's Day 2015). The flag will be flying in Sconset on Memorial Day. However, as you know the replacement of the David Gray Memorial has been an extremely long term effort by the DPW. In order to inform the Board of Selectmen and the public, I offer the following information:

From the Nantucket Preservation Trust website:

The rotary as we know it- the key element that signals you have arrived in the village- was constructed in 1929. This understated architectural feature was commissioned by a group of 'Sconseters as a memorial to longtime summer resident David Gray, who had strong ties to Main Street, 'Sconset, and was a major player in the establishment of the Sankaty Head Golf Club, as well as a financial supporter of the other village projects including renovations to the Casino in the 1920s. This modest rotary was designed by a well-respected and well-known architect of the day by the name of Frederick P. Hill, who was responsible for numerous projects in the village including those financially supported by David Gray."



DIVISIONS

ENGINEERING HIGHWAY SEWER SANITATION FORESTRY MOSQUITO CEMETERY RECYCLING



TOWN OF NANTUCKET

MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS
188 MADAKET ROAD
NANTUCKET, MA 02554

OFFICE: (508) 228-7244
OFFICE: (508) 228-7245
FAX: (508) 228-7289

Narrative of work by the DPW:

2012 – Crew identified condition issues on main pole. It was filled with wood putty and repainted.

2013 – It was clear that the pole was no longer structurally stable. The jack staff was not raised at all this year.

2013 – DPW decided to investigate doing repair work at eroded location. This was deemed impossible due to the extent of the rotted wood (on the Southeasterly side directly facing the prevailing wind direction).

2013 – CPC application (attached) was made for full replacement. The application was denied.

2013 – DPW again reviewed the pole and looked at doing the replacement in house under the direction of the General Foreman.

2014-2015 – DPW utilized a crane to try to pull pole. The crane was unable to move it. Multiple attempts were made to excavate old pole to allow installation of wooden mast purchased with funds from the Sconset Civic Association. The concrete collar was removed to try to facilitate this. Continuous attempts to excavate the old pole from the ground were unsuccessful.

2016 – SMRT Architects are brought in to evaluate restoration of the memorial flagpole.

From SMRT Architects site inspection 4/15/16:

Existing Conditions

- The original flagpole was a two piece mast with cross arms, lights, concrete base, metal collar, and a dedication plaque.
- The lower mast rotted and was cut down leaving the piece that was in the base.
- In an attempt to remove the rest of the mast, the concrete base was demolished. DPW has the metal collar and the dedication plaque.
- The piece of the mast that was in the base was burned but the part that was buried in the ground wouldn't burn. DPW attempted to get the rest of the mast out but there is still some portion of it in the ground.
- As a temporary fix, DPW installed the original upper part of the mast and cast a new base. The mast is about five to six feet in the ground in a sleeve with sand poured in as a filler.
- The electrical feed line is still available and is cast in the flat concrete base.

DIVISIONS

ENGINEERING HIGHWAY SEWER SANITATION FORESTRY MOSQUITO CEMETERY RECYCLING



TOWN OF NANTUCKET

MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS
188 MADAKET ROAD
NANTUCKET, MA 02554

OFFICE: (508) 228-7244
OFFICE: (508) 228-7245
FAX: (508) 228-7289

Mast Replacement Options

- The replacement mast that DPW currently has is in fact not a mast but a square wooden pole that was attempted to be shaved into a round mast. It seems unlikely that this is a viable option for replacing the lower portion of the flagpole.
- A new mast of either wood or fiberglass is needed.

Mast Material Options

- Wood
 - Would be exactly like the original mast and it may be possible to incorporate the original top portion of the mast.
 - A wood mast would be an easy sell to HDC and Sconset residents.
 - There is an ongoing maintenance require to paint the flagpole.
 - The electrical feed line will have to be feed up the mast on the exterior and painted white like the pole.
 - A new mast of wood will be extremely heavy and will require a large crane to erect it.
 - At some point, the lower mast would eventually have to be replaced again.
- Fiberglass
 - Would need to order both sections of the mast and the cross arms.
 - A fiberglass mast would be a much harder sell to HDC and Sconset residents.
 - There would be little maintenance required.
 - The electrical feed line could run up the mast on the inside.
 - A new fiberglass mast will be substantially lighter than a wood mast making erection much easier and less expensive.
 - The mast should not have to be replaced.

Base Options

- Option 1 – Disturb as Little as Possible
 - Remove the existing flag pole and demolish the current concrete base.
 - Saw cut the existing flat concrete base just inside the outline of the old base.
 - Remove the remainder of the existing mast and excavate to the require depth.
 - Put in a sleeve and cast a new concrete base designed like the old one.
 - Do not disturb the remaining existing landscape, walks, or walls.
 - This option will require more time and detail work.
- Option 2 – Remove Flat Concrete Base
 - Remove the existing flag pole and demolish the current concrete base.
 - Remove the existing flat concrete base.

DIVISIONS

ENGINEERING HIGHWAY SEWER SANITATION FORESTRY MOSQUITO CEMETERY RECYCLING



TOWN OF NANTUCKET MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS
188 MADAKET ROAD
NANTUCKET, MA 02554

OFFICE: (508) 228-7244
OFFICE: (508) 228-7245
FAX: (508) 228-7289

- Remove the remainder of the existing mast and excavate to the require depth.
- Put in a sleeve and cast a new concrete base designed like the old one.
- Do not disturb the remaining existing landscape, walks, or walls.
- This option will require less time and will give more room to work.
- Option 3 – Redo the Entire Circle
 - Remove the existing flag pole and demolish the current concrete base.
 - Remove the existing flat concrete base, concrete walls, brick walks, and landscape plantings
 - Remove the remainder of the existing mast and excavate to the require depth.
 - Put in a sleeve and cast a new concrete base designed like the old one.
 - This option will provide a completely new circle and would allow for new additions such as irrigation for example.

Next Steps

- Start exploring whether a fiberglass mast is an option that HDC and Sconset residents would entertain.

Steven F. Gribbin AIA
Director, Andover Office / Senior Architect
SMRT Architects and Engineers
smrtinc.com

DPW Next steps:

Engage in a larger, more public project for the replacement of the flagpole and the renovation of the rotary and seek CPC funds again this fall and well as put money in the FY18 DPW capital projects budget. Vertex (Town OPM) gave an estimated cost of \$100,000 to install a fiberglass flag pole instead of a 3-ton wooden mast. The wooden mast estimate is closer to \$200,000-\$250,000 depending on the cost of a new wooden mast because the current one has been compromised by all the “rounding” to fit the hole and now heavy machinery like a big crane and excavator will be needed.

DIVISIONS

ENGINEERING HIGHWAY SEWER SANITATION FORESTRY MOSQUITO CEMETERY RECYCLING

Siasconset Rotary Flag Pole Historic Restoration Project



Nantucket DPW
2013

SYNOPSIS

- Project Title: Siasconset Rotary Flag Pole Historic Restoration
- Name of organization: Nantucket Department of Public Works
- CPC Funding Request: \$65,000.00
- Synopsis of Project: Preservation and Restoration of Historic Resources.

The Department of Public Works proposes to replace the historic flag pole at the 'Sconset Rotary. The current flag pole was installed originally in the 1920's and has been replaced at least twice since then, most recently in 1952, and has suffered significant damage due to rot and weather. The flag pole is now a main mast of white pine with a second upper mast also of white pine. We are proposing to replace the lower main mast with the same material. The cross members and top mast do not need to be replaced at this time, having been replaced more recently.





APPLICANT INFORMATION

Project Title: Siasconset Rotary Flag Pole Historic Restoration

Name of Organization: Town of Nantucket, Department of Public Works (*Public*)

Address: 188 Madaket Rd, Nantucket, MA 02554

Location of Project site: Main Street, Siasconset at the Rotary.

Telephone#: 508-228-7244

Fax #: 508-228-7289

E-mail: dholdgate@nantucket-ma.gov

Website: Nantucket-ma.gov

Contact Person: Diane Holdgate, Administrator, Department of Public Works, 508-228-7244, dholdgate@nantucket-ma.gov

Federal Tax Identification Number: 046001236

APPLICANT BACKGROUND

- Applicant history and resumes of the three (3) highest officers:

The Town of Nantucket was incorporated in 1691. C. Elizabeth Gibson is the Town Manager and Gregg Tivnan is the Assistant Town Manager. The Department of Public Works was established April 1, 1966. Kara Buzanoski is the Director and Diane Holdgate is the Administrator.

- Names of governing board, trustees, directors or members:

Board of Selectmen:

Rick Atherton, Chairman

Bob DeCosta

Bruce Miller

Matt Fee

Tobias Glidden

- Description of any established records of comparable projects

The Town of Nantucket, Department of Public Works has done many projects, most recently the Civil War Monument. While we have not done a project exactly like this one, we have the knowledge and ability to complete this project.



PROJECT INFORMATION

Scope or Concept of Project: To restore and replace the flag pole at the Siasconset Rotary, including replacing collar and base, if necessary. The flag pole is a 45 foot tall white pine mast and we propose to replace it in kind.

Project Goal: To restore the ‘Sconset Flag Pole to its original appearance and to improve the overall appearance of this highly visible intersection in historic ‘Sconset Village.

Project Objectives: To restore and repair the ‘Sconset Flag Pole.

Describe how the project accomplishes the goals and objectives of the CPA:

This project accomplishes the goals and objectives of the CPA by restoring one the most visible landmarks in ‘Sconset Village. This is one of the most recognizable features in ‘Sconset and it should be in the best possible condition. The flag pole as it stands now is rotted and in danger of falling. We have repaired it as much as we can and it now needs to be replaced with historically appropriate material.



PROJECT PLAN & FINANCES

- CPC Funding Request (*Total*)

\$65,000.00

- Proposed schedule:

September 2013 – removal of collar and survey of condition

October 2013 – removal of existing mast with a crane and order replacement

April 2014 – receive new mast, paint and prepare for installation

May 2014 – install new mast with a crane, reinstall cross pieces and upper mast

June 2014 – Project Completion



- A Financial plan:

All funds received from the CPC will be used to restore and replace the Flag Pole. All permitting, procurement and project oversight will be done in-house, by the DPW and/or Town Administration, so the only outside expenses will be the crane operator, the new mast and paint, Base materials and supplies needed for installation.

