

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
SEPTEMBER 21, 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 in Accordance with the Open Meeting Law.
 2. Update on Easy Street Bulkhead Reconstruction Project: Street Closures and Traffic Changes.
- IV. PUBLIC COMMENT***
- V. NEW BUSINESS***
- VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS**
 1. Approval of Minutes of February 11, 2015 at 6:00 PM; February 25, 2015 at 6:00 PM; March 4, 2015 at 6:00 PM; April 1, 2015 at 6:00 PM; January 27, 2016 at 6:00 PM; September 14, 2016 at 6:00 PM.
 2. Approval of Payroll Warrants for Week Ending September 18, 2016.
 3. Approval of Treasury Warrants for September 21, 2016.
 4. Approval of Pending Contracts for September 21, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.
- VII. CITIZEN/DEPARTMENTAL REQUESTS**
 1. Committee Appointments: Planning Board (Alternate).

2. Unitarian Church: Request to Name October 9, 2016 as Susan P. Jarrell Day in Honor of her 100th Birthday.
3. Nantucket Community Television: Request for Approval of Designation of Comcast Franchise Fee from Community Foundation for Nantucket to Nantucket Community Television.

VIII. TOWN MANAGER'S REPORT

1. FY 2016 End of Year Budget Reports: Our Island Home Enterprise Fund; Sewer Enterprise Fund; Solid Waste Enterprise Fund.

IX. SELECTMEN'S REPORTS/COMMENT

1. Hearings Regarding Sanctions Against the following Establishments Resulting from Liquor License Violations, Pursuant to Town of Nantucket Rules and Regulations Governing Alcoholic Beverages Section XV, "Sanctions for Violations of the Regulations":
 - a) Table No. 1;
 - b) Harpoon Liquors
 - c) Toppers at Wauwinet.
2. Discussion Regarding Real Estate Assessment Committee's Policy Regarding Recommendations on Yard Sale Parcels.
3. Discussion Regarding Septic System Installations and Mitigation Options in Connection with Sewer Projects.
4. Action on Board of Selectmen Comments on October 17, 2016 Special Town Meeting Warrant Articles; Set Date of Special Town Election.
5. Review/Endorse Final Draft of Housing Production Plan.
6. Board of Selectmen Action to Request Affordable Housing Trust Expression of Support to Planning Board for Affordable Housing Restrictions in Connection with October 17, 2016 Special Town Meeting Zoning Articles.
7. Board of Selectmen Policy Discussion Regarding Mix of Affordable Housing and Town Employee Housing at 6 Fairgrounds Road.
8. Review of Draft Memorandum of Agreement with Nantucket Cottage Hospital Regarding Improvements to Intersection of South Prospect Street, Surfside Road, Sparks Avenue and Atlantic Avenue.
9. Committee Reports.

X. 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
September 21, 2016

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding
Professional Services Agreement	DPW	Nantucket Septic	\$185,630	3-year contract for annual supply, service and maintenance of portable toilets at Madaket Beach, Children's Beach, Miacomet Beach, Cisco Beach, Nobadeer Beach, Nobadeer Athletic Fields; and septic system/holding tank pump our service for Tom Nevers Park, Delta Fields Park, Dionis Beach, Surfside Beach, Police Dormitories, Lifeguard housing	Various Department Budgets
Contract Extension	PLUS/Affordable Housing Trust	RKG Associates	n/a	Extend term of contract by six months to allow for completion of Housing Production Plan	Affordable Housing Trust Fund
Professional Services Agreement	DPW	Robert B. Our Co., Inc.	Not to Exceed \$50,000	Nine-month contract for pickup & delivery of sand crushed stone, stone dust & other materials including delivery of materials to DPW yard	DPW Budget

Easy Street Bulkhead Construction October 17 to December 30

No parking to allow for two-way traffic

No parking on the south side to allow for truck traffic

No parking to allow trucks room to turn

No parking to allow for truck traffic

No parking to allow for two-way traffic to SSA

Easy Street Bulkhead Construction Area
No Vehicle or Pedestrian Access

Traffic Reversed
No parking on the north side of the street

Legend

-  Signs
-  Closed To All Traffic
-  No Parking
-  Traffic Reversed
-  Parcels

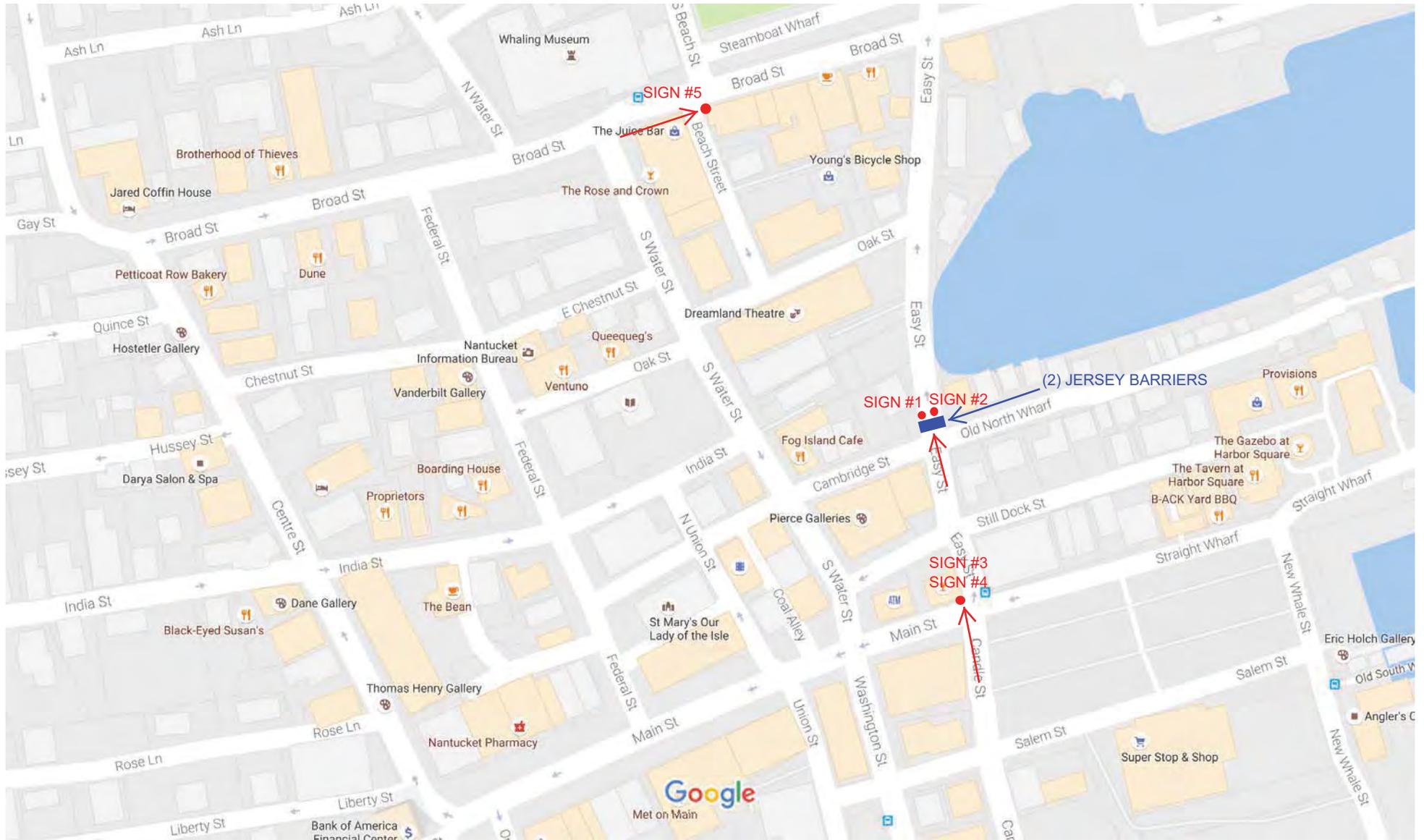
1 inch = 91 feet
0 85 0 170 Feet

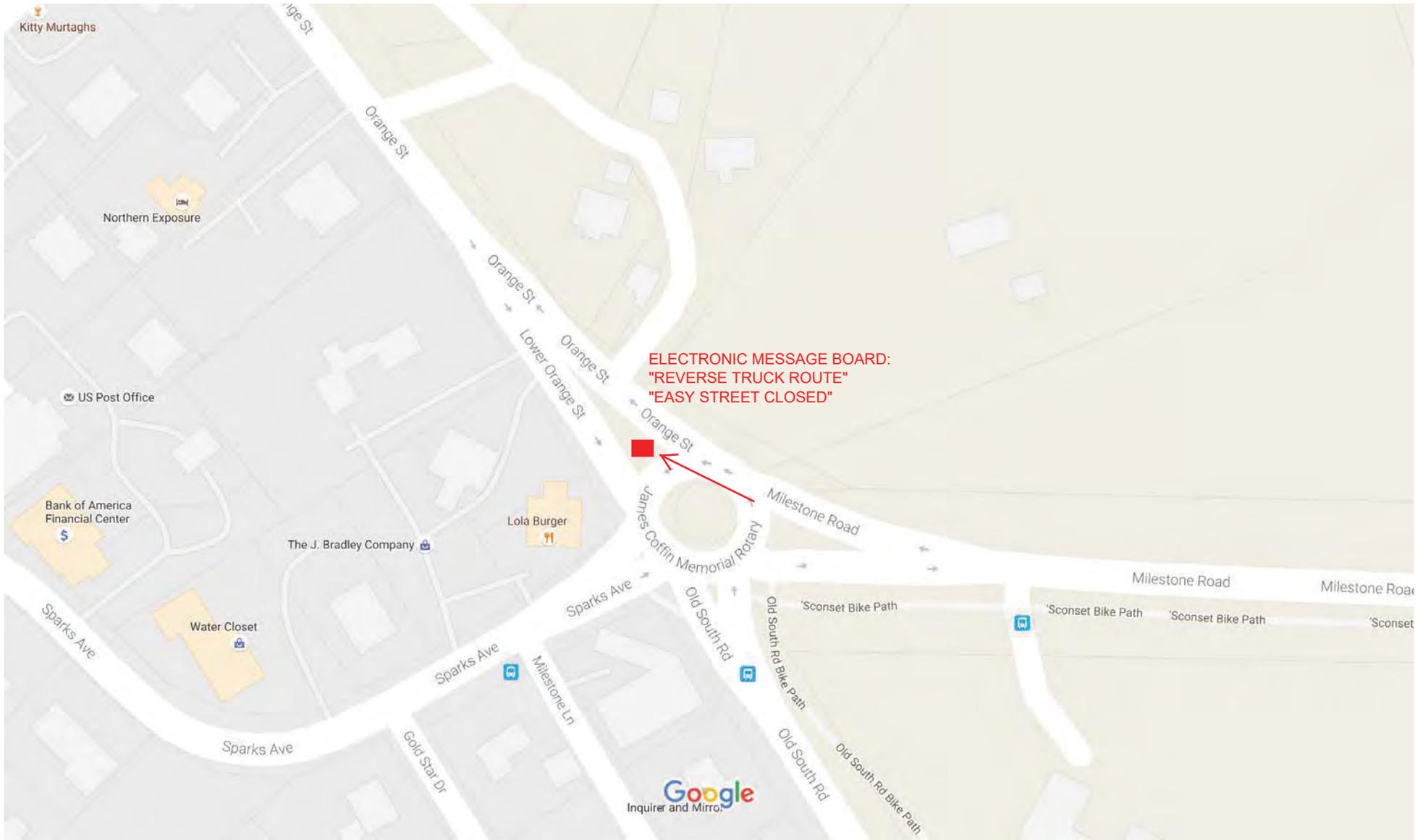
Data Sources:
The planimetric data on this mapsheet is based primarily upon interpretation of April, 2013 aerial photography. It was compiled to meet the ASPRS Standard for Class 1 Map Accuracy for 1"=100' scale maps.
The parcel boundaries are based primarily upon the Tax Assessor's data through December, 2014.
Please send identification of any errors and corresponding corrections to:
GIS Coordinator
Town of Nantucket
2 Fairgrounds Rd
Nantucket, MA 02554

Town of Nantucket GIS Mapsheet

Nantucket governmental agencies will not necessarily approve applications based solely on GIS data. Applicants for permits and licenses must inquire of the relevant agency for applicable requirements.
The presence of information on this mapsheet does not necessarily imply public right-of-way or the right of public access.
The data on this mapsheet represents the efforts of the Town of Nantucket and other cooperating organizations to record and compile pertinent geographical and related information utilizing the capabilities of the Nantucket Geographic Information System (GIS). The GIS staff maintains an ongoing program to record and correct errors in these data that are brought to its attention. The Town of Nantucket makes no claims as to the absolute validity or reliability of these data or their fitness for any particular use.

Easy Street Bulkhead Replacement Project Traffic Management Plan



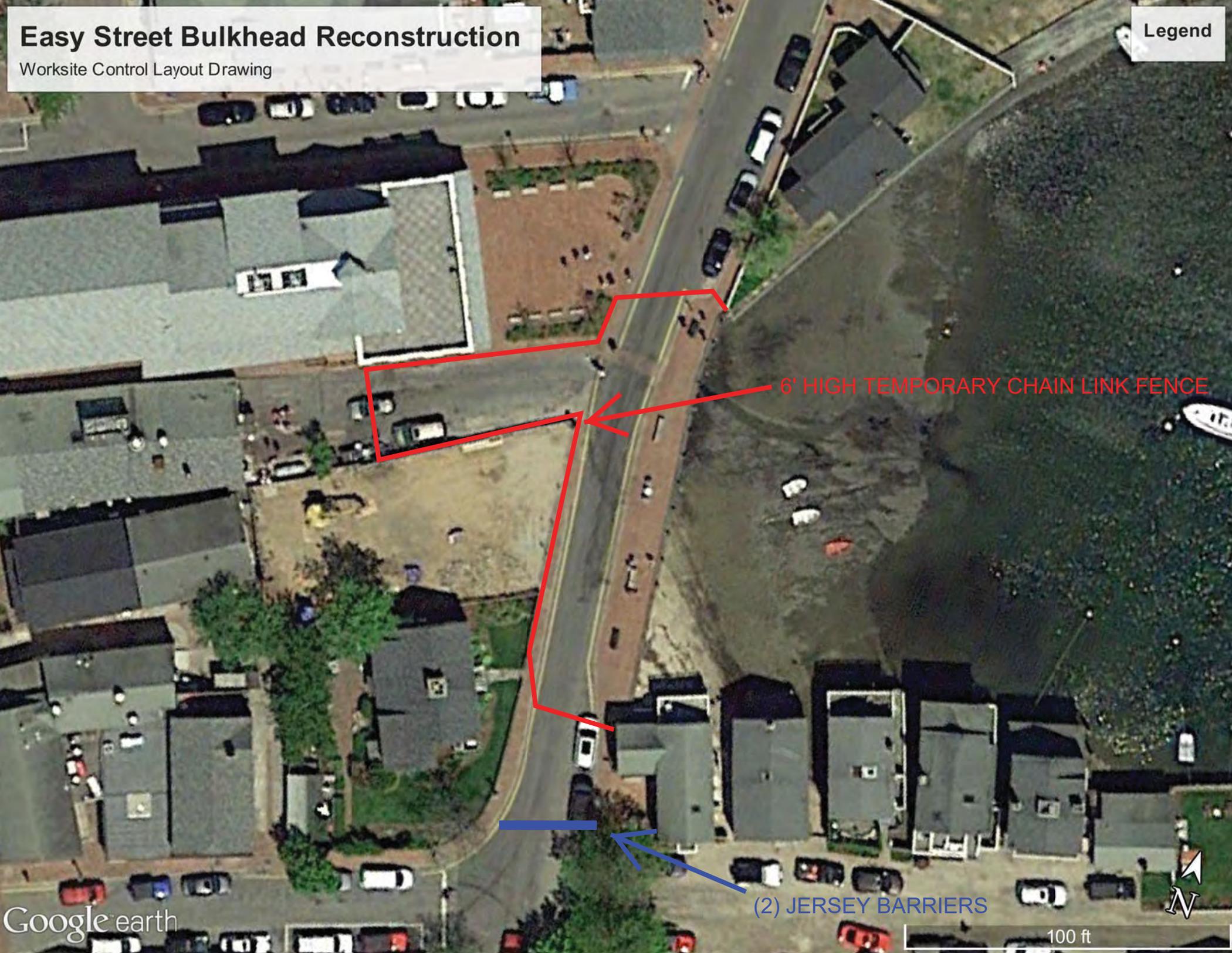


ELECTRONIC MESSAGE BOARD:
"REVERSE TRUCK ROUTE"
"EASY STREET CLOSED"

Easy Street Bulkhead Reconstruction

Worksite Control Layout Drawing

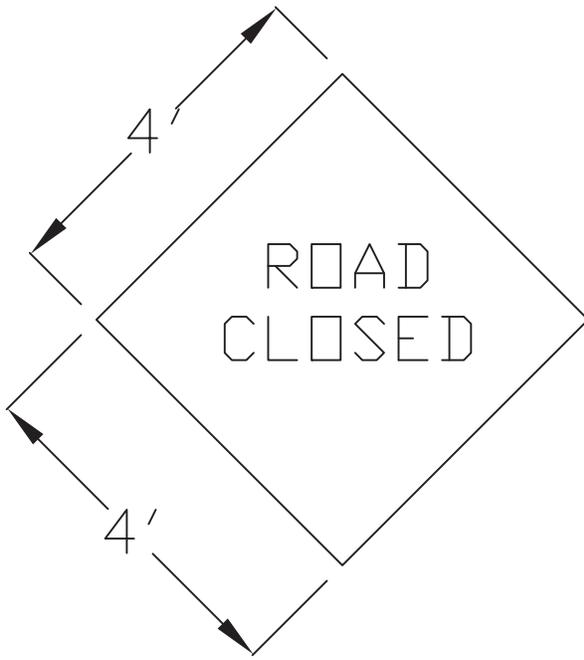
Legend



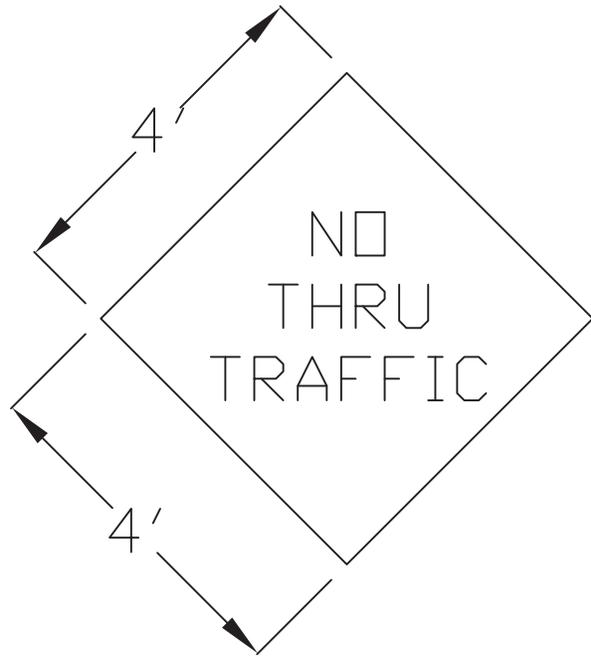
6' HIGH TEMPORARY CHAIN LINK FENCE

(2) JERSEY BARRIERS





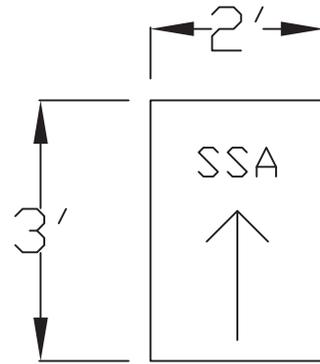
SIGN #1 - 1 EACH



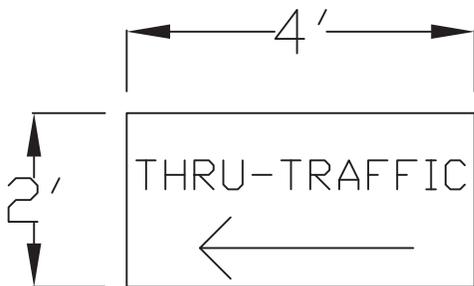
SIGN #2 - 1 EACH



SIGN #3 - 1 EACH



SIGN #5 - 1 EACH



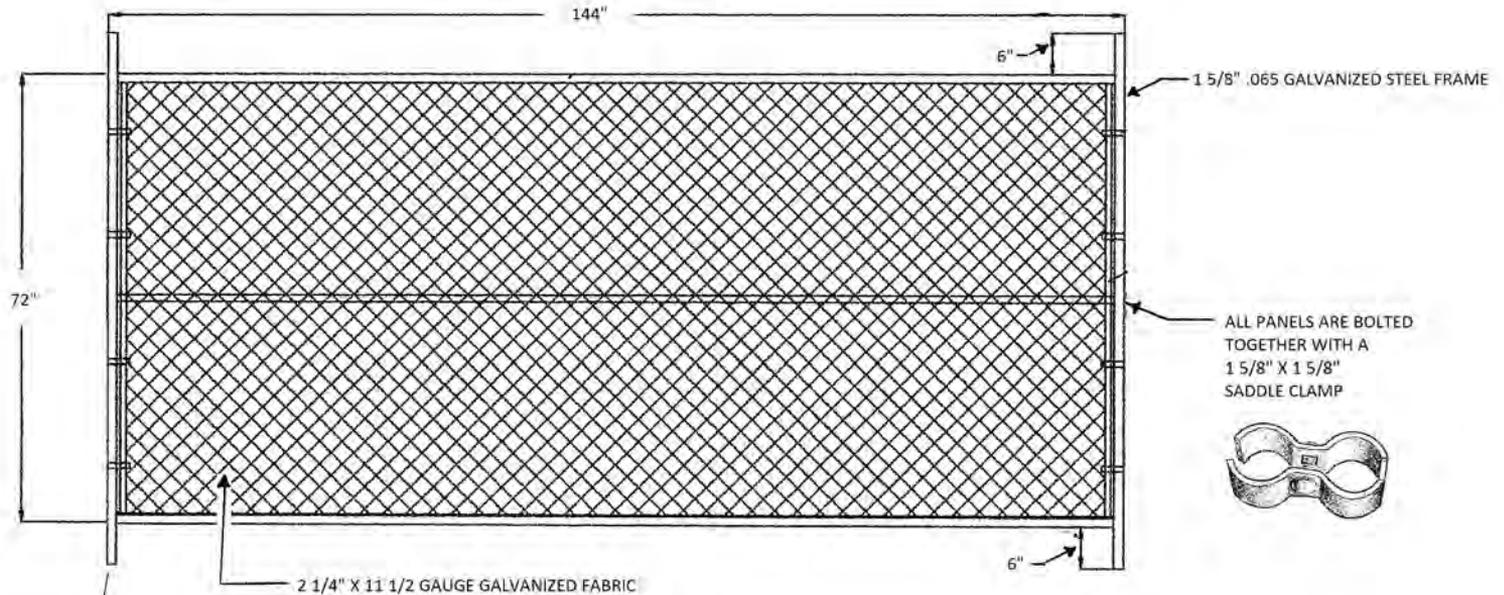
SIGN #4 - 1 EACH

EASY STREET BULKHEAD REPLACEMENT
TEMPORARY SIGN LAYOUTS



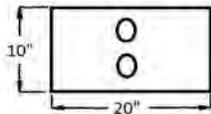
International
Fence
Industry
Association

STANDARD 6'X12' TEMPORARY FENCE PANEL (BLOCK SYSTEM)

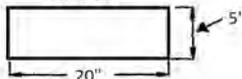


ALL PANELS ARE SET IN
5" HIGH X 10" WIDE X 20" LONG
80LB CONCRETE BLOCKS

TOP VIEW



SIDE VIEW



PROJECT	
OWNER / GEN. CON.	
SUBMITTED BY	
DRAWING NO. PS-72	DATE



**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: Stephen Welch

Home Phone: 508-228-1001

Mailing

Address: P.O. Box 3777, Nantucket MA 02584

Alternate Phone: _____

Email Address: steph@welch-associates.com

Date Submitted: 09/11/16

REQUESTING APPOINTMENT TO: Planning Board (Alternate)

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?

- I have attended past meetings. I have reviewed committee agendas from over the last year. I am also familiar with the text and application of our zoning bylaw and our Rules & Regulations Governing the Subdivision of Land, and our Requirements & Guidelines for Major Commercial Developments.

- My interests include development and growth that is orderly, to promote the interests and welfare of our community.

- I am prepared to commit to the committee's meeting schedule and assignments.

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?

- During the last few decades, I regularly worked with attorneys, architects and engineers. This experience has brought about a broad but detailed understanding of zoning, planning, bylaw drafting and composition, and technical matters related to development-all of which I would like to share. Nearly 30 years managing successful projects and committee involvement; long record rolling up my sleeves, setting goals and turning intention into reality, motivating others to help accomplish goals; all help to form balanced problem-solving skills.

- Planning is involved with various initiatives that I would like to contribute to. In general, of most importance, is continuance of reasoned, conscientious rulings to blend our community's needs with growth and development.

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.

TON: Capital Programming Committee; and, Roads & ROW Committee.

Non-TON: Nantucket Hunting Association, Maddequet Admiralty Association; NAREB; and, NHA.

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

No, none.



**Second
Congregational
Meeting House Society**

**Unitarian
Universalist**

**Nantucket
Massachusetts
02554**

Physical Address:
11 Orange Street

Mailing Address:
PO Box 1023

Rev. Linda Simmons
revlindasimmons@gmail.com
508-680-6498

Church Office
office@unitarianchurchnantucket.org
508-228-5466

www.unitarianchurchnantucket.org

August 23, 2016

Dear Members of the Board of Selectmen:

I want to respectfully request that the Board proclaim October 9, 2016 as Susan P. Jarrell Day, in honor of her 100th birthday. Susie has been a well-known member of the Nantucket community, first as a vacationer in 1954, and then moving to the island as a full time resident in 1977. She has been and continues to be a strong supporter of music and music education on Nantucket.

She has been an important member of the Unitarian Church congregation, having served as music director and a board member. She has also been playing the 1831 William Goodrich organ at the church since the 1970s.

She is also the founder of the Nantucket Organ Crawl, which is coincidentally celebrating its 25th anniversary the very weekend of Susie's birthday this year.

Susie was the first music teacher at the Nantucket Community Music Center and is now the president emeritus of the organization. As a member of an ensemble music group, she has played for audiences at the Salt Marsh Elder Affairs Center, the Nantucket Island Home, and at other nonprofit events.

A Susie Jarrell Scholarship Fund was set up by an anonymous donor more than ten years ago and annual scholarships continue to be given to Nantucket music students for outstanding achievement.

Susie was the first recipient of the Arts Counsel Merit Award for Arts Leadership and as she celebrates her 100th birthday, Susie continues to serve on the Boards of the Two Centre Street Restoration Committee and the Nantucket Musical Arts Society.

As her minister, I think this proclamation is an important way to honor of one of Nantucket's oldest residents and the contributions she has made to our vibrant island community.

Sincerely,

Rev. Linda Simmons



Via Email to Gregg Tivnan
gtivnan@nantucket-ma.gov

September 14, 2016

Re: Comcast Franchise Fees Designation Change from CFNAN to NCTV

To The Nantucket Board of Selectman,

This letter serves to inform the Board of Selectman of the Town of Nantucket that the Internal Revenue Service has approved the reinstatement of Nantucket Community Television's non-profit status, please see attached letter dated September 8, 2016. Nantucket Community Television requests that the Town of Nantucket approve the change of designation of the Comcast franchise fee from Community Foundation for Nantucket to Nantucket Community Television.

If you should have any questions, please do not hesitate to contact me.

Sincerely

Lisa Frey, Executive Director

15 N. Beach Street, Nantucket Mass 02554
info@nctv18.org 508-901-5499

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 08 2016**

NANTUCKET COMMUNITY TELEVISION INC
15 N BEACH STREET
NANTUCKET, MA 02554

Employer Identification Number:
04-3531375
DLN:
17053200304016
Contact Person:
ANGELA M BENDER ID# 31162
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 15, 2014
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Based on the information you submitted with your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as listed at the top of this letter, is retroactive to your date of revocation.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar

Letter 947

NANTUCKET COMMUNITY TELEVISION INC

to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

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

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

**TOWN OF NANTUCKET
OUR ISLAND HOME - ENTERPRISE FUND**

	Actual FY2016	Actual FY2015	BUDGET FY2016
REVENUE	\$ 9,499,878	\$ 5,748,194	\$ 3,594,912
EXPENSES	7,945,123	7,360,803	7,474,884
NET EARNINGS	1,554,755	(1,612,609)	(3,879,972)
Transfer from Retained Earnings	-	-	1,540,916
NET EARNINGS	\$ 1,554,755	\$ (1,612,609)	\$ (2,339,056)
Retained Earnings			
NET SOURCES/USES:			
Article #13 - GF Subsidy	\$ 2,295,000	\$ 2,327,598	\$ 2,295,000
FY2015 Encumbrance Carryforwards	-	-	44,055
FinCom GF Reserve Fund Transfer	284,384	-	-
Surplus(Deficit)	<u>\$ 4,134,139</u>	<u>\$ 714,989</u>	<u>\$ (0)</u>

Certified Retained Earnings For Use in FY2016	\$ 1,540,916
Plus Current Surplus(Less Current Deficit) as of 6/30/2016	4,134,139
Less Proposed Use of Retained Earnings for FY2017 Budget (ATM2016)	<u>\$ (1,649,432)</u>
Projected Balance as of 06/30/2016*	\$ 4,025,623

**Revenues remain a projection, until certified by the the Department of Revenue, therefore this is only a projection as of this point in time, until Retained Earnings go through the Certification process.*



FY2016 Our Island Home Enterprise Budget Update

Operating Revenue and Expenditures As of June 30, 2016

REVENUE	FY2016 Budget w/ Carryfwd	FY2016	FY2015	Variance to Budget	Variance to FY15	% to Budget	Y/Y Chg
Medicaid Patient Revenue	\$ 1,604,900	\$ 1,595,545	\$ 1,460,688	\$ (9,355)	\$ 134,856	99%	9%
Medicare Revenue	159,080	393,378	633,333	234,298	(239,955)	247%	(38%)
Private Patient Income	1,319,865	1,537,538	1,230,470	217,673	307,068	116%	25%
Patient Paid Amount	501,800	590,842	591,812	89,042	(970)	118%	(0%)
Secondary Insurance	9,267	178,026	141,747	168,759	36,279	1,921%	26%
Prior Year CPE Receipts	-	5,204,549	1,690,143	5,204,549	3,514,406	na	208%
Interest Earned	-	-	-	-	-	na	na
Total Revenue*	\$ 3,594,912	\$ 9,499,878	\$ 5,748,194	\$ 5,904,966	\$ 3,751,684	264%	65%

OPERATING EXPENDITURES WITHOUT DEBT	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Payroll - Salary	\$ 4,228,702	\$ 4,689,876	\$ 4,297,559	\$ 461,174	\$ 392,317	111%	9%
Medicare P/R Tax Expense	56,400	62,364	61,074	5,964	1,290	111%	2%
Medical Insurance	1,041,700	1,183,613	1,027,558	141,913	156,055	114%	15%
Barnstable County Retirement	683,616	683,609	669,674	(7)	13,935	100%	2%
Contractual Obligations	85,400	-	6,313	(85,400)	(6,313)	0%	(100%)
Utilities	220,090	147,873	166,957	(72,216)	(19,084)	67%	(11%)
Repairs & Maintenance	54,005	32,926	27,852	(21,079)	5,074	61%	18%
Food	151,250	149,672	150,267	(1,578)	(595)	99%	(0%)
Professional Services	590,056	605,840	612,322	15,784	(6,482)	103%	(1%)
Medical Supplies	101,650	113,586	91,155	11,936	22,431	112%	25%
General Insurance	81,200	76,582	82,371	(4,618)	(5,789)	94%	(7%)
Other Supplies	73,860	51,782	55,897	(22,078)	(4,115)	70%	(7%)
Indirect Costs	92,300	92,300	92,300	-	-	100%	0%
Other	14,655	55,098	19,471	40,443	35,627	376%	183%
Transfer to Capital	-	-	32	-	(32)	na	(100%)
Total Expenditures - Excluding Debt Service	\$ 7,474,884	\$ 7,945,123	\$ 7,360,803	\$ 470,239	\$ 584,320	106%	8%
Surplus (Deficit) - Excluding Debt Service	\$ (3,879,972)	\$ 1,554,755	\$ (1,612,609)	\$ 5,434,727	\$ 3,167,364	(40%)	(196%)

DEBT SERVICE	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Principal	\$ -	\$ -	\$ -	\$ -	\$ -	na	na
Interest	-	-	-	-	-	na	na
Issuance Costs	-	-	-	-	-	na	na
BAN Costs, Principal, Interest	-	-	-	-	-	na	na
Other	-	-	-	-	-	na	na
Total Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	na	na

Surplus (Deficit) - Including Debt Service*	\$ (3,879,972)	\$ 1,554,755	\$ (1,612,609)	\$ 5,434,727	\$ 3,167,364	(40%)	(196%)
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OTHER FINANCING SOURCES	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
General Fund Subsidy	\$ 2,295,000	\$ 2,295,000	\$ 2,327,598	\$ -	\$ (32,598)	100%	(1%)
Voled Use of Certified Retained Earnings - Operations	1,540,916	-	-	(1,540,916)	-	0%	na
FinCom Transfer	-	284,384	-	284,384	284,384	na	na
FY2015 Encumbrance Carryforward	44,055	-	-	(44,055)	-	0%	na
Total Other Financing Sources	\$ 3,879,971	\$ 2,579,384	\$ 2,327,598	\$ (1,300,587)	\$ 251,786	66%	11%

Total Surplus (Deficit) - Incl. Debt Service & Other Financing Sources*	\$ (0)	\$ 4,134,139	\$ 714,989	\$ 4,134,139	\$ 3,419,150	0%	0%
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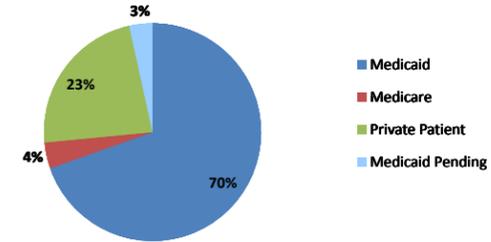
BENCHMARKS

Target Debt to Operating Expense Ratio	12%	12%	12%
Current Debt to Operating Expense Ratio	0%	0%	0%

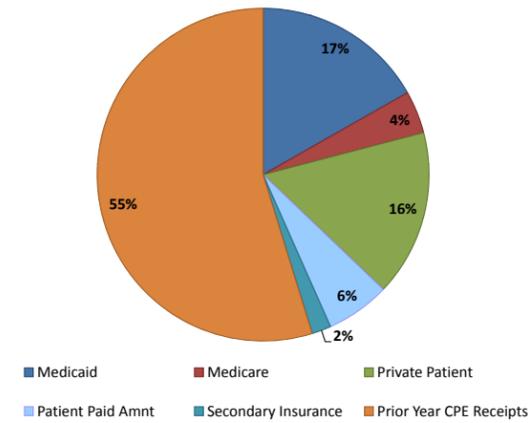
Certified Retained Earnings	\$ 1,540,916
% of Certified Retained Earnings Used for Operations	100%
% of Certified Retained Earnings Used for One Time or Capex	0%

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.

Census Data as of June 30, 2016



FY2016 Revenue Breakdown - Actuals



FY2016 Financial Highlights

- 1) Current Cost Per Day: \$510.17/day (based on revised 2015 calendar year cost report)
 - Average Medicaid Reimbursement: \$169.60, a decrease from last quarter's \$197.81.
 - Private Patient Reimbursement: \$440.00 (total of 88 days)
 - Average Medicare A Reimbursement \$512.29 an increase from last quarter's \$452.53.
 - Average Occupancy Rate: 91.0%

Gift Funds utilized in FY2016:
 - General: \$2,390.47 (Art Therapy Class \$1,019.75 and Boston Globe \$1,370.72)

Other Gift Funds:
 - Kuckowski, salt water fish tank maintenance: \$3,341.99

**TOWN OF NANTUCKET
SEWER - ENTERPRISE FUND**

	Actual FY2016	Actual FY2015	BUDGET FY2016
Revenue	\$ 7,208,277	\$ 6,779,613	\$ 6,475,875
Expenses	6,187,111	5,898,510	6,907,829
Gross Earnings	1,021,166	881,104	(431,954)
Funding from Retained Earnings	317,229	-	317,229
Net Earnings	\$ 1,338,395	\$ 881,104	\$ (114,725)
Retained Earnings			
Net Sources (Uses)			
Article #- GF Subsidy	-	-	-
FY2015 Encumbrance Carryforwards	-	-	114,725
FinCom GF Reserve Fund Transfer	-	-	-
Surplus(Deficit)	\$ 1,338,395	\$ 881,104	\$ 0

Certified Retained Earnings For Use in FY2016	\$ 3,872,311
Plus Current Surplus(Less Current Deficit) as of June 30, 2016	1,338,395
Less Voted Use of R/E for FY2017 Budget (ATM2016) - Operations	(506,155)
Projected Balance as of 06/30/2016 *	\$ 4,704,551

**Revenues remain a projection, until certified by the the Department of Revenue, therefore this is only a projection as of this point in time, until Retained Earnings go through the Certification process.*



FY2016 Sewer Enterprise Fund Budget Update

Operating Revenue and Expenditures As of June 30, 2016

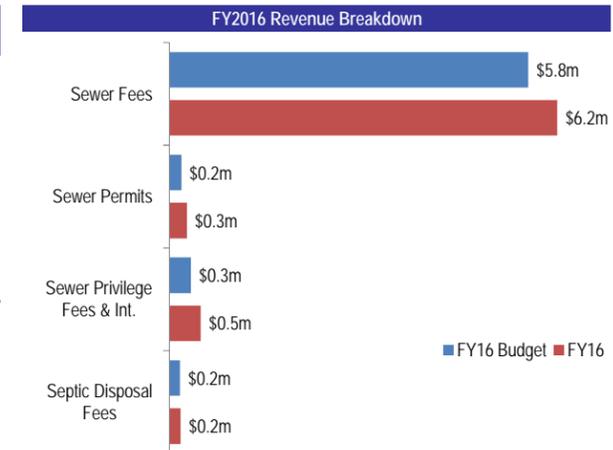
REVENUE	FY2016 Budget w/ Carryfwd	Actual FY2016	Actual FY2015	Variance to Budget	Variance to FY15	% to Budget	Y/Y Chg
Sewer Fee Income	\$ 5,753,905	\$ 6,219,320	\$ 5,957,651	\$ 465,415	\$ 261,669	108%	4%
Sewer Permits	193,750	282,465	230,018	88,715	52,447	146%	23%
Sewer Privilege Fees & Interest	345,090	503,582	431,062	158,492	72,521	146%	17%
Septic Disposal Fees	173,305	183,012	165,399	9,707	17,613	106%	11%
Sewer Liens Collected	3,675	16,170	13,454	12,495	2,716	440%	20%
Penalties Collected	-	1,121	3,256	1,121	(2,135)	na	(66%)
Interest on Investments	6,150	-	-	(6,150)	-	0%	na
Debt Premium	-	9,894	-	-	-	-	-
Other	-	(7,287)	(21,228)	(7,287)	13,941	na	(66%)
Total Revenue*	\$ 6,475,875	\$ 7,208,277	\$ 6,779,613	\$ 732,402	\$ 428,663	111%	6%
OPERATING EXPENDITURES WITHOUT DEBT	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Payroll - Salary	\$ 875,410	\$ 828,415	\$ 825,734	\$ (46,995)	\$ 2,681	95%	0%
Medicare P/R Tax Expense	12,600	12,018	11,973	(582)	45	95%	0%
Medical Insurance	214,900	213,727	201,108	(1,173)	12,619	99%	6%
Barnstable County Retirement	138,955	139,004	124,806	49	14,198	100%	11%
Utilities	547,968	554,890	561,611	6,922	(6,721)	101%	(1%)
Repairs & Maintenance	171,594	112,885	174,364	(58,709)	(61,480)	66%	(35%)
Professional Services	260,475	261,057	168,542	582	92,515	100%	55%
Sludge Disposal	210,000	222,869	222,667	12,869	201	106%	0%
Sewer Supplies & Chemicals	121,750	113,674	119,286	(8,076)	(5,612)	93%	(5%)
General Insurance	128,850	126,496	123,327	(2,354)	3,168	98%	3%
Other Supplies	47,376	35,276	40,067	(12,100)	(4,791)	74%	(12%)
Other - Misc.	144,819	39,271	39,114	(105,548)	157	27%	0%
Indirect Costs	82,000	82,000	76,000	-	6,000	100%	8%
Total Expenditures - Excluding Debt Service	\$ 2,956,697	\$ 2,741,581	\$ 2,688,600	\$ (215,115)	\$ 52,981	93%	2%
Surplus (Deficit) - Excluding Debt Service	\$ 3,519,178	\$ 4,466,696	\$ 4,091,014	\$ 947,517	\$ 375,682	127%	9%
DEBT SERVICE	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Principal	\$ 2,604,750	\$ 2,378,209	\$ 2,166,978	\$ (226,541)	\$ 211,230	91%	10%
Interest	1,282,382	1,008,474	971,602	(273,908)	36,872	79%	4%
Issuance Costs	4,000	-	17,500	(4,000)	(17,500)	0%	(100%)
BAN Costs, Principal, Interest	-	-	-	-	-	na	na
MWPAT Admin Fee	60,000	58,847	53,830	(1,153)	5,017	98%	9%
Total Debt Service	\$ 3,951,132	\$ 3,445,529	\$ 3,209,910	\$ (505,603)	\$ 235,620	87%	7%
Surplus (Deficit) - Including Debt Service*	\$ (431,954)	\$ 1,021,166	\$ 881,104	\$ 1,453,120	\$ 140,062	(236%)	16%
OTHER FINANCING SOURCES	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
General Fund Subsidy	\$ -	\$ -	\$ -	\$ -	\$ -	na	na
General Fund Free Cash Subsidy	-	-	-	-	-	na	na
Voted Use of Certified Retained Earnings - Operations	317,229	317,229	-	-	317,229	100%	na
2015 Encumbrance Carryforward	114,725	-	-	-	-	0%	na
Total Other Financing Source	\$ 431,954	\$ 317,229	\$ -	\$ -	\$ 317,229	73%	na
Total Surplus (Deficit) - Incl. Debt Service & Other Financing Sources*	\$ 0	\$ 1,338,395	\$ 881,104	\$ 1,338,395	\$ 457,291	na	52%

BENCHMARKS

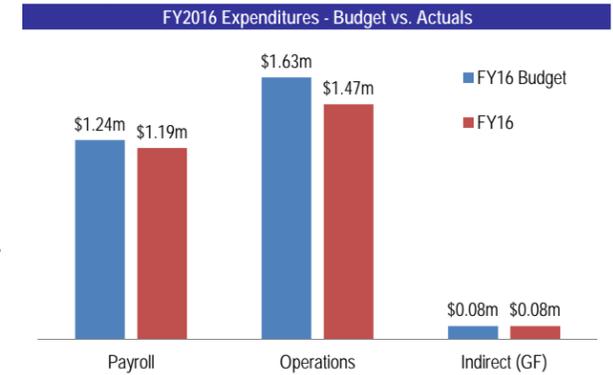
% of Debt to Operating Expense Policy	12%	12%	12%
% of Actual Debt to Operating Expense	57%	56%	54%
Certified Retained Earnings	\$ 3,872,311		
Certified Retained Earnings portion attributed to Privelege Fees	N/A		
% of Certified Retained Earnings Used for Operations	8.2%		
% of Certified Retained Earnings Used for One Time or Capex ⁽¹⁾	19.1%		

⁽¹⁾ Capex includes: \$300,217 voted at 2015 ATM (Art 14) and \$440,000 voted at 2016 ATM (Art 12)

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special



Note: All other revenue is not shown due to low dollar amount (Sewer Liens Collected, Penalties Collected, Interest on Investments, Premium on Debt and Other).