- Line item Budget

New 45 foot white pine mast:	\$25,000.00
New Base:	\$30,000.00
Electrical Work:	\$ 5,000.00
Crane:	\$ 5,000.00

- Briefly provide justifications of why each type of expense is needed and describe expected project costs:

45' mast: this is the flag pole. It will be shipped from either Maine or Vermont. This cost includes the shipping. The mast will then need to be painted and prepared for installation.

New Base: At this time, we do not know if a new concrete base will have to be installed. If so, the entire Rotary will have to be dug out and the concrete block that the pole rests in will have to be reinstalled. We will then have to rebuild the Rotary wall and plantings.

Electrical Work: The lights that sit on the cross members will have to be reinstalled and the wiring run up inside the new mast.

Crane: We will need to hire a crane to remove the old mast and to install the new mast. The crane will have to come over from the mainland.

- Other Funding Source(s), including private/public/in-kind:

The DPW will provide in-kind services, such as disposal of excavated materials, stockpile location for materials, traffic control and equipment use. The DPW will also be handling most of the installation, preparation of the new mast and removal and disposal of the old mast.

- Operation and maintenance plan for proposed Nantucket project:

The DPW will maintain the Flag Pole and base as needed. There are no other on-going operational needs with this project.

- Project evaluation and maintenance:

The DPW will be doing the work while the project is on-going. Once the project is completed, the Flag Pole will be checked on a regular basis and will be scheduled for painting on an as needed basis.

- Long-term integrity of the project upon completion

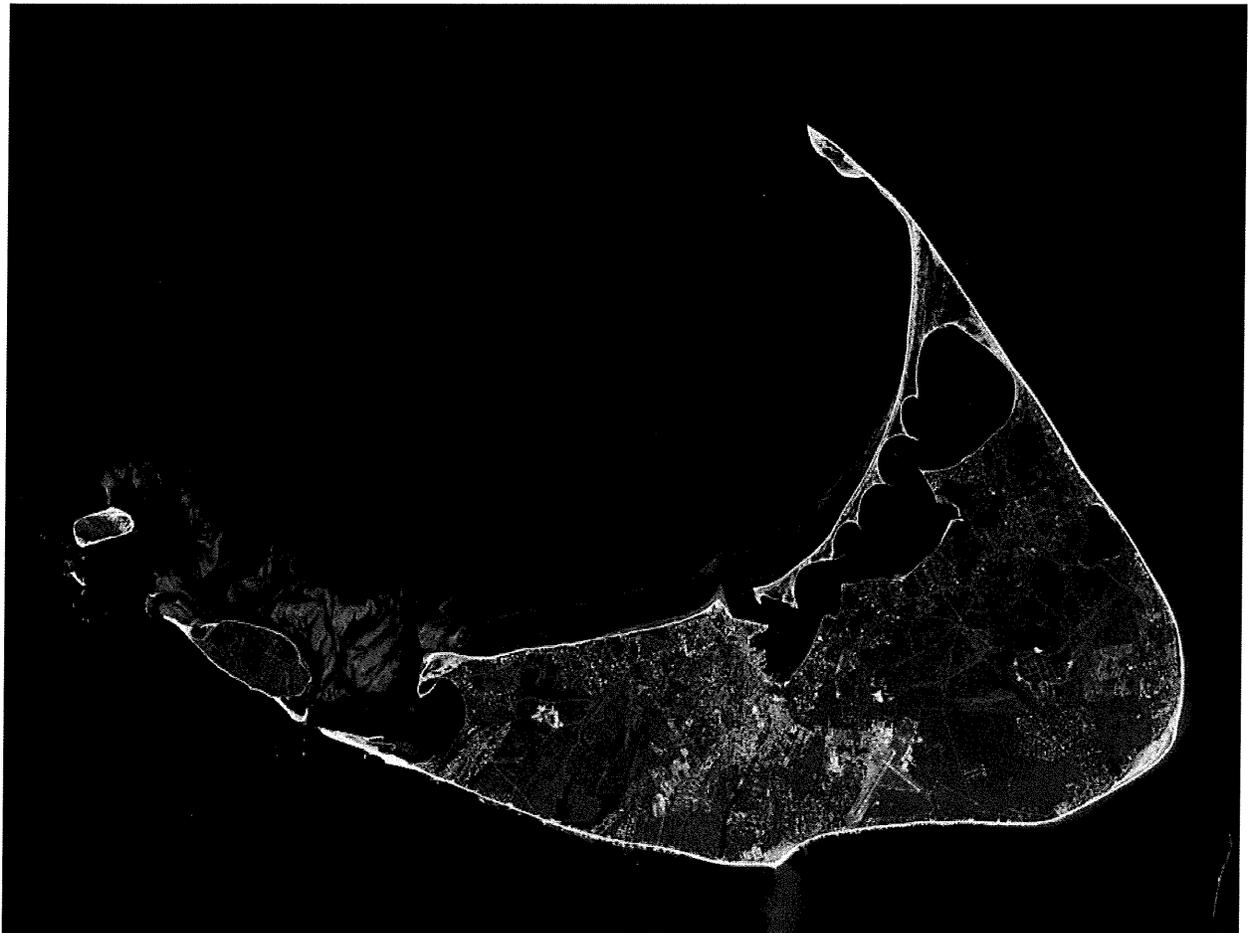
The Flag Pole has stood for almost 100 years and with this work it should be ready for at least another 100 years.



Category	Sub-category	Task	Due Date	Complete YES/NO	Sign-Off	Completion Date
Beaches	Surfside Beach	Replace Three Windows	1-Jun-2016	No		
		Paint Trim (Outside)	1-Jun-2016	No		
		Replace Grate in Women's BR	1-Jun-2016	No		
		Clean Walls	1-Jun-2016	No		
		Order/Install Mats and Fans	1-Jun-2016	No		
		Fix Undermining of pavement (DPW)				
		Order/Fill Dog waste dispensers	1-Jun-2016	No		
	Jetties Beach	Commission for season	12-Jun-2016	No		
		Replace Gate (DPW)	15-Jun-2016	No		
		Paint interior	15-Jun-2016			
		Fix Fence	15-Jun-2016			
		Repair Vertical Boards	15-Jun-2016			
		Evaluate and Inspect	15-Jun-2016	No		
		Paint and Repair as needed	15-Jun-2016	No		
	Dionis Beach	Commission for season	15-Jun-2016	No		
		Repair/Touch up as needed	15-May-2016	No		
		4x4 Posts block off east entrance				
		Install Ramp	12-Jun-2016	No		
		Fill dog waste dispensers	15-May-2016	No		
	Children's Beach	Inspect/Repair rope fence	15-May-2016	No		
		Commission for season	12-Jun-2016	No		
		Procurement Handicap Ramp	1-Apr-2016	No		
		Repair Concession Ramp	15-May-2016	No		
	Madaket	Install Swim line	12-Jun-2016	No		
		Commission for season	12-Jun-2016	No		
		Install Ramp	12-Jun-2016	No		
		Clean Debris	1-May-2016	No		
	Miacomet	Evaluate Fence Placement	1-May-2016	No		
		Commission for season	12-Jun-2016	No		
		Clean Debris	15-Jun-2016	No		
	Cisco	Commission for season	12-Jun-2016	No		
		Clean Debris	1-Jun-2016	No		
		Install Ramp	12-Jun-2016	No		
	Nobadeer	Commission for season	12-Jun-2016	No		
		Clean Debris	1-Jun-2016	No		
	Sconset	Commission for season	12-Jun-2016	No		
Clean Debris		1-Jun-2016	No			
Beach Access	Signs	GPS coordinates	15-Apr-2016	In Progress		
		Add/Delete Beach Access as needed	15-Apr-2016	Yes	Chris	3/21/2016
		Create new maps	1-Jun-2016	No		
		Install Add'l posts/signs as needed	15-Apr-2016	Yes	Chris	3/21/2016
	Accessibility	Clean up/Secure all Beach Access		Yes		

Town of Nantucket

Beach Maintenance Plan



1. PURPOSE:

Develop a plan that will protect Nantucket's pristine beaches through maintenance enhancing coastal processes and minimizing environmental impacts caused by weather events and beach patrons.

2. GOAL:

The overall goal is to provide a single plan that utilizes all available resources to prevent or mitigate maintenance issues on Nantucket's beaches ensuring public access and public safety. The plan will ensure that all resources are trained to efficiently deal with the effects of potential weather events; and are prepared to execute a coordinated response to beach maintenance issues to protect our beaches.

3. SITUATION AND ASSUMPTIONS:

Nantucket's beaches are some of the most popular beaches in the northeast. Beach population averages between 1000 to 1500 people on Nantucket's beaches daily, and can reach over 5,000 during long weekends and special occasions. Nantucket is subjected to severe weather events in the winter and during hurricane season which affects our beaches significantly.

Nantucket's beaches have several stakeholders. Home owners, several Town departments and private organizations have a vested interest in protecting our beaches and in performing maintenance to meet their organizations objectives. All of Nantucket's agencies have their unique areas of expertise. We must provide a professional coordinated response, maximizing each agency's strengths and abilities to ensure a successful outcome. It is imperative that the major stakeholders and primary maintenance personnel meet at least twice annually to review and update the maintenance plan.

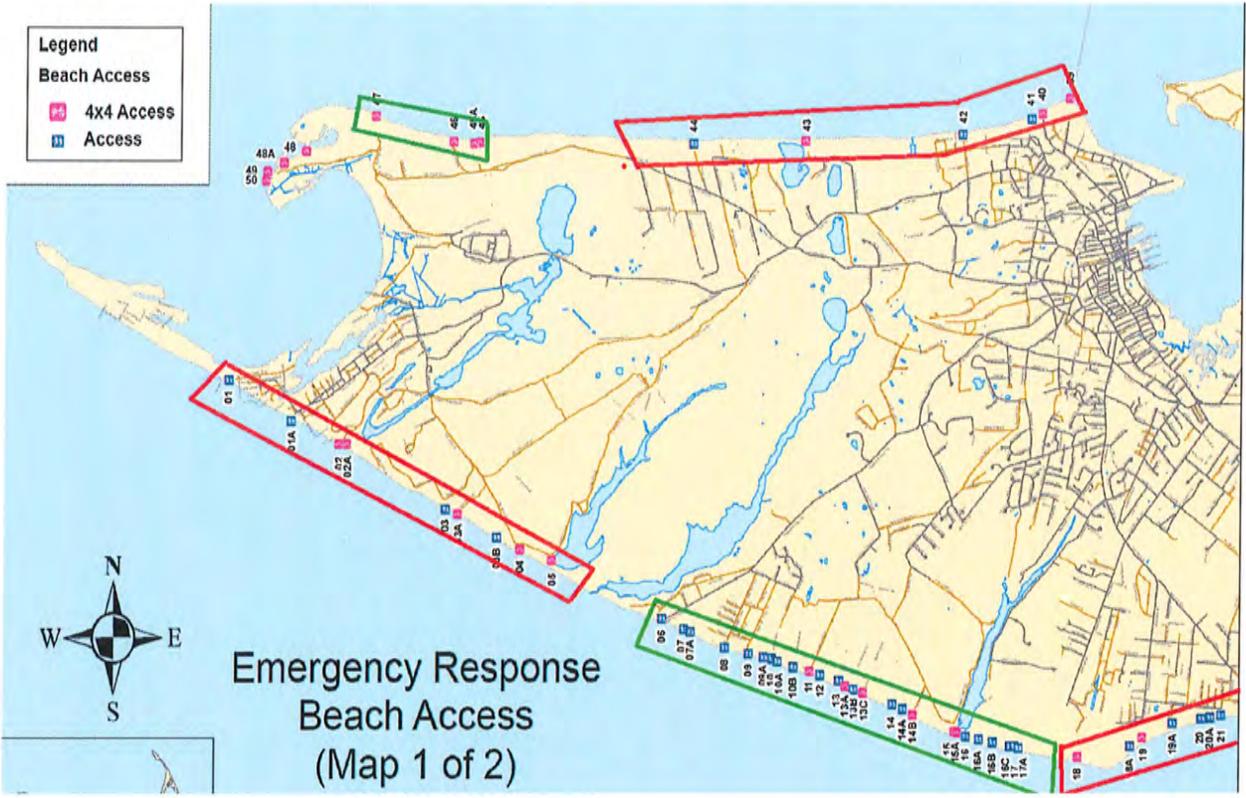
4. RESPONSIBILITIES:

1. Harbor Master's Office Beach Personnel: The Nantucket Harbor Masters Office supervises the Town's Lifeguards and beach maintenance personnel. There is 1 full time and 2 seasonal staff to perform maintenance on the Town beaches. There are 2 ATV s dedicated strictly to beach maintenance. The ATVs are deployed at 0700 daily and patrol the north and south shore beaches recovering trash and debris and marking hazards to public safety. The patrol area is a route which is agreed upon with beach maintenance personnel from other organizations specifically the Nantucket Land Bank. A 4X4 vehicle is dedicated to beach maintenance and will recover trash and debris from all Town owned beaches and parking lots daily. The beach maintenance staff is also responsible for providing routine maintenance to the Town owned structures on the beaches. The Harbor Master's Office is responsible for marking all beach access points and ensuring the access points on Town owned property are maintained and kept clear for emergent and non-emergent situations and access. They are responsible to provide fencing for access paths to prevent damage to the dunes and sensitive beach areas. The Harbor Masters Office is responsible to monitor and answer calls, complaints and concerns about Nantucket's

beaches and to inform the responsible agency. They will provide follow up with the other agency and the reporting party.

2. Department of Public Works: The Department of Public Works personnel will provide trash and recyclable containers at the Town owned beaches and provide daily pick-up. They are solely responsible for the Children's beach area. They will perform beach raking as required on Town owned beaches and will provide service when heavy equipment or more advanced maintenance is required. The DPW will maintain the roads and parking lots for Town owned beaches. The Facilities Maintenance Manager manages advanced and involved maintenance on Town owned structures on the beaches.
3. Natural Resources Department: The Natural Resources Department has regulatory jurisdiction over all established public beaches for endangered species. They will notify Police Dispatch and all agencies when specific areas are closed to beach driving for endangered species. They will monitor, will provide fencing for sequestered areas and provide the public with updated information.
4. Nantucket Land Bank: The Nantucket Land Bank maintenance personnel and the Harbor Master's office personnel perform a coordinated effort for trash and debris pick up and fencing issues over the majority of Nantucket's Beaches. They work closely to formulate an efficient plan to ensure all beaches are covered as many properties overlap. It is imperative that they communicate regularly through the season to ensure the successful outcome. The Land bank will provide road and parking lot maintenance for the beaches that they are responsible for.
5. Nantucket Conservation Foundation: The Nantucket Conservation Foundation will provide maintenance on the beaches that they are responsible for. If they are unable to perform the maintenance due to lack of staffing or equipment, the Land bank and harbor Masters will assist as requested.

Legend
Beach Access
4x4 Access
Access



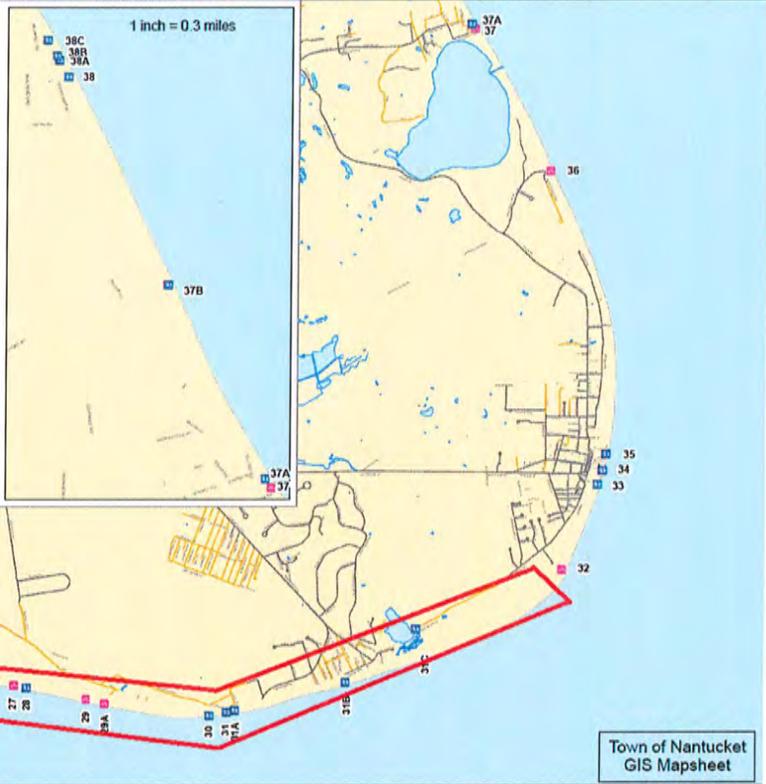
**Emergency Response
Beach Access
(Map 1 of 2)**

Emergency Response Beach Access (Map 2 of 2)

Legend
Beach Access
4x4 Access
Access



0 0.5 1 Mile
1 inch = 0.5 miles



This document was compiled by the GIS Department
of the Town of Nantucket. Accuracy of the data is not
guaranteed.
Please send identification of any errors
and corresponding corrections to:
GIS Coordinator, Town of Nantucket
2 Fairgrounds, Nantucket, MA 02554
7/1/2015

The data on this mapsheet is intended solely as an aid in the Town's
Beach Management and Emergency response activities. The Town of
Nantucket makes no claims as to the absolute validity or reliability of this
data or its fitness for any particular use.

Town of Nantucket
GIS Mapsheet



MEMORANDUM

TO: Board of Selectmen

**FROM: Mike Burns, AICP
Transportation Planner**

DATE: May 18, 2016

RE: Draft FFY 2017-2020 Transportation Improvement Program (TIP)

The NP&EDC has authorized a 30-day public review of the draft TIP from June 6 to July 18, 2016. To provide additional input during this process I will be presenting a summary of the projects included in the draft TIP at the Board of Selectmen's May 25th meeting, followed by a **request that the Board recommend the NP&EDC approve the draft TIP project schedule as shown below.**

As you may know, the TIP is a state and federally approved document that is produced annually to provide a 5-year listing of highway and transit projects eligible to receive federal and state funding. When preparing the project schedule the primary determinates for sequencing are the project's design status (or readiness), cost, and inclusion in the NP&EDC's Regional Transportation Plan.

The draft schedule below – approved by the NP&EDC following consultation with MassDOT – lists the projects by the year that bids for the project's construction could be ready for advertisement.

Highway portion of TIP:

FFY	Highway Projects	Project ID	Funding Category	Total Federal / State Funding
2017	Flex funding to NRTA – replacement of 2 buses	n/a	Flex to Transit	\$456,619
2018	No project identified (Surfside / Bartlett Roundabout could be scheduled if design is approved before FFY 2018)	n/a	STP*	\$397,225
			CMAQ**	\$54,995
			HSIP***	\$21,998
2019	Surfside Road at Bartlett Road – Roundabout (AC-1)	TBD	STP	\$397,225
			CMAQ	\$54,995
			HSIP	\$21,998
2020	Surfside Road at Bartlett Road – Roundabout (AC-2)	TBD	STP	\$406,576
			CMAQ	\$54,995
			HSIP	\$21,998
2021	No project identified (An In-town bike path future phase could be scheduled for FFY 2021)	n/a	STP	\$393,117
			CMAQ	\$54,995
			HSIP	\$21,998

* - Surface Transportation Program; ** - Congestion Management and Air Quality Program;

*** - Highway Safety Improvement Program

Transit Portion of TIP:

FFY	Transit Agency	Line Item	Transit Project	Carry Over	Federal Funds	SCA (state aid)	LCL (local aid)	Total
2017	NRTA	300900	OPERATING ASSISTANCE	2016	\$543,287	\$394,651	\$148,636	\$1,086,574
2018	NRTA	300900	OPERATING ASSISTANCE	2017	\$549,043	\$394,651	\$154,392	\$1,098,086
2019	NRTA	300900	OPERATING ASSISTANCE	2018	\$554,856	\$0	\$554,856	\$1,109,712
2020	NRTA			2019	TBD	TBD	TBD	TBD
2021	NRTA			2020	TBD	TBD	TBD	TBD

*- State aid; **- Local aid

If you have any comments about this request, please feel free to contact me.

Thank you.