FY2016 Financial Highlights

- Total Revenue was up 6% y/y and 8% compared to the budget.
 - The increase was largely due to a jump in Sewer Fee Income as a result of an increase in the number of sewer connections.
 - Sewer Permits revenue came in over budget as well (46% or \$230,018). This improvement is attributed to the BoH requiring sewer connections in the Harborshed areas.
 - Sewer Privilege Fees & Interest also contributed to the revenue bump and were driven by a larger number of sewer connections.
- Total Expenditures were up 2% year-over-year.
 - Professional Services were in line with the budget and 55% higher than FY15. This change from FY15 is driven by increased proactive repairs on the WWTPs and pump stations.
 - Medical Insurance and Pension costs were up from FY15 but on par with budgeted numbers.
- Debt Service costs were up 7% year-over-year, although lower than budgeted.
 - Total Debt Service was approx. \$3.45m in FY16.

**TOWN OF NANTUCKET
SEWER - ENTERPRISE FUND**

	Actual FY2016	Actual FY2015	BUDGET FY2016
Revenue	\$ 7,208,277	\$ 6,779,613	\$ 6,475,875
Expenses	6,187,111	5,898,510	6,907,829
Gross Earnings	1,021,166	881,104	(431,954)
Funding from Retained Earnings	317,229	-	317,229
Net Earnings	\$ 1,338,395	\$ 881,104	\$ (114,725)
Retained Earnings			
Net Sources (Uses)			
Article #- GF Subsidy	-	-	-
FY2015 Encumbrance Carryforwards	-	-	114,725
FinCom GF Reserve Fund Transfer	-	-	-
Surplus(Deficit)	\$ 1,338,395	\$ 881,104	\$ 0

Certified Retained Earnings For Use in FY2016	\$ 3,872,311
Plus Current Surplus(Less Current Deficit) as of June 30, 2016	1,338,395
Less Voted Use of R/E for FY2017 Budget (ATM2016) - Operations	(506,155)
<i>Projected Balance as of 06/30/2016 *</i>	\$ 4,704,551

**Revenues remain a projection, until certified by the the Department of Revenue, therefore this is only a projection as of this point in time, until Retained Earnings go through the Certification process.*



FY2016 Solid Waste Enterprise Fund Budget Update

Operating Revenue and Expenditures As of June 30, 2016

REVENUE	FY2016 Budget w/ Carryfwd	Actual FY2016	Actual FY2015	Variance to Budget	Variance to FY15	% to Budget	Y/Y Chg
Landfill Fees	\$ 540,300	\$ 382,818	\$ 531,554	\$ (157,482)	\$ (148,737)	71%	(28%)
Tipping Fees	2,886,187	3,360,737	3,162,147	474,550	198,590	116%	6%
Miscellaneous Revenues	-	52	1,780	52	(1,728)	na	(97%)
Total Revenue*	\$ 3,426,487	\$ 3,743,555	\$ 3,695,481	\$ 317,068	\$ 48,125	109%	1%

OPERATING EXPENDITURES WITHOUT DEBT	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Payroll - Salary	\$ 27,375	\$ 19,743	\$ 19,754	\$ (7,632)	\$ (10)	72%	(0%)
Medicare P/R Tax Expense	400	286	286	(114)	(0)	72%	(0%)
Medical Insurance	-	-	13,100	-	(13,100)	na	(100%)
Barnstable County Retirement	-	-	-	-	-	na	na
Utilities	327,929	389,961	358,642	62,032	31,318	119%	9%
Repair & Maintenance	8,500	-	191	(8,500)	(191)	0%	(100%)
Prof. Services - Collection & Disposal	5,679,440	7,007,007	5,792,255	1,327,567	1,214,751	123%	21%
Prof. Services - Recycle / MRF	500,000	838,236	486,583	338,236	351,652	168%	72%
Freight	975,000	1,009,171	1,245,000	34,171	(235,829)	104%	(19%)
General Insurance	-	-	-	-	-	na	na
Indirect Costs	115,000	115,000	115,000	-	-	100%	0%
Other (Contingency)	548,600	463,893	86,900	(84,707)	376,992	85%	434%
Voted Use of R/E for Operations (Mining Costs)	800,000	-	-	-	-	-	-
Total Expenditures - Excluding Debt Service	\$ 8,982,244	\$ 9,843,296	\$ 8,117,712	\$ 1,661,053	\$ 1,725,584	110%	21%
Surplus (Deficit) - Excluding Debt Service	\$ (5,555,757)	\$ (6,099,741)	\$ (4,422,231)	\$ (1,343,985)	\$ 2,102,576	110%	38%

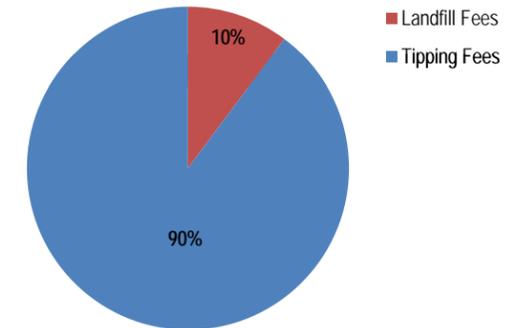
DEBT SERVICE	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
Principal	\$ 40,000	\$ 40,000	\$ 35,000	\$ -	\$ 5,000	100%	14%
Interest	17,031	17,031	17,431	0	(400)	100%	(2%)
Issuance Costs	-	-	-	-	-	na	na
BAN Costs, Principal, Interest	-	-	-	-	-	na	na
Other	-	-	-	-	-	na	na
Total Debt Service	\$ 57,031	\$ 57,031	\$ 52,431	\$ 0	\$ 4,600	100%	9%
Surplus (Deficit) - Including Debt Service*	\$ (5,612,788)	\$ (6,156,773)	\$ (4,474,662)	\$ (1,343,985)	\$ 4,600	110%	38%

OTHER FINANCING SOURCES	FY2016 Budget	FY2016	FY2015	Var to Budget	Var to FY15	% to Budget	Y/Y Chg
General Fund Subsidy - Operations	4,810,000	4,810,000	4,699,787	-	110,213	100%	2%
Voted Use of Certified Retained Earnings - Operations	800,000	800,000	-	-	800,000	100%	na
Budget to Recap Adjustment	-	-	-	-	-	na	na
FY2015 Encumbrance Carryforwards	2,788	-	-	(2,788)	-	0%	na
Total Other Financing Sources	\$ 5,612,788	\$ 5,610,000	\$ 4,699,787	\$ -	\$ 910,213	100%	19%
Total Surplus (Deficit) - Incl. Debt Service & Other Financing Sources*	\$ -	\$ (546,773)	\$ 225,125	\$ (1,343,985)	\$ (771,897)	na	(343%)

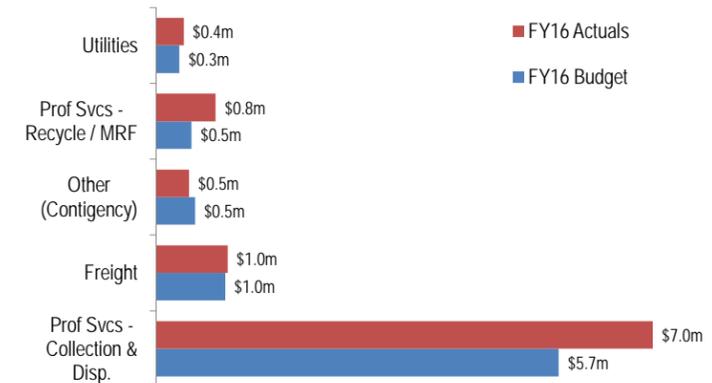
BENCHMARKS							
Target Debt to Operating Expense Ratio	12%	12%	12%				
Current Debt to Operating Expense Ratio	1%	1%	1%				
Certified Retained Earnings	\$ 2,245,252	\$ -	\$ -				
% of Certified Retained Earnings Used for Operations	0.0%	0.0%	0.0%				
% of Certified Retained Earnings Used for One Time or Capex	0.0%	0.0%	0.0%				

*Note: Governments operate on a budgetary basis; therefore revenue earned in excess of the certified budget is not available to offset expenditures in the current fiscal year. Excess revenue and expenditure turnbacks must go through the State of Massachusetts retained earnings certification process before they can be appropriated at a subsequent annual and/or special town meeting. Once certified, retained earnings can only be appropriated at an annual and/or special town meeting.

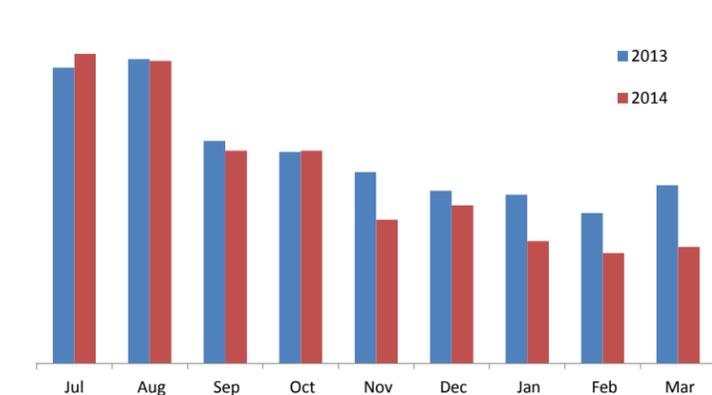
FY2016 Revenue Breakdown



Top Operating Expenses - FY16 Budget vs. Actuals



Month-Over-Month C&D/MSW Tons



FY2016 Financial Highlights

- Revenues were up 1% year-over-year and 9% over budget.
 - While Tipping Fees were 16% higher than budgeted, Landfill Fees came in 29% short. This drop in Landfill Fees was the result of uncollected commercial fees.
- Total Expenditures were 10% higher than the FY16 budget and 21% higher y/y.
 - Higher operating expenses were mainly due to costs related to mixed excavation waste (MEW) charges.
 - Mining of the landfill continued for the 6th year with 100,000 cubic yards extracted.
 - SWEF ended FY16 below budget by approx. \$0.6m.

Brian W. Riley
Kopelman and Paige, P.C.
September 2, 2015

LIQUOR LICENSE DISCIPLINARY HEARING PROCEDURE

- I. General Process
 - A. Give written notice to licensee pursuant to G.L. c.138, §23. If town personnel will supply pertinent information, you may request their presence at the hearing. Notice should include detailed statement of purpose of hearing (alleged violations of Chapter 138 and/or BOS Rules and Regulations) and potential for disciplinary action.
 - B. Chair calls the hearing to order, reads the notice and swears in the witnesses. Sworn testimony is not required by G.L. c.138, but always preferable when defending an order before the ABCC. All witnesses may be sworn in at once.

- II. Enforcement Hearing
 - A. The complainant or town officer bringing complaint testifies first followed by any witnesses that they might have. This typically includes members of the Police Department; it can include eyewitness testimony or referring to written reports. They may be questioned by the licensee (or licensee's attorney) and by Board members, through the chairman.
 - B. At the conclusion of the Town's case, the licensee should be allowed to testify followed by any witnesses that they might have. They may be questioned by the Board, and the Board may wish to recall the Police Department to answer additional questions.
 - C. Both parties should be given a reasonable opportunity to offer evidence, examine witnesses and make a concluding statement.
 - D. Although the public may attend the hearing, no questions or general public comment should be allowed during the hearing.

- IV. Closing the Hearing
 - A. After all testimony has been taken and all questions from the Board answered, a motion should be made to close the evidentiary portion of the hearing. Once closed, there should be no further testimony or documents accepted.
 - B. After closing the hearing, the Board should deliberate in open session and make a decision. A decision consists of two parts - findings of fact and the

action taken by the Board, and both must be in the written decision to be found satisfactory by the ABCC. I recommend that any finding of fact be made by motion, e.g. “I move that the Board find that on September 1, 2015, the licensee violated G.L. c.138, §34 by serving alcohol to a minor” or “I move that the Board find that on September 1, 2015, the licensee violated Chapter 250, Section XIV (8) of the Board’s Regulations by allowing patrons to remove drinks from the premises.” This can be done with multiple motions if needed. If no violations are found, the Board can make that finding and the hearing would be complete.

- C. After the Board has made its findings of fact and that a violation or violations occurred, the Chairman may then entertain a motion concerning the appropriate action to take – for example, written warning for first offense, suspension, revocation, cancellation for failure to exercise license (G.L. c.138, §77), etc. A motion should be made and the action voted on. The Board’s sanction schedule [Chapter 250, Section XV (G)] are guidelines but may be varied in appropriate circumstances.
- D. Written notice of the decision must be sent to the licensee. The notice should include the findings of fact and the action/discipline approved by the Board. The notice must also state that the licensee has five (5) days from receipt of the written decision to appeal the order to the ABCC.



Nantucket Police Department

4 Fairgrounds Road

Nantucket, Massachusetts 02554-3597

Telephone (508) 228-1212

Fax (508) 228-7246

TO: Board of Selectmen
FROM: Amy Baxter, Licensing Administrator
SUBJ: Compliance Checks Violation Notice
DATE: August 13, 2016

The third and final round of compliance checks of liquor licenses has been completed. There were three establishments with violations for the weeks of August 2 and August 8, 2016.

The attached document is the notice mandated by the Town of Nantucket's Rules and Regulation Governing Alcoholic Beverages promulgated under Chapter XV Section B [General Provisions] Paragraph (2) "All violations of the liquor laws and the terms of liquor licenses are to be reported to the board by the Nantucket Police Department within two weeks of said violations."

The notice document reports the Date, Time, Business, Manager of record, and violations.

Date	Time	Business	Tips Y/N	Manager	Violations
8/02/2016	19:20	Table One	Y	Sarah Powers	Procuring Liquor <21
8/09/2016	17:14	Harpoon Liquors	N	Joshua Harde	Procuring Liquor <21
8/09/2016	17:20	Table One	Y	Sarah Powers	Procuring Liquor <21
8/12/2016	17:19	Toppers at Wauwinet	Y	Eric Landt	Procuring Liquor <21



Nantucket Police Department

4 Fairgrounds Road

Nantucket, Massachusetts 02554-3597

Telephone (508) 228-1212

Fax (508) 228-7246

License Number: 076200177
NPD Case Numbers: 16-015894; 16-016616
Establishment: Table No. 1, LLC, dba Table No. 1

CHARGE:

Following completion of an investigation the Nantucket Police Department believes that enough cause exists to refer Table No. 1, LLC (the "Licensee") which holds a Wine and Malt Beverages Seasonal Package Store Liquor License issued pursuant to M.G.L. c. 138, §12 to the Board of Selectmen for violation of the following Town of Nantucket Rules and Regulations and/or Massachusetts General Laws:

- 2 Counts M.G.L c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty one (21) years of age;
- 2 Counts Town of Nantucket Rules and Regulations, c. 250 §XV (D)(4) – Sale or Delivery by Licensee of person under age 21 for own use or for use of another (Sec. 34).

FACTS:

1. Town of Nantucket Rules and Regulations, Chapter 250 §II (7) provides that the Nantucket Police Department shall have the authority to investigate potential violations of the Regulations and to conduct other such enforcement as the Chief of Police deems appropriate, including the use of plainclothes Police Officers for the purpose of ensuring compliance with Chapter 138, the Regulations, and other state and local laws as may be applicable.
2. On Tuesday, August 2, 2016, at approximately 4:38 pm, Detective Cook and Detective Morneau conducted an investigation of the business operation of Table No. 1 located at 7 Old South Wharf.
3. Underage operatives, working with the officers, purchased an alcoholic beverage, a bottle of Rogo wine, for \$22. The underage operatives, age 19 and 20 were not asked for identification.
4. Naomi Bernstein was identified by detectives as the person who sold the alcoholic beverage to the undercover operatives.
5. On Tuesday, August 9, 2016, at approximately 5:20 pm, Detective Cook and Detective Morneau conducted an investigation of the business operation of Table No. 1 located at 7 Old South Wharf.
6. Underage operatives, working with the officers, purchased an alcoholic beverage, a bottle of Francis wine, for \$18. The underage operatives, age 19 and 20 were not asked for identification.
7. Sarah Powers was identified by detectives as the person who sold the alcoholic beverage to the undercover operatives.

5 YEAR HISTORY:

2015 (1) Violation:

- August 1, 2015
 - One (1) Count: M.G.L. c138 §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age;
 - One (1) Count: Town of Nantucket Rules and Regulations, c 250 §II – General Provisions Regarding the Administration of Licensed Premises: All employees engaged in the service or selling of alcoholic beverages and/or viewing of identification cards shall be certified within (3) days of employment at the licensed premises.
- Sanctions:
 - One (1) day suspension of Liquor License served on August 1, 2016.

AGGRAVATING CIRCUMSTANCES, CH 250, Sec. E:

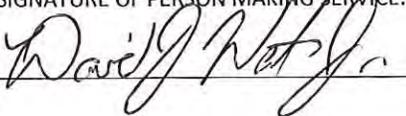
1. Failure to request identification card, operator's license or passport.
2. Two violations in one week immediately following license suspension for 2015 Violation.
3. Liquor License Manager Sarah Powers was also charged with procuring alcohol for a minor in 2015 during the alcohol compliance checks.

BLUE BOOK GUIDELINES, CH 250, Sec. G:

1. Third violation: 3-4 day suspension.

NPD RECOMMENDATION:

1. Four (4) days to be served for third violation: August 1-4, 2017. Two (2) days to be held in abeyance until December 31, 2017, pending no further violations.

<p align="center">NOTICE TO DEFENDANT RETURN OF SERVICE</p>	<p align="center">LICENSE NUMBER</p>	<p align="center">TOWN OF NANTUCKET BOARD OF SELECTMEN</p> 
<p>DATE: August 26, 2016</p>	<p>#076200177</p>	<p>Town of Nantucket Board of Selectmen 16 Broad Street Nantucket, MA 02554</p>
<p>BUSINESS:</p> <p>Table No. 1, LLC; dba Table No. 1 7 Old South Wharf Nantucket, MA 02554</p>		<p>Date of Hearing: September 21, 2016</p>
<p>MANAGER OF RECORD:</p> <p>Sarah S. Powers</p> 		
<p>OFFENSE:</p> <p>1) Violation of M.G.L. c.138 § 34: Furnishing Alcoholic Beverages to Minors on August 2, 2016. 2) Violation of M.G.L. c.138 § 34: Furnishing Alcoholic Beverages to Minors on August 9, 2016.</p>		
<p align="center">TO ANY PERSON AUTHORIZED TO SERVE CRIMINAL PROCESS</p> <p align="center">You are hereby commanded to serve the defendant's copy upon the defendant named above, and make your return of service below.</p>		
<p align="center">RETURN OF SERVICE</p>		
<p>I hereby certify that I have served a copy of this summons not less than 24 hours before the scheduled date and time of appearance by (x)</p> <p><input checked="" type="checkbox"/> Delivering a copy of it personally to the defendant</p>		
<p>DATE OF SERVICE:</p> <p>8/26/16</p>	<p>SIGNATURE OF PERSON MAKING SERVICE:</p> 	<p>TITLE OF PERSON MAKING SERVICE:</p> <p>Patrol Officer</p>

Town and County of Nantucket
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman
Rick Atherton
Matt Fee
Tobias Glidden
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

HAND DELIVERED

August 26, 2016

Table No. 1, LLC; dba Table No. 1
Manager: Sarah S. Powers

Re: Alcoholic Beverages License #076200177
Notice of Hearing

Dear Ms. Powers:

On September 21, 2016, at 6:00 p.m., the Nantucket Board of Selectmen will hold a hearing pursuant to M.G.L. c.138, §23, and a Violation of Board of Selectmen Rules and Regulations Governing Alcoholic Beverages Chapter 250 § II to discuss your alcoholic beverages license #076200177 for the business located at Seven Old South Wharf. The hearing will be held in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket. The hearing will concern the incidents set forth in the police report dated August 2, 2016, a copy of which you will find enclosed.

You may attend this hearing and be represented by counsel at your own expense if you wish. These allegations, if proven, may constitute violations of Massachusetts General Laws Chapter 138, §34 and/or the Board of Selectmen Rules and Regulations Governing Alcoholic Beverages, in that it is alleged that an alcohol compliance check conducted by the Nantucket Police Department resulted in violation of the above mentioned MGL Chapter 138, §34.

These allegations, if proven, would constitute grounds for disciplinary action, including warning, suspension, or revocation. If you have any questions, please contact this office.

BY ORDER OF THE NANTUCKET BOARD OF SELECTMEN

Nantucket Police Department

Continuation

16-015894 7 Old South Wharf, Nantucket, MA, 02554

08/02/2016

=====
===

16-001134			
1 EVD	Bottle of Rogo Wine	1.000	\$22.00

[Recovered]

NARRATIVE

On 8/2/2016, I, Detective Cook (#611), along with Detective Morneau (#511), CSO Sarah Glick, and CSO Stephen Kelly, were all working in an undercover capacity for the Nantucket Police Department.

We were engaged in compliance checks of businesses that are permitted to sell alcoholic beverages to patrons. The purpose of this operation is to ensure establishments are not selling alcoholic beverages to those under the age of twenty-one. It should be noted that both CSO's Glick and Kelly are under the age of twenty-one.

On 8/2/2016 at 1638 hrs, we arrived at Table No. 1 (7 Old South Wharf, Nantucket). CSO's Kelly and Glick entered the establishment and selected a bottle of Rogo Wine from a shelf. CSO's Glick and Kelly then approached the register. The female working the register, later identified as Naomi Bernstein (DOB: 11/23/1993), sold the two underage CSO's the bottle of wine for \$22.00 without requesting either of them to produce any type of identification.

CSO's Kelly and Glick then exited the establishment and returned to our unmarked police vehicle. I took custody of the bottle of wine and subsequently logged it into NPD evidence locker #7.

As a result of the above, Naomi Bernstein will be summonsed into court for one count of procuring liquor for a person under the age of twenty-one.

Cook, Michael J.

611

Town and County of Nantucket
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman
Rick Atherton
Matt Fee
Tobias Glidden
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

HAND DELIVERED

August 26, 2016

Table No. 1, LLC; dba Table No. 1
Manager: Sarah S. Powers

Re: Alcoholic Beverages License #076200177
Notice of Hearing

Dear Ms. Powers:

On September 21, 2016, at 6:00 p.m., the Nantucket Board of Selectmen will hold a hearing pursuant to M.G.L. c.138, §23, and a Violation of Board of Selectmen Rules and Regulations Governing Alcoholic Beverages Chapter 250 § II to discuss your alcoholic beverages license #076200177 for the business located at Seven Old South Wharf. The hearing will be held in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket. The hearing will concern the incidents set forth in the police report dated August 9, 2016, a copy of which you will find enclosed.

You may attend this hearing and be represented by counsel at your own expense if you wish. These allegations, if proven, may constitute violations of Massachusetts General Laws Chapter 138, §34 and/or the Board of Selectmen Rules and Regulations Governing Alcoholic Beverages, in that it is alleged that an alcohol compliance check conducted by the Nantucket Police Department resulted in violation of the above mentioned MGL Chapter 138, §34.

These allegations, if proven, would constitute grounds for disciplinary action, including warning, suspension, or revocation. If you have any questions, please contact this office.

BY ORDER OF THE NANTUCKET BOARD OF SELECTMEN

Nantucket Police Department

Continuation

16-016616 7 Old South Wharf, Nantucket, MA, 02554

08/09/2016

=====
===

16-001295

1 SEI

Bottle of Francis Wine

1.000

\$18.00

[Recovered]

NARRATIVE

On 8/9/2016, I, Detective Cook (#611), along with Detective Morneau (#511), CSO Nicholas Di Saia, and CSO Abigail Clapp, were all working in an undercover capacity for the Nantucket Police Department.

We were engaged in compliance checks of businesses that are permitted to sell alcoholic beverages to patrons. The purpose of this operation is to ensure establishments are not selling alcoholic beverages to those under the age of twenty-one. It should be noted that both CSO's Glick and Kelly are under the age of twenty-one.

On 8/9/2016 at 1720 hrs, we arrived at Table No. 1 (7 Old South Wharf, Nantucket). CSO's Di Saia and Clapp entered the establishment and selected a bottle of Francis Wine from a shelf. CSO's Di Saia and Clapp then approached the register. The female working the register, later identified as Sarah Powers (DOB:5/24/1970), sold the two underage CSO's the bottle of wine for \$18.00 without requesting either of them to produce any type of identification.

Powers was also charged with procuring alcohol for a minor in 2015 during the alcohol compliance checks.

As a result of the above, Sarah Powers will be summonsed into court for one count of procuring liquor for a person under the age of twenty-one.

Cook, Michael J.

611



Nantucket Police Department

4 Fairgrounds Road

Nantucket, Massachusetts 02554-3597

Telephone (508) 228-1212

Fax (508) 228-7246

License Number: 076200187
NPD Case Number: 16-016615
Establishment: Fish Stix, LLC; dba Harpoon Liquors

CHARGE:

Following completion of an investigation the Nantucket Police Department believes that enough cause exists to refer Fish Stix, LLC, dba Harpoon Liquors (the "Licensee") which holds a Seasonal All Alcoholic Beverages Package Store Liquor License issued pursuant to M.G.L. c. 138, §12 to the Board of Selectmen for violation of the following Town of Nantucket Rules and Regulations and/or Massachusetts General Laws:

- 1 Count M.G.L c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty one (21) years of age;
- 1 Count Town of Nantucket Rules and Regulations, c. 250 §XV (D)(4) – Sale or Delivery by Licensee of person under age 21 for own use or for use of another (Sec. 34).

FACTS:

1. Town of Nantucket Rules and Regulations, Chapter 250 §II (7) provides that the Nantucket Police Department shall have the authority to investigate potential violations of the Regulations and to conduct other such enforcement as the Chief of Police deems appropriate, including the use of plainclothes Police Officers for the purpose of ensuring compliance with Chapter 138, the Regulations, and other state and local laws as may be applicable.
2. On Tuesday, August 9, 2016, at approximately 5:14 pm, Detective Cook and Officer Witherell conducted an investigation of the business operation of Fresh/Harpoon Liquors located at 3 Salem Street.
3. Underage operatives, working with the officers, purchased an alcoholic beverage, one (1) bottle of Domaine Wine for \$16.00. The underage operatives, age 19 and 20 were not asked for identification.
4. Joseph Basquez was identified by detectives as the person who sold the alcoholic beverage to the undercover operatives.

5 YEAR HISTORY:

2012 (1) Violation:

- August 16, 2012
 - One (1) Count: M.G.L. c138 §34 – Sale or delivery of an alcoholic beverage to a person under twenty one (21) years of age;
- Sanctions:
 - Written Warning

2013 (1) Violation:

- August 13, 2013
 - One (1) Count: M.G.L. c138 §34 – Sale or delivery of an alcoholic beverage to a person under twenty one (21) years of age;
 - One (1) Count: Town of Nantucket Rules and Regulations, c 250 §II – General Provisions Regarding the Administration of Licensed Premises: All employees engaged in the service or selling of alcoholic beverages and/or viewing of identification cards shall be certified within (3) days of employment at the licensed premises.
- Sanctions:
 - Three (3) days suspension of Liquor License served on May 29-31, 2014.

AGGRAVATING CIRCUMSTANCES, CH 250, Sec. E:

1. Failure to request identification card, operator's license or passport.
2. Staff was not suitably trained. Basquez was unable to provide a valid TIPS training certificate.
3. Basquez has two prior violations for procuring alcohol for a minor as a result of compliance checks at the same establishment in 2012 and 2013.

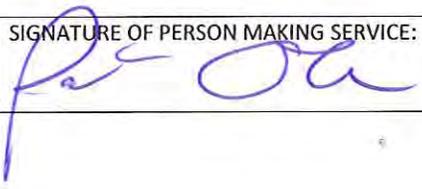
BLUE BOOK GUIDELINES, CH 250, Sec. G:

Third violation: 3-4 day suspension.

NPD RECOMMENDATION:

1. Four Day Suspension to be served August 8-11, 2017. Four (4) days to be held in abeyance until December 31, 2017, pending no further violations.

16-279

NOTICE TO DEFENDANT RETURN OF SERVICE		LICENSE NUMBER	TOWN OF NANTUCKET BOARD OF SELECTMEN
DATE: August 26, 2016		#076200187	
BUSINESS: Fish Stix, LLC.; dba Harpoon Liquors 3 Salem Street Nantucket, MA 02554		Town of Nantucket Board of Selectmen 16 Broad Street Nantucket, MA 02554	
MANAGER OF RECORD: Joshua Harde		Date of Hearing: September 21, 2016	
OFFENSE: 1) Violation of G.L. c.138 § 34: Furnishing Alcoholic Beverages to Minors. 2) Violation of Board of Selectmen Rules and Regulations Governing Alcoholic Beverages Chapter 250 § II: General Provisions Regarding the Administration of Licensed Premises ¶ (2) All employees engaged in service or selling alcoholic beverages and/or viewing of identification cards shall be certified within (30) days of employment at the licensed premises.			
TO ANY PERSON AUTHORIZED TO SERVE CRIMINAL PROCESS			
You are hereby commanded to serve the defendant's copy upon the defendant named above, and make your return of service below.			
RETURN OF SERVICE			
I hereby certify that I have served a copy of this summons not less than 24 hours before the scheduled date and time of appearance by (x)			
<input checked="" type="checkbox"/> Delivering a copy of it personally to the defendant			
DATE OF SERVICE: 8/26/16	SIGNATURE OF PERSON MAKING SERVICE: 	TITLE OF PERSON MAKING SERVICE: Paulman	

Town and County of Nantucket
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman
Rick Atherton
Matt Fee
Tobias Glidden
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

HAND DELIVERED

August 26, 2016

Fish Stix, LLC.; dba Harpoon Liquors
Manager: Joshua Harde

Re: Alcoholic Beverages License #076200187
Notice of Hearing

Dear Mr. Harde:

On September 21, 2016, at 6:00 p.m., the Nantucket Board of Selectmen will hold a hearing pursuant to M.G.L. c.138, §23, and a Violation of Board of Selectmen Rules and Regulations Governing Alcoholic Beverages Chapter 250 § II to discuss your alcoholic beverages license #076200187 for the business located at 3 Salem Street. The hearing will be held in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket. The hearing will concern the incidents set forth in the police report dated August 9, 2016, a copy of which you will find enclosed.

You may attend this hearing and be represented by counsel at your own expense if you wish. These allegations, if proven, may constitute violations of Massachusetts General Laws Chapter 138, §34 and/or the Board of Selectmen Rules and Regulations Governing Alcoholic Beverages, in that it is alleged that an alcohol compliance check conducted by the Nantucket Police Department resulted in violation of the above mentioned MGL Chapter 138, §34.

These allegations, if proven, would constitute grounds for disciplinary action, including warning, suspension, or revocation. If you have any questions, please contact this office.

BY ORDER OF THE NANTUCKET BOARD OF SELECTMEN

Nantucket Police Department

Continuation

16-016615 3 Salem St, Nantucket, MA, 02554

08/09/2016

16-001296

1 SEI

Bottle of Domaine Wine

1.000

\$16.00

[Recovered]

NARRATIVE

On 8/9/2016, I, Detective Cook (#611), along with Officer Witherell (#618), CSO Nicholas Di Saia, and CSO Abigail Clapp, were all working in an undercover capacity for the Nantucket Police Department.

We were engaged in compliance checks of businesses that are permitted to sell alcoholic beverages to patrons. The purpose of this operation is to ensure establishments are not selling alcoholic beverages to those under the age of twenty-one. It should be noted that both CSO's Di Saia and Clapp are under the age of twenty-one.

On 8/9/2016 at 1714 hrs, we arrived at Fresh Package Store (3 Salem Street). CSO's Di Saia and Clapp entered the establishment and selected a bottle of Domaine Wine from a shelf. CSO's Di Saia and Clapp then approached the register. The male working the register, later identified as Joseph Basquez (DOB: 1/8/1977), sold the two underage CSO's the bottle of wine for \$16.00 without requesting either of them to produce any type of identification.

Basquez has two entries of his Massachusetts Board of Probation for procuring alcohol for a minor. These were also a result of alcohol compliance checks done in 2012 and 2013.

As a result of the above, Joseph Basquez will be summonsed into court for one count of procuring liquor for a person under the age of twenty-one.

Cook, Michael J.

611

12-015538 3 Salem St, Nantucket, MA, 02554

08/16/2012

Owner

Harde, Joshua B W/M-43 of 85 Eel Point RD, Nantucket, MA, 02554
 DOB: 07/10/1969 DL: S62175302
 HT: 601 WT: 180 Hair: Brown
 Eyes: Blue Complexion: Fair

NARRATIVE

On Thursday, August 16, 2012, the detective unit of the Nantucket Police Department began to investigate local restaurant and liquor establishments on the island for identification checks. Underage Community Service Officers Tamera Bouma and Brittany Boudreau entered establishments on the island with the intent to buy alcohol without producing any type of identification. Det. Sgt. Clinger, Detective Tornovish and I, Detective Rockett was located nearby the establishment to conduct surveillance and to ensure the safety of the officers inside attempting to purchase alcohol.

On, Thursday August 16, 2012, at approximately 7:00 PM, Officers Bouma and Boudreau entered the Fresh/Harpoon Liquor Store located at 3 Salem Street, Nantucket. Officers Bouma and Boudreau are both under the age of twenty one years old. The officers did not produce any form of identification as proof of their age. The female employee did not ask to see any type of identification from them. The officers were sold the alcoholic beverage that they selected (1 six pack of bottle of Bud light Beer and one six pack of bottles of Blue Moon Beer). The officers paid 16.25 for the two items and left the establishment.

Officers Bouma and Boudreau returned and spoke to Det. Sgt. Clinger, Det. Tornovish and myself. They described the employee to us as a light brown skinned Phillipean or Asian male. A follow-up investigation by Det. Sgt. Clinger and I revealed that the employee who served Officers Bouma and Boudreau the alcoholic beverage was a Joseph Basquez (D.O.B.1/8/77). Basquez was positively identified by the Officers. Based upon these facts, Mr. Bazquez will be summoned to appear to face the charge of;

MGL Ch 138 sec. 34 -Selling or Furnishing Alcohol to Persons under 21 years of age.

Owner of Fresh/Harpoon Liquors Joshua Harde was notified of the incident.

Rockett, John F.

583



Nantucket Police Department

Incident Report



13-016915	Between: Date - Time	And/At: Date-Time	8/13/13	19:34
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ALCOHOL OR LIQUOR LAW VIOL

CFS Code-3:

CFS Code-4:	CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:
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Incident Location:
5 Salem St, Nantucket, MA, 02554

SUS	Name (Last, First, Middle) Basquez, Joseph M	DOB: 01/08/1977	Race/Sex A/M
-----	---	--------------------	-----------------

Address: (Address, City, State, Zip) 55 Essex Rd, Nantucket, MA, 02554	Home Phone Number
---	-------------------

Employer Harpoon Liquors	Work Phone Number
-----------------------------	-------------------

Employer Address 5 Salem St, Nantucket, MA 02554	Cell Phone Number (508) 680-4875
---	-------------------------------------

Name (Last, First, Middle)	DOB:	Race/Sex
----------------------------	------	----------

Address: (Address, City, State, Zip)	Home Phone Number
--------------------------------------	-------------------

Employer	Work Phone Number
----------	-------------------

Employer Address	Cell Phone Number
------------------	-------------------

NARRATIVE

On 08/13/13 at approximately 1934hrs, Officer Rojas entered the Fresh Package Store located at 5 Salem Street, Nantucket. Officer Rojas is under the age of twenty one. The officer did not produce any form of identification as proof of his age and the male employee did not ask to see any type of identification from him. The officer was sold the alcoholic beverages that he selected (a 12 pack of Pabst Blue Ribbon beer cans,) paid \$10.50 for them, and left the store. Officer Rojas has never seen or dealt with this male before.

Officer Rojas returned and spoke to Det. Rockett and myself, Det. Nee. He described the employee to us as a thin male, possibly Asian, wearing a dark t-shirt, and hat. Officer Rojas supplied us with a picture of the male

Vehicle Information: (Year, Make, Model, Style, Color)
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Plate Number:	State:	Expiration Year:	Vin:	Insurance Company:
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Other Vehicle Information:	NCIC#
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Reporting Officer(s): Nee, Michael P	ID Number: 492	ID Number:	Report Date: 08/15/2013
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Time Received: 19:34:00	Time Cleared: 19:34:00	Unit(s) Assigned: 23	1 Of 3
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Reviewed by: Clinger, Thomas	ID Number 113	Copy To
---------------------------------	------------------	---------

Date: 08/15/2013
CFS Code-1: ALCOHOL OR LIQUOR LAW VIOL
Incident Report Number: 13-016915

13-016915 5 Salem St, Nantucket, MA, 02554

08/13/2013

employee. A follow-up investigation revealed that the employee who served Officers Rojas the alcoholic beverages was a Joseph Basquez (D.O.B. 01/08/77.)

Based upon these facts, Joseph Basquez will be summoned to appear to face charges of;

MGL Ch 138 sec. 34 -Selling or Furnishing Alcohol to Persons under 21 years of age.



Nantucket Police Department

4 Fairgrounds Road

Nantucket, Massachusetts 02554-3597

Telephone (508) 228-1212

Fax (508) 228-7246

License Number: 076200057
NPD Case Number: 16-016889
Establishment: Nantucket Island Management, LLC; dba The Wauwinet Inn

CHARGE:

Following completion of an investigation the Nantucket Police Department believes that enough cause exists to refer Nantucket Island Management, LLC dba The Wauwinet Inn (the "Licensee") which holds a Seasonal All Alcoholic Beverages Innholder Liquor License issued pursuant to M.G.L. c. 138, §12 to the Board of Selectmen for violation of the following Town of Nantucket Rules and Regulations and/or Massachusetts General Laws:

- 1 Count M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty one (21) years of age;
- 1 Count Town of Nantucket Rules and Regulations, c. 250 §XV (D)(4) – Sale or Delivery by Licensee of person under age 21 for own use or for use of another (Sec. 34).

FACTS:

1. Town of Nantucket Rules and Regulations, Chapter 250 §II (7) provides that the Nantucket Police Department shall have the authority to investigate potential violations of the Regulations and to conduct other such enforcement as the Chief of Police deems appropriate, including the use of plainclothes Police Officers for the purpose of ensuring compliance with Chapter 138, the Regulations, and other state and local laws as may be applicable.
2. On Friday, August 12, 2016, at approximately 5:19 pm, Detective Cook and Officer Witherell conducted an investigation of the business operation of Topper's at The Wauwinet Inn located at 120 Wauwinet Road.
3. Underage operatives, working with the officers, purchased an alcoholic beverage, a glass of Pinot Noir Wine for \$17. One of the underage operatives, age 19, was asked by the server for identification, to which she responded that she did not have an ID. The server then proceeded to sell her the alcoholic beverage without requiring her to produce proof of age.
4. Brine Clauss was identified by detectives as the person who sold the alcoholic beverage to the undercover operative.

5 YEAR HISTORY:

- No prior violations.