DRAFT FFY 2017 - 2021 Transportation Improvement Program (TIP)

1. Overview of TIP Projects and Schedule

NOTE: 30-day Public Comment Period from June 6 to July 18, 2016.
Draft copies available on the Town's website, and at the Atheneum,
Selectmen's Office, and 2 Fairgrounds Rd

2. Requested Action:

- Recommend the NP&EDC approve the draft FFY 2017 – 2021 TIP as presented.

DRAFT FFY 2017 - 2021

Transportation Improvement Program (TIP)

Nantucket Capital Improvement Program (FY2017-21)

- FFY 2017-21 TIP projects are highlighted in YELLOW
- Eligible projects highlighted in ORANGE

DPW Capital Plan 2016 to 2025

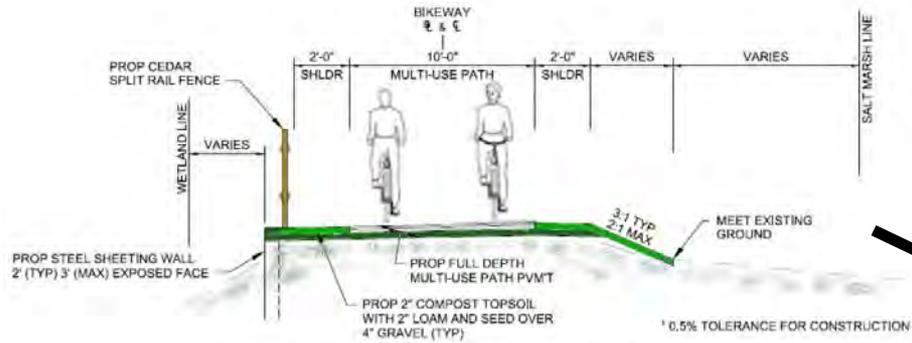
REQUEST	RTP / Master Plan Reference	Project Evaluation Score from RTP (Range: +23 to -23)	Chapter 90 / TIP Construction / Other \$	FY2016	FY2017 request	FY2018	FY2019	FY2020	FY2021
Roadway/ Bike Paths:									
Boulevard area reconstruction	4.9.13	3 - Road / 7 - Path		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000			
Chapter 90	DPW PMP	-	\$ 637,307						
Road Maintenance	DPW PMP	-		\$ 700,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000
Bartlett Road bike path/sidewalk maintenance	DPW PMP	-		\$ 500,000					\$ 500,000
108-120 Baxter Road construction	DPW PMP	-		\$ 500,000					
Repair/widening and adding sidewalks downtown	6.7	-			\$ 1,500,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
First Way road construction	4.9.3	6 - Road / 12 - Path			\$ 800,000				
Road takings-Friendship/Somerset	4.9.11 & 14.3.3	3					\$ 380,000		
Road takings- Winn St	4.9.10	6			\$ 250,000			\$ 320,000	
Bartlett/Surfside rotary - TIP project (FY19)	4.9.1	11	\$ 900,000		\$ 150,000				
In Town bikepath Ph3-Washington St to town-2000' - TIP project (out year FY21-25)	6.6.5	11	\$ 440,000		\$ 75,000				
In Town bikepath Ph2- Orange St to Rotary-1800' - TIP project (out year (FY21-25)	6.6.4	9	\$ 385,000		\$ 75,000				
Wauwinet bike path Grant-\$ - TIP project (out year - FY depends on grant approval)	6.6.11	8	\$ 2,850,000						
Washington St at Francis St reconstruction	4.9.8	3				\$ 400,000			
Road construction Fairgrounds to Monomoy Rd 700'	14.3.1	Further study needed				\$ 350,000			
Fairgrounds/Old South rotary - TIP project (out year - FY21-25)	4.9.2	11	\$ 900,000			\$ 150,000			
Intersection construction 5 Corners at Pleasant St. bricking	Mid-Island Plan	-				\$ 100,000			
Road takings-Amelia	14.3.3	-				\$ 100,000			
Old South Road bike path maintenance- Crack sealing	DPW PMP	-				\$ 75,000			
Road construction Amelia Dr to Polpis Rd 1300'	14.3.1	Further study needed					\$ 550,000		
Road Takings-Ticcorna to Lovers' Lane 1800'	14.3.3	Further study needed					\$ 250,000		\$ 865,000
Nobadeer Farm Road bike path maint 1200' Milestone to Park Cir	DPW PMP	-					\$ 200,000		
Monomoy Rd bike path	6.6.13	6						\$ 805,000	
Industry and Shadbush Rd construction	4.9.12	3						\$ 720,000	
Surfside bike path paving 11,500'	DPW PMP	-						\$ 200,000	
Pleasant St at Williams/Cherry reconstruction	4.9.9	3						\$ 175,000	
Intersection reconstruction 4 Corners at Sparks Ave - TIP project (out year - FY21-25)	4.9.4	11	\$ 900,000				\$ 150,000		
Tom Nevers Road bike path constr Ph1 7500' - TIP project (out year - FY31-35)	6.6.8	9	\$ 1,500,000						\$ 1,500,000
Tom Nevers Road bike path constr Ph2 3600' - TIP project (out year - FY40+)	6.6.8	9	\$ 730,000						
Somerset Lane bike path 2500' - TIP projects (out year - FY2036-2040)	6.6.10	8	\$ 730,000						
Quidnet Rd bike path	6.6.12	7							
Eel Point Rd path extension	6.6.17	6							
Bartlett Farm Rd bike path	6.6.9	7							
Hummock Pond Rd to Vesper Ln bike path	6.6.16	10							
Old South Rd (south side link)	6.6.15	6							
Milestone Rotary reconstruction - TIP project (out year - FY26-30)	4.9.5	9	\$ 1,100,000						
In Town bikepath Ph1-Goose Pond Rd-1300' - TIP project (FY 2015/2016)	6.6.3	8	\$ 1,286,861						
Milestone Rd at Polpis Rd reconstruction - TIP project (FY26-30)	4.9.6	3	\$ 575,000						
Milestone Rd at Monomoy Rd reconstruction - TIP project (FY26-30)	4.9.7	3	\$ 575,000						
Sparks Ave sidewalk - Funded privately	6.6.6	11	\$ 505,000						
<i>Yearly Total for Roadway/Bike Paths</i>			\$ 13,814,168	\$ 2,700,000	\$ 4,750,000	\$ 4,075,000	\$ 3,280,000	\$ 4,270,000	\$ 4,765,000

CURRENT YEAR:

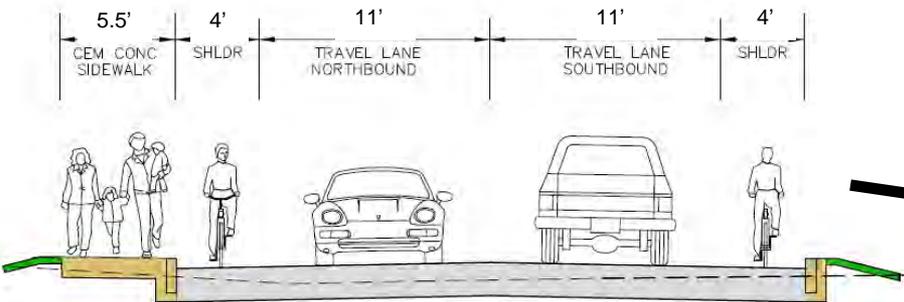
FFY 2016 –

In-Town Multi-Use Path – Phase 1

- Construction bids to be opened June 1st



TYPICAL MULTI-USE PATH SECTION



TYPICAL ORANGE STREET SECTION



DRAFT FY 2017-21 TIP

FFY 2017 NRTA Scheduled Bus Replacements (2)

Cost estimate is \$482,000

- Funding “flexed” to NRTA from TIP highway target.
- No federal aid eligible project is ready for advertisement in FFY 2017.



DRAFT FY 2017-21 TIP

FFY 2019 and 2020 Surfside Road at Bartlett Road

1. No federal aid eligible project is ready for FFY 2018, but this project could be ready for FFY 2018.
2. 2 Bartlett Rd acquired in 2015
3. 2016 Annual Town Meeting approved \$150,000 for the intersection redesign
4. Due to project construction cost, it will likely need to use 2 years of TIP funding (a.k.a., advance construction)
5. Construction estimate is \$900,000



DRAFT FY 2017-21 TIP

FFY 2021 To Be Determined

1. No federal aid eligible project is ready for FFY 2021, but a future phase of the In-town Bike Path could be ready for FFY 2021.
2. Washington Street Phase – feasibility of undergrounding utilities needs to be completed.
3. Orange Street Phase – property impacts need to be mitigated
4. Construction estimate for both phases is \$825,000



Requested Action:

Recommend the NP&EDC approve the FY 2015 – 2018 TIP as shown below

Highway:

FFY	Highway Projects	Project ID	Funding Category	Total Federal / State Funding
2017	Flex funding to NRTA – replacement of 2 buses	n/a	Flex to Transit	\$456,619
2018	No project identified (Surfside / Bartlett Roundabout could be scheduled if design is approved before FFY 2018)	n/a	STP*	\$397,225
			CMAQ**	\$54,995
			HSIP***	\$21,998
2019	Surfside Road at Bartlett Road – Roundabout (AC-1)	TBD	STP	\$397,225
			CMAQ	\$54,995
			HSIP	\$21,998
2020	Surfside Road at Bartlett Road – Roundabout (AC-2)	TBD	STP	\$406,576
			CMAQ	\$54,995
			HSIP	\$21,998
2021	No project identified (An In-town bike path future phase could be scheduled for FFY 2021)	n/a	STP	\$393,117
			CMAQ	\$54,995
			HSIP	\$21,998

Transit:

FFY	Transit Agency	Line Item	Transit Project	Carry Over	Federal Funds	SCA (state aid)	LCL (local aid)	Total
2017	NRTA	300900	OPERATING ASSISTANCE	2016	\$543,287	\$394,651	\$148,636	\$1,086,574
2018	NRTA	300900	OPERATING ASSISTANCE	2017	\$549,043	\$394,651	\$154,392	\$1,098,086
2019	NRTA	300900	OPERATING ASSISTANCE	2018	\$554,856	\$0	\$554,856	\$1,109,712
2020	NRTA			2019	TBD	TBD	TBD	TBD
2021	NRTA			2020	TBD	TBD	TBD	TBD



MEMORANDUM

TO: Board of Selectmen

FROM: Mike Burns, AICP
Transportation Planner

DATE: May 18, 2016

RE: Complete Streets Policy

This memo is to **request that the Board of Selectmen adopt a Complete Streets Policy, as recommended by the NP&EDC at their May 2, 2016 meeting.** As you may know, approval of a Complete Street Policy by a Town's highest elected board (the Nantucket Board of Selectmen) is necessary to access state funds to prioritize and construct transportation projects that address all modes of transportation for all user age groups and abilities. This Complete Streets program is currently funded for two years (FY 2016-2017) and is managed by MassDOT. The program also provides in each of the two years up to \$50,000 (reimbursable) for a prioritization plan and up to \$400,000 (also reimbursable) for construction once a municipality adopts a Complete Streets Policy. Since the funding is for reimbursement, Towns will need to

The attached policy was developed following participation in a local Complete Streets training session with other Town officials, including Selectmen Matt Fee, and staff, which was organized by MassDOT and the UMass Baystate Roads Program. In addition to the review and recommendation from the NP&EDC, this policy was also reviewed by the Roads and Right of Way Committee and Bicycle and Pedestrian Committee.

As you may also know, there are three steps (or Tiers) to implementing a project using the Complete Street funding. Prior to advancing to the prioritization planning in the Tier 2 stage, a municipality must complete the training and receive approval of an adopted policy by MassDOT (a policy must score at least 80 of a possible 100 points). The Tier 3 stage includes project approval and notice to proceed for construction. However, to expedite the process, if a municipality submits a letter to MassDOT stating the intention to adopt a Complete Streets Policy, the municipality may be authorized to proceed to the Tier 2 stage and begin development of a prioritization plan. A draft letter has been provided for your review to notify MassDOT of the Town's intension to adopt the attached policy.

If you have any questions about the attached, please contact me.

Thank you.



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



HAVE YOU HEARD ABOUT THE NEW COMPLETE STREETS PROGRAM?

As many of you are aware, the Baker-Polito Administration announced a Complete Streets Program that is meant to encourage the use of “Complete Street” practices throughout the Commonwealth. Expanding the use of Complete Streets in both our state and local work will increase the safe and accessible options for all travelers. The program was first established in Chapter 79 of the Acts of 2014; however, due to concerns about some aspects of the statutory language, MassDOT released a modified program on February 2nd of 2015 after extensive municipal outreach. As such, alternative funding (non-bond bill) has been provided for initial Complete Streets efforts.

The program is comprised of a three-step process:

Step 1 – Municipality must attend the mandatory Complete Streets training and create a local Complete Streets Policy which recognizes individual community needs.

Step 2 – Municipality is eligible to apply for technical assistance (up to \$50,000) for the development of a prioritization plan once their policy has passed (Scored 80 or above), or submitted a letter of intent to pass a policy has been submitted (letter valid for only one year from date of issuance). The prioritization plan, once submitted, will only be reviewed for completeness.

Step 3 – Once the prioritization plan has been approved, a municipality may then apply for project funding. A municipality may select any number of projects from their prioritization plan totaling not more than \$400,000.

Realizing the importance of Complete Streets, we have tied this program to the Community Compact Cabinet as a way to recognize the importance of Complete Streets and the equally important partnerships between the Baker-Polito Administration and our cities and towns. Community Compact members advancing Complete Streets will have additional program points reflected in their Complete Streets Policy score. We are already seeing the potential for this program from the Complete Streets trainings that we have offered to the Commonwealth’s cities and towns, as 266 cities and towns have attended these classes. Our goal is to reach all 351 cities and towns in the Commonwealth. Additionally, 69 municipalities have already registered on the On-line Complete Streets portal which is being used to manage and track the program. Only \$12.5M of alternative funding is available for the Complete Streets program, so early action is encouraged.

This partnership between this Administration and cities and towns can empower and encourage us to consider other safe and accessible mode options for people of all ages and abilities. We encourage you to attend the training, participate in this program, and to further your use of Complete Streets into all the great work you continue to do.

For more information about this program, visit: www.masscompletestreets.com.

Complete Streets Funding Program

Provides safe and accessible options for all travel modes – walking, biking, transit and vehicles – for people of all ages and abilities.

Program Overview

- **Three Tier Reimbursement Program for FY2016-17**
 - **Tier 1**
 - Complete CS Training (**Done**)
 - Policy Development (Selectmen need to adopt policy)
 - Policy Scoring by MassDOT (requires 80/100 points)
 - **Tier 2 – Complete Street Prioritization Plan**
 - \$50,000 reimbursement for prioritization plan (Sidewalk fund)
 - Sidewalk Improvement Program will be use for prioritization plan and construction
 - **Tier 3 – Project Approval and Notice to Proceed**
 - \$400,000 reimbursement for construction (Sidewalk fund)
 - Process resembles Chapter 90 process rather than TIP process

Tier 1 – Necessary Policy Elements

1. **Vision & Intent – 10 pts** – *What do you want your community to look like? Definitive intent.*
2. **Users and Modes – 20 pts** – *Defining who the system serves, all ages and abilities*
3. **Projects and Phases – 15 pts** – *Design, construction, maintenance?*
4. **Exceptions – 10 pts** – *Where does the policy not apply?*
5. **Network – 10 pts** – *Importance of connectivity*
6. **Jurisdiction – 5 pts** - *Who/what does it apply to? All funded projects Coordination with other entities?*
7. **Context Sensitivity – 5 pts** – *One size does not fit all. Maintain community character*
8. **Design Guidance – 10 pts** – *Committing to best practice and flexibility*
9. **Performance Measures – 5 pts** - *How do you measure progress?*
10. **Implementation – 10 pts** – *Concrete steps to embed Complete Streets in procedures and practice*

Tier 1 – Town Policy Commitments

- Maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bike path network.
- Evaluate projects within the Capital Improvement Plan to encourage implementation of this policy.
- Secure training for pertinent town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.
- Utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way. The Town will
- As a Compact Community, seek out appropriate sources of funding and grants for implementation of Complete Street policies.

Next Steps

- May 25th – Selectmen approve Complete Streets Policy
 - Staff submits policy to MassDOT for scoring
 - Staff formalizes an internal coordinated review process to ensure CS principles are considered
- By July 1st – If Policy is scored favorably by MassDOT, staff will start the Prioritization Plan for the Sidewalk Improvement Program

Town of Nantucket Complete Streets Policy

Effective Date	May 18, 2016 May 25 or early June (TBD)
Selectmen vote to adopt policy	May 18, 2016 May 25 or early June (TBD)
NP&EDC vote to recommend	May 2, 2016
Public Meeting (NP&EDC)	March 28, 2016

Comment [m1]: Notes are NP&EDC staff's interpretation of the MassDOT's scoring system. Overall, it appears that the policy would score at least 80 of 100 points. Final scoring of any policy would be up to MassDOT.

Comment [lg2]: This is "streets" only? Not sidewalks or bike paths?

Comment [m3]: DRAFT – all dates to be approved

This model policy was developed by NP&EDC staff in consultation with various local committees, with much of the language selected from the Cape Cod Commission, Salem, MA and Littleton, MA polices. The intent is that the Board of Selectmen adopt this policy for application during consideration of approval of any project or program that would impact the mobility of the residents and visitors of Nantucket.

Vision and Purpose:

A Complete Street provides safety, comfort, and accessibility for all the users of our roadways, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles. "All users" includes users of all ages, abilities, and income levels. These principles contribute toward the safety, health, economic viability, and quality of life in the community by creating safe, accessible, and comfortable pedestrian and vehicular environments for travel between home, school, work, recreation and commercial destinations. Complete Streets also furthers equity objectives by providing safe forms of travel and empowering residents of all income levels.

Considering the need to preserve the historic and environmental qualities of the island, the community's transportation challenge is to manage the use of cars on Nantucket while providing a transportation system that is safe, convenient, economical, and sensitive to the character of the island. It can be difficult to provide a system that accommodates all users along the many narrow roadways that are constrained by historic buildings and environmental resources, especially when the volume of users swells during the summer tourist season. The purpose of the Town of Nantucket's Complete Streets policy, therefore, is to accommodate all road users by creating a road network that meets the needs of individuals utilizing a variety of transportation modes, while protecting the elements that are important to both the character and the economy of the community. The Town of Nantucket's Complete Streets policy directs the community's decision-makers to consistently plan, design, operate and maintain streets that are sensitive to the character of the island while accommodating all anticipated users, including but not limited to pedestrians, bicyclists, motorists, emergency vehicles, freight, and commercial vehicles.

Comment [lg4]: ALL users? Won't that be pretty much impossible on many of the streets downtown?

Comment [L5]: Equestrian (yes) skateboard (no)?

Comment [m6]: Vision and Purpose [direct statement with obvious intent of policy = 10pts]

Core Commitment:

The Town of Nantucket recognizes that users of various modes of transportation, including but not limited to pedestrians, cyclists, transit and school bus riders, motorists, delivery and service personal, freight haulers, and emergency responders, are legitimate users of streets and deserve safe facilities. "All users" includes users of all ages, abilities, and income levels. The Town of Nantucket recognizes that all projects, including new construction, maintenance and reconstruction, are potential opportunities to apply Complete Streets design principles. During the Town's capital project review process, Town Administration will, to the maximum extent practical, require that any design, construction, maintenance and operation funding request for

Comment [m7]: All Users and Modes [bike/ped/transit/emergency = 12 core pts]

Comment [m8]: All Users and Modes [+4pts for "all ages" and + 4 pts for "all abilities"]

Comment [m9]: All Projects and Phases [applies to all project types = 10 core pts]

any roadway demonstrate consideration for accommodating users of all ages and abilities. This includes demonstrating that improved accommodation either connections to a similar established network of accommodation for users or transitions from an improved facility to the existing roadway network in a manner that is safe, convenient, and sensitive to the character of the island.

Comment [m10]: All Projects and Phases [+5 for "requires procedures be developed"]

Comment [m11]: Network [acknowledges importance of network approach = 10 core pts]

All transportation infrastructure and roadway design projects requiring funding or approval by the Town of Nantucket, as well as projects funded by the State and Federal government, including but not limited to Chapter 90 funds, grants, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding and other state and federal funds for street and infrastructure design shall adhere to the Town of Nantucket's Complete Street Policy. Private developments and related roadway design components shall also adhere to the Complete Street principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets Policy, including the design, construction and maintenance of such roadways within town boundaries. Town Departments will use best judgment regarding the desirability and feasibility of applying Complete Streets principles for routine roadway maintenance and projects such as repaving, restriping and so forth.