AGGRAVATING CIRCUMSTANCES, CH 250, Sec. E:

1. Failure to verify age with identification card, operator's license or passport.

BLUE BOOK GUIDELINES, CH 250, Sec. G:

1. Written Warning.

NPD RECOMMENDATION:

1. Written Warning.

16-291

NOTICE TO DEFENDANT RETURN OF SERVICE	LICENSE NUMBER	TOWN OF NANTUCKET BOARD OF SELECTMEN 
DATE: August 26, 2016	#076200057	
BUSINESS: Nantucket Island Management, Inc.; dba The Wauwinet Inn 120 Wauwinet Road Nantucket, MA 02554		Town of Nantucket Board of Selectmen 16 Broad Street Nantucket, MA 02554
		Date of Hearing: September 21, 2016
MANAGER OF RECORD: Eric Landt		
OFFENSE: 1) Violation of G.L. c.138 § 34: Furnishing Alcoholic Beverages to Minors.		
TO ANY PERSON AUTHORIZED TO SERVE CRIMINAL PROCESS You are hereby commanded to serve the defendant's copy upon the defendant named above, and make your return of service below.		
RETURN OF SERVICE		
I hereby certify that I have served a copy of this summons not less than 24 hours before the scheduled date and time of appearance by (x)		
<input type="checkbox"/> Delivering a copy of it personally to the defendant		
DATE OF SERVICE: 8/26/16 12:00	SIGNATURE OF PERSON MAKING SERVICE: 	TITLE OF PERSON MAKING SERVICE: Patricia

Town and County of Nantucket
Board of Selectmen • County Commissioners

Robert R. DeCosta, Chairman
Rick Atherton
Matt Fee
Tobias Glidden
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

HAND DELIVERED

August 26, 2016

Nantucket Island Management, LLC; dba The Wauwinet Inn
Manager: Eric Landt

Re: Alcoholic Beverages License #076200057
Notice of Hearing

Dear Mr. Landt:

On September 21, 2016, at 6:00 p.m., the Nantucket Board of Selectmen will hold a hearing pursuant to M.G.L. c.138, §23, and a Violation of Board of Selectmen Rules and Regulations Governing Alcoholic Beverages Chapter 250 § II to discuss your alcoholic beverages license #076200057 for the business located at 120 Wauwinet Road. The hearing will be held in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket. The hearing will concern the incidents set forth in the police report dated August 12, 2016, a copy of which you will find enclosed.

You may attend this hearing and be represented by counsel at your own expense if you wish. These allegations, if proven, may constitute violations of Massachusetts General Laws Chapter 138, §34 and/or the Board of Selectmen Rules and Regulations Governing Alcoholic Beverages, in that it is alleged that an alcohol compliance check conducted by the Nantucket Police Department resulted in violation of the above mentioned MGL Chapter 138, §34.

These allegations, if proven, would constitute grounds for disciplinary action, including warning, suspension, or revocation. If you have any questions, please contact this office.

BY ORDER OF THE NANTUCKET BOARD OF SELECTMEN

Nantucket Police Department

Continuation

16-016889 120 Wauwinet Rd, Nantucket, MA, 02554

08/12/2016

On 8/12/2016, I, Detective Cook (#611), along with Officer Witherell (#618), CSO Sarah Glick, and CSO Abigail Clapp, were all working in an undercover capacity for the Nantucket Police Department.

We were engaged in compliance checks of businesses that are permitted to sell alcoholic beverages to patrons. The purpose of this operation is to ensure establishments are not selling alcoholic beverages to those under the age of twenty-one. It should be noted that both CSO's Glick and Clapp are under the age of twenty-one.

On 8/12/2016 at 1719 hrs, we arrived at Toppers at The Wauwinet (120 Wauwinet Road, Nantucket). CSO's Clapp and Glick entered the establishment and and sat down at the bar. CSO Glick briefly exited the bar area and CSO Clapp ordered a glass of pinot noir wine. The male working the bar, later identified as Brine Clauss (DOB: 7/16/1974), and asked her if she had her identification, to which she responded that she didn't. Clauss then sold CSO Clapp the glass of wine for \$17 without requiring her to produce her identification or making any attempt to verify her age.

The two CSO's then exited the establishment. I went in to advise Clauss and management of the violation. I spoke with Clauss, who admitted to serving CSO Clapp the glass of wine. Clauss argued that he asked if CSO Clapp had an identification. I asked what he did once CSO Clapp told him she didn't have one, to which he responded that he served her the glass of wine. I explained to Clauss that it is not enough to simply ask if someone has an identification with them. I further explained that he needed to make further attempts to verify someone's age before serving them alcohol.

As a result of the above, Brine Clauss will be summonsed into court for one count of procuring liquor for a person under the age of twenty-one.

Cook, Michael J.	611		
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To: Board of Selectmen
From: Real Estate Assessment Committee
Date: August 10, 2016
Subject: Public Hearings for August 17th BOS Meeting

The Real Estate Assessment Committee met on Tuesday, August 9, 2016, to discuss, among other things, the following two properties that are on your agenda for your meeting next week.

- (a) Fitzpartick - Woodbine Street, Plan No. 2011-10, which received approval as Article 77 at the 2010 Annual Town Meeting and
- (b) Swaim Elliot – Poplar Street, Plan No. 2012-68, which received approval as Article 99 at the 2011 Annual Town Meeting.

At our previous meeting in June, our Committee spent considerable time discussing whether we should be making recommendations on properties that had already been approved by Town Meeting and the Attorney General's Office and the consensus was that we should not. We also felt that we should not be changing pricing on ones that had already had a price committed by the Town before our Committee was formed and our pricing schedule adopted. Having discussed this, but not having taken an actual vote on it at our previous meeting, it was raised again at yesterday's meetings since both of the properties on our agenda had been approved by ATM and the AG's office. We agreed that these properties, and all future ones in the same set of circumstances, would go on our agenda under CONSENT unless there were special concerns raised about them. Thus, the following two motions were made, seconded and approved.

The first motion was to put all properties on our agenda under Consent that had been voted on and approved at Town Meeting and approved by the Attorney General's office as well as properties where prices had previously been agreed upon by the Town and the abutter purchasing the property and

The second motion was to approve items under Consent on our August 10, 2016 agenda.

Real Estate Assessment Committee
Established by BOS on October 21, 2015

Appointed by and reports to: Board of Selectmen

Membership:

- 3 local residents with professional real estate-related experience (i.e. real estate agent, real estate attorney, appraiser, surveyor)
- 2 local residents

Other staff assistance:

Director of Planning

Term ends: Indefinite

Board will evaluate the Committee at that time and determine a term going forward

Charge:

This committee will:

Review various real estate matters referred to it by the Board of Selectmen, including but not limited to:

- the taking by eminent domain of any real estate (excluding routine easements for Town projects such as bike paths, roads)
- the review of any “Yard Sale” transactions, including the setting of minimum bids, the appraisal value(s), and any sales of Town property to private parties
- the review of real dispositions proposed for, or submitted for, town meeting consideration (including Town and citizen-sponsored warrant articles) as requested by the Board
- a review of how the Town issues Request for Proposals (RFPs) for property dispositions, as related to pricing.

The committee’s review will result in a written evaluation to the Board, which includes “pros and cons” of the transaction.

The Real Estate Assessment Committee is a public body and Open Meeting and Conflict of Interest Laws apply.

**** AS OF 09/21/16 ****



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF NANTUCKET**

Monday, October 17, 2016 SPECIAL TOWN MEETING

**Nantucket High School
Mary P. Walker Auditorium
6:00 PM**

**Town of Nantucket
16 Broad Street
Nantucket, MA 02554**

(508) 228-7255
www.nantucket-ma.gov

BOARD OF SELECTMEN

James Kelly, Chairman
Dawn E. Hill Holdgate, Vice Chairman
Rick Atherton
Robert DeCosta
Matthew G. Fee

FINANCE COMMITTEE

David D. Worth, Jr., Chairman
Stephen Maury, Vice Chairman
Joseph T. Grause, Jr.
Peter A. McEachern
Henry Sanford
John E. Tiffany
Clifford J. Williams

PLANNING BOARD

Barry G. Rector, Chairman
Linda Williams, Vice Chairman
Nathaniel Lowell
Joseph Marcklinger
John McLaughlin

MODERATOR

Sarah F. Alger

AMERICANS WITH DISABILITIES ACT NOTICE

The Town of Nantucket advises applicants, participants and the public that it does not discriminate on the basis of disability in, admission to, access to, treatment or employment in its programs, services and activities. The Town of Nantucket will provide auxiliary aids and services to access programs upon request. Inquiries, requests and complaints should be directed to the Town Manager, 16 Broad Street, Nantucket, MA 02554, (508) 228-7255.

**IF YOU NEED A LARGE PRINT
VERSION OF THIS DOCUMENT,
PLEASE CONTACT THE
TOWN MANAGER'S OFFICE AT
(508) 228-7255**

TOWN OF NANTUCKET
October 17, 2016 Special Town Meeting

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NOTES:

1. ***PETITION ARTICLES HAVE BEEN PRINTED AS SUBMITTED BY THE PETITIONERS AND MAY CONTAIN TYPOGRAPHICAL AND OTHER ERRORS***

2. ***UNLESS OTHERWISE NOTED UNDER THE FINANCE COMMITTEE MOTION, ALL VOTES NEEDED FOR PASSAGE OF ARTICLES IS A SIMPLE MAJORITY.***

ARTICLE 1

(Suspension of Madaket/Warren's Landing/Somerset Sewer Extension Request)

To see if the Town will vote to: suspend until the next Annual Town Meeting, any and all consideration and final decisions regarding the expansion of the sewer district and appropriation of funds for including individual lots into the sewer district that are within the Madaket Harbor and Long Pond watershed area. The purpose of such deferral being to immediately allow creation of meetings and forums to try to resolve open financial issues and address other unanswered questions or open issues toward providing transparency in the decision making process and fully informing the voters in a timely manner ahead of any voting on the matters. Or to take any other action related thereto. Creation of a Madaket / Warren's Landing sewer work group is encouraged, consisting of one representative of the Madaket Conservation Association, one from Madaket Residents Association, one from Warrens Landing Association, Town Manager's designated staff person, a representative of the Board of Selectmen, a representative from Finance Committee, a representative from SHAB. The Board of Selectmen, upon advice and consent of the workgroup, may make constructive changes to the language of the mission of the workgroup as may be necessary or advisable toward perfecting the role of the workgroup in order to achieve the intent of this article, which is to resolve open issues and attempt to generate broad consensus for the potential expansion of the sewer district and appropriation of funds for including individual lots into the sewer district that are within the Madaket Harbor and Long Pond watershed area.

(William Grieder, Jr., et al)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

ARTICLE 2

(Appropriation: Sewer Project/Madaket/Warren's Landing/Somerset)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, to pay costs of professional services for design, permitting, engineering, construction supervision, and other related professional services, for the construction, installation and equipping of the extension of municipal sewer lines and associated infrastructure from the Surfside Wastewater Treatment Facility to the areas established in the Comprehensive Wastewater Management Plan Update adopted June 3, 2015 and described as "the Madaket, Warren's Landing, and Somerset Needs Areas" including the payment of all costs incidental and related thereto, and acquisition of any interests in land as may be necessary or appropriate; and further to authorize said Board of Selectmen to acquire any such interests in land by purchase, gift, and/or eminent domain; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote; or to take any other action related thereto.

(Board of Selectmen/Sewer Commissioners)

FINANCE COMMITTEE MOTION: Moved that the Town appropriate the sum of Eighty Million Dollars (\$80,000,000), to be spent by the Town Manager with the approval of the Board of Selectmen, to pay costs of professional services for design, permitting, engineering, construction supervision, and other related professional services, for the construction, installation and equipping of the extension of municipal sewer lines and associated infrastructure from the Surfside Wastewater Treatment Facility to the areas established in the Comprehensive Wastewater Management Plan Update adopted June 3, 2015 and described as “the Madaket, Warren’s Landing and Somerset Needs Areas” and acquisition of any interests in land as may be necessary or appropriate, including the payment of all other costs incidental and related thereto; that to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of Eighty Million Dollars (\$80,000,000) pursuant to General Laws Chapter 44, Sections 7 or 8, Chapter 29C or any other enabling authority, and to issue bonds and notes of the Town therefore; and further to authorize said Board of Selectmen to acquire any such interests in land by purchase, gift, and/or eminent domain necessary or appropriate to carry out the project; provided, however, that any borrowing authorized hereunder shall be contingent on the passage of a Proposition 2 and ½ debt exclusion vote. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 3

(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

To see if the Town will vote to amend Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket by adding the following parcels located within the “Madaket/Warren’s Landing/Somerset Needs Areas” designated within the Comprehensive Wastewater Management Plan adopted June 3, 2015 to the Town Sewer District:

Madaket

Map	Parcel	Number	Street
60.2.4	79	1	A Street
60.2.4	78	3	A Street
60.2.4	70	4	A Street
60	138	2	Ames Avenue
60	135	4	Ames Avenue
60.2.4	58	6	Ames Avenue
60.2.4	56	8	Ames Avenue
59.4	214	1	Arkansas Avenue
59.4	215	3	Arkansas Avenue

59.4	216	5	Arkansas Avenue
59.4	133.2	6	Arkansas Avenue
59.4	217	7	Arkansas Avenue
59.4	133.1	8	Arkansas Avenue
59.4	218	9	Arkansas Avenue
59.4	134	10	Arkansas Avenue
59.4	219	11	Arkansas Avenue
59.4	135	12	Arkansas Avenue
59.4	158	13	Arkansas Avenue
59.4	136	14	Arkansas Avenue
59.4	159	15	Arkansas Avenue
59.4	137	16	Arkansas Avenue
59.4	220	17	Arkansas Avenue
59.4	138	18	Arkansas Avenue
59.4	46	19	Arkansas Avenue
59.4	139	20	Arkansas Avenue
59.4	51	21	Arkansas Avenue
59.4	140	22	Arkansas Avenue
59.4	62	23	Arkansas Avenue
59.4	141	24	Arkansas Avenue
59.3	11	25	Arkansas Avenue
59.3	12	25	Arkansas Avenue
59.4	142	26	Arkansas Avenue
59.4	6	27	Arkansas Avenue
59.4	143	28	Arkansas Avenue
59.4	144	30	Arkansas Avenue
59.4	145	34	Arkansas Avenue
59.4	146	36	Arkansas Avenue
59.4	147	38	Arkansas Avenue
59.4	148	40	Arkansas Avenue
59.4	149	42	Arkansas Avenue
59.4	150	44	Arkansas Avenue
59.4	151	46	Arkansas Avenue
59.4	152	48	Arkansas Avenue
59.4	153	50	Arkansas Avenue
59.4	154	52	Arkansas Avenue
59.4	155	54	Arkansas Avenue
59.4	156	56	Arkansas Avenue
59.4	157	58	Arkansas Avenue
59.4	33	60	Arkansas Avenue
59.4	34	62	Arkansas Avenue
59.4	35	64	Arkansas Avenue
59.4	36	66	Arkansas Avenue
59.4	38	68	Arkansas Avenue
59.4	39	70	Arkansas Avenue

59.4	40	72	Arkansas Avenue
59.4	41	74	Arkansas Avenue
59.4	42	76	Arkansas Avenue
59.4	43	78	Arkansas Avenue
59.3	17	80	Arkansas Avenue
59.3	78	81	Arkansas Avenue
59.3	79	81	Arkansas Avenue
59.3	13	82	Arkansas Avenue
59.3	145	84	Arkansas Avenue
59.3	73	85	Arkansas Avenue
59.3	143	86	Arkansas Avenue
59.3	144	86	Arkansas Avenue
60.2.1	62	5	Baltimore Street
60	106	6	Baltimore Street
60.2.4	75	12	Baltimore Street
60.2.4	72	14	Baltimore Street
60.2.4	73	16	Baltimore Street
60.2.4	74	16	Baltimore Street
60.2.4	86	19	Baltimore Street
60.2.1	25	5	C Street
60.2.1	22	6	C Street
60.2.4	93	10	C Street
60.2.4	89	12	C Street
60.2.1	76	13	C Street
60.2.4	94		C Street
60	147	6	Chicago Street
59.3	174	3	Columbus Avenue
59.3	175	5	Columbus Avenue
59.3	113	7	Columbus Avenue
59.3	112	9	Columbus Avenue
59.3	212	10	Columbus Avenue
59.3	111	11	Columbus Avenue
59.3	173	12	Columbus Avenue
59.3	110	13	Columbus Avenue
59.3	172	14	Columbus Avenue
59.3	109	15	Columbus Avenue
59.3	171	16	Columbus Avenue
59.3	108	17	Columbus Avenue
59.3	107	19	Columbus Avenue
59.3	106	21	Columbus Avenue
38	93	2	Creek Lane
38	94	4	Creek Lane
38	95	6	Creek Lane
38	96	8	Creek Lane
38	97	10	Creek Lane

38	98	12	Creek Lane
38	99	14	Creek Lane
38	100	16	Creek Lane
38	101	18	Creek Lane
38	102	20	Creek Lane
38	103	22	Creek Lane
38	104	24	Creek Lane
38	105	26	Creek Lane
38	106	28	Creek Lane
38	107	30	Creek Lane
60.2.1	28	6	D Street
60.2.1	15	7	D Street
60.2.1	16	9	D Street
60.2.1	17	11	D Street
60.2.1	1	14	D Street
60.2.1	2	16	D Street
60.2.1	6	9	E Street
60.2.1	4	11	E Street
60.2.1	7.1	8	F Street
60.2.1	7.2	10	F Street
38	153	1	Fisher's Landing Road
38	154	2	Fisher's Landing Road
38	152	3	Fisher's Landing Road
38	157	4	Fisher's Landing Road
38	151	5	Fisher's Landing Road
38	150	7	Fisher's Landing Road
38	149	9	Fisher's Landing Road
38	148	11	Fisher's Landing Road
38	147	13	Fisher's Landing Road
59.3	96	1	Goose Cove Avenue
59.3	24	3	Goose Cove Avenue
59.3	23	5	Goose Cove Avenue
59.4	30	4	Goose Cove Way
59.4	367	5	Goose Cove Way
59.4	366	6	Goose Cove Way
60.1.2	65	1	H Street
60.1.2	54	5	H Street
60.1.2	22	11	H Street
59.4	181	4	I Street
59.4	74	7	I Street
60.1.2	32	9	I Street
59.4	261	2	L Street
59	29	1	Long Pond Drive
59	30	3	Long Pond Drive
59	27	4	Long Pond Drive

59	31	5	Long Pond Drive
59	26	6	Long Pond Drive
59	32	7	Long Pond Drive
59	25	8	Long Pond Drive
59	33	9	Long Pond Drive
59	24	10	Long Pond Drive
59	34	11	Long Pond Drive
59	23	12	Long Pond Drive
59	35	13	Long Pond Drive
59	22	14	Long Pond Drive
59	36	15	Long Pond Drive
59	21	16	Long Pond Drive
59	37	17	Long Pond Drive
59	20	18	Long Pond Drive
59	37.1	19	Long Pond Drive
59	19	20	Long Pond Drive
59	15	21	Long Pond Drive
59	18	22	Long Pond Drive
59	3	23	Long Pond Drive
59	17	24	Long Pond Drive
59.4	17	25	Long Pond Drive
59	16	26	Long Pond Drive
59.4	18	27	Long Pond Drive
59.4	109	28	Long Pond Drive
59.4	19	29	Long Pond Drive
59.4	15	30	Long Pond Drive
59.4	20	31	Long Pond Drive
59.4	108	32	Long Pond Drive
59.4	13	33	Long Pond Drive
59.4	14	34	Long Pond Drive
59.4	12	35	Long Pond Drive
59.4	117	36	Long Pond Drive
59.4	113	37	Long Pond Drive
59.4	116	38	Long Pond Drive
59.4	112	39	Long Pond Drive
59.4	115	40	Long Pond Drive
59.4	109	41	Long Pond Drive
59.4	114	42	Long Pond Drive
59.4	262	6	M Street
59.4	201	8	M Street
60	105	4	Macy Road
60	144	6	Macy Road
60	146	8	Macy Road
60	143		Macy Road
38	58.1	197 A	Madaket Road

59	58.1	199	Madaket Road
59	58.2	201	Madaket Road
59	51	203	Madaket Road
59	50	205	Madaket Road
59	49	207	Madaket Road
59	48	209	Madaket Road
59	47	211	Madaket Road
59	46	213	Madaket Road
59	45	215	Madaket Road
59	44	217	Madaket Road
59	43	219	Madaket Road
59	42	221	Madaket Road
59	41	223	Madaket Road
59	1.2	227	Madaket Road
59	2	229	Madaket Road
59.4	21	230	Madaket Road
38	10	231	Madaket Road
59.4	120.1	232	Madaket Road
59.4	120	234	Madaket Road
59.4	364	235	Madaket Road
59.4	119.1	238	Madaket Road
59.4	119	240	Madaket Road
59.4	10	241	Madaket Road
59.4	118.1	242	Madaket Road
59.4	118	244	Madaket Road
59.4	110	246	Madaket Road
59.4	16.1	248	Madaket Road
59.4	11	249	Madaket Road
59.4	213	250	Madaket Road
59.4	211	252	Madaket Road
59.4	210	253	Madaket Road
59.4	212	254	Madaket Road
59.4	265	255	Madaket Road
59.4	267	259	Madaket Road
59.4	268	261	Madaket Road
59.4	269	262	Madaket Road
59.4	271	264	Madaket Road
59.4	319	265	Madaket Road
59.4	273	266	Madaket Road
59.4	322	270	Madaket Road
59.4	356	271	Madaket Road
59.4	341	273	Madaket Road
59.4	329	274	Madaket Road
59.4	330	274	Madaket Road
59.4	331	274	Madaket Road

59.4	296	275	Madaket Road
59.4	335	277	Madaket Road
59.4	290	278	Madaket Road
59.4	291	280	Madaket Road
59.4	292	281	Madaket Road
59.4	68	282	Madaket Road
59.3	1	284	Madaket Road
60.2.1	67	291	Madaket Road
60.1.2	64	293	Madaket Road
60.2.1	70	300	Madaket Road
60.2.1	55	301	Madaket Road
60.2.1	54	303	Madaket Road
60.2.1	69	304	Madaket Road
60.2.1	51	305	Madaket Road
60.2.1	68	306	Madaket Road
60.2.1	50	307	Madaket Road
60.2.1	67	308	Madaket Road
60.2.1	66	310	Madaket Road
60.2.1	65	312	Madaket Road
60.2.1	45	313	Madaket Road
60.2.1	64	316	Madaket Road
60.2.1	38	317	Madaket Road
60.2.1	63	318	Madaket Road
60.2.1	35	321	Madaket Road
60.2.4	82	324	Madaket Road
60	104	326	Madaket Road
60	103	328	Madaket Road
60	102	330	Madaket Road
60	101	330	Madaket Road
60	100	332	Madaket Road
60.2.4	64.3	333	Madaket Road
60	141	334	Madaket Road
60.2.4	64.4	337	Madaket Road
60.2.4	64.2	341	Madaket Road
60.2.4	63	343	Madaket Road
60.2.4	63.1	345	Madaket Road
60	137	347	Madaket Road
60	130	353	Madaket Road
59.3	101	1	Midland Avenue
59.3	100	3	Midland Avenue
59.3	170	4	Midland Avenue
59.3	99	5	Midland Avenue
59.3	169	6	Midland Avenue
59.3	98	7	Midland Avenue
59.3	168	8	Midland Avenue

59.3	97	9	Midland Avenue
59.3	167	10	Midland Avenue
59.3	95	11	Midland Avenue
59.3	105	12	Midland Avenue
59.3	94	13	Midland Avenue
59.3	206	14	Midland Avenue
59.3	166	16	Midland Avenue
59.3	165	18	Midland Avenue
59.3	164	20	Midland Avenue
59.4	283	10	Mississippi Avenue
59.4	285	10	Mississippi Avenue
59.4	233	11	Mississippi Avenue
59.4	229/230		Mississippi Avenue
59.4	236/237		Mississippi Avenue
59.4	107	2	N. Cambridge Street
59.4	104	8	N. Cambridge Street
59.4	106	10	N. Cambridge Street
59.4	207	12	N. Cambridge Street
59.4	101	14	N. Cambridge Street
38	84	1	North Point
38	83	3	North Point
38	82	5	North Point
38	81	7	North Point
38	80	9	North Point
38	79	11	North Point
59.4	354	3	Oakland Street
59.4	348	7	Oakland Street
59.4	82	12	Oakland Street
59.4	255	14	Oakland Street
60.1.2	33		Oklahoma Avenue
60.1.2	38		Oklahoma Avenue
60.2.4	64	3	Pop's Lane
38	91	1	Ridge Lane
38	128	2	Ridge Lane
38	90	3	Ridge Lane
38	127	4	Ridge Lane
38	89	5	Ridge Lane
38	126	6	Ridge Lane
38	88	7	Ridge Lane
38	125	8	Ridge Lane
38	87	9	Ridge Lane
38	124	10	Ridge Lane
38	86	11	Ridge Lane
38	123	12	Ridge Lane
38	85	13	Ridge Lane

38	120	16	Ridge Lane
38	78	17	Ridge Lane
38	119	18	Ridge Lane
38	77	19	Ridge Lane
38	118	20	Ridge Lane
38	76	21	Ridge Lane
38	117	22	Ridge Lane
38	75	23	Ridge Lane
38	116	24	Ridge Lane
38	74	25	Ridge Lane
38	73	27	Ridge Lane
38	72	29	Ridge Lane
38	114	30	Ridge Lane
38	71	31	Ridge Lane
38	70	33	Ridge Lane
38	113	34	Ridge Lane
38	69	35	Ridge Lane
38	112	36	Ridge Lane
38	68	37	Ridge Lane
38	67	39	Ridge Lane
38	65	41	Ridge Lane
38	110	42	Ridge Lane
38	64	43	Ridge Lane
38	63	45	Ridge Lane
38	62	47	Ridge Lane
38	109	48	Ridge Lane
38	61	49	Ridge Lane
38	108	50	Ridge Lane
38	60	51	Ridge Lane
59.4	132.1	1	S. Cambridge Street
59.4	16	2	S. Cambridge Street
59.4	132.2	3	S. Cambridge Street
59.4	111	4	S. Cambridge Street
59.4	133	5	S. Cambridge Street
59.4	15.1	6	S. Cambridge Street
59.4	132	7	S. Cambridge Street
59.4	131	11	S. Cambridge Street
59.4	126	13	S. Cambridge Street
59.4	29	15	S. Cambridge Street
59.3	25	17	S. Cambridge Street
59.3	26	19	S. Cambridge Street
59.3	27	21	S. Cambridge Street
59.3	28	23	S. Cambridge Street
59.3	29	25	S. Cambridge Street
59.3	30	27	S. Cambridge Street

59.3	31	29	S. Cambridge Street
59.3	32	31	S. Cambridge Street
59.3	270.6	32	S. Cambridge Street
59.3	33	33	S. Cambridge Street
59.3	270.5	34	S. Cambridge Street
59.3	34	35	S. Cambridge Street
59.3	270.4	36	S. Cambridge Street
59.3	35	37	S. Cambridge Street
59.3	270.3	38	S. Cambridge Street
59.3	36	39	S. Cambridge Street
59.3	370.2	40	S. Cambridge Street
59.3	37	41	S. Cambridge Street
59.3	270.1	42	S. Cambridge Street
59.3	38	43	S. Cambridge Street
59.3	270	44	S. Cambridge Street
59.3	39	45	S. Cambridge Street
59.3	41	46	S. Cambridge Street
59.3	103	47	S. Cambridge Street
59.3	102	49	S. Cambridge Street
59.3	67	1	Starbuck Road
60	20	3	Starbuck Road
60	21	3	Starbuck Road
59.3	66.1	4	Starbuck Road
59.3	66	4	Starbuck Road
60	22	5	Starbuck Road
59.3	64	6	Starbuck Road
60	23	7	Starbuck Road
59.3	63	8	Starbuck Road
59.3	62	10	Starbuck Road
60	25	11	Starbuck Road
60	26	12	Starbuck Road
60	113	13	Starbuck Road
60	114	14	Starbuck Road
60	112	15	Starbuck Road
60	115	16	Starbuck Road
60	111	17	Starbuck Road
60	116	18	Starbuck Road
60	109	19	Starbuck Road
60	117	20	Starbuck Road
60	108	21	Starbuck Road
60	118	22	Starbuck Road
60	107	23	Starbuck Road
60	119	24	Starbuck Road
60	121	25	Starbuck Road
60	120	26	Starbuck Road

60	27	30	Starbuck Road
60	39	31	Starbuck Road
60	40	31	Starbuck Road
60	37	37	Starbuck Road
60	34	40	Starbuck Road
59.3	48	41	Starbuck Road
60	33	42	Starbuck Road
59.3	49	43	Starbuck Road
60	32	44	Starbuck Road
59.3	50	45	Starbuck Road
60	31	46	Starbuck Road
59.3	51	47	Starbuck Road
60	30	48	Starbuck Road
59.3	52	49	Starbuck Road
60	29	50	Starbuck Road
59.3	120	51	Starbuck Road
60	28	52	Starbuck Road
59.3	55	54	Starbuck Road
60	149	54R	Starbuck Road
59.3	129	56	Starbuck Road
59.3	135	58	Starbuck Road
59.3	176	59	Starbuck Road
59.3	140	60	Starbuck Road
59.3	179	61	Starbuck Road
59.3	141	62	Starbuck Road
59.3	242	63	Starbuck Road
59.3	69	64	Starbuck Road
59.3	68	66	Starbuck Road
59.4	67.1	67	Starbuck Road
59.4	67.2	69	Starbuck Road
59.4	69	71	Starbuck Road
59.3	65		Starbuck Road
60.2.4	83	1	Tennessee Avenue
60.2.4	84	2	Tennessee Avenue
60.1.2	21	6	Tennessee Avenue
60.1.2	8	9	Tennessee Avenue
60.1.2	4	10	Tennessee Avenue
60.1.2	5	12	Tennessee Avenue
60.1.2	6	14	Tennessee Avenue
60.1.2	43	15	Tennessee Avenue
60.1.2	18	18	Tennessee Avenue
60.1.2	47	19	Tennessee Avenue
60.1.2	56	21	Tennessee Avenue
60.1.2	25	22	Tennessee Avenue
60.1.2	57	23	Tennessee Avenue

60.1.2	27	24	Tennessee Avenue
60.1.2	60	25	Tennessee Avenue
60.1.2	29	26	Tennessee Avenue
60.1.2	31	28	Tennessee Avenue
60.1.2	41	32	Tennessee Avenue
59.4	75	34	Tennessee Avenue
59.4	247	35	Tennessee Avenue
59.4	79	36	Tennessee Avenue
59.4	245	37	Tennessee Avenue
59.4	253	38	Tennessee Avenue
59.4	365	39	Tennessee Avenue
59.4	84	40	Tennessee Avenue
59.4	259	41	Tennessee Avenue
59.4	310	43	Tennessee Avenue
59.4	88	44	Tennessee Avenue
59.4	89	46	Tennessee Avenue
59.4	202	51	Tennessee Avenue
59.4	95	52	Tennessee Avenue
59.4	94	52R	Tennessee Avenue
59.4	96	54	Tennessee Avenue
59.4	98	54R	Tennessee Avenue
59.4	363	55	Tennessee Avenue
59.4	6	58	Tennessee Avenue
59.4	8	60	Tennessee Avenue
59.4	102	61	Tennessee Avenue
59.4	103	63	Tennessee Avenue
38	155	2	The Grove
38	140	4	The Grove
38	141	6	The Grove
38	142	8	The Grove
38	143	10	The Grove
38	144	12	The Grove
38	145	14	The Grove
38	146	16	The Grove
59.3	58/59		Utah Avenue
38	129	7	Warren's Landing Road
60.2.4	81	1	Washington Avenue
60.2.1	29	3	Washington Avenue
60.2.4	35	4	Washington Avenue
60.2.4	66	6	Washington Avenue
60.2.1	36	7	Washington Avenue
60.2.1	40	9	Washington Avenue
60.2.1	23	10	Washington Avenue
60.2.1	41	11	Washington Avenue
60.2.1	24	12	Washington Avenue

60.2.1	42	15	Washington Avenue
60.2.1	44	17	Washington Avenue
60.2.1	14	18	Washington Avenue
60.2.1	48	19	Washington Avenue
60.2.1	13	20	Washington Avenue
60.2.1	12	22	Washington Avenue
60.2.1	11	24	Washington Avenue
60.2.1	52	25	Washington Avenue
60.2.1	53	27	Washington Avenue
60.1.2	66	41	Washington Avenue
59.4	243	51	Washington Avenue
59.4	294	53	Washington Avenue
59.4	299	54	Washington Avenue
59.4	347	56	Washington Avenue
59.4	315	62	Washington Avenue
59.4	361	68	Washington Avenue
59.4	266	69	Washington Avenue
38	138	1	West Way
38	132	2	West Way
38	137	3	West Way
38	133	4	West Way
38	136	5	West Way
38	134	6	West Way
38	135	7	West Way

Somerset

Map	Parcel	Number	Street
56	381	1	Austin Farm Road
56	359	2	Austin Farm Road
56	385	3	Austin Farm Road
56	384	5	Austin Farm Road
56	383	7	Austin Farm Road
56	367	8	Austin Farm Road
66	302	9	Austin Farm Road
56	368	10	Austin Farm Road
56	369	12	Austin Farm Road
65	76	20	Bartlett Farm Road
65	76.1	22	Bartlett Farm Road
65	86	24	Bartlett Farm Road
65	91	26	Bartlett Farm Road
65	90	28	Bartlett Farm Road

66	434	40	Bartlett Road
66	530	42	Bartlett Road
66	529	44	Bartlett Road
66	531	46	Bartlett Road
66	524	48	Bartlett Road
66	100	54	Bartlett Road
66	505	55	Bartlett Road
66	100.2	56	Bartlett Road
66	100.1	58	Bartlett Road
66	99	61	Bartlett Road
66	439	63	Bartlett Road
66	440	65	Bartlett Road
66	435	67	Bartlett Road
66	436	69	Bartlett Road
66	425	71	Bartlett Road
66	426	73	Bartlett Road
66	427.1	75A	Bartlett Road
66	427.2	75B	Bartlett Road
66	428	77	Bartlett Road
66	429	79	Bartlett Road
66	430	81	Bartlett Road
66	409	83	Bartlett Road
66	408	85	Bartlett Road
66	407	87	Bartlett Road
66	410	89	Bartlett Road
66	406	91	Bartlett Road
66	5	2	Catherine Lane
66	8	3	Catherine Lane
66	6	4	Catherine Lane
66	7	5	Catherine Lane
66	123	7	Catherine Lane
66	120	10	Catherine Lane
66	300	1	Clara Drive
66	299	3	Clara Drive
66	282	4	Clara Drive
66	283	6	Clara Drive
66	284	8	Clara Drive
66	291	9	Clara Drive

66	285	10	Clara Drive
66	290	11	Clara Drive
66	286	12	Clara Drive
66	289	13	Clara Drive
66	287	14	Clara Drive
66	288	15	Clara Drive
66	209	1	Doc Ryder Drive
66	221	2	Doc Ryder Drive
66	210	3	Doc Ryder Drive
66	220	4	Doc Ryder Drive
66	211	5	Doc Ryder Drive
66	219	6	Doc Ryder Drive
66	212	7	Doc Ryder Drive
66	218	8	Doc Ryder Drive
66	213	9	Doc Ryder Drive
66	217	10	Doc Ryder Drive
66	214	11	Doc Ryder Drive
66	216	12	Doc Ryder Drive
66	215	13	Doc Ryder Drive
66	177	1	Farm View Drive
66	176	2	Farm View Drive
66	178	3	Farm View Drive
66	179	5	Farm View Drive
66	180	7	Farm View Drive
66	181	9	Farm View Drive
66	183	10	Farm View Drive
66	182	11	Farm View Drive
66	507	1	Finback Lane
66	521	2	Finback Lane
66	508	3	Finback Lane
66	520	4	Finback Lane
66	509	5	Finback Lane
66	519	6	Finback Lane
66	510	7	Finback Lane
66	518	8	Finback Lane
66	511	9	Finback Lane
66	512	11	Finback Lane
66	513	13	Finback Lane

66	514	15	Finback Lane
66	515	17	Finback Lane
66	516	21	Finback Lane
66	517	23	Finback Lane
66	143	1	Golf View Drive
66	142	2	Golf View Drive
66	148	3	Golf View Drive
66	193	4	Golf View Drive
66	166	5	Golf View Drive
66	167	7	Golf View Drive
66	192	8	Golf View Drive
66	168	9	Golf View Drive
66	191	10	Golf View Drive
66	169	11	Golf View Drive
66	190	12	Golf View Drive
66	170	13	Golf View Drive
66	189	14	Golf View Drive
66	171	15	Golf View Drive
66	188	16	Golf View Drive
66	172	17	Golf View Drive
66	187	18	Golf View Drive
66	173	19	Golf View Drive
66	186	20	Golf View Drive
66	174	21	Golf View Drive
66	185	22	Golf View Drive
66	175	23	Golf View Drive
66	184	24	Golf View Drive
66	277	1	Hatch Circle
66	276	3	Hatch Circle
66	274	4	Hatch Circle
66	275	5	Hatch Circle
66	194	1	Hendersons Drive
66	206	2	Hendersons Drive
66	195	3	Hendersons Drive
66	205	4	Hendersons Drive
66	196	5	Hendersons Drive
66	204	6	Hendersons Drive
66	197	7	Hendersons Drive

66	203	8	Hendersons Drive
66	198	9	Hendersons Drive
66	202	10	Hendersons Drive
66	199	11	Hendersons Drive
66	201	12	Hendersons Drive
66	200	13	Hendersons Drive
66	301	2	High Brush Path
56	388	5	High Brush Path
56	370	8	High Brush Path
56	381	9	High Brush Path
56	374	15	High Brush Path
56	375	17	High Brush Path
56	376	19	High Brush Path
56	387	20	High Brush Path
56	377	21	High Brush Path
56	378	23	High Brush Path
56	379	25	High Brush Path
66	303	27	High Brush Path
66	446	1	Marble Way
66	446.1	1 #2	Marble Way
66	101	2	Marble Way
66	101.1		Marble Way
66	445	3	Marble Way
66	445.1	3 #2	Marble Way
66	102.1	4A	Marble Way
66	102	4B	Marble Way
66	444	5	Marble Way
66	444.1	5 #2	Marble Way
66	103	6	Marble Way
66	443.1	7 #2	Marble Way
66	442	9	Marble Way
66	442.1	9 #2	Marble Way
66	104	10	Marble Way
66	118	11	Marble Way
66	118.1	11 #2	Marble Way
66	105	12	Marble Way
66	119	13	Marble Way
66	106	14	Marble Way

66	106.1	16	Marble Way
66	75	2	Mikes Drive
66	76	4	Mikes Drive
65	89	3	Mioxes Way
65	87	4	Mioxes Way
65	88	6	Mioxes Way
56	366	1	New Hummock Circle
56	360	2	New Hummock Circle
56	365	3	New Hummock Circle
56	361	4	New Hummock Circle
56	364	5	New Hummock Circle
56	362	6	New Hummock Circle
56	363	8	New Hummock Circle
56	114	14	Oak Hollow
66	281	3	Raceway Drive
66	271	4	Raceway Drive
66	280	5	Raceway Drive
66	272	6	Raceway Drive
66	279	7	Raceway Drive
66	273	8	Raceway Drive
66	278	9	Raceway Drive
66	442.2	1 #1	Sleepy Hollow
66	118.2	2 #1	Sleepy Hollow
66	443	3	Sleepy Hollow
66	443.2	3	Sleepy Hollow
66	107.2	4	Sleepy Hollow
66	444.2	5 #1	Sleepy Hollow
66	453.2	6 #1	Sleepy Hollow
66	445.2	7 #1	Sleepy Hollow
66	452.2	8 #1	Sleepy Hollow
66	446.2	9 #1	Sleepy Hollow
66	451.2	10 #1	Sleepy Hollow
66	450.2	12 #1	Sleepy Hollow
66	449.2	14	Sleepy Hollow
66	448.2	16 #1	Sleepy Hollow
66	447.2	18 #1	Sleepy Hollow
56	301	8	Somerset Lane
56	464	8A #1	Somerset Lane

56	468	8B #2	Somerset Lane
56	300	10	Somerset Lane
56	55	12	Somerset Lane
66	2	14	Somerset Lane
66	3	16	Somerset Lane
66	4	18	Somerset Lane
66	4.1	20	Somerset Lane
66	9	22	Somerset Lane
66	125	24	Somerset Lane
66	10	26	Somerset Lane
66	134.4	27	Somerset Lane
66	70	28	Somerset Lane
66	134.3	29	Somerset Lane
66	71	30	Somerset Lane
66	134.2	31	Somerset Lane
66	72	32	Somerset Lane
66	134.1	33	Somerset Lane
66	73	34	Somerset Lane
66	135.6	35	Somerset Lane
66	135.3	37	Somerset Lane
66	135.4	39	Somerset Lane
66	74	40	Somerset Lane
66	135.5	41	Somerset Lane
66	77	42	Somerset Lane
66	135.2	43 #1	Somerset Lane
66	78	44	Somerset Lane
66	523	46	Somerset Lane
66	93	52	Somerset Road
66	94	54	Somerset Road
66	92	55	Somerset Road
66	95	56	Somerset Road
66	91	57	Somerset Road
66	96 (97)	58 (60)	Somerset Road
66	90	59	Somerset Road
66	89	61	Somerset Road
66	136	62	Somerset Road
66	88	63	Somerset Road
66	87	65	Somerset Road

66	86	67	Somerset Road
66	447	68	Somerset Road
66	447.1	68 #2	Somerset Road
66	85	69	Somerset Road
66	448	70	Somerset Road
66	448.1	70 #2	
66	449	72	Somerset Road
66	449.1	72 #2	Somerset Road
66	450	74	Somerset Road
66	450.1	74 #2	Somerset Road
66	451	76	Somerset Road
66	451.1	76 #2	Somerset Road
66	84	77	Somerset Road
66	452	78	Somerset Road
66	452.1	78 #2	Somerset Road
66	83	79	Somerset Road
66	453	80	Somerset Road
66	453.1	80 #2	Somerset Road
66	82	81	Somerset Road
66	107	82	Somerset Road
66	107.1	82 #2	Somerset Road
66	81	83	Somerset Road
66	80	85	Somerset Road
66	404	86	Somerset Road
66	539	86 ½	Somerset Road
66	79	87	Somerset Road
66	405	88	Somerset Road
66	135.1	89	Somerset Road
66	135.7	89 #2	Somerset Road
66	135	91	Somerset Road
66	147	97	Somerset Road
66	222	98	Somerset Road
66	146	99	Somerset Road
66	145	101	Somerset Road
66	144	103	Somerset Road
66	208	104	Somerset Road
66	207	108	Somerset Road
66	141	109	Somerset Road

66	140	111	Somerset Road
66	223	112	Somerset Road
66	139	113	Somerset Road
66	138	115	Somerset Road
66	137	117	Somerset Road
66	149	118	Somerset Road
66	151	126	Somerset Road
66	534	128	Somerset Road
66	533	128 1/2	Somerset Road
66	532	130	Somerset Road
66	150	130 1/2	Somerset Road
66	163	132	Somerset Road
66	152	1	Swayze's Drive
66	165	2	Swayze's Drive
66	153	3	Swayze's Drive
66	164	4	Swayze's Drive
66	154	5	Swayze's Drive
66	163	6	Swayze's Drive
66	155	7	Swayze's Drive
66	162	8	Swayze's Drive
66	156	9	Swayze's Drive
66	161	10	Swayze's Drive
66	157	11	Swayze's Drive
66	160	12	Swayze's Drive
66	158	13	Swayze's Drive
66	159	14	Swayze's Drive
66	298	1	Todd Circle
66	292	2	Todd Circle
66	297	3	Todd Circle
66	293	4	Todd Circle
66	296	5	Todd Circle
66	294	6	Todd Circle
66	295	7	Todd Circle
66	150.1	2	West Miacomet Road
81	160	4	West Miacomet Road
81	161	6	West Miacomet Road
81	164	6 1/2	West Miacomet Road
81	162	8	West Miacomet Road

81	150	12	West Miacomet Road
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All as shown on maps entitled “October 17, 2016 Special Town Meeting Sewer District Map Changes” dated August, 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen/Sewer Commissioners)

FINANCE COMMITTEE MOTION: Moved that Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket is hereby amended by adding the following parcels located within the “Madaket, Warren’s Landing and Somserset Needs Areas” designated within the Comprehensive Wastewater Management Plan adopted June 3, 2015 to the Town Sewer District:

Madaket

Map	Parcel	Number	Street
60.2.4	79	1	A Street
60.2.4	78	3	A Street
60.2.4	70	4	A Street
60	138	2	Ames Avenue
60	135	4	Ames Avenue
60.2.4	58	6	Ames Avenue
60.2.4	56	8	Ames Avenue
59.4	214	1	Arkansas Avenue
59.4	215	3	Arkansas Avenue
59.4	216	5	Arkansas Avenue
59.4	133.2	6	Arkansas Avenue
59.4	217	7	Arkansas Avenue
59.4	133.1	8	Arkansas Avenue
59.4	218	9	Arkansas Avenue
59.4	134	10	Arkansas Avenue
59.4	219	11	Arkansas Avenue
59.4	135	12	Arkansas Avenue
59.4	158	13	Arkansas Avenue
59.4	136	14	Arkansas Avenue
59.4	159	15	Arkansas Avenue
59.4	137	16	Arkansas Avenue
59.4	220	17	Arkansas Avenue
59.4	138	18	Arkansas Avenue
59.4	46	19	Arkansas Avenue
59.4	139	20	Arkansas Avenue
59.4	51	21	Arkansas Avenue
59.4	140	22	Arkansas Avenue
59.4	62	23	Arkansas Avenue
59.4	141	24	Arkansas Avenue

59.3	11	25	Arkansas Avenue
59.3	12	25	Arkansas Avenue
59.4	142	26	Arkansas Avenue
59.43	6	27	Arkansas Avenue
59.4	143	28	Arkansas Avenue
59.4	144	30	Arkansas Avenue
59.4	145	34	Arkansas Avenue
59.4	146	36	Arkansas Avenue
59.4	147	38	Arkansas Avenue
59.4	148	40	Arkansas Avenue
59.4	149	42	Arkansas Avenue
59.4	150	44	Arkansas Avenue
59.4	151	46	Arkansas Avenue
59.4	152	48	Arkansas Avenue
59.4	153	50	Arkansas Avenue
59.4	154	52	Arkansas Avenue
59.4	155	54	Arkansas Avenue
59.4	156	56	Arkansas Avenue
59.4	157	58	Arkansas Avenue
59.4	33	60	Arkansas Avenue
59.4	34	62	Arkansas Avenue
59.4	35	64	Arkansas Avenue
59.4	36	66	Arkansas Avenue
59.4	38	68	Arkansas Avenue
59.4	39	70	Arkansas Avenue
59.4	40	72	Arkansas Avenue
59.4	41	74	Arkansas Avenue
59.4	42	76	Arkansas Avenue
59.4	43	78	Arkansas Avenue
59.3	17	80	Arkansas Avenue
59.3	78	81	Arkansas Avenue
59.3	79	81	Arkansas Avenue
59.3	13	82	Arkansas Avenue
59.3	145	84	Arkansas Avenue
59.3	73	85	Arkansas Avenue
59.3	143	86	Arkansas Avenue
59.3	144	86	Arkansas Avenue
60.2.1	62	5	Baltimore Street
60	106	6	Baltimore Street
60.2.4	75	12	Baltimore Street
60.2.4	72	14	Baltimore Street
60.2.4	73	16	Baltimore Street
60.2.4	74	16	Baltimore Street
60.2.4	86	19	Baltimore Street
60.2.1	25	5	C Street

60.2.1	22	6	C Street
60.2.4	93	10	C Street
60.2.4	89	12	C Street
60.2.1	76	13	C Street
60.2.4	94		C Street
60	147	6	Chicago Street
59.3	174	3	Columbus Avenue
59.3	175	5	Columbus Avenue
59.3	113	7	Columbus Avenue
59.3	112	9	Columbus Avenue
59.3	212	10	Columbus Avenue
59.3	111	11	Columbus Avenue
59.3	173	12	Columbus Avenue
59.3	110	13	Columbus Avenue
59.3	172	14	Columbus Avenue
59.3	109	15	Columbus Avenue
59.3	171	16	Columbus Avenue
59.3	108	17	Columbus Avenue
59.3	107	19	Columbus Avenue
59.3	106	21	Columbus Avenue
38	93	2	Creek Lane
38	94	4	Creek Lane
38	95	6	Creek Lane
38	96	8	Creek Lane
38	97	10	Creek Lane
38	98	12	Creek Lane
38	99	14	Creek Lane
38	100	16	Creek Lane
38	101	18	Creek Lane
38	102	20	Creek Lane
38	103	22	Creek Lane
38	104	24	Creek Lane
38	105	26	Creek Lane
38	106	28	Creek Lane
38	107	30	Creek Lane
60.2.1	28	6	D Street
60.2.1	15	7	D Street
60.2.1	16	9	D Street
60.2.1	17	11	D Street
60.2.1	1	14	D Street
60.2.1	2	16	D Street
60.2.1	6	9	E Street
60.2.1	4	11	E Street
60.2.1	7.1	8	F Street
60.2.1	7.2	10	F Street

38	153	1	Fisher's Landing Road
38	154	2	Fisher's Landing Road
38	152	3	Fisher's Landing Road
38	157	4	Fisher's Landing Road
38	151	5	Fisher's Landing Road
38	150	7	Fisher's Landing Road
38	149	9	Fisher's Landing Road
38	148	11	Fisher's Landing Road
38	147	13	Fisher's Landing Road
59.3	96	1	Goose Cove Avenue
59.3	24	3	Goose Cove Avenue
59.3	23	5	Goose Cove Avenue
59.4	30	4	Goose Cove Way
59.4	367	5	Goose Cove Way
59.4	366	6	Goose Cove Way
60.1.2	65	1	H Street
60.1.2	54	5	H Street
60.1.2	22	11	H Street
59.4	181	4	I Street
59.4	74	7	I Street
60.1.2	32	9	I Street
59.4	261	2	L Street
59	29	1	Long Pond Drive
59	30	3	Long Pond Drive
59	27	4	Long Pond Drive
59	31	5	Long Pond Drive
59	26	6	Long Pond Drive
59	32	7	Long Pond Drive
59	25	8	Long Pond Drive
59	33	9	Long Pond Drive
59	24	10	Long Pond Drive
59	34	11	Long Pond Drive
59	23	12	Long Pond Drive
59	35	13	Long Pond Drive
59	22	14	Long Pond Drive
59	36	15	Long Pond Drive
59	21	16	Long Pond Drive
59	37	17	Long Pond Drive
59	20	18	Long Pond Drive
59	37.1	19	Long Pond Drive
59	19	20	Long Pond Drive
59	15	21	Long Pond Drive
59	18	22	Long Pond Drive
59	3	23	Long Pond Drive
59	17	24	Long Pond Drive

59.4	17	25	Long Pond Drive
59	16	26	Long Pond Drive
59.4	18	27	Long Pond Drive
59.4	109	28	Long Pond Drive
59.4	19	29	Long Pond Drive
59.4	15	30	Long Pond Drive
59.4	20	31	Long Pond Drive
59.4	108	32	Long Pond Drive
59.4	13	33	Long Pond Drive
59.4	14	34	Long Pond Drive
59.4	12	35	Long Pond Drive
59.4	117	36	Long Pond Drive
59.4	113	37	Long Pond Drive
59.4	116	38	Long Pond Drive
59.4	112	39	Long Pond Drive
59.4	115	40	Long Pond Drive
59.4	109.1	41	Long Pond Drive
59.4	114	42	Long Pond Drive
59.4	263	3	M Street
59.4	262	6	M Street
59.4	201	8	M Street
60	105	4	Macy Road
60	144	6	Macy Road
60	146	8	Macy Road
60	143		Macy Road
38	58.1	197 A	Madaket Road
59	58.1	199	Madaket Road
59	58.2	201	Madaket Road
59	51	203	Madaket Road
59	50	205	Madaket Road
59	49	207	Madaket Road
59	48	209	Madaket Road
59	47	211	Madaket Road
59	46	213	Madaket Road
59	45	215	Madaket Road
59	44	217	Madaket Road
59	43	219	Madaket Road
59	42	221	Madaket Road
59	41	223	Madaket Road
59	1.2	227	Madaket Road
59	2	229	Madaket Road
59.4	21	230	Madaket Road
38	10	231	Madaket Road
59.4	120.1	232	Madaket Road
59.4	120	234	Madaket Road

59.4	364	235	Madaket Road
59.4	119.1	238	Madaket Road
59.4	119	240	Madaket Road
59.4	10	241	Madaket Road
59.4	118.1	242	Madaket Road
59.4	118	244	Madaket Road
59.4	110	246	Madaket Road
59.4	16.1	248	Madaket Road
59.4	11	249	Madaket Road
59.4	213	250	Madaket Road
59.4	211	252	Madaket Road
59.4	210	253	Madaket Road
59.4	212	254	Madaket Road
59.4	265	255	Madaket Road
59.4	267	259	Madaket Road
59.4	268	261	Madaket Road
59.4	269	262	Madaket Road
59.4	271	264	Madaket Road
59.4	319	265	Madaket Road
59.4	273	266	Madaket Road
59.4	322	270	Madaket Road
59.4	356	271	Madaket Road
59.4	341	273	Madaket Road
59.4	329	274	Madaket Road
59.4	330	274	Madaket Road
59.4	331	274	Madaket Road
59.4	296	275	Madaket Road
59.4	335	277	Madaket Road
59.4	290	278	Madaket Road
59.4	291	280	Madaket Road
59.4	292	281	Madaket Road
59.4	68	282	Madaket Road
59.3	1	284	Madaket Road
60.2.1	67	291	Madaket Road
60.1.2	64	293	Madaket Road
60.2.1	70	300	Madaket Road
60.2.1	55	301	Madaket Road
60.2.1	54	303	Madaket Road
60.2.1	69	304	Madaket Road
60.2.1	51	305	Madaket Road
60.2.1	68	306	Madaket Road
60.2.1	50	307	Madaket Road
60.2.1	67	308	Madaket Road
60.2.1	66	310	Madaket Road
60.2.1	65	312	Madaket Road

60.2.1	45	313	Madaket Road
60.2.1	64	316	Madaket Road
60.2.1	38	317	Madaket Road
60.2.1	63	318	Madaket Road
60.2.1	35	321	Madaket Road
60.2.4	82	324	Madaket Road
60	104	326	Madaket Road
60	103	328	Madaket Road
60	102	330	Madaket Road
60	101	330	Madaket Road
60	100	332	Madaket Road
60.2.4	64.3	333	Madaket Road
60	141	334	Madaket Road
60.2.4	64.4	337	Madaket Road
60.2.4	64.2	341	Madaket Road
60.2.4	64.5	341A	Madaket Road
60.2.4	63	343	Madaket Road
60.2.4	63.1	345	Madaket Road
60	137	347	Madaket Road
60	130	353	Madaket Road
59.3	101	1	Midland Avenue
59.3	100	3	Midland Avenue
59.3	170	4	Midland Avenue
59.3	99	5	Midland Avenue
59.3	169	6	Midland Avenue
59.3	98	7	Midland Avenue
59.3	168	8	Midland Avenue
59.3	97	9	Midland Avenue
59.3	167	10	Midland Avenue
59.3	95	11	Midland Avenue
59.3	105	12	Midland Avenue
59.3	94	13	Midland Avenue
59.3	206	14	Midland Avenue
59.3	166	16	Midland Avenue
59.3	165	18	Midland Avenue
59.3	164	20	Midland Avenue
59.4	283	10	Mississippi Avenue
59.4	285	10	Mississippi Avenue
59.4	233	11	Mississippi Avenue
59.4	229/230		Mississippi Avenue
59.4	236/237		Mississippi Avenue
59.4	107	2	N. Cambridge Street
59.4	104	8	N. Cambridge Street
59.4	106	10	N. Cambridge Street
59.4	207	12	N. Cambridge Street

59.4	101	14	N. Cambridge Street
59.3	191		North Carolina Avenue
59.3	192		North Carolina Avenue
59.3	193		North Carolina Avenue
59.3	194		North Carolina Avenue
38	84	1	North Point
38	83	3	North Point
38	82	5	North Point
38	81	7	North Point
38	80	9	North Point
38	79	11	North Point
59.4	354	3	Oakland Street
59.4	348	7	Oakland Street
59.4	82	12	Oakland Street
59.4	255	14	Oakland Street
60.1.2	33		Oklahoma Avenue
60.1.2	38		Oklahoma Avenue
60.2.4	64.1	3	Pop's Lane
38	91	1	Ridge Lane
38	128	2	Ridge Lane
38	90	3	Ridge Lane
38	127	4	Ridge Lane
38	89	5	Ridge Lane
38	126	6	Ridge Lane
38	88	7	Ridge Lane
38	125	8	Ridge Lane
38	87	9	Ridge Lane
38	124	10	Ridge Lane
38	86	11	Ridge Lane
38	123	12	Ridge Lane
38	85	13	Ridge Lane
38	120	16	Ridge Lane
38	78	17	Ridge Lane
38	119	18	Ridge Lane
38	77	19	Ridge Lane
38	118	20	Ridge Lane
38	76	21	Ridge Lane
38	117	22	Ridge Lane
38	75	23	Ridge Lane
38	116	24	Ridge Lane
38	74	25	Ridge Lane
38	73	27	Ridge Lane
38	72	29	Ridge Lane
38	114	30	Ridge Lane
38	71	31	Ridge Lane

38	70	33	Ridge Lane
38	113	34	Ridge Lane
38	69	35	Ridge Lane
38	112	36	Ridge Lane
38	68	37	Ridge Lane
38	67	39	Ridge Lane
38	65	41	Ridge Lane
38	110	42	Ridge Lane
38	64	43	Ridge Lane
38	63	45	Ridge Lane
38	62	47	Ridge Lane
38	109	48	Ridge Lane
38	61	49	Ridge Lane
38	108	50	Ridge Lane
38	60	51	Ridge Lane
59.4	22		S. Cambridge Street
59.4	132.1	1	S. Cambridge Street
59.4	16	2	S. Cambridge Street
59.4	132.2	3	S. Cambridge Street
59.4	111	4	S. Cambridge Street
59.4	133	5	S. Cambridge Street
59.4	15.1	6	S. Cambridge Street
59.4	132	7	S. Cambridge Street
59.4	131	11	S. Cambridge Street
59.4	126	13	S. Cambridge Street
59.4	29	15	S. Cambridge Street
59.3	25	17	S. Cambridge Street
59.3	26	19	S. Cambridge Street
59.3	27	21	S. Cambridge Street
59.3	28	23	S. Cambridge Street
59.3	29	25	S. Cambridge Street
59.3	30	27	S. Cambridge Street
59.3	31	29	S. Cambridge Street
59.3	32	31	S. Cambridge Street
59.3	270.6	32	S. Cambridge Street
59.3	33	33	S. Cambridge Street
59.3	270.5	34	S. Cambridge Street
59.3	34	35	S. Cambridge Street
59.3	270.4	36	S. Cambridge Street
59.3	35	37	S. Cambridge Street
59.3	270.3	38	S. Cambridge Street
59.3	36	39	S. Cambridge Street
59.3	370.2	40	S. Cambridge Street
59.3	37	41	S. Cambridge Street
59.3	270.1	42	S. Cambridge Street

59.3	38	43	S. Cambridge Street
59.3	270	44	S. Cambridge Street
59.3	39	45	S. Cambridge Street
59.3	41	46	S. Cambridge Street
59.3	103	47	S. Cambridge Street
59.3	102	49	S. Cambridge Street
59.3	67	1	Starbuck Road
60	20	3	Starbuck Road
60	21	3	Starbuck Road
59.3	66.1	4	Starbuck Road
59.3	66	4	Starbuck Road
60	22	5	Starbuck Road
59.3	64	6	Starbuck Road
60	23	7	Starbuck Road
59.3	63	8	Starbuck Road
59.3	62	10	Starbuck Road
60	25	11	Starbuck Road
60	26	12	Starbuck Road
60	113	13	Starbuck Road
60	114	14	Starbuck Road
60	112	15	Starbuck Road
60	115	16	Starbuck Road
60	111	17	Starbuck Road
60	116	18	Starbuck Road
60	109	19	Starbuck Road
60	117	20	Starbuck Road
60	108	21	Starbuck Road
60	118	22	Starbuck Road
60	107	23	Starbuck Road
60	119	24	Starbuck Road
60	121	25	Starbuck Road
60	120	26	Starbuck Road
60	27	30	Starbuck Road
60	39	31	Starbuck Road
60	40	31	Starbuck Road
60	37	37	Starbuck Road
60	34	40	Starbuck Road
59.3	48	41	Starbuck Road
60	33	42	Starbuck Road
59.3	49	43	Starbuck Road
60	32	44	Starbuck Road
59.3	50	45	Starbuck Road
60	31	46	Starbuck Road
59.3	51	47	Starbuck Road
60	30	48	Starbuck Road

59.3	52	49	Starbuck Road
60	29	50	Starbuck Road
59.3	120	51	Starbuck Road
60	28	52	Starbuck Road
59.3	55	54	Starbuck Road
60	149	54R	Starbuck Road
59.3	129	56	Starbuck Road
59.3	135	58	Starbuck Road
59.3	176	59	Starbuck Road
59.3	140	60	Starbuck Road
59.3	179	61	Starbuck Road
59.3	141	62	Starbuck Road
59.3	242	63	Starbuck Road
59.3	69	64	Starbuck Road
59.3	68	66	Starbuck Road
59.4	67.1	67	Starbuck Road
59.4	67.2	69	Starbuck Road
59.4	69	71	Starbuck Road
59.3	65		Starbuck Road
60.2.4	83	1	Tennessee Avenue
60.2.4	84	2	Tennessee Avenue
60.1.2	21	6	Tennessee Avenue
60.1.2	8	9	Tennessee Avenue
60.1.2	4	10	Tennessee Avenue
60.1.2	5	12	Tennessee Avenue
60.1.2	6	14	Tennessee Avenue
60.1.2	43	15	Tennessee Avenue
60.1.2	18	18	Tennessee Avenue
60.1.2	47	19	Tennessee Avenue
60.1.2	56	21	Tennessee Avenue
60.1.2	25	22	Tennessee Avenue
60.1.2	57	23	Tennessee Avenue
60.1.2	27	24	Tennessee Avenue
60.1.2	60	25	Tennessee Avenue
60.1.2	29	26	Tennessee Avenue
60.1.2	31	28	Tennessee Avenue
60.1.2	41	32	Tennessee Avenue
59.4	75	34	Tennessee Avenue
59.4	247	35	Tennessee Avenue
59.4	79	36	Tennessee Avenue
59.4	245	37	Tennessee Avenue
59.4	253	38	Tennessee Avenue
59.4	365	39	Tennessee Avenue
59.4	84	40	Tennessee Avenue
59.4	259	41	Tennessee Avenue

59.4	310	43	Tennessee Avenue
59.4	88	44	Tennessee Avenue
59.4	89	46	Tennessee Avenue
59.4	202	51	Tennessee Avenue
59.4	95	52	Tennessee Avenue
59.4	94	52R	Tennessee Avenue
59.4	96	54	Tennessee Avenue
59.4	98	54R	Tennessee Avenue
59.4	3	54R	Tennessee Avenue
59.4	363	55	Tennessee Avenue
59.4	6	58	Tennessee Avenue
59.4	8	60	Tennessee Avenue
59.4	102	61	Tennessee Avenue
59.4	103	63	Tennessee Avenue
38	155	2	The Grove
38	140	4	The Grove
38	141	6	The Grove
38	142	8	The Grove
38	143	10	The Grove
38	144	12	The Grove
38	145	14	The Grove
38	146	16	The Grove
59.3	58/59		Utah Avenue
38	129	7	Warren's Landing Road
60.2.4	81	1	Washington Avenue
60.2.1	29	3	Washington Avenue
60.2.4	365	4	Washington Avenue
60.2.4	66	6	Washington Avenue
60.2.1	36	7	Washington Avenue
60.2.1	40	9	Washington Avenue
60.2.1	23	10	Washington Avenue
60.2.1	41	11	Washington Avenue
60.2.1	24	12	Washington Avenue
60.2.1	42	15	Washington Avenue
60.2.1	44	17	Washington Avenue
60.2.1	14	18	Washington Avenue
60.2.1	48	19	Washington Avenue
60.2.1	13	20	Washington Avenue
60.2.1	12	22	Washington Avenue
60.2.1	11	24	Washington Avenue
60.2.1	52	25	Washington Avenue
60.2.1	53	27	Washington Avenue
60.1.2	66	41	Washington Avenue
59.4	243	51	Washington Avenue
59.4	294	53	Washington Avenue

59.4	299	54	Washington Avenue
59.4	347	56	Washington Avenue
59.4	315	62	Washington Avenue
59.4	361	68	Washington Avenue
59.4	266	69	Washington Avenue
38	138	1	West Way
38	132	2	West Way
38	137	3	West Way
38	133	4	West Way
38	136	5	West Way
38	134	6	West Way
38	135	7	West Way

Somerset

Map	Parcel	Number	Street
56	381	1	Austin Farm Road
56	359	2	Austin Farm Road
56	385	3	Austin Farm Road
56	384	5	Austin Farm Road
56	383	7	Austin Farm Road
56	367	8	Austin Farm Road
66	302	9	Austin Farm Road
56	368	10	Austin Farm Road
56	369	12	Austin Farm Road
65	76	20	Bartlett Farm Road
65	76.1	22	Bartlett Farm Road
65	86	24	Bartlett Farm Road
65	91	26	Bartlett Farm Road
65	90	28	Bartlett Farm Road
66	434	40	Bartlett Road
66	530	42	Bartlett Road
66	529	44	Bartlett Road
66	531	46	Bartlett Road
66	524	48	Bartlett Road
66	100	54	Bartlett Road
66	505	55	Bartlett Road
66	100.2	56	Bartlett Road
66	100.1	58	Bartlett Road
66	99	61	Bartlett Road

66	439	63	Bartlett Road
66	440	65	Bartlett Road
66	435	67	Bartlett Road
66	436	69	Bartlett Road
66	425	71	Bartlett Road
66	426	73	Bartlett Road
66	427.1	75A	Bartlett Road
66	427.2	75B	Bartlett Road
66	428	77	Bartlett Road
66	429	79	Bartlett Road
66	430	81	Bartlett Road
66	409	83	Bartlett Road
66	408	85	Bartlett Road
66	407	87	Bartlett Road
66	410	89	Bartlett Road
66	406	91	Bartlett Road
66	5	2	Catherine Lane
66	8	3	Catherine Lane
66	6	4	Catherine Lane
66	7	5	Catherine Lane
66	123	7	Catherine Lane
66	120	10	Catherine Lane
66	300	1	Clara Drive
66	299	3	Clara Drive
66	282	4	Clara Drive
66	283	6	Clara Drive
66	284	8	Clara Drive
66	291	9	Clara Drive
66	285	10	Clara Drive
66	290	11	Clara Drive
66	286	12	Clara Drive
66	289	13	Clara Drive
66	287	14	Clara Drive
66	288	15	Clara Drive
66	209	1	Doc Ryder Drive
66	221	2	Doc Ryder Drive
66	210	3	Doc Ryder Drive
66	220	4	Doc Ryder Drive

66	211	5	Doc Ryder Drive
66	219	6	Doc Ryder Drive
66	212	7	Doc Ryder Drive
66	218	8	Doc Ryder Drive
66	213	9	Doc Ryder Drive
66	217	10	Doc Ryder Drive
66	214	11	Doc Ryder Drive
66	216	12	Doc Ryder Drive
66	215	13	Doc Ryder Drive
66	177	1	Farm View Drive
66	176	2	Farm View Drive
66	178	3	Farm View Drive
66	179	5	Farm View Drive
66	180	7	Farm View Drive
66	181	9	Farm View Drive
66	183	10	Farm View Drive
66	182	11	Farm View Drive
66	507	1	Finback Lane
66	521	2	Finback Lane
66	508	3	Finback Lane
66	520	4	Finback Lane
66	509	5	Finback Lane
66	519	6	Finback Lane
66	510	7	Finback Lane
66	518	8	Finback Lane
66	511	9	Finback Lane
66	512	11	Finback Lane
66	513	13	Finback Lane
66	514	15	Finback Lane
66	515	17	Finback Lane
66	516	21	Finback Lane
66	517	23	Finback Lane
66	143	1	Golf View Drive
66	142	2	Golf View Drive
66	148	3	Golf View Drive
66	193	4	Golf View Drive
66	166	5	Golf View Drive
66	167	7	Golf View Drive

66	192	8	Golf View Drive
66	168	9	Golf View Drive
66	191	10	Golf View Drive
66	169	11	Golf View Drive
66	190	12	Golf View Drive
66	170	13	Golf View Drive
66	189	14	Golf View Drive
66	171	15	Golf View Drive
66	188	16	Golf View Drive
66	172	17	Golf View Drive
66	187	18	Golf View Drive
66	173	19	Golf View Drive
66	186	20	Golf View Drive
66	174	21	Golf View Drive
66	185	22	Golf View Drive
66	175	23	Golf View Drive
66	184	24	Golf View Drive
66	277	1	Hatch Circle
66	276	3	Hatch Circle
66	274	4	Hatch Circle
66	275	5	Hatch Circle
66	194	1	Hendersons Drive
66	206	2	Hendersons Drive
66	195	3	Hendersons Drive
66	205	4	Hendersons Drive
66	196	5	Hendersons Drive
66	204	6	Hendersons Drive
66	197	7	Hendersons Drive
66	203	8	Hendersons Drive
66	198	9	Hendersons Drive
66	202	10	Hendersons Drive
66	199	11	Hendersons Drive
66	201	12	Hendersons Drive
66	200	13	Hendersons Drive
66	301	2	High Brush Path
56	388	5	High Brush Path
56	370	8	High Brush Path
56	381	9	High Brush Path

56	374	15	High Brush Path
56	375	17	High Brush Path
56	376	19	High Brush Path
56	387	20	High Brush Path
56	377	21	High Brush Path
56	378	23	High Brush Path
56	379	25	High Brush Path
66	303	27	High Brush Path
66	446	1	Marble Way
66	446.1	1 #2	Marble Way
66	101	2	Marble Way
66	101.1		Marble Way
66	445	3	Marble Way
66	445.1	3 #2	Marble Way
66	102.1	4A	Marble Way
66	102	4B	Marble Way
66	444	5	Marble Way
66	444.1	5 #2	Marble Way
66	103	6	Marble Way
66	443.1	7 #2	Marble Way
66	442	9	Marble Way
66	442.1	9 #2	Marble Way
66	104	10	Marble Way
66	118	11	Marble Way
66	118.1	11 #2	Marble Way
66	105	12	Marble Way
66	119	13	Marble Way
66	106	14	Marble Way
66	106.1	16	Marble Way
66	75	2	Mikes Drive
66	76	4	Mikes Drive
65	89	3	Mioxes Way
65	87	4	Mioxes Way
65	88	6	Mioxes Way
56	366	1	New Hummock Circle
56	360	2	New Hummock Circle
56	365	3	New Hummock Circle
56	361	4	New Hummock Circle

56	364	5	New Hummock Circle
56	362	6	New Hummock Circle
56	363	8	New Hummock Circle
56	114	14	Oak Hollow
66	281	3	Raceway Drive
66	271	4	Raceway Drive
66	280	5	Raceway Drive
66	272	6	Raceway Drive
66	279	7	Raceway Drive
66	273	8	Raceway Drive
66	278	9	Raceway Drive
66	442.2	1 #1	Sleepy Hollow
66	118.2	2 #1	Sleepy Hollow
66	443	3	Sleepy Hollow
66	443.2	3	Sleepy Hollow
66	107.2	4	Sleepy Hollow
66	444.2	5 #1	Sleepy Hollow
66	453.2	6 #1	Sleepy Hollow
66	445.2	7 #1	Sleepy Hollow
66	452.2	8 #1	Sleepy Hollow
66	446.2	9 #1	Sleepy Hollow
66	451.2	10 #1	Sleepy Hollow
66	450.2	12 #1	Sleepy Hollow
66	449.2	14	Sleepy Hollow
66	448.2	16 #1	Sleepy Hollow
66	447.2	18 #1	Sleepy Hollow
56	301	8	Somerset Lane
56	464	8A #1	Somerset Lane
56	468	8B #2	Somerset Lane
56	300	10	Somerset Lane
56	55	12	Somerset Lane
66	2	14	Somerset Lane
66	3	16	Somerset Lane
66	4	18	Somerset Lane
66	4.1	20	Somerset Lane
66	9	22	Somerset Lane
66	125	24	Somerset Lane
66	10	26	Somerset Lane

66	134.4	27	Somerset Lane
66	70	28	Somerset Lane
66	134.3	29	Somerset Lane
66	71	30	Somerset Lane
66	134.2	31	Somerset Lane
66	72	32	Somerset Lane
66	134.1	33	Somerset Lane
66	73	34	Somerset Lane
66	135.6	35	Somerset Lane
66	135.3	37	Somerset Lane
66	135.4	39	Somerset Lane
66	74	40	Somerset Lane
66	135.5	41	Somerset Lane
66	77	42	Somerset Lane
66	135.2	43 #1	Somerset Lane
66	78	44	Somerset Lane
66	523	46	Somerset Lane
66	93	52	Somerset Road
66	94	54	Somerset Road
66	92	55	Somerset Road
66	95	56	Somerset Road
66	91	57	Somerset Road
66	96 (97)	58 (60)	Somerset Road
66	90	59	Somerset Road
66	89	61	Somerset Road
66	136	62	Somerset Road
66	88	63	Somerset Road
66	87	65	Somerset Road
66	86	67	Somerset Road
66	447	68	Somerset Road
66	447.1	68 #2	Somerset Road
66	85	69	Somerset Road
66	448	70	Somerset Road
66	448.1	70 #2	
66	449	72	Somerset Road
66	449.1	72 #2	Somerset Road
66	450	74	Somerset Road
66	450.1	74 #2	Somerset Road

66	451	76	Somerset Road
66	451.1	76 #2	Somerset Road
66	84	77	Somerset Road
66	452	78	Somerset Road
66	452.1	78 #2	Somerset Road
66	83	79	Somerset Road
66	453	80	Somerset Road
66	453.1	80 #2	Somerset Road
66	82	81	Somerset Road
66	107	82	Somerset Road
66	107.1	82 #2	Somerset Road
66	81	83	Somerset Road
66	80	85	Somerset Road
66	404	86	Somerset Road
66	539	86 ½	Somerset Road
66	79	87	Somerset Road
66	405	88	Somerset Road
66	135.1	89	Somerset Road
66	135.7	89 #2	Somerset Road
66	135	91	Somerset Road
66	147	97	Somerset Road
66	222	98	Somerset Road
66	146	99	Somerset Road
66	145	101	Somerset Road
66	144	103	Somerset Road
66	208	104	Somerset Road
66	207	108	Somerset Road
66	141	109	Somerset Road
66	140	111	Somerset Road
66	223	112	Somerset Road
66	139	113	Somerset Road
66	138	115	Somerset Road
66	137	117	Somerset Road
66	149	118	Somerset Road
66	151	126	Somerset Road
66	534	128	Somerset Road
66	533	128 1/2	Somerset Road
66	532	130	Somerset Road

66	150	130 1/2	Somerset Road
66	163	132	Somerset Road
66	152	1	Swayze's Drive
66	165	2	Swayze's Drive
66	153	3	Swayze's Drive
66	164	4	Swayze's Drive
66	154	5	Swayze's Drive
66	163	6	Swayze's Drive
66	155	7	Swayze's Drive
66	162	8	Swayze's Drive
66	156	9	Swayze's Drive
66	161	10	Swayze's Drive
66	157	11	Swayze's Drive
66	160	12	Swayze's Drive
66	158	13	Swayze's Drive
66	159	14	Swayze's Drive
66	298	1	Todd Circle
66	292	2	Todd Circle
66	297	3	Todd Circle
66	293	4	Todd Circle
66	296	5	Todd Circle
66	294	6	Todd Circle
66	295	7	Todd Circle
66	150.1	2	West Miacomet Road
81	160	4	West Miacomet Road
81	161	6	West Miacomet Road
81	164	6 1/2	West Miacomet Road
81	162	8	West Miacomet Road
81	150	12	West Miacomet Road

All as shown on maps entitled "October 17, 2016 Special Town Meeting Sewer District Map Changes" dated August, 2016 and filed herewith at the Office of the Town Clerk.

FINANCE COMMITTEE COMMENT: There are six (6) parcels shown in the Finance Committee Motion with gray shading. These parcels are shown with the shading so as to depict that they have been added and/or the description revised from the text of the article. All of the parcels were included on the referenced map, but were inadvertently not listed in the text of the article; or, listed incorrectly. The design process should take into consideration any additional lots that should be incorporated into the system to ensure that the capacity of the system is adequate.

ARTICLE 4

(Long-term Lease Extension Authorization - Academy Hill Property)

To see if the Town will vote to authorize the Board of Selectmen to extend the lease of the Academy Building located at 4 Westminster Street, on such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town, for an additional 20 year period beyond what was authorized under Article 34 of the 1980 Annual Town Meeting, so that the extended lease would terminate on March 26, 2076, and, if necessary, to authorize the Board of Selectmen to file a Home Rule Petition exempting the lease extension from the public bidding requirements of G. L. c. 30B, § 16; or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to extend the lease of the Academy Building located at 4 Westminster Street, on such terms and conditions as the Board of Selectmen determine to be in the best interests of the Town, for an additional 20 year period beyond what was authorized under Article 34 of the 1980 Annual Town Meeting, so that the extended lease would terminate on March 26, 2076, and, if necessary, to authorize the Board of Selectmen to file a Home Rule Petition exempting the lease extension from the public bidding requirements of G. L. c. 30B, § 16.

ARTICLE 5

(Suspension of Our Island Home Funding Request; Establishment of Work Group)

To see if the Town will vote to: suspend until the next Annual Town Meeting, any and all consideration and final decisions regarding the relocation, design, staffing, site control, and demographics of Our Island Home, the purpose of such deferral being to immediately create a workgroup to resolve financial and otherwise unanswered questions or open issues. Such a workgroup shall consist of two members of the Friends of Our Island Home, two members of the Our Island Home Family Council, a member from the Town Finance department or Finance Committee, a representative from the Board of Selectmen, a representative from Our Island Home Administration, and two Citizen-at-Large positions – one chosen by the BOS, one chosen by proponents of this article, and to include information, reports and input without limit from the Town of Nantucket's previously and/or currently engaged consultants as may be requested by the workgroup for the various aspects of implementing a new plan for the future Our Island Home. The first meeting of the new workgroup shall take place no later than November 1, 2016. Or to take any other action related thereto.

[The Board of Selectmen, upon advice and consent of the workgroup, may make constructive changes to the language of the mission of the workgroup as may be necessary or advisable toward perfecting the role of the workgroup in order to achieve the intent of this article, which is to resolve open issues and attempt to generate broad consensus for the successful future of Our Island Home while improving and maintaining the existing facility during the development of our new facility.]

(Frances E. Karttunen, et al)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

ARTICLE 6

(Land Bank: Bond Refinancing)

To see if the Town will vote to pledge the full faith and credit of the Town under Chapter 669 of the Acts of 1983, as amended, to secure the principal of and interest on bonds or notes of the Nantucket Islands Land Bank to be issued to (a) refinance all or part of the remaining principal and redemption premium of, and interest on, the Land Bank's \$15,095,000 2007 Series A Bonds (Full Faith and Credit Issue) dated December 1, 2007, and (b) fund any debt service reserve or reserves that may be required in connection with the refinancing, provided that the amount of such bonds or notes of the Land Bank guaranteed by the Town pursuant to any vote passed under this article shall be in addition to amounts of Land Bank indebtedness that the Town has previously agreed to guarantee; or, to take any action relative thereto.

(Board of Selectmen for Nantucket Islands Land Bank Commission)

FINANCE COMMITTEE MOTION: Moved that the Nantucket Islands Land Bank is hereby authorized to pledge the full faith and credit of the Town pursuant to section 4 and 4B of Chapter 669 of the Acts of 1983, as amended, to secure the principal of and interest on bonds or notes of the Nantucket Islands Land Bank to be issued (a) to refinance all or part of the remaining principal and redemption premium of, and interest on, the Land Bank's \$15,095,000 2007 Series A Bonds (Full Faith and Credit Issue) dated December 1, 2007, and (b) to fund any debt service reserve or reserves that may be required in connection with the refinancing; provided that such pledge shall not be utilized by the Nantucket Islands Land Bank unless or until a memorandum of understanding is executed by and between the Board of Selectmen of the Town and the Land Bank Commission regarding such terms and conditions that will (w) memorialize the intent that the principal and interest obligations be paid, in the first instance, from Land Bank revenues, (x) that will operate towards minimizing the likelihood that a certification pursuant to Section 4C of Chapter 669 of the Acts of 1983, as amended, would be issued to the Town, (y) that will provide for the eventual reimbursement of the Town should the Town be called upon to pay debt service on the bonds pursuant to the pledge, and (z) that will further implement Section 4C of Chapter 669 of the Acts of 1983, as amended, as the Board of Selectmen and the Land Bank Commission see fit, together with such other terms as the Board of Selectmen and the Land Bank Commission shall determine; that the total principal amount of such bonds or notes of the Land Bank guaranteed by the Town pursuant to this vote shall not exceed \$10,000,000; and provided further that the amount of such bonds or notes of the Land Bank guaranteed by the Town pursuant to this vote shall be in addition to amounts of Land Bank indebtedness that the Town has previously agreed to guarantee.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 7

(Appropriation: Airport)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds for the purposes of supplemental funding for the following capital projects for the Airport, including other costs incidental and related thereto; or, to take any other action related thereto:

PROJECT	ARTICLE/TOWN MEETING	ORIGINAL APPROPRIATION
Replace Flight Information Display System and Public Address System	Article 12/2016 Annual Town Meeting	\$375,000
Costs Associated with Hardware and Software for Airport Security Purposes	Article 12/2016 Annual Town Meeting	\$200,000
Costs Associated with Renovation of Vault Room and Equipment Replacement	Article 12/2016 Annual Town Meeting	\$1,000,000

(Board of Selectmen for Airport Commission)

FINANCE COMMITTEE MOTION: Moved that the Town appropriate the additional sums of Two Hundred Seventy-six Thousand Dollars (\$276,000) for costs associated with Renovations of the Vault Room and Equipment; Sixteen Thousand Dollars (\$16,000) for costs associated with Hardware and Software for Airport Security Purposes, and Forty-eight Thousand Dollars (\$48,000) for the Replacement of the Flight Information Display System and Public Address System, including the payment of all costs incidental and related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Three Hundred Forty Thousand Dollars (\$340,000) pursuant to G.L. c.44 Sections 7 or 8 or any other enabling authority, and to issue bonds and notes of the Town therefor; and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Airport Enterprise Fund revenues, state or federal grants, and other available funds of the Airport. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 8 (Appropriation: Lined Landfill Cell)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, to supplement the previous appropriations for the following capital project for the Solid Waste Enterprise Fund,

including the costs of professional services for design, permitting, engineering, construction supervision, materials, and other related professional services and any other costs incidental and related thereto; and to take any other action related thereto:

PROJECT	ARTICLE/TOWN MEETING	ORIGINAL APPROPRIATION
Costs Associated with New Lined Landfill Cell Engineering and Construction	Article 14/2015 Annual Town Meeting	\$1,000,000
Costs Associated with Closure of Lined Landfill Cell 3C	Article 12/2016 Annual Town Meeting	\$500,000

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Town appropriate the additional sum of Seven Hundred Thousand Dollars (\$700,000) for the design and construction of a new lined landfill cell at the Nantucket landfill, including the payment of all costs incidental and related thereto; that to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen is hereby authorized to borrow Seven Hundred Thousand Dollars (\$700,000) pursuant to G.L. c.44 Sections 7 or 8 or any other enabling authority, and to issue bonds and notes of the Town therefor; and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Solid Waste Enterprise Fund revenues. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FINANCE COMMITTEE COMMENT: The Solid Waste Enterprise Fund is not entirely supported by its own revenues and an annual subsidy from the General Fund is required.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 9

(Appropriation: Fire Department)

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Manager with the approval of the Board of Selectmen, to pay costs for the acquisition, placement, professional services, and associated utility and other connections for an office trailer unit and any other costs incidental and related thereto; and to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved to take no action on the Article.