Comment [lg12]: "shall"? That might prove impossible? How about "to the extent practicable"?

Comment [m13]: Jurisdiction [+2 pts for "recognizing need to work with entities"]

Exemptions:

Transportation infrastructure projects, including but not limited to roadway reconstruction, roadway reconfigurations or subdivisions may be excluded upon approval by the Board of Selectmen with consultation from the appropriate town departments, where documentation and date indicate that any of the following apply:

Comment [m14]: Exceptions [+6 pts for exemption process]

- Private roadways, ways over private land, and roadways maintained by private organizations, such as the Land Bank, are not subject to this policy.
- Where it is demonstrated that costs or impacts of accommodation are excessively disproportionate to the need or probable future use.
- Other town policies, regulations or requirements contradict or preclude implementation of Complete Streets principles.

Comment [m15]: Exceptions [clear exceptions = 4 core points] possible 2pts if #3 "lacks clarity or allow loose interpretation"

Best Practices:

The Town of Nantucket's Complete Streets policy will focus on developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and redevelopment projects. As practicable, recommendations from the appropriate town departments for incorporating complete streets elements will occur in projects' beginning stages prior to design. Implementation of the policy will be carried out cooperatively within all departments in the Town with multi-jurisdictional cooperation and, to the greatest extent possible, among private developers and state, regional and federal agencies.

Comment [m16]: Network [acknowledge importance of network = 10 core pts]

Complete Streets principles include the development and implementation of projects in a context-sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order

to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical and environmental resources while improving or maintaining safety, mobility and infrastructure conditions.

Comment [m17]: Context Sensitivity [community context discussed = 5 core points]

The Town of Nantucket recognizes that “Complete Streets” may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time. To the maximum extent possible, and while preserving the community’s historical integrity, the latest design guidance, standards and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

Comment [L18]: Perhaps we could emphasize that context sensitivity for Nantucket is very special and requires attention to the historic and environmental nature of the Island. I recognize that this repeats statements made earlier but this is a place where the name Nantucket should be prominent.

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets
- The United States Department of Transportation Federal Highway Administration’s Manual on Uniform Traffic Design Controls
- The Architectural Access Board (AAB) 521 CMR Rules and Regulations
- NP&EDC’s Nantucket Regional Transportation Plan
- Documents and plans created for the NP&EDC and Town of Nantucket, including but not limited to:
 - Nantucket Master Plan
 - NP&EDC accepted area plans
 - Downtown Circulation and Ferry Access Improvement Plan
 - Traffic Study and Strategy for the Mid-Island Area
 - Open Space and Recreation Plan

Comment [m19]: Design [clear identifies design guidance = 8 core points]

Comment [lg20]: Where does this plan stand?

Comment [L21]: Good!

The Town of Nantucket will implement a balanced and flexible approach to accommodating all users that utilizes the latest design guidance, standards and recommendations while providing flexibility to best accommodate all users and modes given the unique characteristics of the surrounding community.

Comment [m22]: Design [balanced/flexible approach = 2 core points]

Evaluation of Effectiveness:

The Town, through coordination with the Department of Public Works and NP&EDC, will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The Town will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy, primarily through the capital project review process. These metrics may include:

- total miles of new on-street bicycle routes defined by lane markings or signage,
- linear feet of new pedestrian accommodation,
- number of new curb ramps or other retrofitted pedestrian facilities,
- increase in the number of users of public transportation,
- increase in bicycle use, particularly to recreation areas,
- decrease in the number of traffic accidents involving vehicles, bicycles and pedestrians in areas improved using the Complete Streets policy,
- number of new street trees and other appropriate landscaping planted along streets,

Comment [lg23]: How will this be measured?

Comment [L24]: When we were discussing this, I searched for a term of use from NIOSH. It’s the Logic Model (https://en.wikipedia.org/wiki/Logic_model). I will suggest some language for this section.

- Outcome metrics may be mapped into a Logic Model to see clearly the benefits of any particular Complete Streets activity.

Comment [m25]: Performance Measures [At least one performance measure = 5 core points]

Implementation:

The Town shall make Complete Streets practices a routine part of operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.

Comment [m26]: Implementation Steps ["at least 2 or more" implementation steps = 6 core points]

~~OPTION: A Complete Streets Working Group comprised of stakeholders, including members of relevant departments and existing committees designated by the Board of Selectmen will be created to implement this initiative. The Complete Streets Working Group will be a multidisciplinary team and members will include representation from: Bicycle and Pedestrian Advisory Committee, NP&EDC, Board of Selectmen, Council on Aging, Commission on Disabilities, Department of Public Works, Conservation Commission, Historic District Commission, Chamber of Commerce, and other committees, departments or organizations as appropriate. A key component of the Complete Streets Working Group will be to increase communication and forge partnerships among the various stakeholders. The focus of this Group will be ensuring the implementation of the context sensitive Complete Streets Policy and, where necessary, altering existing practices and overcoming barriers that may act as impediments to implementation. In addition, this Group will regularly update and solicit feedback on potential projects with the general public to ensure that the perspectives of the community are considered and incorporated, as appropriate.~~

Comment [m27]: Implementation Steps [+4 pts for specific person or board to oversee]

~~The Town shall coordinate with~~ The Nantucket Planning and Economic Development Commission and Nantucket Planning Board ~~to will~~ integrate Complete Streets principles in all new planning documents, as applicable (master plans, open space and recreation plan, etc.), laws, procedures, rules, regulations, guidelines, programs and templates, and make recommendations for zoning and subdivision rules and regulations to encourage contextual design of complete streets policies, respecting the presence of important scenic, environmental and historic resources.

Comment [lg28]: Agree with comment below

Comment [L29]: A very necessary advisory group. Yet, is it too complex? Can it be incorporated better into existing committees? Worth discussing.

Comment [m30]: NP&EDC voted to remove the advisory/work group from the policy

The Town shall:

- Maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bike path network.
- Evaluate projects within the Capital Improvement Plan to encourage implementation of this policy.
- Secure training for pertinent town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.
- Utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.
- As a Compact Community, seek out appropriate sources of funding and grants for implementation of Complete Street policies.

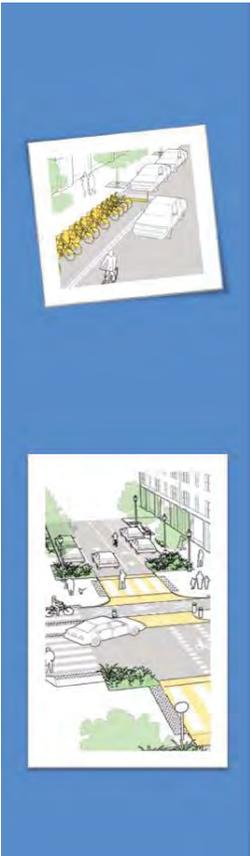
Comment [lg31]: Who will this be, specifically?

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: Times New Roman, 12 pt

Comment [lg32]: Are there any points for being a Compact Community?

Formatted: Font: Times New Roman, 12 pt



Complete Streets Funding Program

Lou Rabito, P.E. MassDOT Complete Streets Engineer
Eileen Gunn, MassDOT, Environmental Services

CompleteStreetsProgram@dot.state.ma.us



complete streets are for everyone

1

What is a Complete Street?

A Complete Street is one that provides safe and accessible options for all travel modes – walking, biking, transit and vehicles – for people of all ages and abilities.

Complete Streets improvements may be large scale such as corridor wide improvements or focused on the needs of a single mode.



Mass Ave. Arlington



complete streets are for everyone

2

CS Funding Program Objectives for FY16

- Facilitate better pedestrian, bicycle, and transit travel for users of *all ages and abilities* by addressing critical gaps in pedestrian, bicycle, and transit infrastructure, and safety
- Advance Best Practice in Policy and Practice by encouraging municipalities to adopt Complete Streets Policies and;
- Provide technical assistance for Complete Streets Prioritization Plans ~ targeted investment strategy



CS Funding Program Overview

- Three Tier reimbursement Program
- Planning Assistance to support CS Prioritization Plan– Up to **\$50,000** available to any community (Reimbursable)
- CS Construction – Up to **\$400,000** (Reimbursable)
- Eligible list of CS infrastructure and roadways. Design is not an eligible expense
- \$12.5M to be spent over the next two years (2016-17)
- Full Program Guidance and Application Portal – launched: February 1, 2016



Eligible Infrastructure - Traffic & Safety

- Traffic calming measures
- Street Lighting
- Curbing
- Intersection Improvements
- Pedestrian signals
- Pavement markings or signage that provides guidance for alternative modes
- Addition of or widening of shoulders



Before



After

Route 134, Dennis



Eligible Infrastructure - Transit Facilities

- Improving transit connections for pedestrians
- Transit signal prioritization
- Bus pull-out areas
- Railroad grade crossings improvements (signs, flange way fill, etc.)
- Transit-only or Transit Contra-flow lanes
- Transit shelter



Eligible Infrastructure - Pedestrian Facilities



- New sidewalks, widening, repairs
- New/improved crossing treatments
- ADA/AAB curb ramps
- Refuge Islands

- Curb extensions
- Accessible pedestrian signals
- Detectable Warning Surfaces
- Wayfinding signs



Eligible Infrastructure - Bicycle Facilities

- New/improved shared use paths (non-safety related)
- Designated/separated bicycle lanes
- Shared lane markings (sharrows)
- Advance stop facilities (bike box, two-stage turn box)
- Bicycle parking
- Bicycle-safe drainage grates
- Elimination of hazardous conditions on shared use paths
- Wayfinding or bike route signs



Safety Benefits

Interventions to reduce pedestrian crashes:

- *Sidewalks - 88% (FHWA)
- *Shoulders - 71% (FDOT)

Interventions to reduce crashes:

- *Medians - 40% (NCHRP)
- *Road diets - 18 – 49% (ITE)
- *Countdown signals - 25% (FHWA)



massDOT
Massachusetts Department of Transportation

9



Photo: UNC Highway Safety Research Center.



complete streets are for everyone

CS Funding Program Framework

- **Tier 1 – Training & Complete Streets Policy Development**
- **Tier 2 – Complete Streets Prioritization Plan Development**
- **Tier 3 – Project Approval and Notice To Proceed for construction**

massDOT
Massachusetts Department of Transportation

10



complete streets are for everyone

Tier 1 – Complete Streets Policy Development and Training

- **Attend Training** ~ A municipal employee is required to attend MassDOT Complete Streets 101 or 201 Training.
- **Pass a Complete Streets Policy** ~
 - Municipalities submit a Complete Streets Policy for scoring. The Policy
 - Policy needs to be approved by the highest elected official or board, with one public meeting.
 - If policy scores of 80/100 or above, advance to Tier 2.