**ARTICLE 10
(Appropriation: General Fund)**

To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds for the purposes of supplemental funding for the following capital projects for the Town of Nantucket; or, to take any other action related thereto:

PROJECT	ARTICLE/TOWN MEETING	ORIGINAL APPROPRIATION
Polpis Harbor Dredging	Article 10/2013 Annual Town Meeting	\$82,000

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that One Hundred Sixty-five Thousand Five Hundred Fifty Dollars (\$165,550) be appropriated from the FY 2017 tax levy and other general revenues of the Town to be used to supplement Article 10 from the 2013 Annual Town Meeting, Polpis Harbor Dredging.

FINANCE COMMITTEE COMMENT: The Town anticipates receiving revenue from the sale of the sand material to be dredged, that will help offset the cost of this and future dredging projects.

**ARTICLE 11
(Real Estate Acquisition: 40 Sparks Avenue)**

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain the fee interest in the parcel identified below for general municipal purposes, including without limitation funeral home purposes by a non-profit entity pursuant to Chapter 261 of the Acts of 2014, or for purposes of conveyance; and further if the property is acquired for the purposes of conveyance, to further authorize the Board of Selectmen to sell, lease or otherwise dispose of the fee or lesser interests in all or any portion thereof for a public purpose including without limitation, funeral home purposes by a non-profit entity pursuant to Chapter 261 of the Acts of 2014, subject to MGL Chapter 30B, any such disposition to be on such terms and conditions as the Board of Selectmen deem appropriate:

- Assessors Map 55 Parcel 602 known as 40 Sparks Avenue

As shown on a plan entitled “Plan of Land in Nantucket, Mass.” dated December 19, 1997 on file at the Nantucket Planning Board as Plan File 6235.

And to see if the Town will vote to borrow, appropriate, or transfer \$400,000 from the Reserve Fund for such purposes.

Or to take any other action related thereto.

(Catherine Flanagan Stover, et al)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

FINANCE COMMITTEE COMMENT: Use of the Reserve Fund as requested in the Article is not appropriate. The Reserve Fund is intended for unforeseen, unanticipated municipal expenses that arise throughout the year. This request does not meet that criteria. It is the Committee's understanding that the Cemetary Commission is working to secure a title search on this property and then to determine if any graves or remains are located there, using ground penetrating radar. That work should be completed in advance of any efforts to use the property for other purposes.

ARTICLE 12

(Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

To see if the Town will vote to: amend the Siasconset Sewer District, as established under the Nantucket Code, Chapter 41, Section 3.B, by adding to it the following parcel:

Assessor's Map 49, Parcel 91: 85 Sankaty Road, Siasconset

(Arthur I. Reade, Jr., et al)

FINANCE COMMITTEE MOTION: Moved that Chapter 41 (Board of Sewer Commissioners), Section 41-3B (Siasconset Sewer District) of the Code of the Town of Nantucket be amended by adding the following parcel:

Assessor's Map 49, Parcel 91: 85 Sankaty Road, Siasconset

ARTICLE 13

(Zoning Map Change: LUG-2 to LUG-1 - 106 and 108 Surfside Road)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties currently located in the Limited Use General 2 (LUG-2) district, in the Limited Use General 1 (LUG-1) district:

Map	Lot	Number	Street
67	80	106	Surfside Road
80	5	108	Surfside Road
Parcels 7, 8, 9, 10, and 11 as shown on Plan No. 2014-52 filed with the Nantucket Registry of Deeds			

All as shown on a map entitled "2016 Special Town Meeting Warrant Article 13 Zoning Map Change: LUG-2 to LUG-1 - 106 and 108 Surfside Road" dated August, 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Board of Selectmen)

PLANNING BOARD MOTION: Moved that the Zoning Map of the Town of Nantucket be amended by placing the following properties currently located in the Limited Use General 2 (LUG-2) district, in the Limited Use General 1 (LUG-1) district:

Map	Lot	Number	Street
67	80	106	Surfside Road
80	5	108	Surfside Road
Parcels 7, 8, 9, 10, and 11 as shown on Plan No. 2014-52 filed with the Nantucket Registry of Deeds			

All as shown on a map entitled “2016 Special Town Meeting Warrant Article 13 Zoning Map Change: LUG-2 to LUG-1 - 106 and 108 Surfside Road” dated August 2016.

FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 14

(Zoning Bylaw (Town and Country Overlay District) and Sewer District Amendment: 4, 6, and 8 Hawthorne Lane)

To see if the Town will vote to amend the Code of the Town of Nantucket by taking the following actions (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikethrough; these methods to denote changes are not meant to become part of the final text and, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

1. Amend Chapter 139 (Zoning), section 4E, by placing the following properties currently located in the Country Overlay District in the Town Overlay District:

Map	Lot	Number	Street
56	215	4	Hawthorne Lane
56	216	6	Hawthorne Lane
56	220	8	Hawthorne Lane

2. Amend Chapter 41 (Board of Sewer Commissioners), section 41-3A (Town Sewer District) of the Code of the Town of Nantucket by adding the following properties to the Town Sewer District:

Map	Lot	Number	Street
56	215	4	Hawthorne Lane
56	216	6	Hawthorne Lane

56	220	8	Hawthorne Lane
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All as shown on a map entitled “2016 Special Town Meeting Warrant Article ____: Zoning Bylaw (Town and Country Overlay District) and Sewer District Amendment: 4, 6, and 8 Hawthorne Lane” dated _____, 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Terry Sanford, et al)

PLANNING BOARD MOTION: Moved that Chapter 139 (Zoning), section 4E, of the Code of the Town of Nantucket be amended by placing the following properties currently located in the Country Overlay District in the Town Overlay District:

Map	Lot	Number	Street
56	215	4	Hawthorne Lane
56	216	6	Hawthorne Lane
56	220	8	Hawthorne Lane

All as shown on a map entitled “2016 Special Town Meeting Warrant Article 14 Map 1: Zoning Bylaw (Town and Country Overlay District) and Sewer District Amendment: 4, 6, and 8 Hawthorne Lane” dated August 2016.

FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.

Quantum of vote required for passage of the motion is 2/3

FINANCE COMMITTEE MOTION: Moved that Chapter 41 (Board of Sewer Commissioners), Section 41-3B (Town Sewer District) of the Code of the Town of Nantucket be amended by adding the following parcels:

Map	Lot	Number	Street
56	215	4	Hawthorne Lane
56	216	6	Hawthorne Lane
56	220	8	Hawthorne Lane

ARTICLE 15

(Zoning Map Change: LUG-2 to LUG-1 Surfside West - South Shore Road, Rachel Drive, Zachary Way, Tripp Drive, Correia Lane, Felcon Drive and Marilyn Lane, Masaquet Avenue, Morgan Square)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the following properties identified in the Surfside Area Plan as a portion of “Surfside West”, currently located in the Limited Use General 2 (LUG-2) zoning district, to the Limited Use General (LUG-1) zoning district:

Map	Lot	Number	Street
80	52	1	Zachary Way
80	51	8	Tripp Drive
80	51.1	12	Tripp Drive
80	51.2	4	Tripp Drive
80	51.3	2	Tripp Drive
80	53	3	Rachel Drive
80	53.1	47	South Shore Road
80	53.2	43	South Shore Road
80	53.3	2	Rachel Drive
80	53.4	4	Rachel Drive
80	53.5	5	Rachel Drive
80	54	16	Correia Lane
80	55	17	Correia Lane
80	56	15	Correia Lane
80	57	13	Correia Lane
80	58	9	Correia Lane
80	58.1	11	Correia Lane
80	59	12	Correia Lane
80	60	8	Correia Lane
80	61	4	Correia Lane
80	62	34	South Shore Road
80	63	3	Correia Lane
80	64	33	South Shore Road
80	115	52	South Shore Road
80	117	42	South Shore Road
80	118	36	South Shore Road
80	177	32	South Shore Road
80	294	1	Felcon Drive
80	296.1	29A	South Shore Road
80	296.2	29B	South Shore Road
80	296.3	29C	South Shore Road
80	296.4	29D	South Shore Road
80	311	53	South Shore Road
80	312	2	Zachary Way
80	313	3	Zachary Way
80	326	3	Marylin Lane
80	329	5	Felcon Drive
80	330	9	Felcon Drive

80	331	11	Felcon Drive
80	193	8	Masaquet Avenue
87	3.1	4	Morgan Square
87	3.2	2	Morgan Square
80	310	14	Tripp Drive

All as shown on a map entitled “2016 Special Town Meeting Warrant Article __ Zoning Map Change: LUG-2 to LUG-1 Surfside West - South Shore Road, Rachel Drive, Zachary Way, Tripp Drive, Correia Lane, Felcon Drive, and Marilyn Lane, Masaquet Avenue, Morgan Square)” dated July 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Leona Tripp, et al)

PLANNING BOARD MOTION: Moved that the Zoning Map of the Town of Nantucket be amended by placing the following properties identified in the Surfside Area Plan as a portion of “Surfside West”, currently located in the Limited Use General 2 (LUG-2) zoning district, to the Limited Use General (LUG-1) zoning district:

Map	Lot	Number	Street
80	52	1	Zachary Way
80	51	8	Tripp Drive
80	51.1	12	Tripp Drive
80	51.2	4	Tripp Drive
80	51.3	2	Tripp Drive
80	53	3	Rachel Drive
80	53.1	47	South Shore Road
80	53.2	43	South Shore Road
80	53.3	2	Rachel Drive
80	53.4	4	Rachel Drive
80	53.5	5	Rachel Drive
80	54	16	Correia Lane
80	55	17	Correia Lane
80	56	15	Correia Lane
80	57	13	Correia Lane
80	58	9	Correia Lane
80	58.1	11	Correia Lane
80	59	12	Correia Lane
80	60	8	Correia Lane
80	61	4	Correia Lane
80	62	34	South Shore Road

80	63	3	Correia Lane
80	64	33	South Shore Road
80	115	52	South Shore Road
80	117	42	South Shore Road
80	118	36	South Shore Road
80	177	32	South Shore Road
80	294	1	Felcon Drive
80	296.1	29A	South Shore Road
80	296.2	29B	South Shore Road
80	296.3	29C	South Shore Road
80	296.4	29D	South Shore Road
80	311	53	South Shore Road
80	312	2	Zachary Way
80	313	3	Zachary Way
80	326	3	Marilyn Lane
80	329	5	Felcon Drive
80	330	9	Felcon Drive
80	331	11	Felcon Drive
80	193	8	Masaquet Avenue
87	3.1	4	Morgan Square
87	3.2	2	Morgan Square
80	310	14	Tripp Drive

All as shown on a map entitled “2016 Special Town Meeting Warrant Article 15 Zoning Map Change: LUG-2 to LUG-1 Surfside West - South Shore Road, Rachel Drive, Zachary Way, Tripp Drive, Correia Lane, Felcon Drive, and Marilyn Lane, Masaquet Avenue, Morgan Square)” dated August 2016.

FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.

Quantum of vote required for passage of the motion is 2/3

ARTICLE 16

(Zoning Map Change: LUG-2 to R-40 - 4 Daffodil Lane)

To see if the Town will vote to amend the Zoning Map of the Town of Nantucket by placing the property at 4 Daffodil Lane shown on Tax Assessor’s Map 68 as Parcel 719, currently located in the Limited Use General 2 (LUG-2) district in the Residential 40 (R-40) district, as shown on a map entitled “2016 Special Town Meeting Warrant Article ___ Zoning Map Change: LUG-2 to R-40 - 4 Daffodil Lane” dated May 2016 and filed herewith at the Office of the Town Clerk.

Or to take any other action related thereto.

(Gina LeBrecht, et al)

PLANNING BOARD MOTION: Moved that the Zoning Map of the Town of Nantucket be amended by placing the property at 4 Daffodil Lane shown on Tax Assessor's Map 68 as Parcel 719, currently located in the Limited Use General 2 (LUG-2) district in the Residential 40 (R-40) district, as shown on a map entitled "2016 Special Town Meeting Warrant Article 16 Zoning Map Change: LUG-2 to R-40 - 4 Daffodil Lane" dated May 2016.

FINANCE COMMITTEE COMMENT: The Committee supports the Planning Board Motion.

Quantum of vote required for passage of the motion is 2/3

DRAFT

September 21, 2016 Board of Selectmen's Meeting

Special Town Election Date

Background

The October 17, 2016 Special Town Meeting involves one article that is contingent upon the passage of a debt exclusion vote. One other question would be placed on the warrant, which is a debt exclusion for the school (the required town meeting vote occurred at the 2016 Annual Town Meeting). These questions need to be put onto a ballot for a special election. The special election must be held within 90 days of the special town meeting (January 15, 2017).

Recommendation

Although it would be better to hold the STE as close as possible to the STM, the Town Clerk requests that no election be held before November 18 due to the complexities of the Presidential Election. With a holiday and Christmas Stroll occurring during the two weeks after that date, the next available date would seem to be Tuesday, December 6. That is the recommended date. The Board can adopt the STE questions at its October 19, 2016 meeting.

MEMORANDUM

TO: Andrew Vorce
FROM: Judi Barrett
RE: Nantucket Housing Production Plan
DATE: September 16, 2016
CC: Tucker Holland

Following up on our discussion about the draft Housing Production Plan (HPP) after the Planning Board and Board of Selectmen considered it in August, I have incorporated several changes in the final HPP. The changes are outlined below. For clarity, the page numbers I have cited here refer to the draft dated July 2016 (the Adobe InDesign version). I'm presenting the changes this way so you can locate them easily, but to be clear, all of these changes are included in the revised (and I hope final) version of the HPP attached to this memo. If you let me know when the Board of Selectmen votes to approve the HPP, I will add the date to the title page and provide the final PDF for you to submit to the Department of Housing and Community Development (DHCD).

Chapter 1/Introduction, Page 2

Existing Text:

Sachem's Path. A mixed-income housing development known as Sachem's Path would not have happened without land donated by the Nantucket Housing Authority (NHA), public funds from several sources (including the Town), a mission-based developer, Housing Assistance Corporation of Cape Cod (HAC), and a "friendly" comprehensive permit. When completed, Sachem's Path will offer forty homeownership units for households with incomes at 80 percent, 100 percent, and 150 percent of the Nantucket County Area Median Income (AMI). Ten of these units will be for moderate-income homebuyers (with incomes at or below 80 percent AMI), which means they will qualify for the SHI, including three constructed by Habitat for Humanity.

Added Text (new paragraph):

Sachem's Path is also a model for energy efficiency that other affordable housing developments can follow. All Sachem's Path homes went through the Mass Save New Construction Program. An average unit exceeded the Tier II savings requirement, reaching 41 percent higher efficiency than the Reference Home. One hundred percent LED bulbs, increased insulation, and very energy efficient heatpump water heaters and air source heat pumps were installed and incentivized in this project.

Chapter 1/Introduction, Page 4

Existing Text:

Responsibilities of Local Government. Nantucket has an Affordable Housing Trust, but the Trust alone cannot address Nantucket's affordable housing needs. The Board of Selectmen, Planning Board, Zoning Board of Appeals, Planning and Land Use Services (PLUS) Department, Board of Health, Building Inspector, Community Preservation Committee (CPC), Historic District Commission (HDC), Nantucket Housing Authority, and others have responsibilities, too. All of these entities need to understand how their actions either exacerbate the island's housing problems or contribute to solutions, and they need to work together.

Added Text (new paragraph):

The need for greater cooperation and a shared commitment to solving Nantucket's housing crisis is not limited to producing affordable housing that "counts" on the Chapter 40B SHI. The issues in Nantucket are far more complicated than whether the Town meets the 10 percent statutory minimum. Nantucket has a housing crisis because there is a shortage of housing at all market levels – especially rental housing – and not enough variety in the housing stock that currently exists. Groups like the Affordable Housing Trust, the CPC, and the Housing Authority have a particular mission to provide affordable housing for low- or moderate-income people, and they will continue to need land and financial resources to carry out their charge. However, increasing the supply rental and ownership housing without price restrictions requires both leadership and a sustained commitment of support from the Planning Board, Board of Selectmen, and other policy-making bodies in the town. Steps the Town takes to increase housing supply and housing diversity will help to create more choices and thereby make access to housing in Nantucket more achievable for the island's workforce.

Chapter 2/Housing Needs Analysis, Page 23

New Subsection (inserted above Low and Moderate-Income Residents)

Utility Costs and Housing Affordability

Energy is imported to Nantucket under special engineering and logistical circumstances that result in premium costs for liquid fuels and electricity. As a result, Nantucket residents consistently pay some of the highest energy prices in the U.S.

Liquid fuels, namely propane and petroleum products, present a logistical challenge to Nantucket since no pipelines exist from the mainland. Oil and gasoline are supplied to Nantucket via barges, which offload to a tank farm in the downtown area for storage and distribution to facilities around the island. Propane reaches the island via tanker trucks that the Steamship Authority transports to the island. Due to the hazardous nature of the cargo, voyages made with a propane truck aboard cannot transport any other vehicles or passengers. This results in an exceptionally high rate for heating oil and propane, which is used in lieu of residential natural gas on Nantucket. In addition, National Grid customers on Nantucket all

pay an extra 15 percent “cable facility surcharge” on their monthly electric bills to pay for the two undersea cables that currently deliver power to the island from the Cape Cod electric grid.

Chapter 3/Housing Goals, page 27

Modified Principles (additions in italics)

2. Developers should be encouraged to produce new affordable housing through the Town’s standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, *encourage greater energy-conservation and use of renewable energy*, and increase affordability above and beyond the required 25 percent for a comprehensive permit.

6. For developments on its own land, the Town should maximize the number of affordable housing units; create affordability at multiple levels, from incomes below 50 percent AMI up to 150 percent AMI; *and take steps to ensure that all units are energy efficient, with renewable energy included in the design of Town-sponsored projects to the maximum extent possible.*

Chapter 3/Housing Goals, page 28

New Qualitative Goals

Plan affordable housing to incorporate sustainable building practices and to support Nantucket’s summer peak load reduction programs.

Encourage greater energy-conservation and use of renewable energy in residential development and redevelopment projects, including but not limited to the production of new affordable housing.

Chapter 4/Implementation Strategies, page 29

Add the following new paragraph after the first paragraph and before the sidebar:

As noted elsewhere in this plan, however, Nantucket’s housing needs go well beyond addressing the mandate of Chapter 40B. There is a fundamental lack of housing supply in Nantucket. Unless the island’s leadership takes steps to address both overall supply and the variety of housing types available to people who live and work here, creating more SHI-Eligible units alone will not solve Nantucket’s housing problems. Removing regulatory barriers to housing production in areas that can support growth, working with the island’s larger employers to encourage development of employer-assisted housing for seasonal and year-round workers, and investing resources in public education about Nantucket’s varied housing needs will all be critical components of a successful, comprehensive housing strategy. Nantucket’s economic health and social well-being will depend on reducing pressures on the

year-round housing market by increasing supply and having enough housing for people of all ages and incomes.

Under the next paragraph (beginning with “To qualify for the flexibility that a DHCD-approved Housing Production Plan offers ...”), add the following sentence at the end of the paragraph:

These are SHI-eligible units, and they can be created on a stand-alone basis or within mixed-income developments.

Chapter 4/Implementation Strategies, page 29

Strategy: Affordable Housing on Town-Owned Land/Fairgrounds Road

Modify the Principle (per change noted above):

For developments on its own land, the Town should maximize the number of affordable housing units; create affordability at multiple levels, from incomes below 50 percent AMI up to 150 percent AMI; *and take steps to ensure that all units are energy efficient, with renewable energy included in the design of Town-sponsored projects to the maximum extent possible.*

Add the following new paragraph at the end of the existing text:

In addition, the Town should lead by example and ensure that units constructed at Fairgrounds Road are highly energy efficient, integrating renewable energy if possible. Incentives are available for solar hot water systems. Perhaps funding can be found for solar PV as well.

Chapter 4/Implementation Strategies, page 30

Strategy: The Moderate- and High-Density Zoning Districts

Modified Text (additions in italics)

Existing text (in part):

. . . The Town’s zoning framework makes sense, first because it responds to organic development patterns that pre-date zoning and second, the areas allocated to higher-intensity use tend to be sewerred as well. Several times since 2009, Town Meeting has rezoned land by moving it into one of the “Town” districts or liberalizing the rules that govern development in the “Town” districts (see Appendix C). As with the Richmond Group in 2015, Nantucket should continue to pursue “upzoning” opportunities in areas that are consistent with the 2009 Master Plan and have adequate means of wastewater disposal. *Upzoning should be designed to increase the supply both of price-restricted and unrestricted housing in order to provide choices at a variety of price points and meet the needs of many income groups. It is not necessary (or desirable) to subject every new zoning initiative contingent on the creation of affordable units. Like most towns in Massachusetts, Nantucket can use Chapter 40B if it needs to in order to create affordable and mixed-*

income developments. However, it can only use its own zoning power to increase the diversity and supply of market-rate housing, and Nantucket desperately needs to provide for both.

In addition, the Mass Save New Construction Program provides incentives for new residential construction to be more energy efficient than what the base energy building code requires. Nantucket could further support energy efficiency in new construction by offering incentives through zoning, such as density bonuses, when new housing units will meet Energy Star or LEED certification.

Chapter 4/Implementation Strategies, page 32

Add new Subsection (before “Local Resources for Affordable Housing”) and supporting strategies, as follows

Strategy: Orientation of New Housing

Principles:

Developers should be encouraged to produce new affordable housing through the Town’s standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, *encourage greater energy-conservation and use of renewable energy*, and increase affordability above and beyond the required 25 percent for a comprehensive permit.

Nantucket should encourage builders to orient new homes to take advantage of passive heating and cooling. Historically homes were designed and sited to allow the greatest amount of sun to heat the home in the winter. To shade the home in the summer, porches, awnings, and plantings were used. Zoning and subdivision regulations can encourage new homes to be sited to take maximum advantage of the winter sun for heating, by positioning a building’s longest plane no more than 30 degrees off the east/west axis to the greatest extent possible. This also provides the homeowner with the option of utilizing a solar photovoltaic and/or solar hot water heating systems on the roof of the home.

Strategy: Mass Save New Construction Program

Developers should be encouraged to produce new affordable housing through the Town’s standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, *encourage greater energy-conservation and use of renewable energy*, and increase affordability above and beyond the required 25 percent for a comprehensive permit.

The Mass Save New Construction Program provides incentives for new residential construction to be more energy efficient than what the base energy building code requires. Nantucket could further support energy efficiency in new construction by offering incentives



through zoning, such as a density bonus, when new housing units will meet Energy Star or LEED certification.

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Subsection: Local Resources for Affordable Housing

Add the following new strategy:

Strategy: Energy Efficiency and Housing Affordability

Principle: Wherever possible, the Town should establish partnerships for affordable housing and encourage others to do the same.

In 2012, the Town of Nantucket founded an Energy Office, which provides information on free energy audits through the Mass Save program and other opportunities for local residents and businesses to save energy and energy related costs. The Town should promote partnerships with its Energy Office wherever possible to provide assistance and information on decreasing energy usage and costs. Several opportunities could be pursued. For example:

The Energy Office could be involved in the development of a home repair small grant program and the First-time Homebuyer Program, which should provide all applicants with information on energy conservation tips and free energy audits.

With funds from the Town, the Affordable Housing Trust could support a home repair grant program. The program could provide technical assistance from the Energy Office and make small grants available to eligible homeowners for needed repairs, including energy efficiency upgrades or renewable energy systems.



NANTUCKET CHAPTER 40B HOUSING PRODUCTION PLAN

August 2016



Prepared for:
Nantucket Affordable Housing Trust
Nantucket Planning and Land Use
Services Department

RKG
ASSOCIATES INC

JM Goldson

community preservation
+ planning

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NANTUCKET
CHAPTER 40B HOUSING
PRODUCTION PLAN

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Approved by the Nantucket
Planning Board
August 8, 2016

Approved by the Nantucket
Board of Selectmen
September XX, 2016

Town of Nantucket
Chapter 40B Housing Production Plan

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1. INTRODUCTION

BACKGROUND

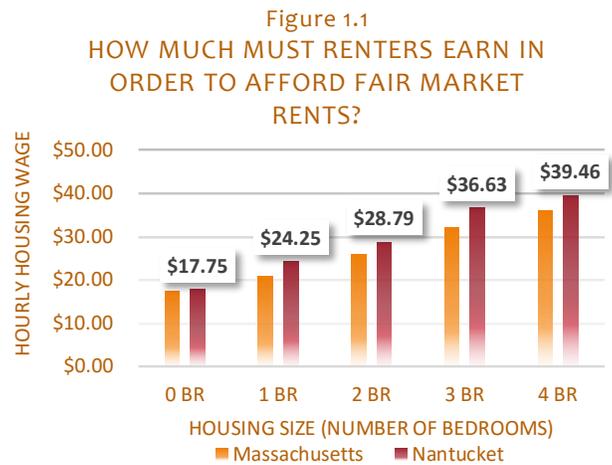
It is June, which means the shoulder season in Nantucket ended a month ago and hospitality businesses have already started to staff up for the summer. It also means that for many Nantucket residents – from teachers to postal workers, nurses, and town employees – the seasonal “shuffle” begins again. From June to September, year-round renters often have no choice but to move in order to make way for vacationers who spend as much as \$7,000 per week to rent a private cottage.

The demand for housing in Nantucket for the summer comes not only from wealthy tourists, but also seasonal workers. By July, the number of people working in Nantucket will be twice as high as in January, with five-fold growth occurring in accommodations and food service employment.¹ Those flocking to Nantucket for seasonal jobs run the gamut from immigrants shuttling between winter and summer resorts to college students, artists, and others hoping to escape the mainland for a few months. Although some of the larger hospitality businesses on Nantucket offer dormitory housing to their summer employees, the number of beds does not begin to accommodate the number of workers who need a place to stay.

Housing is the most coveted real estate in Nantucket. The monthly rents for year-round homes and apartments in Nantucket match or exceed what landlords charge in Greater Boston. In fact, Nantucket is the state’s most expensive county, with a rental housing wage of \$28.79 (Figure 1.1). Since the actual hourly wage in Nantucket is far less than \$28.79, households with lower incomes would have to work longer hours to pay for their housing, as shown in Figure 1.2.

¹ Executive Office of Labor and Workforce Development, ES-202 Employment and Wages, Nantucket, Massachusetts, 2015 Annual Report.

Housing is the most coveted real estate in Nantucket. The monthly rents for year-round homes and apartments in Nantucket match or exceed what landlords charge in Greater Boston. In fact, Nantucket is the state’s most expensive county.



Moreover, for-sale housing prices place Nantucket on par with Boston’s exclusive west suburbs. While Nantucket wages do run high relative to the state as a whole, they do not really compensate for the even-higher cost of housing – as evidenced by the high incidence **housing cost burden** among year-round residents. Unlike Boston, Cambridge, and Worcester and the smaller urban centers that dot the Commonwealth’s rivers, there are no suburbs or outlying towns that can shoulder some of the regional need for affordably priced housing. Nantucket is an island situated thirty miles out at sea. There is no “next town over” with more housing options. As a

result, stories abound of residents leaving Nantucket because they have lost housing, people turning down jobs because they cannot find housing, and overcrowded housing conditions as lower-income families try to double up in order to avoid homelessness.

WHAT HAS NANTUCKET DONE TO PROVIDE AFFORDABLE HOUSING?

While very high housing costs often act as a magnet for Chapter 40B comprehensive permits, this has not really been the case on Nantucket. In fact, Nantucket has a relatively small **Subsidized Housing Inventory (SHI)**: 121 affordable units, or 2.5 percent of the town's year-round housing stock.² Creating affordable housing in Nantucket is very difficult – far more difficult than in most mainland communities. Just about all of the affordable housing that does exist in Nantucket came about because of some type of local initiative. For example:

- **Sachem's Path.** A mixed-income housing development known as Sachem's Path would not have happened without land donated by the Nantucket Housing Authority (NHA), public funds from several sources (including the Town), a mission-based developer, Housing Assistance Corporation of Cape Cod (HAC), and a "friendly" comprehensive permit. When completed, Sachem's Path will offer forty homeownership units for households with incomes at 80 percent, 100 percent, and 150 percent of the Nantucket County Area Median Income (AMI). Ten of these units will be for moderate-income homebuyers (with incomes at or below 80 percent AMI), which means they will qualify for the SHI, including three constructed by Habitat for Humanity.

Sachem's Path is also a model for energy efficiency that other affordable housing developments can follow. All Sachem's Path homes went through the Mass Save New Construction Program. An average unit exceeded the Tier II savings requirement, reaching 41 percent higher efficiency than the Reference Home. One hundred percent LED bulbs, increased insulation, and very energy efficient heatpump water heaters and air source



Nantucket officials and community leaders, following testimony at a hearing on H. 4317 in June.

heat pumps were installed and incentivized in this project.

- **Nantucket Housing Needs Covenant Program.** Nantucket's zoning, the NHA's leadership, and Executive Order 418 gave birth to the Nantucket Housing Needs Covenant Program, which helps income-eligible families purchase their first home. In all of the residential districts, Nantucket allows up to two dwelling units per lot as long as both units remain in one ownership. A resident who no longer needs or wants responsibility for a second dwelling unit can sell it, but the unit must be sold for a price affordable at 150 percent AMI and must remain affordable over time under a recorded covenant. Administered by Housing Nantucket, the Covenant Program has helped sixty-one year-round residents become homeowners. Though not eligible for the SHI, units in the Covenant Program help Nantucket address the affordable housing needs of many employed residents, thereby supporting the health of the island's economy.
- **Funding.** Nantucket has adopted the Community Preservation Act (CPA), established an Affordable Housing Trust under G.L. c. 44, § 5C, and

² The 121 affordable units on Nantucket's SHI do not include any of the ten moderate-income units at Sachem's Path. When the project is finished, Nantucket's revised SHI will consist of 131 affordable units or 2.7 percent of the town's year-round housing – assuming the affordable housing restriction for Academy Hill is extended beyond December 2016.

most recently appropriated \$1 million from Town funds to help the Trust create affordable housing in Nantucket. At the same town meeting that approved \$1 million for the Affordable Housing Trust, residents voted to file a **home rule petition** with the legislature to institute a real estate transfer fee that would help Nantucket create a permanent source of revenue for affordable housing. The legislation exempts the first \$2 million of the sale price of any individual real property transfer, so many routine sales of existing homes would not be subject to the fee. Nantucket's home rule petition is currently before the legislature (H. 4317) along with a similar request from Provincetown. Despite opposition from the real estate industry, the House Committee on Municipalities and Regional Government favorably reported the bill in late June 2016 and referred it to the House Committee on Steering, Policy, and Scheduling.

- **Fairgrounds Road.** The Town acquired land at 6 Fairgrounds Road for the specific purpose of creating new affordable housing. Discussions are currently underway about the disposition process for the Fairgrounds Road property: number of units, affordability targets, SHI eligibility, and so forth. The Town hopes to make many of the units available to municipal and school department employees.
- **Richmond Great Point Development.** In November 2015, Nantucket Town Meeting overwhelmingly supported a proposed zoning change to allow construction of 325 housing units on a 32-acre mid-island site. The zoning provides for single-family dwellings at nine units per acre and apartments up to twenty-three units per acre. While this development also has **Project Eligibility** (PE) approval from MassHousing and could proceed with the comprehensive permit process, the Town partnered with Richmond to pursue the zoning change so Nantucket would have more local control.³ As of July 2016, Richmond has applied for a special permit to construct 225 rental units (Meadows II) and 50 homeownership units ("Sandpiper Place"). In each component, 25 percent of the units will be affordable to households with incomes at or below 80 percent AMI.

- **Rental Housing.** Nantucket has other types of housing assistance for individuals and families with lower incomes, such as 31 public housing units at Miacomet Village owned and managed by the NHA, and a rental housing assistance program managed by Nantucket's Interfaith Council. These and other initiatives are described later in this report. Nevertheless, the force of Nantucket's housing market and shrinking supply of developable land have simply overpowered the noble efforts of housing advocates and the Town.

WHY HAVE A HOUSING PRODUCTION PLAN?

I'm still looking for any and all possible leads on housing. It could be but not limited to... A couch, floor, bed or bedroom and for any time periods examples a day, two days, a week or season and year-round ...

Nantucket Seasonal & Year-Round Rentals Group, Facebook

The primary reason for any town to create an affordable housing plan is to set goals and choose strategies that will give a community's affordable housing efforts focus and direction. In Massachusetts – because communities have to comply with Chapter 40B – there are added reasons for developing a housing plan. The Department of Housing and Community Development (DHCD), which administers Chapter 40B, offers some incentives to communities that adopt a Housing Production Plan and implement it by creating new **low- and moderate-income housing**. Accordingly, the purpose of this plan is to help Nantucket create more affordable housing on a gradual but steady basis until the Town reaches the 10 percent minimum under Chapter 40B, consistent with the state's housing plan regulations at 760 CMR 56.03(4).

There are other reasons that Nantucket needs to develop and implement a Housing Production Plan at this time. Notably:

³ See Appendix B for a complete list of housing-related land use regulations adopted since the 2009 master plan.

- **Public Education.** Nantucket needs more (and more effective) public education about affordable housing. Nantucket's affordable housing crisis has been obvious to community leaders for a very long time, and many groups have tried to find, promote, and implement solutions. However, people have different ideas about what the island's priorities should be, and not everyone understands the relationship between Nantucket's housing shortage and economic development.

The average home price in 1995 was approximately \$300,000 on Nantucket. Compare that to today where the average price is \$1,938,000 as of March 2016 – a whopping increase of 546 percent. According to the Bureau of Labor and Statistics, CPI has increased during the same period by only 57 percent.

-Ken Beaugrand
Testimony, H. 4317
June 14, 2016

- **Capacity Building.** The Affordable Housing Trust has a critical role to play in affordable housing leadership, finance, and development. Like other housing trusts in Massachusetts, Nantucket's needs an action plan to guide its activities, but it also needs training, professional staff support, and an administrative plan for the trust fund: funding and strategy goals, program design(s), grant and loan standards and decision criteria, and procedures. As a governmental body, the Affordable Housing Trust may be called upon at any time to be accountable for the investment decisions it makes to create affordable housing. Written procedures and standards will help the Trust answer to the public, increase its credibility with other funding sources, and address basic questions from the Town's auditors.
- **Responsibilities of Local Government.** Nantucket has an Affordable Housing Trust, but the Trust alone cannot address Nantucket's affordable housing needs. The Board of Selectmen, Planning Board, Zoning Board of Appeals, Plan-

ning and Land Use Services (PLUS) Department, Board of Health, Building Inspector, Community Preservation Committee (CPC), Historic District Commission (HDC), Nantucket Housing Authority, and others have responsibilities, too. All of these entities need to understand how their actions either exacerbate the island's housing problems or contribute to solutions, and they need to work together.

The need for greater cooperation and a shared commitment to solving Nantucket's housing crisis is not limited to producing affordable housing that "counts" on the Chapter 40B SHI. The issues in Nantucket are far more complicated than whether the Town meets the 10 percent statutory minimum. Nantucket has a housing crisis because there is a shortage of housing at all market levels – especially rental housing – and not enough variety in the housing stock that currently exists. Groups like the Affordable Housing Trust, the CPC, and the Housing Authority have a particular mission to provide affordable housing for low- or moderate-income people, and they will continue to need land and financial resources to carry out their charge. However, increasing the supply rental and ownership housing without price restrictions requires both leadership and a sustained commitment of support from the Planning Board, Board of Selectmen, and other policy-making bodies in the town. Steps the Town takes to increase housing supply and housing diversity will help to create more choices and thereby make access to housing in Nantucket more achievable for the island's workforce.

- **Fair Housing.** Nantucket's economy depends heavily on hospitality and tourism. Industries like accommodations and food service, recreation, retail, and others act as a driving force in Nantucket's employment base, providing as much as 50 percent of all local employment but only 36 percent of local wages. The prevalence of lower-wage jobs in Nantucket plays a significant role in the racial and ethnic make-up of the island's resident population. Since monthly rents far exceed what lower-wage workers can afford on their own, many of Nantucket's minority and foreign-born residents live in shared quarters in some mid-island neighborhoods. In these locations, single-family and two-family homes have essentially been converted to congregate resi-

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dences where the tenants pay rent on a per-room basis. The result is geographic concentration of minorities and low-income people in over-occupied, substandard housing. While these conditions did not happen “by design,” there are unique ways that populations protected under the federal Fair Housing Act have been affected by Nantucket’s housing shortage.

- **Expertise in Affordable Housing Development.** Nantucket has several non-profit, community-based organizations with an interest in affordable housing, but it does not have a community-based housing developer. Housing Nantucket administers affordable housing assistance programs and is recognized as a community leader in affordable housing education and advocacy. The Community Foundation for Nantucket, ReMain Nantucket, the Nantucket Rental Assistance Program (Nantucket Interfaith Council), and others provide leadership, funding, and advocacy, and these are all important for building a base of support for affordable housing at all market levels. However, the absence of a qualified, knowledgeable non-profit housing developer limits Nantucket’s capacity to create, monitor, and preserve affordable units. In a matter of weeks, the Affordable Housing Trust will have a large fund to administer, but the benefits of that fund may be curtailed by the lack of non-profit development capacity.

- **Land Supply.** Nantucket is a nationally recognized leader in land conservation. Residents are justifiably proud of the success of organizations like the Nantucket Conservation Foundation, Nantucket Islands Land Bank, the Massachusetts Audubon Society, the ‘Sconset Trust, and others. Through their collective efforts, about half of Nantucket’s land area is protected in perpetuity from development. Nantucket’s success with land conservation creates a challenge for affordable housing development, first because the supply is severely constrained and second, the available supply is very expensive. Nantucket has pursued creative ways to “make land” through **upzoning** initiatives, but other measures are needed, such as an inventory and prioritization of Town-owned, unrestricted property that can be used for housing. There also must be closer collaboration between Town government, affordable housing proponents, and the Nantucket Islands Land Bank to meet island-wide needs for conservation, economic prosperity, and social fairness. In support of addressing common needs, the Land Bank Commission has adopted a policy to guide “cooperative acquisitions” with affordable housing organizations.⁴

NOTES ON CENSUS DATA AND DEMOGRAPHIC MAPS

This plan incorporates data from a wide variety of sources, including Housing Nantucket, the Town of Nantucket, the Community Foundation of Nantucket, previous plans and studies for the Town and other organizations, state agencies such as MassGIS and the Department of Housing and Community Development (DHCD), and various federal agencies, including the Bureau of the Census. Since “the Census” actually encompasses many different surveys and programs, we have combined information from multiple datasets.

- **The Decennial Census of Population and Housing.** The decennial census is the official source for determining a community’s year-round population and year-round housing stock. Statistics from Census 2010, Census 2000, and in some cases earlier census tables appear throughout this report. However, the decennial census does not provide socioeconomic characteristics that

⁴ “Nantucket Islands Land Bank Affordable Housing Policy,” adopted by Land Bank Commission on November 10, 2015.

are critical for a housing study, e.g., household income or poverty, or housing characteristics such as housing age, prices, and sizes. For these statistics, planners must turn to the American Community Survey (ACS).

- **The American Community Survey (ACS).** The ACS is a fairly new program of the Census Bureau and it is critical for any housing analysis. It provides estimates from a small survey sample, but the Census Bureau conducts a new survey each month and the results are aggregated to provide a similar, “rolling” dataset on a wide variety of topics. For small towns like Nantucket, ACS estimates are reported as five-year rolling tabulations. The most recent ACS five-year dataset covers the period 2010-2014. It is important to note that ACS data are estimates, not actual counts. As a result, it can be challenging to compare ACS with the decennial census.
- **HUD Comprehensive Housing Affordability Strategy (CHAS) Data.** Created through a combined effort of the U.S. Department of Housing and Urban Development (HUD) and the U.S. Census Bureau, this dataset represents a “special tabulation” of the American Community Survey (ACS) data to provide information on HUD-specific income categories and housing data used for Consolidated Planning at the local level. According to the HUD guidance, “these special tabulation data provide counts of the numbers of households that fit certain combinations of HUD-specified criteria such as housing needs, HUD-defined income limits (primarily 30, 50, and 80 percent of median income) and household types of particular interest to planners and policy-makers.” The most recent CHAS Data are based on ACS estimates for 2008-2012.

2. HOUSING NEEDS ANALYSIS

INTRODUCTION

Nantucket is home to approximately 10,856 year-round residents.¹ Its population and household characteristics differ from those of the state as a whole, though in fairly predictable ways given Nantucket's island environment and seasonal resort economy. On one level, Nantucket has qualities in common with some communities on Cape Cod and Martha's Vineyard: extraordinarily high housing values, high household wealth, and an economy that depends heavily on coastal tourism. On another level, Nantucket is quite different. Its population is comparatively young and diverse, and Nantucket is more remote. While communities like Chatham and Falmouth have become havens for retirees, Nantucket has gained both older and young residents, as can be seen in the island's school enrollment trends. In addition, Nantucket is actually multiple jurisdictions in a single geography: a town, a county, and a regional planning commission, which is very unusual.

Due to the prevalence of unbuildable land and protected open space on Nantucket, the island is a remarkably low-density community with about 226 people per square mile (sq. mi.): roughly one-fourth of the population density per sq. mi. for the Commonwealth. Nantucket is a national model for open space protection, due in large part to the Nantucket Islands Land Bank and the special legislation that created it in 1983. Over time, the Nantucket Land Bank and other conservation groups have successfully acquired and taken steps to protect about half of Nantucket's land. With Nantucket's golf courses and other recreation facilities added to the mix, over 60 percent of the island is undevelopable. The extensive open space and recreation network that exists on Nantucket today has had an indelible impact on

housing values, first because open space is a valuable residential amenity and second, very little of the island's land supply is available for housing growth. According to a report by the Nantucket Planning Department in 2009, 32 percent of the island is substantially built out under existing zoning, leaving about 8 percent potentially available for new development.² Together, Nantucket's open space and fairly restrictive zoning constrain the land supply and in turn, the housing supply.

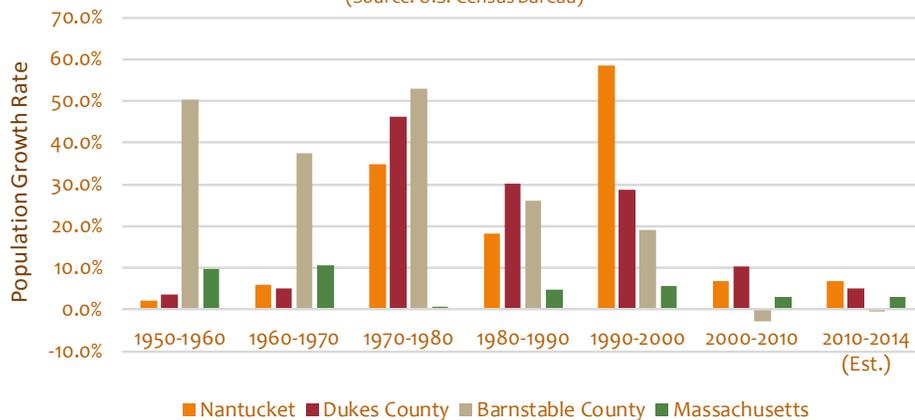
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Nantucket's expensive homes, limited range of housing, small employment base, and abundance of protected land help to explain its extremes: affluence on one hand, and seasonal workers with very low-paying jobs on the other hand. Furthermore, there is an undeniable shortage of price-appropriate housing for people with year-round, living-wage employment: the professional, technical, administrative, education, and health care employees of public- and private-sector establishments. Nantucket is a very expensive place to live, and there are not that many jobs in the pay ranges required to afford Nantucket's high housing costs. The island's beauty conveys an image of Nantucket that masks the hardships many

¹ U.S. Census Bureau, State & County Quick Facts 2014. Some residents believe the Census Bureau undercounts the total year-round population.

² *Nantucket Housing Production Plan (2009)*, 12.

Figure 2.1
**POPULATION GROWTH HISTORY:
 NANTUCKET AND MARTHA'S VINEYARD**
 (Source: U.S. Census Bureau)



households contend with in order to live and work there. In addition, Nantucket has pockets of poverty, racial and ethnic minorities, and foreign-born populations in two of its five federal census tracts. Overcrowded housing conditions and substandard if not illegal units exacerbate these problems. For seasonal and year-round workers without living-wage jobs, Nantucket's housing barriers are even more complicated and difficult to address.

POPULATION TRENDS

Many Nantucket residents might find it hard to imagine their town in 1980, when the population (5,087) was only half the number reported in Census 2010 (10,172). It makes sense that in 1983, a decade after adopting its first zoning bylaw, Nantucket completed a growth management plan and took further steps to reduce the island's development potential.³ With special legislation, Nantucket created the Land Bank Commission and instituted a funding mechanism to pay for acquiring open space. During the 1970s, Nantucket's population had jumped 35 percent after several decades of relatively little change, and new homes were under construction at the rate of over one hundred per year. What had been a fairly small population difference between Nantucket and all of Martha's Vineyard during the Great Depression had gradually increased (Figure 2.1). This, together with unprecedented growth occurring throughout much of Cape Cod, formed the backdrop for actions taken

on Nantucket to protect the town's land and water resources and its historic resources as well. Astute leaders at the time could foresee that as household formation rates and housing demand accelerated in the 1980s, Nantucket stood to absorb a considerable amount of new housing growth, perhaps more than it had the capacity to serve. Nantucket instituted rate-of-development controls and an annual cap on building permits in order to manage the impact of new growth on infrastructure and services.⁴

More recently, Nantucket's total year-round population increased from 9,520 to 10,172 between 2000 and 2010, or 6.8 percent, surpassing all other Massachusetts counties except Dukes County, where the population rose by over 10 percent. According to the American Community Survey (ACS), Nantucket's population grew another 6.7 percent between 2010 and 2014: more than double the statewide growth rate. The Census Bureau's most recent population estimate for Nantucket is 10,856 (July 2014). Nantucket is currently classified as one of the 100 fastest growing counties in the nation, based on 2013-2014 one-year growth estimates.⁵

Nantucket has gained population faster than the UMass Donohue Institute (UMDI) predicted when it developed 25-year population projections in 2010. According to those projections (Figure 2.2), Nantucket's 2035 population will be approximately 12,004, in-

⁴ N.B. These provisions lapsed in 2001.

⁵ U.S. Census Bureau, Population Division, "Resident Population Estimates for the 100 Fastest Growing U.S. Counties with 10,000 or More Population in 2013: July 1, 2013 to July 1, 2014 - United States - County," March 2015.

³ Nantucket Planning & Economic Development Commission (NP&EDC), *Comprehensive Growth Management Plan, Vol. I, Goals and Objectives for Balanced Growth* (1983).

Table 2.1. Population Projections by Age Group, Percent Change 2015-2035: Cape & Islands

Age	Nantucket	Dukes	Barnstable	State	Age	Nantucket	Dukes	Barnstable	State
0-4	44.3%	5.5%	-9.6%	-0.2%	50-54	-24.0%	6.3%	-36.0%	-8.7%
5-9	10.2%	-9.6%	-14.2%	-0.1%	55-59	-7.0%	-6.9%	-39.1%	-10.9%
10-14	15.9%	-7.4%	-12.9%	-1.1%	60-64	4.9%	-28.7%	-30.6%	-0.7%
15-19	18.2%	10.8%	-20.6%	-1.5%	65-69	23.3%	-10.0%	-17.2%	19.3%
20-24	32.3%	12.3%	-26.8%	-7.7%	70-74	52.2%	47.9%	15.0%	68.0%
25-29	86.1%	-20.3%	-18.4%	-7.2%	75-79	86.0%	139.3%	44.0%	102.6%
30-34	18.2%	-22.7%	-17.6%	-2.1%	80-84	103.8%	161.7%	39.5%	88.7%
35-39	-19.1%	-3.6%	-11.4%	7.0%	85+	59.0%	76.7%	18.4%	45.8%
40-44	-26.4%	6.6%	-9.0%	14.1%	Total	12.5%	6.7%	-12.7%	7.8%
45-49	-37.5%	2.3%	-23.3%	3.7%	Change	1,337	1,162	-27,399	526,878

UMDI, Population Projections for Massachusetts Municipalities: Age and Sex (March 2015); and RKG Associates.

cluding significant growth in the school-age and young adult age cohorts – unlike the state as a whole – and a 56 percent increase in seniors (65 and over). Nantucket also stands to lose ground in terms of working-age population 35 and over between now and 2035.⁶

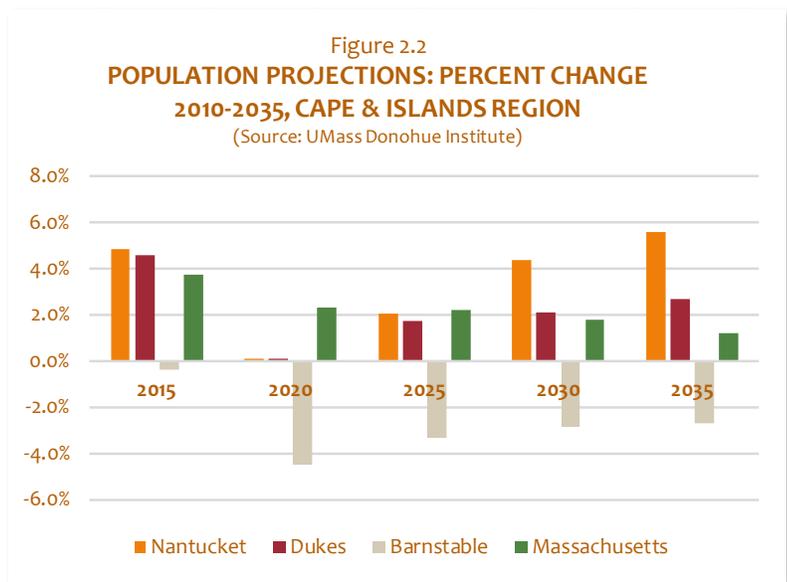
Nantucket has some unique characteristics in terms of the age make-up of its year-round residents. Measured by median population age, Nantucket is not much different from the state: 39.4 years on Nantucket and 39.1 years statewide. However, there tend to be pockets of older and younger people in settlement patterns that coincide, in part, with other population characteristics such as race and income. For example, families with children under 18 make up a relatively large share of the population in Nantucket’s Airport/Mid-Island and Surfside neighborhoods. In these areas, the median age drops to 35.2, and school-age children account for at least one-fourth of the total population; seniors, almost 10 percent.⁷

Race, Ethnicity, and Culture

Nantucket has more racial and cultural diversity than the state as a whole. This can be seen both in federal census data and demographic profiles of the Nantucket Public Schools. The Massachusetts Department of Elementary and Secondary Education (DESE) reports comparative socioeconomic data for

⁶ UMass Donohue Institute (UMDI), *Population Projections for Massachusetts Municipalities*, prepared for the Massachusetts Secretary of State, March 2015.

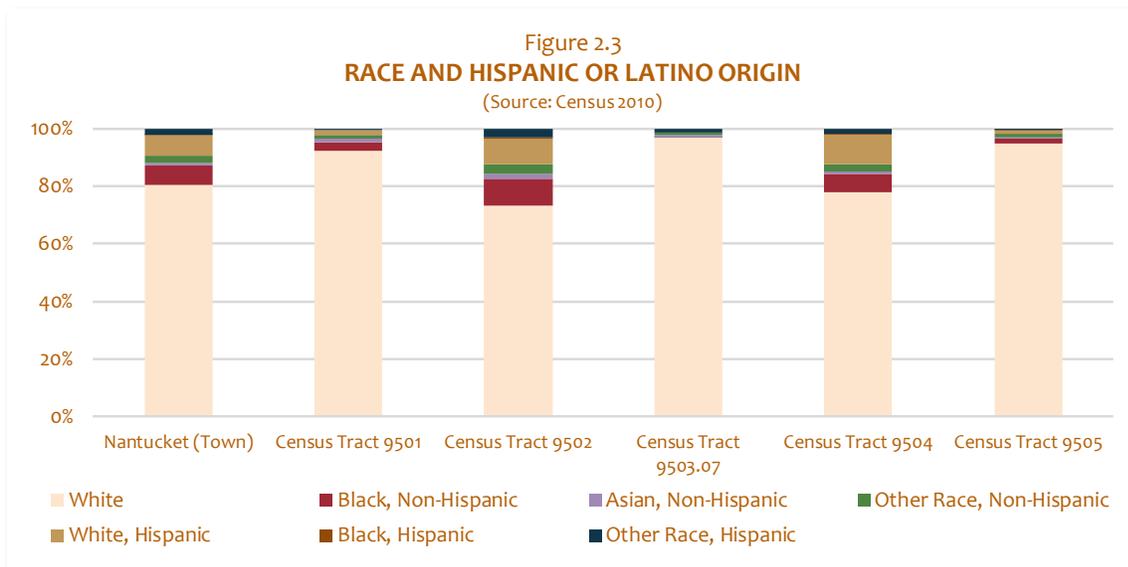
⁷ U.S. Census Bureau, *Census 2010, DP-1*.



all of the state’s public school districts. According to the agency’s website, 12 percent of Nantucket’s school students are African American and 24 percent are Hispanic compared with 9 percent and 18 percent (respectively) for all of Massachusetts.⁸ Minorities comprise approximately 19.5 percent of the population town-wide and 16.8 percent of the population in Massachusetts.

Racial and ethnic population characteristics matter, first for social equity reasons and second, because much tougher regulations under the federal Fair Housing Act (FFHA), a 1968 civil rights law, will be released in 2015. The FFHA prohibits housing discrimination against people on the basis of race or color, religion, sex, national origin, familial status (families with children under 18), or disability. Among other requirements, the new regulations will obligate lo-

⁸ Massachusetts Department of Elementary and Secondary Education (DESE), *School Profiles: Nantucket Public Schools*.



cal governments to affirmatively further fair housing and eliminate policies and practices that have the effect (however unintended) of housing discrimination against groups the FFHA is designed to protect (“protected classes”). Eventually, enforcement and compliance will be linked to most federal funding programs – not only programs that provide funds for housing.

Although Nantucket is home to many minorities, community-wide race statistics mask the fact that Nantucket’s minority population is largely housed in one area (Map 2.1). Ninety percent of Nantucket’s minority residents live in Airport/Mid-Island/Surfside neighborhoods and south of Town. For example, Nantucket’s most densely populated census tract, 9502 (Miacomet/Mid-Island/Cisco), houses 48 percent of the entire town-wide population but 69 percent of the African American population and 63 percent of the Hispanic population (Figure 2.3). From a fair housing perspective, differences such as these are known as **minority concentration areas**. Promoting higher-density housing in areas close to goods and services makes good planning and land use sense. However, when people have no choice but to live in certain parts of a community, local officials and housing advocates need to work closely with minority neighborhoods to provide more housing choices.

The percentage of **foreign-born** residents on Nantucket (16.6 percent) is larger than that of the state (15 percent). Most of Nantucket’s foreign-born population hails from countries such as the Dominican Republic and Jamaica in the Caribbean or from Central American countries such as Mexico or El Salvador.⁹

⁹ American Community Survey (ACS) 2009-2013 Five-Year Estimates, B05006, B16007.

Over one-fourth of the population in census tract 9504 includes people from other countries, and these neighborhoods also house a majority of Nantucket’s Spanish- and Portuguese-speaking residents.

In many cases, they come to Nantucket for work in the hospitality, food service, and recreation sectors, all of which depend on unskilled labor and provide a major source of jobs for immigrants throughout the U.S. Nantucket’s immigrant groups tend to concentrate in the Mid-Island area, as suggested in Table 2.2. Over one-fourth of the population in census tract 9504 includes people from other countries, and these neighborhoods also house a majority of Nantucket’s Spanish- and Portuguese-speaking residents (Map 2.2).¹⁰ An unusually large percentage of children in the Nantucket Public Schools speak a language other than English at home.

Whether native or foreign-born, Nantucket’s current population includes a much larger percentage of people with out-of-state origins than the state as a whole (Table 2.3). Less than half of Nantucket’s residents are originally from Massachusetts, but of the population born out of state, one-fourth moved to

¹⁰ ACS 2009-2013, B16007.

Table 2.2. Foreign-Born Population by Citizenship and Origin (Estimated; 2013)

Location	Estimated Population	Foreign-Born	Foreign-Born Percent	Not Naturalized Citizen	Percent Foreign-Born from Latin America
Massachusetts	6,605,058	991,708	15.0%	49.5%	35.5%
Nantucket (Town)	10,224	1,694	16.6%	59.5%	66.5%
Census Tract 9501	1,650	124	7.5%	83.9%	34.7%
Census Tract 9502	4,481	878	19.6%	68.1%	70.2%
Census Tract 9503.07	340	7	2.1%	71.4%	0.0%
Census Tract 9504	2,402	620	25.8%	45.6%	70.6%
Census Tract 9505	1,351	65	4.8%	27.7%	46.2%

ACS 2009-2013, B05002, B05006, and RKG Associates.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

Table 2.3. Current Population by Place of Birth (Estimated; 2013)

Location	Est. Population	Born in Massachusetts	Native, Born Out of State					Foreign-Born
			Northeast	Midwest	South	West	Abroad	
Massachusetts	6,605,058	62.8%	11.8%	2.6%	3.3%	1.9%	2.5%	15.0%
Nantucket (Town)	10,224	46.0%	23.6%	4.3%	5.3%	2.6%	1.8%	16.6%
Census Tract 9501	1,650	43.1%	28.2%	5.6%	10.2%	1.6%	3.7%	7.5%
Census Tract 9502	4,481	50.6%	17.1%	3.3%	4.5%	2.9%	2.0%	19.6%
Census Tract 9503.07	340	49.4%	34.1%	2.9%	5.6%	1.8%	4.1%	2.1%
Census Tract 9504	2,402	41.8%	23.2%	2.4%	2.8%	3.7%	0.3%	25.8%
Census Tract 9505	1,351	40.6%	37.5%	9.3%	6.1%	1.1%	0.6%	4.8%

ACS 2009-2013, B05002, and RKG Associates.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

Nantucket from elsewhere in New England or another part of the Northeast. The numbers are fairly small because Nantucket’s population is small, but the percentages of Nantucket residents coming from other parts of the U.S. are noteworthy.

Labor Force

Compared with Massachusetts overall, Nantucket has a larger percentage of the population in the **labor force**, and in some parts of town the **labor force participation** rate is very high. Seventy-six percent of Nantucket’s 16-and-over population is in the labor force (Table 2.4), and for the most part they are also employed – at least seasonally. Unemployment on Nantucket can range from a low of 2 percent in July to a high of 15 percent in January,¹¹ but when seasonally adjusted, unemployment

does not appear to be a major problem for the island’s year-round residents – many of whom are self-employed. Approximately 6 percent of Nantucket’s labor force works in a home occupation at least part of the work week, and this statistic runs as high as 13 percent in downtown neighborhoods. By contrast, just 2 percent of the workers in Mid-Island neighborhoods have home occupations, probably because so many have hospitality and food service jobs that require commuting to an employer establishment.

Nantucket has a reasonably well educated population. Its labor force matches the state for working-age population percent with a college degree or more (42.6 percent). Island-wide, Nantucket’s population without a high school diploma is less than the state’s, but many workers living in Mid-Island neighborhoods have limited education levels: nearly on par with the state for percent without a high school

¹¹ Executive Office of Labor and Workforce Development (EOLWD), Labor Force and Unemployment Data (2010-2014).

Table 2.4. Labor Force and Education Levels (Estimated; 2013)

Location	Population 16 and Over		Educational Attainment				
	Total (Estimated)	In Labor Force	Population 16-64 (Estimated)	Less than high school	High school graduate	Some college	Bachelor's degree or higher
Massachusetts	5,371,252	67.7%	3,576,934	8.4%	23.6%	25.3%	42.6%
Nantucket (Town)	8,245	76.3%	6,164	4.4%	24.9%	28.1%	42.6%
Census Tract 9501	1,421	63.1%	778	5.0%	21.6%	23.0%	50.4%
Census Tract 9502	3,468	81.7%	2,800	7.1%	29.0%	27.4%	36.5%
Census Tract 9503.07	280	66.4%	212	0.0%	14.2%	17.0%	68.9%
Census Tract 9504	1,901	85.1%	1,666	0.5%	27.8%	27.7%	44.0%
Census Tract 9505	1,175	64.1%	708	3.1%	8.9%	40.7%	47.3%

ACS 2009-2013, B23025, B23006, and RKG Associates.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

diploma. Education levels, wages, and poverty tend to go hand-in-hand.

WORKING ON NANTUCKET

The Executive Office of Labor and Workforce Development (EOLWD) reports that Nantucket has about 920 **employer establishments** with a combined total of 3,900 payroll jobs with an average weekly wage of \$963.¹² The employment base is quite small for a community with 4,400 year-round housing units. A sustainable local economy typically has about 1.5 jobs per housing unit: enough jobs to give residents meaningful opportunities to work locally. The **jobs-to-housing ratio** on Nantucket is only 0.89, so it is no surprise that Nantucket also has many “non-employer” establishments, too: people who work for themselves as sole proprietors, either full-time or as a part-time supplement to a payroll job. Evidence of reliance on self-employment income can be seen in census statistics for sources of household income. For example, 11 percent of the state’s households derive some income from self-employment, but 27 percent of Nantucket’s households have self-employment income and in some neighborhoods, it is as high as 33 percent.¹³ Together, the number of self-employed people and the employers that provide jobs for others form the base of over 3,000 firms doing business on Nantucket.¹⁴

The size and composition of Nantucket’s economy present some important challenges for developing a housing strategy for any income group.

The employment base fluctuates seasonally. The seasonal changes on Nantucket are substantial. At the peak season for visitors in August, local employers have 2.3 jobs on payroll for every one job that still remains in February, when employment reaches its lowest point in the year. These changes mirror fluctuations in the unemployment rate. Nantucket essentially achieves full employment in the summer, when the unemployment rate drops to well below 2 percent, but by February it has one of the highest unemployment rates in Massachusetts (about 13 percent).¹⁵

The employment base has a narrow range of strengths. Arguably, the arts and recreation and accommodations and food service sectors perform well during the summer and into the shoulder season, but they generally provide low-wage jobs. Workers in these industries earn better pay on Nantucket than in other parts of the state – roughly 1.4 times the average weekly wage for similar jobs elsewhere – so many of them may be able to pay rents of \$900 to \$1,100 over the summer. Once the hospitality industry contracts after Columbus Day, this is no longer the case.

Year-round jobs such as health care and professional services pay decent wages, but Nantucket does not have a large base of professional employment. The Town of Nantucket, the public schools, and the Nantucket Cottage Hospital are relatively

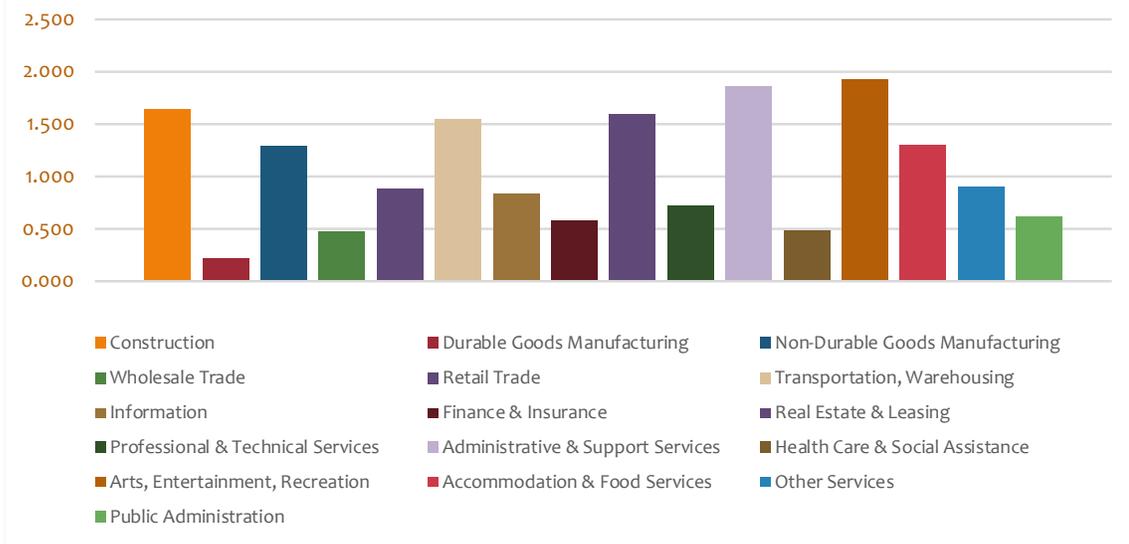
¹² EOLWD, Employment and Wages Report, ES-202: Nantucket, 2009-2013.

¹³ ACS 2009-2013 Five-Year Estimates, B19053.

¹⁴ County Business Patterns, 2012.

¹⁵ Executive Office of Labor and Workforce Development, Local Area Unemployment Statistics (2007-2014).

Figure 2.4
**NANTUCKET'S EMPLOYMENT BASE:
 LOCATION QUOTIENTS**
 (Source: ES-202)



large employers with professional and semi-professional workers, and clearly there are small establishments with higher-paying jobs, too. In many cases, however, the industries with higher-wage employment on Nantucket have low **location quotients**.¹⁶ Relative to the larger regional economy – Cape Cod and the Islands – health care and professional services make up a small share of Nantucket’s employment base, as evidenced by location quotients substantially below 1.00 (Fig. 2.4).

Measured by their share of local jobs, Nantucket’s strongest industries are the construction trades, transportation services, real estate and leasing, support services (e.g., housecleaning, waste management, or security services), arts and recreation, and accommodations and food services (the hospitality industry). All of these industries are vulnerable to seasonal change, however. Most industries that offer high-wage employment, such as information, finance and insurance, real estate and leasing, professional services, health care, and public administration, do not provide many jobs on Nantucket.

Despite Nantucket’s generally favorable pay scales for municipal employees, the Town has lost at least four employees and at least three applicants turned down

Measured by their share of local jobs, Nantucket’s strongest industries are the construction trades, transportation services, real estate and leasing, support services (e.g., housecleaning, waste management, or security services), arts and recreation, and accommodations and food services (the hospitality industry). All of these industries are vulnerable to seasonal change.

municipal job offers because they could not find affordably priced housing.¹⁷

Earnings

Since the vast majority of Nantucket residents work on the island, either for themselves or as a wage or salary worker for some other establishment, reported income from employment sheds further light on wages paid by Nantucket businesses. For most industries, there is a wage differential that recognizes the higher cost to live and work on Nantucket, yet in

¹⁶ A location quotient is the ratio of an industry’s share of local employment to that industry’s share of employment in a larger reference economy, in this case the Cape & Islands Workforce Investment Area. It is a fairly simple tool for identifying strengths and weaknesses in the local economy. A ratio > 1.10 generally signals an industry that is strong in the local market.

¹⁷ Amanda Johnson, Town of Nantucket Human Resources Department, March 10, 2015.

Table 2.5. Median Annual Earnings: Selected Occupations and Industries (Estimated; 2013)

	Median Earnings	Occupations		Industries				
		Mgt.	Svcs.	Construction	Retail	Finance, Real Estate	Education	Hospitality
Massachusetts	54,594	73,085	33,365	43,916	24,064	56,907	40,967	16,663
Nantucket (Town)	51,869	73,339	41,981	50,323	38,281	56,023	41,605	25,023
Census Tract 9501	55,263	61,520	37,750	63,750	25,625	61,875	45,556	14,000
Census Tract 9502	51,110	66,848	43,750	45,865	44,632	33,203	28,750	25,510
Census Tract 9503.07	81,806	81,111	-	102,188	-	81,818	26,161	56,563
Census Tract 9504	45,962	85,625	41,596	46,250	43,542	42,993	61,750	38,472
Census Tract 9505	52,179	73,750	68,417	-	25,083	11,000	75,724	39,375

Source: ACS 2009-2013 B24021, B24031, and RKG Associates.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

relation to Nantucket’s extraordinarily high housing costs, the wage difference does not seem that significant. For example, Table 2.5 shows that the median annual earnings of a year-round service worker in Massachusetts is \$33,365, but on Nantucket, it is \$41,981, for a local wage ratio of 1.26. The Nantucket service worker with income at the median wage can afford to spend \$1,050 per month for rent and basic utilities. However, Nantucket’s median gross rent is \$1,443,¹⁸ which represents a housing cost differential of 1.46. It is little wonder that Nantucket workers on the lower end of the wage spectrum often share housing units in an effort to make ends meet. Indeed, a recent survey of 204 public and private employers in Nantucket indicates that some 26 percent of their workers earn wages that fall far below the minimum required to afford Nantucket rents (Fig. 2.4-1).



HOUSEHOLD TRENDS

Households – more than population per se – drive demand for housing, so a housing strategy for any community must account for market area household formation trends and household characteristics. The size and composition of a community’s households, the age of its householders, and the resources they have to purchase or rent housing all have an indelible impact on demand. Nantucket’s household trends are also affected by demand from the seasonal housing

market. Over the past decade, Nantucket attracted considerable household growth. As of Census 2010, Nantucket had about 4,200 year-round households, representing a 14.3 percent increase between 2000 and 2010. However, the Census Bureau estimates that since 2010, Nantucket has lost about 160 households as it gained over 400 seasonal housing units, mainly due to conversions of year-round housing.¹⁹

Nantucket’s year-round homes are predominantly owner-occupied.²⁰ Its householders tend to be younger than their counterparts statewide, and unlike many towns on the Cape and around Boston, Nantucket has many young renters. In addition, while Nantucket is still a white, non-Hispanic town, it has many minority families. Most of Nantucket’s

¹⁸ ACS 2009-2013 Five-Year Estimates, B25064.

¹⁹ Census 2000, 2010, H1, H5; ACS 2009-2013 Five-Year Estimates, B25003, B25004.

²⁰ Census 2010, H4.

Table 2.6. Household Types (Estimated; 2013)

Location	American Community Survey (ACS) Estimates				
	Total Households	Families (Related People)	Single Parent Families	Non-Family Households	Single People % Non-Families
Massachusetts	2,530,147	1,607,082	26.1%	923,065	79.5%
Nantucket (Town)	4,069	2,462	21.5%	1,607	75.5%
Census Tract 9501	690	356	29.8%	334	89.8%
Census Tract 9502	1,657	1,093	26.7%	564	75.0%
Census Tract 9503.07	156	100	0.0%	56	78.6%
Census Tract 9504	951	500	9.4%	451	64.3%
Census Tract 9505	615	413	20.3%	202	77.7%

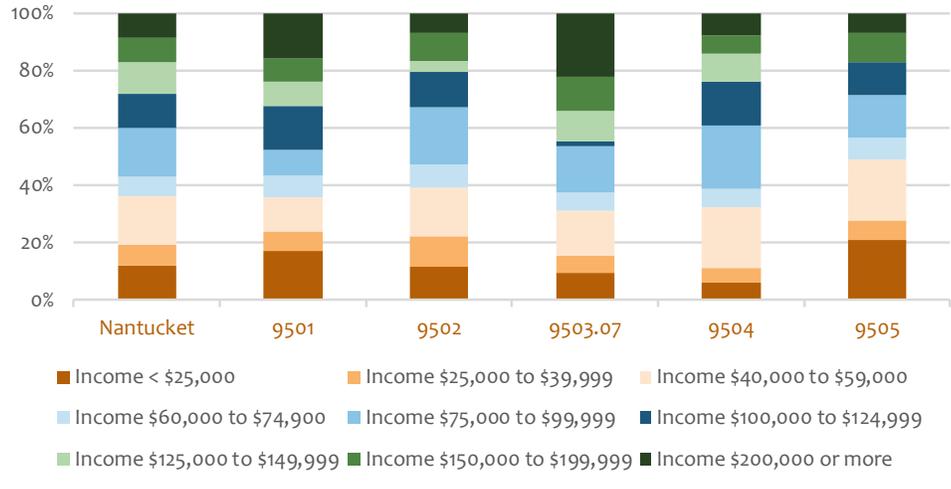
Source: ACS 2009-2013 B1101, and RKG Associates.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

African American and Hispanic households live in Mid-Island neighborhoods, which is also where most of the rental housing on Nantucket can be found.

Just about everyone living year-round on Nantucket is part of a household. (Some people lived in shared or **group quarters**, e.g., the seniors at Our Island Home.) Nantucket’s households are primarily **families**, which can also be said for most communities, but Nantucket has a larger percentage of **non-family households** than the state as a whole. “Non-family” is a federal census term that includes single people living alone and households of two or more unrelated people. Most non-family households are one-person households, whether measured nationally, in Massachusetts, or on Nantucket. In Massachusetts, for example, single people living alone represent 80 percent of all non-family households. However, the percentage of one-person households is smaller on Nantucket: 75 percent, and it is much smaller in some neighborhoods where the percentage of one-person non-family households drops as low as 64 percent (Table 2.6).

In the Airport/Mid-Island/Surfside area, Nantucket has a relatively large number of households with unrelated people living together in the same house.

Figure 2.5
NANTUCKET HOUSEHOLD INCOMES:
TOWN OF NANTUCKET & CENSUS TRACTS
 (Source: ACS, 2009-2013)



This matters for a housing study because a larger-than-average number of unrelated people in shared housing often signals the presence of housing problems: lack of affordability, lack of suitable housing for a community’s household types, crowded housing units, code violations, off-street parking conflicts, and others. Not surprisingly, the presence of households with both related and unrelated people has an impact on household sizes and the types of housing a community may need. While Nantucket’s homeowner households are somewhat smaller than their counterparts statewide, the opposite is true for renters. On Nantucket, the average-size household for renter-occupied housing ranges from 2.35 to 2.60, compared with 2.18 people per household for the state as a whole.²¹

²¹ Census 2010, H12.

Table 2.7. Median Income: Families with Children by Family Type and Working-Age One-Person Households

	Median Family Income	Families with Dependent Children		Ages 15-64	
		Married Couples	Single Parents	Men Living Alone	Women Living Alone
Massachusetts	\$84,900	\$113,187	\$28,116	\$43,901	\$40,542
Nantucket (Town)	\$92,500	\$106,667	\$53,505	\$51,280	\$46,947
Census Tract 9501	\$101,042	\$106,591	\$60,784	\$76,953	\$53,500
Census Tract 9502	\$86,769	\$95,917	\$44,022	\$37,869	\$46,108
Census Tract 9503.07	\$122,500	\$61,875	-	-	-
Census Tract 9504	\$110,288	\$114,750	\$55,000	\$55,096	\$51,583
Census Tract 9505	\$81,989	\$88,641	\$21,406	-	\$48,906

Source: ACS 2009-2013, B19215, B19216, and RKG Associates, Inc.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

Incomes

Massachusetts ranks fifth in the nation for median household income, which means that overall, its resident households enjoy a comparatively high standard of living. Nantucket is one of the wealthiest communities in the state, so its households tend to be fairly well-off. For example, households with incomes below \$25,000 comprise 12 percent of all year-round households on Nantucket, but 20 percent throughout the Commonwealth. Approximately 27 percent of Nantucket households and 22 percent of the state's households have incomes over \$125,000. Still, Nantucket's household wealth is not evenly distributed throughout the island. As shown in Figure 2.5, the percentage of upper-income households on the west side of the island is larger than any other area. By contrast, moderate-income households tend to be most prevalent in Mid-Island neighborhoods and along the south side of Nantucket.

Household wealth on Nantucket is unevenly distributed by race and ethnicity, too, but the differences are more difficult to quantify. First, when the number of people in a population sample is very small, the Census Bureau does not publish income statistics. As a result, there are no race and income estimates for some parts of Nantucket. Second, the Census Bureau reports household income as the sum of income of all people 18 and over in the household, regardless of familial status. Accordingly, household income for a group of unrelated people occupying a single housing unit is the sum of their individual incomes. Poverty indicators shed more light on income differences on Nantucket because poverty is reported for households, families, and individuals. For example, 14 percent of Nantucket's year-round population

has incomes below poverty, but the corresponding statistics for African American residents is almost 20 percent, and for Hispanic or Latino residents, 30 percent.²² Hispanic or Latino households in the Mid-Island area have the lowest median income of any group on Nantucket: \$26,939.²³

As in most communities, the economic position of families in Nantucket is generally better than that of all households (including families and nonfamilies). This is true for a few reasons: first, family households tend to be younger, so they are more likely to be in the labor force, and second, married-couple families in particular (which still make up the majority of families with children) often have more than one wage earner. The situation for single-parent families is quite different. Among the working-age population, single-parent families and one-person households have fairly low incomes – low relative to the cost of Nantucket's market-rate housing and even relative to price-controlled housing such as units available through the Housing Needs Covenant Program.

HOUSING CHARACTERISTICS

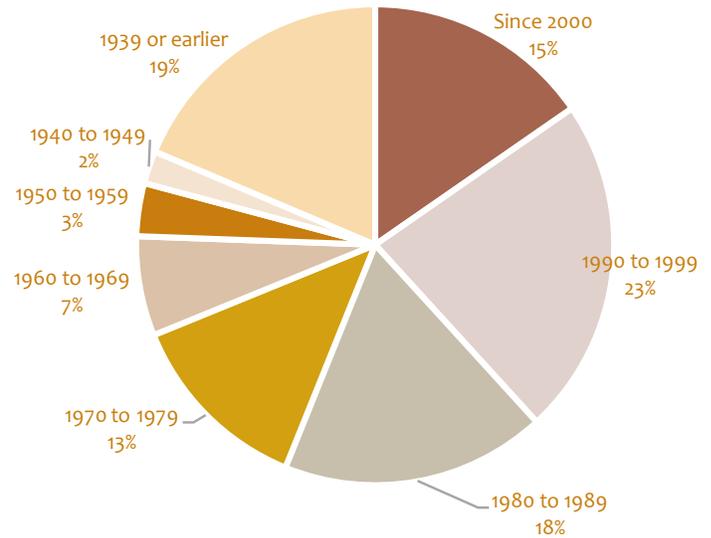
It is harder to confirm the number of housing units in a community than many people realize. To the general public, a housing unit is a single-family home or two-family home, an accessory apartment, an apartment in a multi-family building or a townhouse condominium: "A room or enclosed floor space used, or to be used, as a habitable unit for one family or household, with facilities for sleeping, cooking and sanitation" – that is, a dwelling unit as defined in

²² ACS 2009-2013 Five-Year Estimates, B06012, B170011.

²³ ACS 2009-2013 Five-Year Estimates, B190311.

Nantucket’s zoning bylaw. However, the official housing count reported by the Census Bureau every ten years is a little different. Under the Census Bureau’s broad definitions of “housing,” rooms in boarding houses and retirement homes may qualify as housing units. The federal definition also includes structures or portions thereof that are not classified (or regulated) as housing under the State Building Code, e.g., mobile homes, recreational vehicles, and boats, and rooms or groups of rooms without separate cooking or sanitation facilities. For purposes of this housing plan, “housing unit” means what most people generally think of as housing, i.e., it does not include recreational vehicles. It could include some types of shared quarters, such as single-room occupancy (SRO) units, but not employer-owned dormitory housing or elder care facilities such as Our Island Home.

Figure 2.6
AGE OF NANTUCKET'S HOUSING: INVENTORY BY YEAR BUILT
 (Source: ACS 2009-2013)



Nantucket has absorbed a higher rate of housing growth than most parts of the state. Between 2000 and 2010, Nantucket’s housing inventory increased by 2,408 units, or 26.1 percent. However, seasonal housing increased 30 percent, from 5,170 units in 2000 to 6,722 units in 2010, outpacing total housing growth – that is, demand for seasonal housing on Nantucket appeared to be reducing the supply of year-round housing. More recent estimates from the American Community Survey place seasonal housing on Nantucket at 7,137 units, i.e., an increase of about 400 units since 2010. Moreover, the ACS es-

the number of year-round owner-occupied units has increased to 2,667 units (from 2,475 in 2010).²⁴ Most of the drop in year-round units has occurred among rental units. Together, these trends seem to provide some support for the perceptions of Nantucket residents who say that year-round rental options have decreased significantly. They say that today, rental vacancies are often filled by word-of-mouth and other informal means because anyone advertising an apartment for rent will likely receive hundreds of requests.

Table 2.8. Housing Types (Estimated; 2013)

Location	Total Housing Units	1-Family Detached	Townhouse	Duplex	Multi-Family 3-9 Units	Multi-Family 10+ Units	RV, Boats
Massachusetts	2,808,549	52.3%	5.1%	10.3%	17.0%	14.5%	0.9%
Nantucket (Town)	11,650	85.0%	3.4%	6.3%	3.6%	0.6%	1.2%
Census Tract 9501	2,989	89.7%	0.7%	5.6%	2.4%	0.5%	1.2%
Census Tract 9502	3,114	73.9%	7.4%	10.7%	5.7%	0.4%	1.9%
Census Tract 9503.07	1,191	89.8%	4.1%	1.1%	1.8%	0.0%	3.3%
Census Tract 9504	1,640	78.7%	3.5%	11.2%	6.5%	0.0%	0.0%
Census Tract 9505	2,716	94.3%	1.3%	1.3%	1.3%	1.5%	0.4%

Source: ACS Five-Year Estimates 2009-2013, B25024.
 Note: Census 2010 reported Nantucket’s actual housing count as 11,618 units.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

timates that the total number of year-round occupied units has fallen to 4,069 (from 4,229 in 2010) while

²⁴ Census 2010, Census 2000, H1, H3, H4; and ACS 2009-2013 Five-Year Estimates, B25003.