Model Policy – Ten Elements

1. **Vision & Intent** – *What do you want your community to look like? Definitive intent.*
2. **Users and Modes** – *Defining who the system serves, all ages and abilities*
3. **Projects and Phases** – *Design, construction, maintenance?*
4. **Exceptions** – *Where does the policy not apply?*
5. **Network** – *Importance of connectivity*
6. **Jurisdiction** - *Who/what does it apply to? All funded projects Coordination with other entities?*
7. **Context Sensitivity** – *One size does not fit all. Maintain community character*
8. **Design Guidance** – *Committing to best practice and flexibility*
9. **Performance Measures** - *How do you measure progress?*
10. **Implementation** – *Concrete steps to embed Complete Streets in procedures and practice*



Complete Streets Policy Scoring (100pts)

<p>Vision</p>	<ul style="list-style-type: none"> • 1. Vision and Intent (10 points)
<p>Core Commitment</p>	<ul style="list-style-type: none"> • 2. Users and Modes (20 points) • 3. Projects and Phases (15 points) • 4. Exceptions (10 points)
<p>Best Practices</p>	<ul style="list-style-type: none"> • 5. Network (10 points) • 6. Jurisdiction (5 points) • 7. Design Guidance (10 points) • 8. Context Sensitive (5 points) • 9. Performance Measures (5 points)
<p>Implementation Next Steps</p>	<ul style="list-style-type: none"> • 10. Implementation (10 points)



Tier 2 – Complete Streets Prioritization Plan

- **Submit a Complete Streets Prioritization Plan utilizing template in Portal.**
 - Seeks to have municipalities look holistically at CS needs, safety or network gaps, and develop hierarchy of funding priorities that align with local plans and roadway work.
 - Indicate how/why priority (bike, pedestrian, transportation plans, crash data, HSIP crash cluster data, safety audits).
 - Develop Schedule and Estimate (Timeline is flexible)
 - MassDOT will review for completeness, but not score



CS Prioritization Plan Template

Rank		Project Name	Project Description	Project Limits	Environmental Justice Population	Project Start Location: X, Y Coordinates (in MA State Plane meters)	Project End Location: X, Y Coordinates (in MA State Plane meters)	Complete Streets Project Origin (planning document or supporting analysis)	Complete Streets Project Type (see Eligible Projects Worksheet below)	Safety	ADA accessibility	Pedestrian mobility	Bicycle mobility	Transit operations and access	Vehicular operations	Freight operations	In Coordination with Other Streets Eligible (if Communities?)	Coordinating Communities (if applicable)	Total Project Cost	Complete Streets Funding Requested	Other Funding Source(s) and Amount (if applicable)	Anticipated Construction Duration (number of months)	Desired Construction Start Date
1	School Safety Improvements	Installation of 5 pedestrian Flashing Beacons at Middle School A, B, C, D & E	No	Simpson Street to River Road		188,411.55 m, 870,511.44	189,372.15 m, 869,420.27	Bicycle/Pedestrian Audit	New or improved crossing treatments at intersections, minithru, etc.	X	X					Yes		\$60,000	\$60,000		One month	1-Aug-16	
2	Safer Main Street Project	Install a mid block crossing and pedestrian refuge Island on Main Street	No	Simpson Street to River Road		188,411.55 m, 870,511.44	189,372.15 m, 869,420.27	Safety Audit	Crosswalk, Accessible pedestrian signals, Pedestrian Refuge Islands	X	X		X			No		\$6,000	\$6,000		One month	1-Aug-16	
3	City Hall Accessibility Improvement	Construct 20 ADA Compliant Curb Ramps in the downtown to improve accessibility to City Hall	No	Simpson Street to River Road		188,411.55 m, 870,511.44	189,372.15 m, 869,420.27	ADA Transition Plan/Assessment	Providing ADA/AAB compliant curb ramps	X	X					No		\$120,000	\$20,000	Town, \$100,000	Four months	1-Aug-16	
4	PVTA Bus Shelter Improvement	Install 3 bus shelters for PVTA Route 24 Bus route		Stop A, Exit # Raynam, Stop B, Exit # Taunton, Stop C, Exit # Taunton		188,411.55 m, 870,511.44	188,411.55 m, 870,511.44	Capital Improvement Program (CIP)	Transit shelter							No	Raynam	\$38,345	\$38,345		One month	1-Sep-16	
5	Green Street Resurfacing and Bicycle lane	Resurfacing with bicycle lane markings, Green Street/Matthews Street northerly to 140. Fulfillment of network gap between trail A and road B.	No	Green Street/Matthews Street northerly to 140		188,411.55 m, 870,511.44	189,372.15 m, 869,420.27	Roadway Maintenance Plan	Roadway resurfacing or micro surfacing if restriping for new bicycle lanes	X		X		X		Yes	Anywhere	\$691,380	\$391,380	Ch90, \$300,000	One month	Mar-17	



complete streets are for everyone

Tier 2 – Entry Options

Municipalities enter Tier 2 if they have attended training and:

- **Option 2a**
 - ✓ Have an eligible policy (>80), and
 - ✓ Want to submit their CS Prioritization Plan for review

- **Option 2b**
 - ✓ Have an eligible policy (>80), and
 - ✓ Want to request Technical Assistance (up to \$50k) to develop the CS Prioritization Plan

- **Option 2c**
 - ✓ Commit to adopting a policy (through letter of commitment to MassDOT) and developing a CS Prioritization Plan.
 - ✓ Want to request Technical Assistance (up to \$50k) to develop the CS Prioritization Plan



complete streets are for everyone

Tier 3 - Project Approval and Notice To Proceed

- Municipality identifies projects from its Prioritization Plan for funding.
- Municipality enters into a contract with MassDOT for reimbursement of funds. *This should happen during Tier 2 if municipalities are seeking TA funding.*
- Municipality and District State Aid office will be notified of approved projects.
- Municipality will then enter process similar to Chapter 90.



Complete Streets Funding Online Portal

Municipality Registration and Profile Management

Registration information is used to aid in eligibility determination and communication as required documentation is uploaded, reviewed, and ultimately approved. The contact person must be the municipal official who will serve as the program coordinator for all activities related to the Complete Streets Funding Program. Contact information is a critical piece to this process and must be current and accurate.

To register your Municipality select the **register your Municipality** link from the login page.



Figure 11 - Register Your Municipality Link

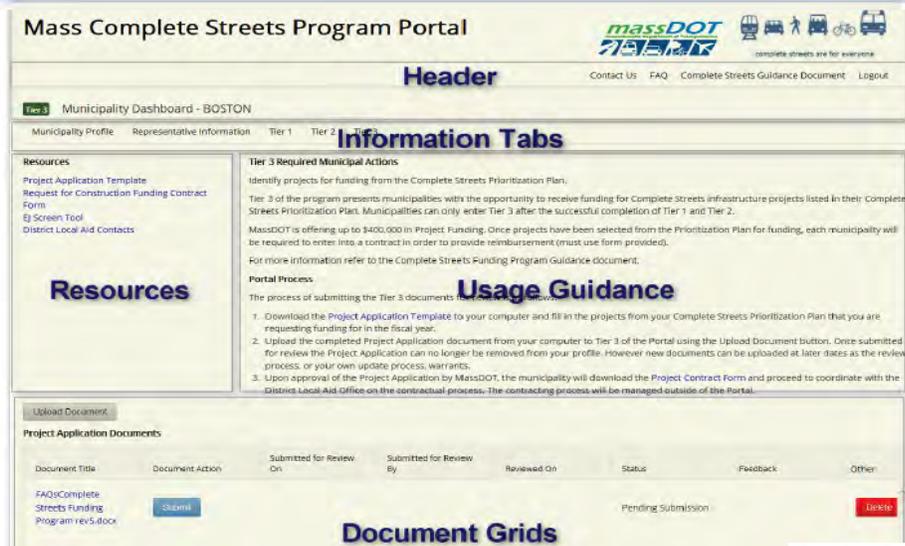
Access the login page by clicking the **Click here to continue to the Portal** link from the landing page found at: <https://www.masscompletestreets.com>.



Complete Streets Funding Online Portal

Portal Layout

The Portal is designed to provide a dashboard of information specific to navigating the Program tiers. After successfully registering, a Municipality will be able to log into the portal and will arrive at their dashboard. The dashboard is arranged with a header and information tabs to facilitate the effective use of space in the browser window. Within the information tabs are additional elements including resources, usage guidance, and document grids. The following is an overview of the main layout sections and the terms used to refer to those elements throughout this guide.



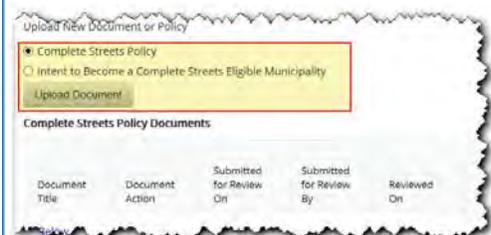
Complete Streets Funding Online Portal

Tier 1 Document Submittal including Representative Information

Tier 1 is designed to assist municipalities in receiving training and submitting a Complete Streets Policy. Municipalities that complete all of the Tier 1 requirements can move to Tier 2. To become a Tier 1 Municipality you must enter information specific to your Trained Representative and Municipal Contact Administrator, Manager, or Highest Elected Official and upload a Complete Streets Policy for scoring. Alternatively, your municipality may move to Tier 2 and qualify for technical assistance funding by committing to passing a Complete Streets Policy and attend training within a year. To do so use the template provided to submit an Intent to Become a Complete Streets Municipality letter for review. The letter of intent to complete Tier 1 requirements must use the provided template.

The process of submitting Tier 1 documents for review is as follows:

1. Identify Complete Streets 101 or 201 trained municipal employee on **Representative Information** page.
2. Upload your municipal Complete Streets Policy (Include Complete Streets Policy Support Template if necessary). Once submitted for review the document can no longer be removed from your profile. However, new documents can be uploaded at later dates as the review process, or your own update process, warrants.
3. Alternatively, download the Intent to Become a Complete Streets Eligible Municipality template (that commits your municipality to completing a Complete Streets Policy and Prioritization Plan within a year), fill it in, and upload it to Tier 1 of the Portal using the **Upload Document** button.



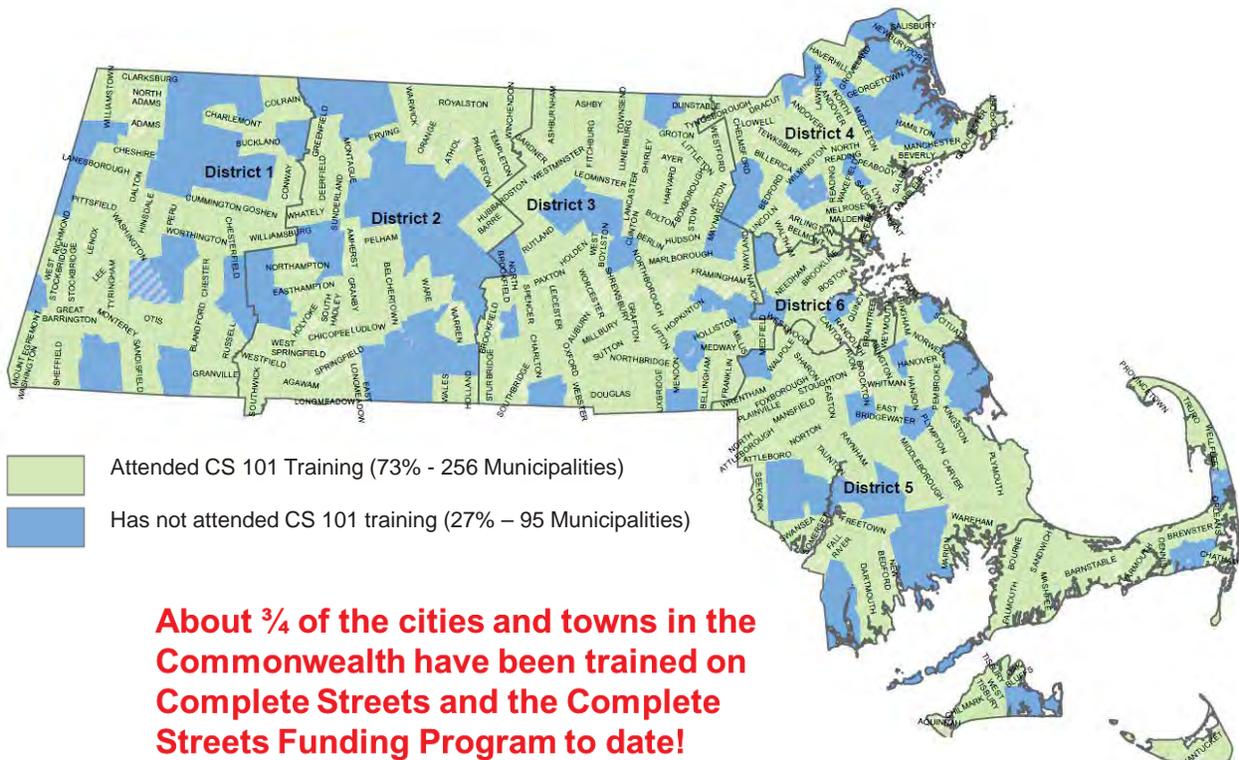
Complete Streets Program Dates

		Complete Streets Funding Program Dates																		
Municipal Action Dates		FY 16					FY 17										← MassDOT Action Dates			
Fiscal year		16	16	16	16	16	16	17	17	17	17	17	17	17	17	17	17	17	Fiscal Year	
Month		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Month
Tier 1																				Tier 1 - Review and score of policies
Submit Complete Streets Policy for review/scoring																				
Submit Letter of Intent to Pass a Complete Streets Policy																				
Submit letter of support for policy passed prior to 2/1/16 not passed by Highest elected official or board																				
Attended Complete Streets 101 or 201 Training		101		101				201											201	
Tier 2																				Tier 2 - Review and acceptance of Prioritization Plan
Contract request for technical assistance up to \$50K for completion of Prioritization Plan by																				
Submit Complete Streets Prioritization Plan																				
Tier 3																				Tier 3 - Review and acceptance of projects for funding
Submit Project funding application with list of up to 5 projects totalling no more than \$400K																				
Contract request for project funding on approved projects up to \$400K																				



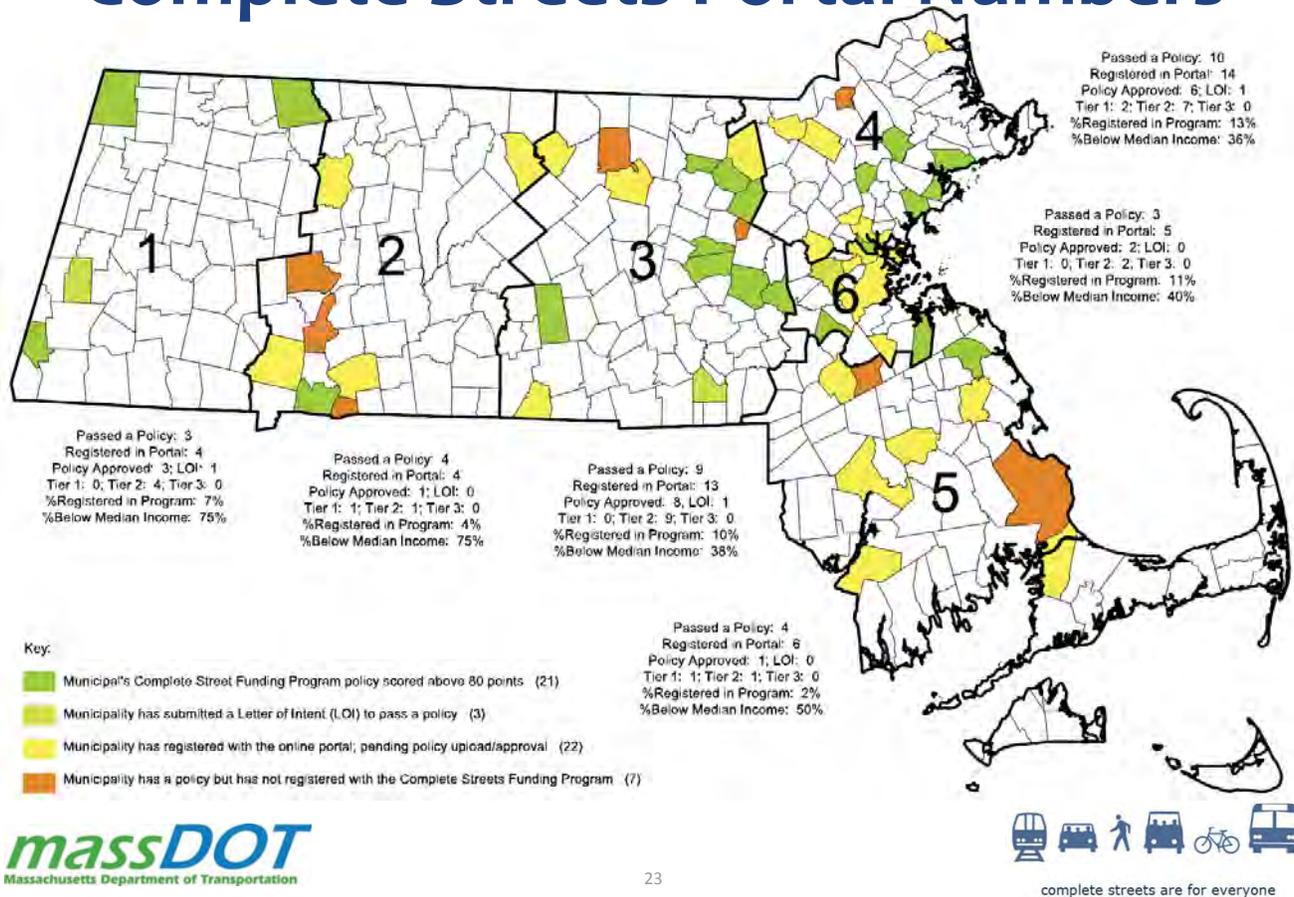
complete streets are for everyone

Complete Streets Training Attendance



complete streets are for everyone

Complete Streets Portal Numbers



23

Next Steps

- Update the portal to include:
 - Public Facing page which shows interactive map and provides metrics such as equity (33% rule), equity by district, where projects are located and project type.
 - Improved functionality in Portal.
- Consider funding beyond FY 17.
- Consider a rewrite to the original Bond Bill Language to reflect the program as it stands today.
- Move forward with the 201 Complete Streets Training through Baystate Roads which will focus more on case studies and higher level Complete Streets Training.
- Migration of portal back to MassDOT after one year.

Complete Streets Program Website

For full Program Guidance and to register to become a Complete Streets Eligible municipality go to:

www.mass.gov/massdot/completestreets



25



complete streets are for everyone

Contacts

MassDOT Headquarters Program contact:

CompleteStreetsProgram@dot.state.ma.us

State Aid Engineers

District 1 – Lenox

Kathy Steven

T: 413.637.5765

E: kathy.stevens@state.ma.us

District 4 - Arlington

Walter Kubik

T: 781.862.1640

E: walter.kubik@state.ma.us

District 2 - Northampton

Daryl Amaral

T: 413.582.0560

E: daryl.amaral@state.ma.us

District 5 - Taunton

Sean Sullivan

T: 508.884.4221

E: sean.m.sullivan@state.ma.us

District 3 - Worcester

Michael O'Hara

T: 508.929.3944

E: michael.o'hara@state.ma.us

District 6 – Boston

Elie Roditi

T: 857.368.6153

E: elie.roditi@state.ma.us



26



complete streets are for everyone