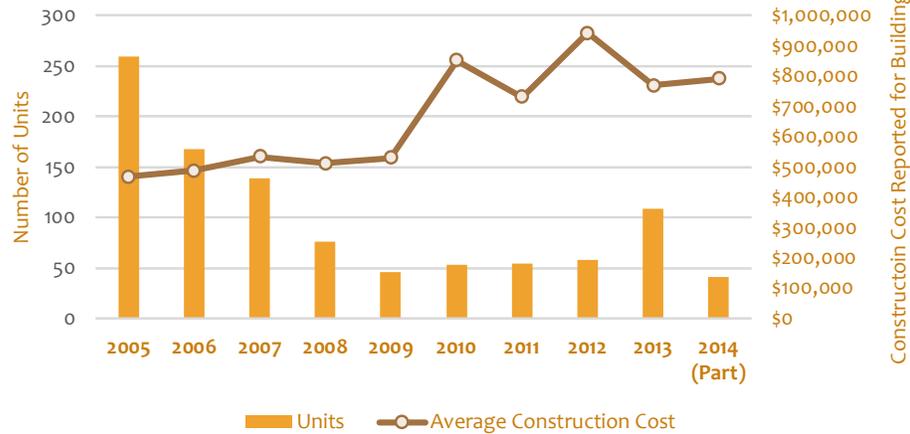
EXISTING INVENTORY

One of Nantucket’s greatest housing challenges involves its limited range of housing choices and price points, which in turn reflect the town’s land use regulations and infrastructure (notably a limited sewer service area), and market expectations. The overwhelming majority of housing units on Nantucket are detached single-family homes. This makes sense given the town’s historic development patterns, but it is not a very efficient use of land or an economical way to create affordably priced units. Mixed residential uses exist in the more densely settled areas of Nantucket, notably downtown and the Mid-Island neighborhoods. These settings include two-family homes or row houses, some multifamily dwellings, and sometimes apartments above commercial space as well, and it is in the Mid-Island neighborhoods that over 80 percent of Nantucket’s year-round renters live.²⁵ In many parts of Nantucket there are privately owned residential lots with two detached single-family homes, i.e., a principal dwelling and a cottage, with both units under common ownership unless one is conveyed subject to an affordable housing restriction (Nantucket Housing Needs Covenant). Table 2.8 summarizes Nantucket’s housing inventory by unit types.

Housing Age and Size

Compared with the state as a whole, Nantucket has fairly new housing units. This may come as a surprise to some Nantucket residents or visitors, especially since Nantucket’s iconic downtown has such an enviable collection of well-preserved historic residences. However, Nantucket has grown so much since the 1970s (Figure 2.6) that all of its late-twentieth century homes have a dramatic impact on the island’s housing age profile. Today, the median year built for

Figure 2.7
**NEW HOUSING CONSTRUCTION:
 UNITS PERMITTED & AVERAGE CONSTRUCTION COST**
 (Source: UMDI, Town of Nantucket)



all housing on Nantucket (year-round and seasonal) is 1983, compared with 1958 for the state.²⁶

Nantucket’s owner-occupied housing is similar in size and basic amenities to owner-occupied units throughout Massachusetts. The most significant differences can be found in and around the downtown area, where there are many large historic houses that tend to dominate the housing inventory. Overall, however, the majority of owner-occupied homes in Massachusetts and Nantucket are three- or four-bedroom dwellings with cooking and plumbing facilities, basic utilities, and reasonable space for vehicle parking. While renter-occupied units elsewhere in the state are comprised primarily of one- or two-bedroom apartments, Nantucket’s rental units tend to be a little larger, and this is due to the composition of Nantucket’s rental stock: many single-family and two-family homes as opposed to multi-family apartment developments.

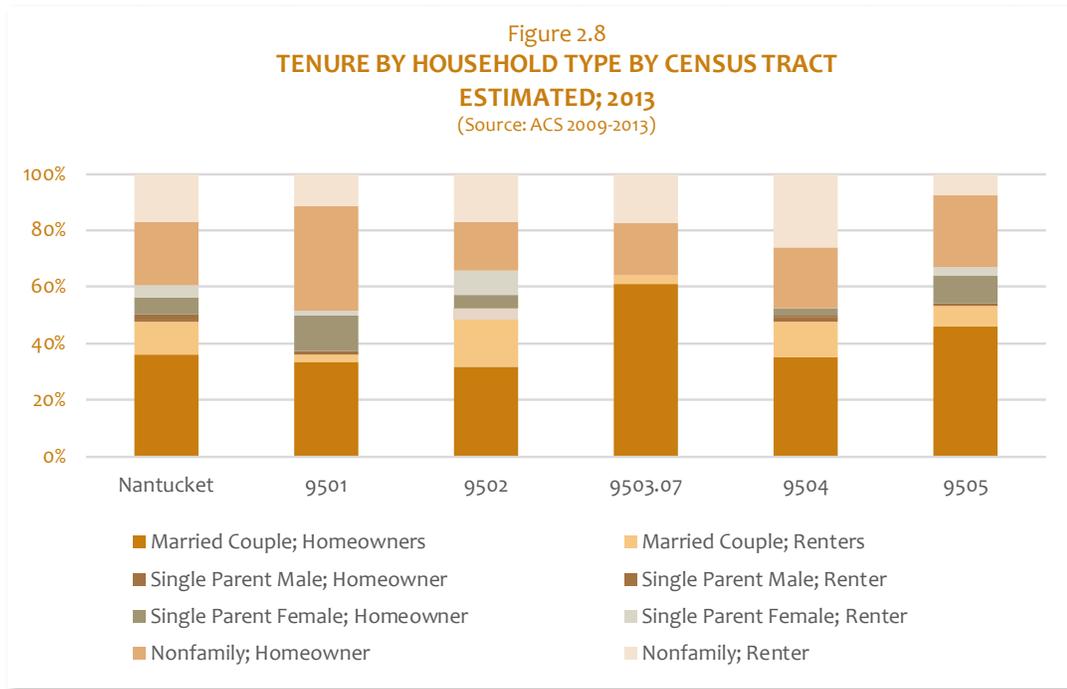
Residential Construction

Data from the UMass Donohue Institute (UMDI) indicate that between 2005 and 2013, Nantucket issued building permits for 975 new homes, nearly all detached single-family dwellings. It is little wonder that Nantucket housing sale prices are so high. In 2013, the most recent year for which annual data have been released, the average construction cost reported for new units, excluding the land cost, was \$770,225.²⁷

²⁶ ACS 2009-2013 Five-Year Estimates, B25035.

²⁷ N.B. Local governments (including Nantucket) report new residential permits and average construction cost per unit on a monthly basis to the federal government. UMDI simply summa-

²⁵ ACS 2009-2013 Five-Year Estimates, B25032.



Though less than the average reported in 2012, an average reported construction cost of over \$770,225 is very high – higher than the average reported in Boston’s affluent west suburbs. Figure 2.7 shows that the average construction cost per unit increased sharply in 2010, and while it has fluctuated since then, there appears to be an emerging pattern of rising costs per unit. For the portion of 2014 that is available from the Town, the average cost is up slightly: \$782,000.²⁸

In addition to new home construction permits, Nantucket issues almost twice the number of permits for renovation and alteration projects that increase the value of local homes. Some of the new single-family units are actually replacements for demolished older residences, too. In the first four months of 2014, for example, Nantucket issued eleven residential demolition permits (excluding sheds).²⁹

OCCUPANCY, TENURE, AND HOUSEHOLD SIZE

Most year-round residents of Nantucket and the state as a whole own the house they live in, yet in many ways Nantucket’s housing tenure statistics differ from those of the Commonwealth. Unlike Massachusetts as a whole, where the homeownership

rate has incrementally increased over time,³⁰ Nantucket has experienced fluctuating owner-occupancy conditions, from 63 percent in 2000 to 58 percent in 2010 and most recently, an estimated 66 percent in 2013. Overall, Nantucket has more owner-occupant newcomers on one hand and more long-term renters on the other hand, but these differences do not apply town-wide. The neighborhoods with the largest shares of long-time homeowners lie along the island’s north side, and long-time renters, in the downtown area.³¹ Also, non-family households and single-parent families headed by women are primarily homeowners in Nantucket, but statewide they are primarily renters. Similarly, single-parent families headed by men are primarily renters on Nantucket but homeowners elsewhere in Massachusetts.³² Figure 2.8 reports tenure by household type for the town and its five census tracts.

Comparing ACS estimates with decennial census data can produce some distortions because the former is based on a comprehensive, monthly population survey and the latter, a point-in-time actual count. Nevertheless, trends that corroborate informal accounts from Nantucket residents can be gleaned from these sources. Since 2010, for example, the average renter household size has gradually increased, and the

rizes the locally generated data. In RKG’s experience the federal numbers are largely accurate for new single-family homes, but new multifamily units tend to be under-reported.

²⁸ Town of Nantucket, Building Department, April 2015.

²⁹ Ibid.

³⁰ U.S. Census Bureau, Current Population Survey/Housing Vacancy Survey (CPS/HVS), Housing Vacancies and Homeownership, Annual 2014 and Historical Tables.

³¹ ACS 2009-2013 Five-Year Estimates, B25039.

³² ACS 2009-2013 Five-Year Estimates, B11012.

Table 2.9. Estimated Maximum Affordable Housing Cost by Household Type and Income (2015)

Household Size	2015 AMI	Unit Type	Maximum Affordable Housing Cost			HUD
			60% AMI	100% AMI	150% AMI	Fair Mkt. Rent
Single Person	\$69,813	studio or 1 BR	\$1,047	\$1,745	\$2,618	\$935
Two Person	\$79,750	1 or 2 BR	\$1,196	\$1,994	\$2,991	\$1,161
Three Person	\$89,750	2 or 3 BR	\$1,346	\$2,244	\$3,366	\$1,571
Four Person	\$99,688	2, 3, or 4 BR	\$1,495	\$2,492	\$3,738	\$2,205
Five Person	\$107,688	3 or 4 BR	\$1,615	\$2,692	\$4,038	\$2,213

Source: Housing Nantucket, 2015; HUD, Schedule B, Final 2015 FMRs for Existing Housing, Eff. 10/1/2014.

Note: (1) Housing Nantucket's 60% income limits are close to those established by the federal government for the Low-Income Housing Tax Credits (LIHTC) Program.

(2) HUD Fair Market Rent is a payment standard for housing authorities that administer Section 8 assistance; it is not an affordable rent per se. HUD's goal for the FMR is that it should be "high enough to permit a selection of units and neighborhoods and low enough to serve as many low-income families as possible."

(3) HUD Fair Market Rents do not precisely correspond with household size. For example, the FMR for a three-bedroom unit is \$2,205 regardless of whether the household includes three, four, or five people.

Nantucket's median homeowner household income is \$97,985. The median monthly housing cost for owner-occupied housing with a mortgage payment in Nantucket is \$3,026: a figure technically affordable to a household with income of \$121,040, or about 35 percent of Nantucket's existing homeowners.

shift in the average statistic stems primarily from growth among large renter households, i.e., households with more than four people. Seventy percent of the island's large renter households live in Mid-Island neighborhoods near the airport, where a majority of Nantucket's African American, Hispanic or Latino, and lower-income households reside.³³

INCOME, TENURE, AND HOUSING COSTS

Under a long-standing federal guideline, housing costs are considered affordable when they do not exceed 30 percent of a household's monthly gross in-

³³ Census 2010, H16 and HCT1; ACS Five-Year Estimates 2009-2013, B25009, DP03; HUD, Low- or Moderate-Income (LMI) Areas by Census Block Group, ACS 2007-2011.

come.³⁴ Nantucket's local housing programs adopt the same definition of housing affordability to determine how much a household can afford to spend per month on housing. These amounts are shown in Table 2.9, along with area median income estimates by household size, along with the HUD Fair Market Rent (the maximum monthly rent for housing occupied by tenants with federal rental assistance).

Owner-Occupied Housing

For many Nantucket homeowners, the cost of housing consumes a large share of their household income. Their income may be much higher than that of renters, but the purchase price of for-sale housing is also very high. In 2014, for example, Nantucket's median single-family sale price was \$1,225,000 – up almost 20 percent over 2013.³⁵

As indicated in Figure 2.9, Nantucket's median homeowner household income is \$97,985, with a census tract-level range from a low of \$80,417 to a

³⁴ M. Schwartz and E. Wilson, "Who Can Afford to Live in a Home? A Look at Data from the 2006 American Community Survey" Working Paper, U.S. Census Bureau. The conventional public policy indicator of housing affordability in the United States is the percent of income spent on housing. Housing expenditures that exceed 30 percent of household income have historically been viewed as an indicator of a housing affordability problem. The conventional 30 percent of household income that a household can devote to housing costs before the household is said to be burdened evolves from the United States National Housing Act of 1937, although the original standard was not 30 percent. In 1940, it was 20 percent and in 1969, Congress increased it to 25 percent. The 30 percent standard that applies today was established in 1981. See also, "Housing Affordability: Myth or Reality?," Wharton Real Estate Center Working Paper, Wharton Real Estate Center, University of Pennsylvania, 1992.

³⁵ The Warren Group, Town Stats Database.

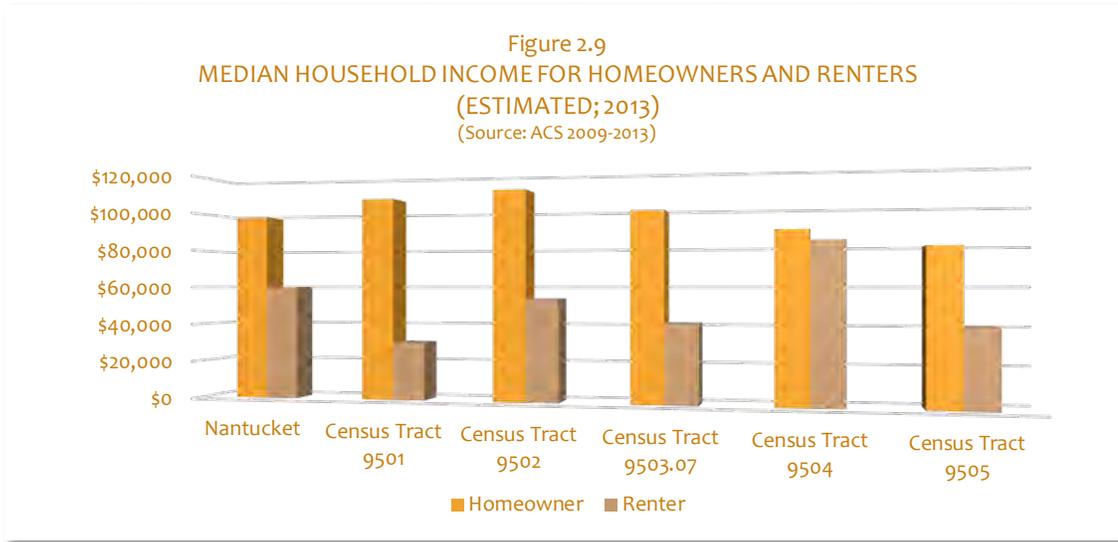


Table 2.10. Comparison Homeowner Housing Values and Monthly Housing Cost Estimates*

Location	Median Housing Cost	Lower Value Home	Median Value Home	Upper Value Home	Housing Cost Burden	Severe Cost Burden
Massachusetts	\$1,705	\$230,500	\$330,100	\$464,900	34.4%	13.6%
Nantucket	\$2,365	\$651,800	\$929,700	1,000,000+	53.0%	29.9%
Census Tract 9501	\$1,851	\$786,900	\$1,000,000+	1,000,000+	42.0%	23.5%
Census Tract 9502	\$2,739	\$581,100	\$832,000	1,000,000+	54.5%	28.6%
Census Tract 9503.07	\$1,583	\$475,000	\$890,600	1,000,000+	35.5%	28.0%
Census Tract 9504	\$2,771	\$632,000	\$891,300	1,000,000+	63.9%	37.4%
Census Tract 9505	\$1,948	\$777,100	\$1,000,000+	1,000,000+	53.3%	31.1%

Source: ACS 2009-2013 Five-Year Estimates, and RKG Associates.

Notes: (1) The Census Bureau does not report specific housing values over \$1 million; (2) Homeowner housing cost burden includes homeowners both with and without a mortgage.

Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

high of \$110,804.³⁶ The median monthly housing cost for owner-occupied housing with a mortgage payment in Nantucket is \$3,026,³⁷ a figure technically affordable to a household with income of \$121,040, or about 35 percent of Nantucket’s existing homeowners. In Massachusetts overall, approximately 34 percent of all homeowners spend more than 30 percent of their monthly income on a mortgage payment, taxes, and insurance – the basic components of homeowner housing costs. As such, these homeowners fit the federal definition of **housing cost burden**.³⁸ Significantly, Table 2.10 reports that over half

Nantucket’s year-round homeowners are housing cost burdened and nearly 30 percent are **severely cost burdened**, which means their housing costs exceed 50 percent of their monthly gross income.³⁹

It is possible that some of Nantucket’s housing cost burdened homeowners have chosen to “buy up” to larger, amenity-laden homes instead of purchasing a more modest and affordable unit. However, available data indicate that this is not really the case. HUD’s Comprehensive Housing Affordability Strategy (CHAS) Data show that most technically affordable units are occupied by higher-income households and that at any given time, there is only a handful of vacant, modestly priced homes on the market.⁴⁰ The high cost of housing for Nantucket homeowners

³⁶ ACS 2009-2013 Five-Year Estimates, B25119.

³⁷ ACS 2009-2013 Five-Year Estimates, B25008.

³⁸ N.B. California has the highest percent of mortgaged homeowners with housing burden of any state in the U.S, followed by Hawaii, Nevada, Florida, New Jersey, Rhode Island, and Massachusetts, although burden for all of these states is similar to California.

³⁹ ACS 2009-2013 Five-Year Estimates, B25092.

⁴⁰ CHAS Data, Tables 15A, 17A.

is particularly challenging for lower-income residents. According to a special tabulation of census data published by HUD, housing cost burden affects 78 percent of Nantucket homeowners with incomes between 50 and 80 percent AMI and 68 percent of homeowners with incomes between 80 and 100 percent AMI. Nantucket’s homeownership affordability problems have little to do with ambitious homebuyers and everything to do with a severe shortage of appropriately priced supply.

Renter-Occupied Housing

Nantucket’s median renter household income is \$60,104, but the census tract median ranges widely from a low of \$30,625 to a high of \$83,512 (Figure 2.9).⁴¹ The higher-end income is deceptive because it includes income from all sources for everyone in the household over 15 years, including relatives and nonrelatives.⁴² This is significant for a census tract like 9504 (Airport/Mid-Island/Surfside), where many households include non-relatives who share housing costs in order to make ends meet.

Rents on Nantucket are much higher than throughout Massachusetts and in some cases, higher than market rents in the Greater Boston area. Town-wide, an estimated 41 percent of all renters are housing cost burdened, paying more than 30 percent of their monthly gross income for rent and basic utilities. Nantucket’s unaffordably housed renters are concentrated in the Town area and the island’s west end, where the percentages of rental housing cost burden exceed the state average (50 percent). Local sources say these statistics are skewed due to the very small number of rental units in Nantucket’s Town neighborhoods. This may be true, but since Nantucket’s supply of year-round rental units is so deficient, it would be a mistake to think that hous-

Figure 2.10
HOUSEHOLDS WITH HIGH HOUSING COSTS BY INCOME RANGE

(Source: HUD, CHAS Data)

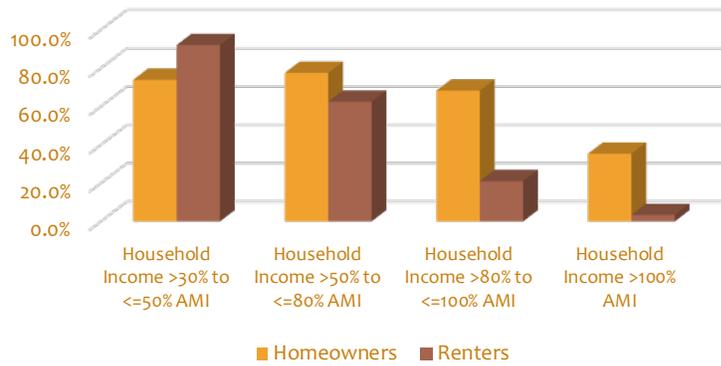
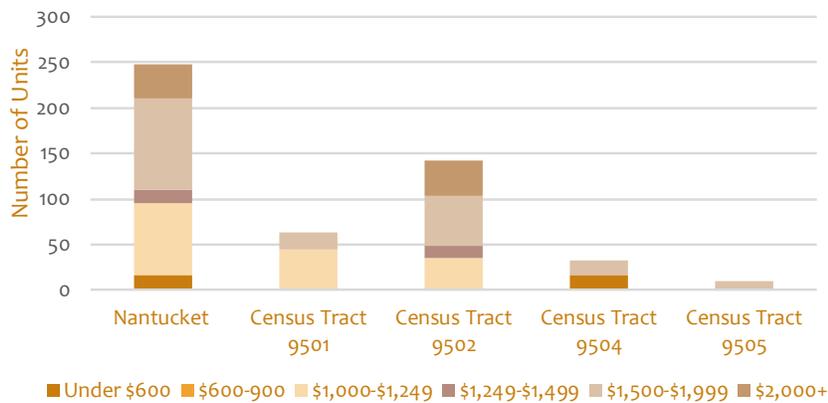


Figure 2.11
ASKING RENTS: VACANT UNITS FOR RENT (SEASONAL AND YEAR-ROUND)

Source: ACS 2009-2013



ing cost burdened renters simply choose to live in an expensive area.

Unlike conditions statewide, most of Nantucket’s housing cost burdened renters are working-age people – especially young people under 34 years – not senior citizens. The author estimates that the percentage of renters with housing cost burdens is considerably higher than the Census Bureau’s data suggest, based on informal interviews and anecdotal information obtained during site visits in January and February 2015. Furthermore, what the Census Bureau reports as affordably housed renters masks an underlying problem for many of Nantucket’s lower-income wage earners: housing units over-occupied by unrelated people who pool their resources in order to find housing they can afford.

⁴¹ ACS 2009-2013 Five-Year Estimates, B25119.

⁴² U.S. Census Bureau, *American Community Survey and Puerto Rico Community Survey 2013 Subject Definitions*, 82.

	Median Gross Rent	Lower Contract Rent	Median Contract Rent	Upper Contract Rent	Housing Cost Burden	Severe Cost Burden
Massachusetts	\$1,069	\$614	\$936	\$1,320	50.3%	25.8%
Nantucket (Town)	\$1,564	\$900	\$1,443	\$1,858	40.8%	17.4%
Census Tract 9501	\$1,320	\$1,080	\$1,228	\$1,418	68.5%	33.3%
Census Tract 9502	\$1,700	\$821	\$1,543	\$2,000+	46.7%	17.9%
Census Tract 9503.07	-	-	-	-	66.7%	0.0%
Census Tract 9504	\$1,581	\$1,086	\$1,420	\$1,733	24.3%	16.4%
Census Tract 9505	\$1,200	\$388	\$1,200	\$1,750	42.7%	9.8%

Source: ACS 2009-2013 Five-Year Estimates.
 Notes: The Census Bureau does not report gross and contract rent estimates for Tract 9503.07 because the number of rental units is so small.
 Census Tract Legend: 9501: Town; 9502: Miacomet/Mid-Island/Cisco; 9503.07: Madaket/Dionis/Clif; 9504: Airport/Mid-Island/Surfside; 9505: Polpis/Sconset/Tom Nevers

Asking Rents. In the past few years, over half of all vacant rental units on Nantucket came with asking rents of \$1,500 or more, and less than 7 percent with asking rents below \$1,000.⁴³ The ACS reports an average of 248 units offered for rent at any given time, including both year-round and seasonal units and private and public housing. These are **contract rents** (what the landlord will charge), not **gross rents** (contract rent plus basic utilities), though some rental units include utilities that tenants do not have to pay out of pocket. Figure 2.11 displays the distribution of asking rents for the island as a whole and the five census tracts based on monthly surveys conducted by the Census Bureau between 2009 and 2013.

Renters informally interviewed for Housing Nantucket's Workforce Housing Needs Study (2015) said the Census Bureau's data underestimate actual market conditions on Nantucket and stop short of capturing the more compelling problems: lack of supply on one hand, and an existing supply that includes many units with code violations on the other hand. The perceptions of local renters are largely borne out through social media, where people looking for apartments often go, hoping for a more efficient source of information than word-of-mouth referrals.

Utility Costs and Housing Affordability

Energy is imported to Nantucket under special engineering and logistical circumstances that result in

⁴³ ACS 2009-2013 Five-Year Estimates, B25061. Recent issues of *The Inquirer and Mirror* have included ads for some summer and winter rentals, but the only year-round rentals have been furnished rooms in a private residence, a partially furnished one-bedroom apartment in Madaket for \$2,000/month, and a four-bedroom home without a published asking rent.

premium costs for liquid fuels and electricity. As a result, Nantucket residents consistently pay some of the highest energy prices in the U.S.

Liquid fuels, namely propane and petroleum products, present a logistical challenge to Nantucket since no pipelines exist from the mainland. Oil and gasoline are supplied to Nantucket via barges, which offload to a tank farm in the downtown area for storage and distribution to facilities around the island. Propane reaches the island via tanker trucks that the Steamship Authority transports to the island. Due to the hazardous nature of the cargo, voyages made with a propane truck aboard cannot transport any other vehicles or passengers. This results in an exceptionally high rate for heating oil and propane, which is used in lieu of residential natural gas on Nantucket. In addition, National Grid customers on Nantucket all pay an extra 15 percent "cable facility surcharge" on their monthly electric bills to pay for the two undersea cables that currently deliver power to the island from the Cape Cod electric grid.

Low- and Moderate-Income Residents

According to the HUD, about 38 percent of Nantucket's year-round households have low or moderate incomes as that term is used in most housing programs (Map 2.3).⁴⁴ Some people may find this surprising because Nantucket also has year-round household wealth and a seasonal population that is extraordinarily wealthy, but it is not uncommon for resort communities to have more low- or moderate-income residents than is readily apparent. HUD estimates

⁴⁴ HUD, Comprehensive Housing Affordability Strategy (CHAS) Data, retrieved from HUD/PDR.

Table 2.12. Nantucket's Chapter 40B Inventory (2016)

Development	Location	Housing Type	SHI Units	Restriction Expires	Subsidizing Agency
Miacomet Village I	3 Manta Drive	Rental	10	Perpetual	DHCD
Miacomet Village I	3 Manta Drive	Rental	12	Perpetual	DHCD
Miacomet Village II	Norquarta Drive	Rental	19	5/1/2047	FHLBB, RHS
Housing Authority	Benjamin Drive	Rental	5	Perpetual	HUD
Academy Hill School	Westminster St.	Rental	27	12/1/2016	MassHousing, HUD
Landmark House	144 Orange St.	Rental	18	2015*	HUD 202, RHS
Landmark House II	Orange St.	Rental	8	2041	FHLBB, HUD
DMH Group Homes	Confidential	Rental	5	N/A	DMH
Norquarta Drive	Norquarta Drive	Rental	2	Perpetual	DHCD
Dartmouth Street	Dartmouth Street	Rental	2	Perpetual	Town of Nantucket
Norwood Street	Norwood Street	Rental	1	Perpetual	Town of Nantucket
Irving Street	Irving Street	Rental	1	Perpetual	Town of Nantucket
Clarendon Street	Clarendon Street	Rental	1	Perpetual	Town of Nantucket
Abrem Quarry	2-4-6-8 Folger Ave	Own	7	Perpetual	FHLBB
Beach Plum Village	15-19 Rugged Rd; 6-8 Scotts Way	Own	3	Perpetual	MassHousing

Sources: DHCD, Housing Nantucket

*Use restriction extended; new term has not been verified.

Note: Sachem's Path is not currently listed on Nantucket's SHI, probably because building permits were not issued within one year of the comprehensive permit. The Town will need to submit copies of the building permits and certificates of occupancy to DHCD, at which time the units will be added to the SHI.

that 30 percent of Nantucket's homeowners and 49 percent of its renters have incomes below 80 percent AMI. HUD's estimates shed even more light on the households most affected by Nantucket's very high housing costs, however. As illustrated in Figure 2.10, the highest incidence of housing cost burden occurs among the island's lowest wage earners: working-age people with incomes at or below 50 percent AMI. Housing cost burden affects anywhere from 74 to 86 percent of the residents in this lower-income group. In current dollars, this means a household of four with income under \$49,890 – or more accurately, a household of two with income under \$39,900.⁴⁵ For the single people and very small families that make up most of the households with incomes below 50 percent AMI, the maximum affordable rent, including utilities, is \$998 (and usually much less). Nantucket does not have an adequate supply of affordably priced rentals for its working poor: people whose incomes are too low for programs like the Nantucket Housing Needs Covenant Program and even most Chapter 40B rental units.

PRICE-RESTRICTED HOUSING

Most communities have some modestly priced housing: small, older single-family homes that are less valuable than new homes, multi-family condominiums, or apartments that can be leased for relatively low monthly rents. This type of affordable housing often stays affordable as long as the market will allow. As Nantucket is well aware, market demand for luxury vacation homes can place tremendous pressure on these units, resulting in major renovations or demolition/reconstruction that effectively reduces the community's supply of affordable housing.

Under a Massachusetts law that went into effect in 1969, however, all communities are supposed to have housing that is affordable to low-income households and remains affordable to them even when home values appreciate under robust market conditions. These units remain affordable because their resale prices and rents are governed by a deed restriction that lasts for many years, if not in perpetuity. Both types of affordable housing meet a variety of housing needs and both are important. The crucial difference is that the market determines the price of unrestricted affordable units while a recorded legal instrument determines the price of deed restricted units. There are other differences, too. For example, any house-

⁴⁵ HUD, 2015 Income Limits, release date March 9, 2015.

hold - regardless of income - may purchase or rent an unrestricted affordable unit, but only a low- or moderate-income household is eligible to purchase or rent a deed restricted unit.

CHAPTER 40B

When less than 10 percent of a community's housing consists of deed restricted affordable units, M.G.L. c. 40B, Sections 20-23 ("Chapter 40B") authorizes the Zoning Board of Appeals to grant a comprehensive permit to qualified affordable housing developers. The 10 percent minimum is based on the total number of **year-round housing units** reported in the most recent decennial census; for Nantucket, this currently means that 490 units out of 4,896 must be affordable for low- and moderate-income households (Census 2010). A comprehensive permit is a type of unified permit: a single permit that replaces the approvals otherwise required from separate city or town permitting authorities. Sachem's Path is an example of a Chapter 40B comprehensive permit development.

Chapter 40B supersedes zoning and other local regulations that make it too expensive to build low- and moderate-income housing. By consolidating the approval powers of multiple town boards, the state legislature hoped to provide more low-income housing options in suburbs and small towns. Under Chapter 40B, the Zoning Board of Appeals may approve, conditionally approve, or deny a comprehensive permit, but in communities that do not meet the 10 percent minimum, developers may appeal to the state Housing Appeals Committee (HAC). Although comprehensive permits may still be granted after a town achieves the 10 percent minimum, the HAC no longer has authority to overturn a local board's decision.

DHCD maintains the Chapter 40B Subsidized Housing Inventory (SHI), the list determines whether a community meets the 10 percent minimum. The SHI is also used to track expiring use restrictions, i.e., when non-perpetual affordable housing deed restrictions will lapse. As shown in Table 2.12, Nantucket's SHI currently includes 125 affordable units, or 2.6 percent of the island's year-round housing units. The 125-unit affordable housing inventory represents a 25-unit gain between 2000 and 2010: a fraction of the island's total housing growth of 2,400 units in the same period. Moreover, the affordable housing restriction for eighteen SHI units at Landmark House

(HUD 202) was scheduled to expire last year, but it was reportedly extended. The restriction controlling twelve of the twenty-seven units at the Academy Hill School - also reserved for seniors - will expire near the end of 2016.

AFFORDABLE HOUSING PROVIDERS

DHCD does not "count" all of Nantucket's deed-restricted housing on the SHI. In most cases this is because Nantucket's affordable units tend to be restricted for households with higher incomes than the state defines as low or moderate income. There are also developments with an approved comprehensive permit and partially under construction, but the SHI-eligible units have not been built or simply have not been added to the state's list. The following local initiatives to create affordable housing are either ineligible or not ready for listing in the SHI.

Non-Profit Organizations

- **Housing Nantucket.** Twenty-four out of thirty-one rental units and fifty-six covenant homes for year-round residents with incomes up to 150 percent AML.
- **Habitat for Humanity.** Six homeownership units and one currently under construction, one is at Sachem's Path and two more are planned.
- **Nantucket Housing Authority/Housing Assistance Corporation of Cape Cod.** Sachem's Path, a 36-unit homeownership development under construction on land owned by the Nantucket Housing Authority, will eventually generate eight SHI-eligible units. (The remaining twenty-eight units will be "Nantucket affordable," i.e., for households with incomes between 100 and 150 percent AML.) The Town has made a considerable investment in Sachem's Path with Community Preservation Act (CPA) funds.
- **Nantucket Education Trust (NET).** Several years ago, the NET created twelve employer-assisted housing for teachers on Cow Pond Lane near the school complex. The project is not actually occupied by many teachers, but the units exist and they are available to the general public when there is not enough interest from school department employees. In 2015, the Cow Pond Lane units provide housing for four school department workers, three town employees, and

five other Nantucket households unrelated to the schools.⁴⁶

Town of Nantucket

- **Town:** One year-round dwelling at 38 Westchester Street, used as entry housing for department heads.
- **Department of Public Works.** Four year-round units for employees at the Surfside Wastewater Treatment Facility (one one-bedroom unit, one two-bedroom unit, and two three-bedroom units).⁴⁷
- **Airport:** One year-round dwelling unit with six to eight beds.
- **Nantucket Police Department.** Seasonal housing at LORAN Station for summer reserve officers and community service officers; forty-two beds, including eight for female employees; and seasonal housing for lifeguards, including 47 Okorwaw Avenue (ten beds), 109 Washington Street Ext. (four beds), and 39 Washington Street (twelve beds).

Employer-Assisted Housing

- There is no comprehensive inventory of employer-owned housing on Nantucket and no organization focusing exclusively on developing and managing employer-owned housing. Several private employers are known to provide short-term or seasonal housing for their workers.
- One of the island's largest employers, **Nantucket Island Resorts, Inc.**, maintains 210 beds for seasonal employees of its five hotels and marina. Most of the beds are actually reserved for experienced hospitality workers returning to Nantucket for the summer season. Nantucket Island Resorts employs about 400 people at peak season, so the dormitory beds accommodate just a little over half of its seasonal workers.⁴⁸ The company also employs fifty-five to fifty-six year-round workers, all of whom depend on other privately owned housing on Nantucket.

- **Something Natural**, a popular sandwich and specialty foods shop owned by Selectman Matt Fee, which provides housing for approximately twenty-four of its fifty seasonal employees.⁴⁹

- The **Nantucket Cottage Hospital** owns twenty-six workforce housing units (combined total of 58 bedrooms) and leases nine additional units (24 bedrooms).

- **The U.S. Coast Guard** owns ten three-bedroom units at Gouin Village and at LORAN Station, eight three-bedroom and two four-bedroom units.

Other entities such as Stop & Shop are known to rent units to house their workers as well, but the number of units is unknown.

Rental Assistance Program

Nantucket's **Interfaith Council** provides temporary financial assistance to help year-round renters with housing emergencies due to family illness, loss of work, or other unforeseen conditions, or to help them move from substandard units to safe, decent, year-round housing. Since there are no shelter facilities for the homeless on Nantucket, the Rental Assistance Program plays a critical role in helping to prevent homelessness with a flexible "stop-gap" subsidy. To qualify for help, renters must have lived on Nantucket for at least two years, have some source of employment, and live in legal (code-compliant) housing. Many applicants live in illegal units, so they can receive help only if they move to better housing. In a given year, the Rental Assistance Program helps sixty to seventy households with an overall program budget of approximately \$150,000.

While the Town, non-profit organizations, and local employers have taken steps to provide affordable housing, the existing level of effort and the existing approaches are not enough. The present inventory of deed-restricted units does not begin to meet Nantucket's needs for affordably priced units at all market levels, from households with very low incomes to those earning somewhat more than the maximum for the Nantucket Housing Needs Covenant Program. There are about 500 renter households with incomes in a range that might qualify for a covenant homeownership unit (generally 80-150 percent AMI), but the program currently includes just fifty-six

⁴⁶ Caitlin Waddington, Nantucket Community School, by email, March 18, 2015.

⁴⁷ Kara Buzanoski, Nantucket DPW Director, by email, March 18, 2015.

⁴⁸ Nantucket Island Resorts, interview, January 19, 2015.

⁴⁹ Matt Fee, interview, January 18, 2015.

units, most of which were created from conveyances that occurred on the eve of the last recession (pre-December 2007). A unit-by-unit approach like that of the covenant program makes sense for growth management and housing preservation reasons, but it is not an efficient way to create housing for people who need it. Short of significantly increasing its housing supply, Nantucket will not be able to address the needs of any of the groups that need housing priced appropriately for their means: low-income, moderate-income, year-round workers, or seniors. The existing supply is inadequate, and as numerous past studies and reports show, the supply has been inadequate for a very long time.

3. HOUSING GOALS

Nantucket's affordable housing goals are production targets that have been set based on best available information. There could be considerable fluctuation from year to year, but ultimately the purpose of this plan is to increase Nantucket's Subsidized Housing Inventory (SHI) by at least 120 new SHI-eligible housing units between 2016 and 2020.

PRINCIPLES

1. Affordable and mixed-income housing developments should be located in areas where the Town's planning, zoning, and infrastructure support higher intensity of use. (See Map 3.1)
2. Developers should be encouraged to produce new affordable housing through the Town's standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, encourage greater energy-conservation and use of renewable energy, and increase affordability above and

Developers should work within the Town's standard permitting procedures or pursue cooperatively planned comprehensive permits. Nantucket has demonstrated its ability to work with housing developers when developers are willing to work with the Town.

beyond the required 25 percent for a comprehensive permit.

3. Recognize local government's responsibility for fair and affordable housing in Nantucket, and lead by example.
4. Whenever possible, the supply of affordable housing should be increased through redevelopment of disturbed sites, adaptive reuse of non-residential structures, or conversion of existing residential properties to multiple dwellings.
5. The Town should provide regular, predictable funding for creating and preserving affordable housing and empower the Affordable Housing Trust to perform the functions it is authorized to perform by state law.
6. For developments on its own land, the Town should maximize the number of affordable housing units; create affordability at multiple levels, from incomes below 50 percent AMI up to 150 percent AMI; and take steps to ensure that all units are energy efficient, with renewable energy included in the design of Town-sponsored projects to the maximum extent possible.
7. Subsidies should be made available to rental developments in exchange for deeply affordable units for households with incomes below 50 percent AMI. These subsidies could be provided by the Affordable Housing Trust or Community Preservation Committee (or both), or through some type of partnership with non-profit community organizations.
8. To promote neighborhood compatibility of density and building forms that differ from surrounding properties, the Town should provide design guidance to developers and homebuilders. Models and specifications pre-approved by

the Historic District Commission and others should be available for a variety of building forms and contexts.

9. Wherever possible, the Town should establish partnerships for affordable housing and encourage others to do the same.

QUALITATIVE GOALS

- Increase the variety of mixed-income housing choices in Nantucket, particularly in commercial centers and higher-density districts, to support Nantucket's economy and accommodate household growth.
- Create permanently affordable rental housing for low- and very-low-income households in order to reduce the incidence of over-occupied, sub-standard housing.
- Work with Nantucket's large employers to increase the supply of employer-assisted housing, both for seasonal and year-round workers.
- Educate the community about Nantucket's affordable housing needs.
- Preserve the Town's existing affordable housing through monitoring and enforcement of affordable housing deed restrictions.
- Plan affordable housing to incorporate sustainable building practices and to support Nantucket's summer peak load reduction programs.
- Encourage greater energy-conservation and use of renewable energy in residential development and redevelopment projects, including but not limited to the production of new affordable housing.

QUANTITATIVE GOALS: 2016-2020

NEED: INDIVIDUALS AND FAMILIES WITH INCOMES BETWEEN 51-80 PERCENT AMI

- SHI-Eligible Production Targets:
- 10 homeownership units
- 70 year-round rental units
- 10 single-room occupancy (SRO) units

Potential Tools: Town-owned land, LIHTC, federal Affordable Housing Trust Fund, Nantucket Affordable Housing Trust, CPA, Chapter 40B

NEED: HOUSEHOLDS WITH INCOMES BETWEEN 31-50 PERCENT AMI

- SHI-Eligible Production Targets: 20 year-round rental units

Potential Tools: Town-owned land, LIHTC, Section 8 PBA, Nantucket Affordable Housing Trust, CPA, Chapter 40B

NEED: SPECIAL NEEDS POPULATIONS

- SHI-Eligible Production Targets:
- 10 group home units (beds)
- 8-10 congregate units for very-low-income seniors

Tools: Town-owned land, Nantucket Affordable Housing Trust, CPA, DMR/DMH, Nantucket Housing Authority

NEED: HOUSEHOLDS WITH INCOMES BETWEEN 81-120 PERCENT AMI

- Production Targets:
- 5 homeownership units
- 5 year-round rental units

Potential Tools: Town-owned land, Nantucket Affordable Housing Trust, Town funding (CPA for eligible units), Zoning

NEED: HOUSEHOLDS WITH INCOMES BETWEEN 121-150 PERCENT AMI

- Production Targets:
- 20 homeownership units
- 10 rental units

Potential Tools: Town funding, Zoning, Nantucket Housing Needs Covenant Program

4. IMPLEMENTATION STRATEGIES

DHCD encourages cities and towns to prepare, adopt, and implement a Housing Production Plan that demonstrates an annual increase in Chapter 40B units equal to or greater than 0.50% of the community's year-round housing units. By systematically increasing its low- and moderate-income housing inventory, Nantucket will have more flexibility in the future to decide when, where, and how much affordable housing should be built and if necessary, to deny unwanted Chapter 40B comprehensive permits.

As noted elsewhere in this plan, however, Nantucket's housing needs go well beyond addressing the mandate of Chapter 40B. There is a fundamental lack of housing supply in Nantucket. Unless the island's leadership takes steps to address both overall supply and the variety of housing types available to people who live and work here, creating more SHI-Eligible units alone will not solve Nantucket's housing problems. Removing regulatory barriers to housing production in areas that can support growth, working with the island's larger employers to encourage development of employer-assisted housing for seasonal and year-round workers, and investing resources in public education about Nantucket's varied housing needs will all be critical components of a successful, comprehensive housing strategy. Nantucket's economic health and social well-being will depend on reducing pressures on the year-round housing market by increasing supply and having enough housing for people of all ages and incomes.

To qualify for the flexibility that a DHCD-approved Housing Production Plan offers, Nantucket will need to create (through the issuance of permits and approvals) at least twenty-four new low- or moderate-income housing units (or an amount equal to or greater than the 0.50 percent production goal) in a given calendar year and obtain certification from DHCD that the Housing Production Plan standard had been met. These are SHI-eligible units, and

Nantucket needs to create at least twenty-four new low- or moderate-income housing units per year.

they can be created on a stand-alone basis or within mixed-income developments.

The Town needs to consider ways to increase its affordable housing education, advocacy, and development capacity when implementing this plan. Nantucket has decided to fund a part-time housing coordinator in Fiscal Year (FY) 2017, and this will help to build some administrative capacity within town government. In addition, there needs to be leadership training and education for the Board of Selectmen, Community Preservation Committee, and Affordable Housing Trust.

APPROPRIATE LOCATIONS FOR HIGHER-DENSITY HOUSING

Strategy: Affordable Housing on Town-Owned Land / Fairgrounds Road

Principle: For developments on its own land, the Town should maximize the number of affordable housing units; create affordability at multiple levels, from incomes below 50 percent AMI up to 150 percent AMI; and take steps to ensure that all units are energy efficient, with renewable energy included in the design of Town-sponsored projects to the maximum extent possible.

In 2012, the Town acquired property on Fairgrounds Road for construction of affordable housing, main-

In Nantucket, apartments are allowed by right in commercial buildings in the commercial districts, and town meeting recently agreed to allow up to three units per lot “by right” in several residential zones.

ly for town employees. To date, the project has been stalled for a variety of reasons, including differences of opinion about what kind of housing should be built on the site and for whom, what the Town’s role should be, and whether the Town can restrict some of the units for occupancy by municipal employees.

There are scores of examples of affordable housing on town-owned land in Massachusetts. It is probably one of the easiest strategies for increasing the supply of affordable units in any city or town. The Massachusetts Housing Partnership maintains an inventory of land disposition Requests for Proposals (RFP).¹ In Nantucket’s case, the best approach will be one that provides a variety of unit types and is designed to accommodate both year-round and seasonal municipal workers. While SHI-eligible housing units have to be made available through an affirmative fair housing marketing plan, Nantucket could consider negotiating with the designated developer to set aside some of the market-rate units for rent by Town employees (with subsidies or rent guarantees provided by the Town, as necessary).

In addition, the Town should lead by example and ensure that units constructed at Fairgrounds Road are highly energy efficient, integrating renewable energy if possible. Incentives are available for solar hot water systems. Perhaps funding can be found for solar PV as well.

Strategy: the Moderate- and High-Density Zoning Districts

Principle: Affordable and mixed-income housing developments should be located in areas where the Town’s planning, zoning, and infrastructure support higher intensity of use.

Years ago, Nantucket made a conscious decision to zone areas for concentrated residential and commercial development and let most of the island evolve in a low-density land use pattern. In areas where the Town provides for concentrated development, Nantucket has fairly permissive zoning regulations with fewer barriers than one often finds in suburbs and small towns on the mainland. For example, apartments are allowed by right in commercial buildings in the commercial districts, and town meeting recently agreed to allow up to three units per lot “by right” in several residential zones.

In November 2015, town meeting approved innovative zoning for “bonus lots” and a significant density bonus for affordable housing as long as at least 25 percent of a project’s housing units would be eligible for the SHI. Nantucket also allows accessory apartments and two “as of right” dwelling units on a lot in all residential districts, which is almost unheard of in many small towns.

Nantucket has gradually revised its zoning bylaw to reflect the policies of the 2009 Master Plan. The overall planning framework in Nantucket divides the town into “Town” and “Country” zones, or areas designated for higher- and lower-density development, as shown on Map 3.1. Nantucket’s existing Chapter 40B developments – Sachem’s Path, Beach Plum Village, and Abram Quarry – are all located within areas the Town has zoned for growth. The Town’s zoning framework makes sense, first because it responds to organic development patterns that pre-date zoning and second, the areas allocated to higher-intensity use tend to be sewered as well. Several times since 2009, Town Meeting has rezoned land by moving it into one of the “Town” districts or liberalizing the rules that govern development in the “Town” districts (see Appendix C). As with the Richmond Group in 2015, Nantucket should continue to pursue “up-zoning” opportunities in areas that are consistent with the 2009 Master Plan and have adequate means of wastewater disposal.

Upzoning should be designed to increase the supply both of price-restricted and unrestricted housing in order to provide choices at a variety of price points and meet the needs of many income groups. It is not necessary (or desirable) to subject every new zoning initiative contingent on the creation of affordable units. Like most towns in Massachusetts, Nantucket can use Chapter 40B if it needs to in order to create

¹ See Appendix F, “Disposition of Municipal Property for Affordable Housing.”

affordable and mixed-income developments. However, it can only use its own zoning power to increase the diversity and supply of market-rate housing, and Nantucket desperately needs to provide for both.

In addition, the Mass Save New Construction Program provides incentives for new residential construction to be more energy efficient than what the base energy building code requires. Nantucket could further support energy efficiency in new construction by offering incentives through zoning, such as density bonuses, when new housing units will meet Energy Star or LEED certification.

Strategy: Options for Regulatory Reform

Principle: Developers should be encouraged to produce new affordable housing through the Town's standard regulatory procedures or cooperatively planned comprehensive permits.

Nantucket has taken steps to increase the housing supply in ways that should produce modestly priced housing even if not deed restricted, e.g., the multifamily overlay district, the recently enacted tertiary unit program, and relaxation of requirements for accessory apartments. The Town could also consider some options that have been pursued in other communities.

INCLUSIONARY ZONING

Nantucket could work with for-profit and non-profit developers to design an inclusionary housing bylaw that would apply throughout town or within selected areas of any high- or moderate-density zoning district. Inclusionary zoning is a bylaw that requires or provides incentives for developers to create affordable housing as a part of market-rate developments, either by including affordable housing in the development, building it off-site, or contributing land or money to a housing trust fund in lieu of construction. In Massachusetts, it was pioneered successfully in three communities – Brookline, Cambridge, and Newton – and has gradually spread to suburban areas, but with mixed results.

Due to Nantucket's very high land costs and seemingly relentless market interest in seasonal homes, inclusionary zoning will never provide a "cure-all" for the island's workforce housing needs. By the same token, Nantucket has the basic ingredients found

in most inclusionary zoning programs in the U.S.: strong housing demand and high housing costs that can provide an internal subsidy.

Nantucket currently gives the Planning Board special permit authority to require inclusionary housing units in major commercial developments. Consideration should be given to imposing an actual requirement in commercial, multifamily, or higher-density districts and giving the Planning Board authority to waive the requirement in exchange for a reasonable alternative, e.g., a cash contribution to the Town's affordable housing trust fund.

INFILL LOTS

Study the potential to create small affordable units on nonconforming lots that are otherwise unbuildable. The units may require some form of subsidy, but making additional land available could support production of scattered-site units by mission-based organizations like Habitat for Humanity or Housing Nantucket.

Strategy: Chapter 40B

Principles:

Developers should be encouraged to produce new affordable housing through the Town's standard regulatory procedures or cooperatively planned comprehensive permits;

Continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, and increase affordability above and beyond the required 25 percent for a comprehensive permit; and

Provide regular, predictable funding for creating and preserving affordable housing

Nantucket could make better use of Chapter 40B as a vehicle for creating affordable housing. Toward that end, the Town should continue to actively pursue partnerships with non-profit and for-profit developers that have collaborated with cities and towns on so-called "friendly" Chapter 40B developments. Nantucket could also provide financial support to friendly Chapter 40B developments (as was done for Sachem's Path). Having a mortgage interest in projects gives the Town even more control than the comprehensive permit or deed restriction. Investing in well thought-out rental projects should be a priority for the use of local funds, first for the added control

it brings and second, because anything Nantucket can do to build partnerships with non-profit and for-profit entities will help to increase the Town's capacity and know-how.

Examples of potential funding mechanisms for homeownership could include purchase price buy-downs from 80 percent AMI to lower income groups or market-rate units to 150 or 120 percent AMI. Unlike downpayment assistance, a purchase price buy-down subsidizes the difference between an asking price and a price that is actually affordable to a low, moderate, or middle-income homebuyer.

Strategy: Historic District Commission

Principle: To promote neighborhood compatibility of density and building forms that differ from surrounding properties, the Town should provide design guidance to developers and homebuilders. Models (prototypes) and specifications pre-approved by the Historic District Commission and others should be available for a variety of building forms and contexts.

Like many communities, Nantucket prefers to create affordable housing through its own planning and permitting systems, i.e., without Chapter 40B comprehensive permits where possible. A handful of Massachusetts towns have produced many affordable units – sometimes more than the 10 percent statutory minimum – without ever having to use the comprehensive permit process. To succeed in doing so, the Town needs ways to work with the Historic District Commission (HDC) to reduce development costs for projects with affordable units.

The Town should consider retaining a preservation architect to work with the Planning and Land Use Services (PLUS) Department and the HDC to develop prototypes for a variety of building forms and settings as well as design and construction specifications to be used for review of affordable and mixed-income housing proposals. Specific guidance for affordable housing projects could be created as a special supplement to the Commission's existing publication, "Building with Nantucket in Mind." Projects that simply adopt the Town's prototypes and specifications could be made eligible for an expedited review process, thereby reducing the need for costly plan revisions, hearing extensions, and so forth. This

The Town needs ways to work with the Historic District Commission (HDC) to reduce development costs for projects with affordable units.

may require amendments to the HDC bylaw and administrative regulations.

Strategy: Orientation of New Housing

Principle: Developers should be encouraged to produce new affordable housing through the Town's standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, encourage greater energy-conservation and use of renewable energy, and increase affordability above and beyond the required 25 percent for a comprehensive permit.

Nantucket should encourage builders to orient new homes to take advantage of passive heating and cooling. Historically homes were designed and sited to allow the greatest amount of sun to heat the home in the winter. To shade the home in the summer, porches, awnings, and plantings were used. Zoning and subdivision regulations can encourage new homes to be sited to take maximum advantage of the winter sun for heating, by positioning a building's longest plane no more than 30 degrees off the east/west axis to the greatest extent possible. This also provides the homeowner with the option of utilizing a solar photovoltaic and/or solar hot water heating systems on the roof of the home.

Strategy: Mass Save New Construction Program

Principle: Developers should be encouraged to produce new affordable housing through the Town's standard regulatory procedures or cooperatively planned comprehensive permits. The Town should continue to work with private developers to improve their proposals, acculturate them to community interests in Nantucket, encourage greater energy-conservation and use of renewable energy,

and increase affordability above and beyond the required 25 percent for a comprehensive permit.

The Mass Save New Construction Program provides incentives for new residential construction to be more energy efficient than what the base energy building code requires. Nantucket could further support energy efficiency in new construction by offering incentives through zoning, such as a density bonus, when new housing units will meet Energy Star or LEED certification.

LOCAL RESOURCES FOR AFFORDABLE HOUSING

Nantucket needs to put significant resources into housing production just as it has committed significant resources to open space protection for well over thirty years. If the legislature fails to approve the proposed transfer fee for Nantucket, the Town will need to pursue other options.

Strategy: Transfer Fee, Local Appropriations

Principle: The Town should provide regular, predictable funding for creating and preserving affordable housing and empower the Affordable Housing Trust to perform the functions it is authorized to perform by state law.

Affordable housing production will not happen without predictable, adequate funding for acquisition, pre-development, development, management, and monitoring. Although Nantucket recently received a comprehensive permit application for a project many people do not like, the overall track record for Chapter 40B in Nantucket has been remarkably weak. Housing development in Nantucket is distorted by the seasonal market, so even though housing sale prices are very high, Nantucket does not attract many Chapter 40B developers. Like other vacation and resort areas around the country, Nantucket has

to be pro-active and initiate affordable and mixed-income housing development.

Without local intervention, the island's affordable housing needs are unlikely to be met. In order to work effectively, Nantucket needs to put significant resources into housing production just as it has committed significant resources to open space protection for well over thirty years. If the legislature fails to approve the proposed transfer fee for Nantucket, the Town will need to pursue other options, e.g., annual appropriations of local revenue (as town meeting did this year), more aggressive commitments of CPA funds, or payments from developers under an inclusionary zoning bylaw.

In addition, the Town needs to revisit limitations it has placed on the Affordable Housing Trust's authority to manage and invest the resources it has at its disposal. A key reason for creating a housing trust is to facilitate affordable housing development and "depoliticize" decisions about the use of local resources to meet housing needs. (See also, Capacity for development, education, and advocacy below.)

Strategy: CPA funds for affordable housing

Principle: The Town should provide regular, predictable funding for creating and preserving affordable housing and empower the Affordable Housing Trust to perform the functions it is authorized to perform by state law.

The Community Preservation Committee (CPC) currently makes CPA funds available for affordable housing on a project-by-project basis. The Affordable Housing Trust has to submit a funding application and potentially compete with other applicants, and ultimately each CPC-backed proposal requires approval from Town Meeting. However, Nantucket could institute a different model. The CPC could propose to appropriate each year's CPA affordable housing funds for use by the Affordable Housing Trust and allow the Trust to do its job: to create and preserve affordable housing, and to do so efficiently. This approach would go a long way toward supporting an annual housing budget for the Affordable Housing Trust and building the Trust's capacity to create affordable units. As the Community Preservation Coalition explains:

The CPA law states specifically in Section 5(f) that “A city or town may appropriate money in any year from the Community Preservation Fund to an affordable housing trust fund.” Such trusts can have the power to purchase, sell, lease, manage, and improve real property for the purpose of creating and preserving affordable housing. At least 11 communities have appropriated CPA funds to an affordable housing trust.

CPA funds can be appropriated to both affordable housing trusts . . . as long as any ultimate expenditure of those funds is for CPA-eligible uses. Therefore, it is recommended that CPA appropriations to these trust funds be tracked separately from monies generated from other sources to ensure proper accountability of CPA funds.

If the concern is accountability, the CPC could use a system of grant agreements to provide blocks of funding to the Affordable Housing Trust, e.g., a block of funding to develop group homes, leaving it to the Trust to work with group home non-profits to secure sites for special needs housing. However, to require the Affordable Housing Trust to apply to the CPC for funding essentially defeats the purpose of having a housing trust. BOS needs to get on board.

Strategy: Town-Owned Land Study

Principle: Maximize the affordable housing benefits of developing Town-owned land.

Compared with organizations like the Nantucket Land Bank Commission, the Town of Nantucket is a relatively small landowner. The Town should consider creating an asset management plan that includes policies for identifying surplus property and disposing of it for various purposes, including for public benefits like affordable housing. A planning study could be conducted to confirm the Town’s existing inventory, identify potential future needs for property to serve municipal and other public purposes, and create a policy with decision criteria for disposition by bid (highest price), for public benefits (price is irrelevant), or for unique conditions such as land swaps.

Strategy: Tax Incentives

Principles:

Whenever possible, the supply of affordable housing should be increased through redevelopment of

disturbed sites, adaptive reuse of non-residential structures, or conversion of existing residential properties to multiple dwellings.

Subsidies should be made available to rental developments in exchange for deeply affordable units for households with incomes below 50 percent AMI.

There is growing interest in Massachusetts (and beyond) in using local government tax policy as a mechanism for creating affordable housing. While there are very few models available, a few cities have established tax incentive programs and recently, the Town of Amherst secured passage of a home rule petition with broad powers to allow special incentives and tax increment financing agreements (TIF) for production of affordable units. (See Appendix G.) Nantucket should consider the potential instituting a similar approach and target it to encourage sustainable projects that can be difficult to carry out, e.g., redevelopment/reuse projects or intensification of existing uses, or to encourage development of employer-assisted housing. Another option is to provide property tax exemptions to owners who rent units to low- or moderate-income households, similar to a program that has existed in Provincetown for several years. (See Appendix H.)

Strategy: Energy Efficiency and Housing Affordability

Principle: Wherever possible, the Town should establish partnerships for affordable housing and encourage others to do the same.

In 2012, the Town of Nantucket founded an Energy Office, which provides information on free energy audits through the Mass Save program and other opportunities for local residents and businesses to save energy and energy related costs. The Town should promote partnerships with its Energy Office wherever possible to provide assistance and information on decreasing energy usage and costs. Several opportunities could be pursued. For example:

- The Energy Office could be involved in the development of a home repair small grant program and the First-time Homebuyer Program, which should provide all applicants with information on energy conservation tips and free energy audits.

- With funds from the Town, the Affordable Housing Trust could support a home repair grant program. The program could provide technical assistance from the Energy Office and make small grants available to eligible homeowners for needed repairs, including energy efficiency upgrades or renewable energy systems.

FAIR HOUSING AND AFFORDABLE HOUSING

Strategy: Reducing the potential for disparate impact on protected classes

Principle: Recognize local government's responsibility for fair and affordable housing in Nantucket, and lead by example

All communities need to pay attention to fair housing concerns, in part because of HUD's new Affirmative Furthering Fair Housing regulations and especially because of the "disparate impact" case, *Texas Housing and Community Development v. Inclusive Communities Project, Inc.* Nantucket should develop and adopt affirmative fair housing policies to guide the use of Town-owned resources (land, buildings, or funding) in order to ensure non-discrimination against groups protected under the federal Fair Housing Act, e.g., families with children and people with disabilities. The Town could embrace a policy similar to that recently adopted by state (providing for a minimum percentage of three-bedroom units in any given development), or consider other policies such as making it a priority to fund group homes and "safe houses" for people recovering from addiction. Similarly, the Town could explore options for developing a subsidized assisted living residence to help low-income seniors who need some assistance with medications, meals, and housekeeping but do not need the advanced (and costly) level of care provided by nursing homes.

CAPACITY FOR DEVELOPMENT, EDUCATION, AND ADVOCACY

Strategy: Leadership from the Top

Principle: Recognize local government's responsibility for fair and affordable housing in Nantucket, and lead by example.

The Zoning Board of Appeals (ZBA) has exclusive authority to approve or deny Chapter 40B comprehensive permits. Chapter 40B was enacted in 1969 at a time when throughout the state, the ZBA was only town board that could grant special permits and variances, so it made sense to give ZBAs authority for comprehensive permits as well. However, in 1969 local governments did not play any role in creating affordable housing except through their own housing authorities or redevelopment authorities. The notion that municipalities might provide funding to create low- or moderate-income housing or work as partners with affordable housing developers was barely on the horizon at the end of the 1960s, other than in a handful of progressive towns like Lincoln, Massachusetts.

Since 1969, the roles and responsibilities of cities and towns have changed considerably. Many functions that seem ordinary or essential today did not exist in 1969, e.g., a Council on Aging, a Youth Commission or Human Services Department, or a municipally operated visitor services office. The Nantucket Historic District Commission was not created until 1970, and while Nantucket had a Conservation Commission as early as 1963, the authority of conservation commissions has changed considerably since then. In recent years, numerous Massachusetts towns have created a part-time or full-time Housing Coordinator position to help people who need affordable housing and to monitor compliance with affordable housing restrictions, but no community anticipated that one day it would be playing an activist role in affordable housing. At best, communities knew in 1969 that the legislature had imposed more permitting responsibilities on them and in many cases, they resented their new-found powers.

By the mid-1980s, it had become clear that local governments had to mobilize for affordable housing development and not simply wait for the arrival of comprehensive permit applications. Over time, other municipal officials have taken on new duties and learned the value of collaboration for affordable housing. The economic development and social consequences of failing to have adequate affordable housing have become clear to most communities, and it is obvious that many groups in Nantucket understand this as well. Indeed, many Nantucket residents seem to understand because without broad public knowledge of the town's housing crisis, it would have been difficult to secure passage of **Article 82**. Still, it is not

clear that a culture of support for affordable housing has been institutionalized within Nantucket's town government. The delayed disposition of the Fairgrounds Road property, constraints placed on the Affordable Housing Trust's powers and duties, the absence of a professionally staffed Housing Office despite the existence of a widely recognized housing crisis, and the unpredictability of funding for affordable housing all point to the challenges of moving Nantucket forward with a comprehensive approach to affordable housing.

TRAINING AND EDUCATION RESOURCES

The Board of Selectmen can help by providing leadership and support for meeting the island's housing needs. For example, the Board recently made housing on Nantucket a core issue to be addressed in a strategic plan for the Town, and they have also supported the Affordable Housing Trust's efforts to complete this Housing Production Plan. The Board could also play an instrumental role in building consensus among groups that need to work together to increase the supply of affordable housing in Nantucket. On a going-forward basis, the Town should pursue affordable and fair housing training resources for the Board of Selectmen and other policy-level bodies such as the Planning Board. The following non-profit advocacy and education organizations provide affordable housing training and technical assistance for local officials:

- Enterprise Community Partners
- Local Initiatives Support Corporation
- Massachusetts Housing Partnership

LOCAL INITIATIVES: REQUEST FOR EXPRESSIONS OF INTEREST

An activity that could be taken on by the Board of Selectmen involves recruiting affordable housing developers to partner with the Town. Following the lead of communities like Newton and Shrewsbury, Nantucket could issue a "Request for Expressions of Interest" (also known as RFI) to solicit proposals from for-profit and non-profit developers that want to create affordable units. Through the RFI process, Nantucket could identify the "most desired" components of an affordable housing proposal and invite developers and property owners to submit ideas. Of course, the RFI has to be grounded in reality or it will not work, but if done properly, the RFI can be an effective tool for engaging developers to work with the

Town. Developing the RFI should be led by the Selectmen in consultation with the Planning Board and Affordable Housing Trust.

COMPREHENSIVE PERMIT GUIDELINES

Some communities have had success with developing comprehensive permit **guidelines**. Unlike comprehensive permit rules and regulations adopted by the Board of Appeals, project guidelines are policy based. Developing project guidelines should be led, ideally, by the Planning Board or a joint Planning Board-Board of Selectmen effort, as was the case in the Town of Acton. Through guidelines, the Town can identify the criteria Nantucket wants affordable and mixed-income housing developments to meet; for conforming proposals, the Board of Selectmen could expedite the process of providing Project Eligibility comments to MassHousing or MHP.

Although guidelines cannot tie the hands of the ZBA during the comprehensive permit process, the presence of guidelines can be very helpful to the ZBA in its review of development applications. Anything that can be done to streamline the permitting process under Chapter 40B could be seen as very attractive to developers. Moreover, if guidelines compliance was made one of the rating criteria the Affordable Housing Trust uses to evaluate funding requests, the Town would have an extra incentive to offer to prospective developers.

Strategy: Development Partnerships

Principle: Wherever possible, the Town should establish partnerships for affordable housing and encourage others to do the same.

Existing efforts to work with the Land Bank and others to collaborate, wherever possible, to address mutual needs should be continued and expanded. There are many examples of housing-open space alliances in Massachusetts, most notably the Town of Lincoln, a nationally recognized leader in forging partnerships between land conservation and development. In addition, Nantucket should encourage a working partnership between Housing Nantucket (for example) and an experienced non-profit or for-profit developer with a track record for "friendly" mixed-income housing developments in other communities. Some examples of potential non-profit partners include Neighborhood of Affordable Housing (NOAH) or The Community Builders in Boston, Housing

Assistance Corporation of Cape Cod in Hyannis, or MetroWest Collaborative Development in Newton. Nantucket needs local, experienced development capacity to create SHI-eligible housing. It is a critical missing piece in the affordable housing “toolbox” and essential for the success of local housing initiatives. The entity for doing so could be Housing Nantucket or a community development organization that is formed specifically for this purpose.

Strategy: Affordable Housing Trust

Principle: Provide regular, predictable funding for creating and preserving affordable housing and empower the Affordable Housing Trust to perform the functions it is authorized to perform by state law

In order to carry out the strategies included in this Housing Production Plan, it will be important for Nantucket to build its capacity to promote and carry out affordable housing development and monitor and enforce affordable housing deed restrictions. Having capacity includes gaining access to greater resources – both financial and technical – as well as building local political support, developing partnerships with public and private developers and lenders, and creating and augmenting local organizations and systems that will support new housing production. This Housing Production Plan incorporates an organizational structure for implementing the strategies and continued oversight of housing policy and initiatives in Nantucket. The Affordable Housing Trust should have a leading role in many of these strategies.

STATUTORY PURPOSE AND POWERS

At the 2009 Annual Town Meeting, Nantucket voted unanimously to accept G.L. c. 44, §55C and establish the Nantucket Affordable Housing Trust (Trust). Per G.L. c. 44, §55C, the statutory purpose of the Trust is “. . . to provide for the creation and preservation of affordable housing in municipalities for the benefit of low- and moderate-income households.” The statute also includes sixteen specific powers granted to the Board of Trustees (Board) that require no further action or authorization from other municipal bodies (including Town Meeting and Board of Selectmen). The key powers are briefly summarized as follows:

- Accept and receive real property, personal property, or money, by gift, grant, or contribution including money, grants, and Community Preservation Act funds.

- Purchase and retain real or personal property, including investments.
- Sell, lease, convey, etc. any personal, mixed, or real property at public auction or by private contract.
- Execute deeds, assignments, transfers, etc., related to any transaction of the board for the accomplishment of the purposes of the Trust.
- Employ advisors and agents, such as accountants, appraisers, and lawyers.
- Borrow money and mortgage and pledge trust assets as collateral.
- Manage or improve real property.
- Abandon any property the Board deems appropriate.

TRUST’S MISSION

The Trust’s mission is “to provide for the creation and preservation of affordable housing in the Town of Nantucket, preferably in perpetuity, as a general policy, but subject to exceptions where it is practicable and reasonable to do so, for the benefit of year-round low and moderate income households who would otherwise have difficulty financial or otherwise, locating housing on Nantucket.”

SOURCE AND USES OF TRUST FUNDS

The Trust has generated revenue from two awards of Community Preservation Act Funds. The first award was in 2010 for \$525,789 for the “creation of affordable housing in numerous ways.” The second award was in 2012 for \$160,000 for the construction of two dwelling units at 7 Surfside Road.

In 2010, the Trust funded the property acquisition at 7 Surfside Road, which was developed with a single-story one-bedroom dwelling unit. The Board vetted a variety of plans including increasing density of the site with multiple units and ultimately decided to issue a Request for Proposals (RFP) in 2014 for the acquisition and continued management of the site for affordable housing purposes. The Board awarded the property to Housing Nantucket, a private, non-profit organization, for \$1. Originally Housing Nantucket proposed to create four units on the site, but the project has changed and it now consists of only two units. There may be an opportunity to create three additional units at 7 Surfside Road under current

zoning if the Housing Trust can attract another partner.

ELIGIBLE USES OF TRUST FUNDS & LEGAL CONSIDERATIONS

Uses of Trust funds must comply with the statutory purpose of the Trust – the creation and preservation of affordable housing for the benefit of low- and moderate-income households. The following briefly summarizes eligible activities for creation and preservation – for a more detailed description and examples, please refer to the Massachusetts Housing Partnership’s *Municipal Affordable Housing Trust Operations Manual* (MHP Manual).

Creation. Activities to create, or produce, affordable housing include the following:

- New construction of affordable housing
- Rehabilitation of existing buildings to convert to affordable housing (could include conversion of surplus town buildings, such as surplus schools or libraries, or privately-owned buildings, such as former churches)
- Purchase of existing market rate residential units, rehabilitation if necessary for health and safety purposes, and resell as affordable housing
- Establish homebuyer assistance program to convert market rate units to affordable units

Preservation. Preservation of affordable units refers to initiatives to perpetuate existing affordable units in light of restrictions that would otherwise expire. Preservation is sometimes also described as physically preserving the condition of existing affordable units, however it is unclear if this is the intent of the statute. Note that CPA funds cannot be used for rehabilitation until the property was previously acquired or created using CPA funds.

Low- and Moderate-Income. Since the Trust statute does define the term “low- and moderate-income,” the MHP Manual advises Boards to use their judgment and consult other definitions commonly used in state and federal programs. It may be wise to consult with municipal counsel if the Board chooses to a definition that is not commonly used in state and federal program. It is unclear, for example, if the income limits that apply to the Nantucket housing needs covenants, which is defined as “middle income”

at less than 150 percent of Nantucket county median household income, would be eligible for Trust funds.

COMMUNITY PRESERVATION ACT AND THE TRUST

As it currently stands, the Board is viewed as a candidate to apply for CPA funds. In the past, the Board applied and received CPA funds twice (2010 and 2014). These funds were primarily used in relation to the 7 Surfside Road property acquisition and proposed development project. However, there are three primary models for CPA allocations to housing trusts in Massachusetts:

Model #1: Trust as housing arm of the CPC. CPA funds allocated for housing are included in annual budget to the Housing Trust. No annual application is necessary. CPC and Trust membership may overlap, which can increase regular communication and collaboration. This model has an expectation of standard designated percentage allocation of CPA funds to the Trust annually, which would consist of all intended CPA housing funds. Housing applicants would apply solely to the Trust.

Model #2: Hybrid. Standard Percentage Allocation and Ability for Additional Allocations. Trust budgeted to receive a standard % and applies for additional funding on as-need basis based on anticipated project or programs. CPC and Trust membership may or may not overlap in this model. Somerville is an example of this model where there CPC and Trust membership does not overlap but the Trust receives a percentage (roughly 45%) of CPA funds and Trust may request additional allocations, as needed.

Model #3. The Housing Trust submits an application to the CPC for CPA funds based on a specific project or program or an annual Trust budget that includes general Trust-initiatives anticipated. This model is most typical in smaller communities where housing activity is low. Developers can apply separately to the CPC and the Trust for local housing funds (with possibly little or no coordination between the CPC and Trust in reviewing the separate applications). The trust cannot rely on CPA funds as a consistent revenue stream, which creates uncertainty year-to-year.

TRUST CAPACITY

Staffing Support. The Trust has administrative support from the one of the Administrative Specialists in the Town’s Planning and Land Use Services De-

Town housing efforts should be coordinated to reduce redundancies and increase the efficiency and effectiveness of local initiatives. The CPC and the Trust are two arms of the same body – the Town of Nantucket – and all municipal efforts to address local affordable housing needs should be integrated and coordinated to achieve the best results.

partment. In addition, the Director of Planning provides professional support on an as-needed basis. The part-time Housing Coordinator also serves on the Housing Trust.

SCOPE OF WORK AND APPROACH

The consultant team worked with the Board to conduct a two-part prioritization process to gather the Board members' opinions about where the Trust is succeeding or failing, and what direction it should take in the future to achieve the Trust's mission.

BOARD SURVEY IN DECEMBER 2015

The first part, conducted in December 2015, was a survey consisting of two parts. The first question, "How well have these Trust-funded initiatives addressed local housing needs?", asked respondents to consider how the Trust's use of funds has supported local housing efforts. The second question asked, "How important is it for that the Trust continue to pursue these initiatives?"

Past initiatives the Board ranked highest for addressing local housing needs:

1. Development of housing at 7 Surfside Road
2. Acquire real property for new housing
3. Create in-law apartments with affordability restrictions
4. Matching funds under the Housing Innovations Fund (HIF)

Initiatives the Board indicated as most important to pursue:

1. Acquire real property for new housing
2. Rehab public/private property to convert to affordable units (mixed income)

3. Develop multi-family housing at Fairgrounds Road site
4. Homebuyer program
5. Preserve expiring use properties
6. Convert non-residential properties to affordable housing

BOARD DISCUSSION EXERCISE IN FEBRUARY 2016

Board members at the February 19, 2016 Trust meeting participated in a discussion exercise that tied into the consultants' presentation tips to work on things that matter, support good projects, and clarifying the trust's role in relation to other housing entities.

First the Board discussed the six priority initiatives identified through the survey in December and answered the following questions:

- What opportunities, barriers, and compromises might be presented through each of these initiatives?
- If you could only focus on three of these initiatives, which three might be most effective to address local housing needs?
- The Board also discussed the following questions:
- What criteria should the trust consider when selecting initiatives to fund?
- How could the trust be best positioned to advance effectiveness of local housing initiatives and avoid redundancies? Put another way, how the trust can either fill an unmet need or reinforce/expand the work already being done by others?

The results of the Board's discussions indicated support to prioritize funding for projects that create units to count on the state's Subsidized Housing Inventory through the following priority initiatives:

- Continue to advocate for development at 4 Fairgrounds Road and utilize Trust funds to support the development, if needed.
- Foster projects on private land that do not require property acquisition, such as buy-down of units in private development projects.
- Establish a homebuyer program to convert existing market-rate houses to affordable houses.

STRATEGIC ASSETS

The Trust has great potential to be an effective advocate for local affordable housing initiatives and make measurable gains in the production of affordable housing.

- Revived Board of Trustees with new membership with deep roots in the Nantucket community and highly relevant skills and experience
- Town staffing support including clerical staff and the planning director
- The island's housing needs are well documented
- Available funding sources include the CPA and other Town funds

STRATEGIC CHALLENGES

The Trust also faces significant challenges to effectively advocate for local affordable housing initiatives and make measurable gains in the production of affordable housing.

- The Trust has limited capacity - lacking dedicated professional planning staff and a consistent revenue stream.
- The extensive affordability gap and extent of housing needs on Nantucket presents significant challenge for all entities working to achieve housing affordability on the island.

ACTIONS TO BUILD THE NAHT'S CAPACITY

Based on the Board's analysis of its strategic challenges and assets through this process and the key findings of the housing needs assessment:

- **Review the Trust's mission and create a strategic action plan.** The Board could benefit from creating a strategic action plan that engages Town officials and the broader community in helping the Board review its mission, identify goals and priority initiatives, and refine understanding of its role. A strategic action plan can organize and guide the Board's efforts to best achieve priority initiatives and would include an implementation plan and a multi-year budget.
- **Focus Trust funds to address documented housing needs.** When formulating a strategic action plan, it will be important to base the plan on documented housing needs. As is well documented in this Housing Production Plan (which is based on the 2015 Workforce Housing Needs Assessment), Nantucket's most critical housing needs are for rental units affordable for very low-income households (at or below 50 percent AMI) and year-round rental units at all market levels. Low-income and middle-income homeowners need assistance with homeownership costs, too.
- **Clarify and strengthen the role of the Board of Trustees.** Especially with regard to its role with the CPC, the Board should work to clarify its role within the Town. Town housing efforts should be coordinated to reduce redundancies and increase the efficiency and effectiveness of local initiatives. The CPC and the Trust are two arms of the same body – the Town of Nantucket – and all municipal efforts to address local affordable housing needs should be integrated and coordinated to achieve the best results. The Board and CPC should work together to determine an appropriate approach for allocation of CPA funds to the Trust – as explained above, there are three primary models that other communities have adopted that can help to guide discussions. Developing a strategic action plan can help foster such discussion and consideration.

SOURCES OF FUNDS & FINANCIAL SUSTAINABILITY.

The Trust would benefit from a regular and reliable source of revenue. Unless the legislature approves Nantucket's home rule petition or the Town agrees to provide annual allocations of local revenue, the most likely and readily-available source for housing is Nantucket's CPA funds. The CPC and Trust should

work together to reexamine the apportionment of funds committed to affordable housing initiatives under the Community Preservation Act. Nantucket Town Meeting has also voted to pursue special legislation for a “housing bank,” similar to the Nantucket Land Bank, so the Town can collect a transfer fee on property sales over \$2 million. Furthermore, Town Meeting supported a capital request for \$1 million for affordable housing activities, also to be administered by the NAHT.

In addition to ensuring a regular and reliable source of revenue, the Board should consider allocating its funds as an interest-free repayable loan or shared-equity agreement to strengthen long-term financial sustainability of the trust. Such repayable loans could be used for short-term financing for acquisition or development soft costs or longer term gap financing, which can help leverage state, federal, and private money. A shared-equity agreement is an arrangement that allows the Trust to share profit in a project if above a stated-threshold. For example, the Groton Affordable Housing Trust contributed \$400,000 to a development of affordable housing and executed an Investor Agreement that entitles the trust to receive 33.3 percent of any project profit.

Each funding source has restrictions and requirements for uses of funds. Certain programs and projects may not be eligible under all funding programs. Also, the Board must account for its use of funds by original funding source and must be prepared to demonstrate that the funds were used in compliance with the requirements of each funding source.

BOARD TRAINING

A housing trust, as a municipal body, is subject to procurement, designer selection, and public construction laws as well as the state and federal fair housing laws, state’s Open Meeting Law, Conflict of Interest Law. The Board should have a high degree of familiarity with these various laws to ensure compliance and understanding of various nuances of the laws. For example, regarding the state’s procurement laws, G.L. c.30B regulate real property disposition, lease, or acquisition, however CPA-funded acquisitions (not dispositions) are exempt from c.30B s.16 provisions. The Board member could benefit from training either by bringing in expert guest speakers to Board meetings and/or sending members to the various trainings offered regularly throughout the state such as those offered by the Citizen Planner

Training Collaborative, MA Department of Housing and Community Development, Massachusetts Housing Partnership, Massachusetts Association of Planning Directors, and the like.

STRATEGIC MANAGEMENT

The Board’s regular meetings will naturally be mostly focused on immediate responsibilities and achieving next steps on current initiatives. Strategic planning and management requires dedicated time where achievement of longer-term goals and objectives can receive regular attention. Toward this aim, the Board should will hold biannual strategic planning meetings per year, where the majority of the agenda is devoted to evaluating progress toward meeting Trust goals and developing implementation plans to stay on track.

STRIVE FOR AN EARLY SUCCESS

The Board has recently been reconstituted with many new members. To help build momentum, it will be important for Board to strive for an early success as a way to demonstrate its effectiveness in furthering local affordable housing initiatives. If such a first success could be tied directly to the Board’s efforts rather than an ongoing project, this may bolster the Board’s demonstration of effectiveness.

If the Board adopts this strategic approach, it would continue to advocate for development at 4 Fairgrounds Road and possibly utilize some Trust funds to support its development, if needed, but would focus its energy on an initiative that it can spearhead directly. Two possible initiatives that Board members prioritized in its recent work with the planning consultants for this Housing Production Plan may present possibilities for an early success:

- Foster projects on private land that do not require property acquisition, such as buy-down of units in private development projects. For example, allocate trust funds to lower the price of units that are proposed to be affordable to households at 70-80 percent AMI to a price affordable to households below 50 percent AMI.
- Establish a homebuyer program to convert existing market-rate houses to affordable houses.

Note that each of these ideas may pose issues that could hamper success: 1) Buying down units in private development projects substantially relies on timing of the opportunity as well as receptiveness from the

developer and 2) A homebuyer program is likely to be cost-prohibitive given the Nantucket's housing prices. However, there are active comprehensive permit applications before the Zoning Board of Appeals and it is possible that buying down proposed affordable units in a pending proposal may pose an opportunity for the Board's immediate consideration. The Board should give serious consideration of these and possibly alternative/additional initiatives to undertake as part of a five-year strategic action plan.

ESTABLISH FUNDING THRESHOLDS AND UNDERWRITING CRITERIA

To lay a foundation for the Trust to become an essential resource for addressing the need for affordable housing on Nantucket, the Board should adopt funding thresholds and underwriting criteria to ensure that its limited resources are utilized in the most effective manner possible.

Funding Thresholds. The purpose of funding thresholds is to guide the Board's evaluation of potential initiatives to fund and help in its deliberations. Note, the following thresholds roughly follow the state's Affordable Housing Trust Fund thresholds in concept, but these have been tailored to local circumstances and housing needs.

Consistency with Nantucket's Community Development and Preservation Goals, e.g., Nantucket Master Plan, Housing Production Plan, Workforce Housing Study, and other relevant community plans and policies.

Consistency with Fair Housing. Allocation of Trust funds will be limited to initiatives that affirmatively encourage equity, promote housing choice, enhance mobility, and promote greater opportunity.

Term of Affordability. Strive to produce affordable housing with an affordability term for as long as possible under the law and given the realities of the nature of projects/initiatives. For example, a homeownership project that utilizes the state's Universal Deed Rider would be affordable in perpetuity, whereas a buy-down of rental units in a private development project is likely to have a fixed term for a specified number of years (for example, 30 years).

Targeted Affordability. Consider targeting the use of Trust funds to address Nantucket's most critical housing needs – namely, production of rental units affordable to households at or below 50% AML.

Financial Feasibility. Each Trust funded initiative should be evaluated with respect to financial feasibility, however consider flexibility to allow for the Trust funds to be used as the first dollars in on a case-by-case basis when demonstration of local support is beneficial at early stages of a project.

Leveraging Trust Funds. Although, the Trust funds may sometimes be used as first dollars, it is critical to prioritize funding for initiatives that demonstrate substantial leveraging of trust funds with other public and/or private funds to ensure Trust funds have maximum impact to address Nantucket's housing needs.

Regeneration of Trust Funds. Give preference to funding structures that will help to regenerate Trust funds to ensure long-term viability of the trust and expand its financial capacity to have maximum impact. Such mechanisms to consider include short-term loans, longer-term gap financing loans, and shared-equity agreements.

UNDERWRITING CRITERIA

The Board should adopt underwriting criteria for trust-funded development initiatives to ensure the Board appropriately fulfills its fiduciary responsibility as trustees of the trust. Standard underwriting criteria includes: maximum award amounts, approval of permits and any other government approvals, award terms, maximum developer and contractor profits and overhead, etc.

ADVOCACY ROLE

In addition to fostering initiatives to create or preserve affordable housing, the Board should advocate for creation and preservation of affordable housing on Nantucket and inform town official, residents, business owners, and the general public about the need for affordable housing and its community benefits. This could include advocacy and support for the Town's potential project on the Fairgrounds Road property as well as other projects and initiatives that meet local affordable housing needs.

APPENDIX

APPENDIX A: GLOSSARY

Affirmative Fair Housing Marketing Plan (AFHMP). A plan that meets the fair housing and non-discrimination requirements of the Department of Housing and Community Development (DHCD) for marketing affordable housing units. The plan typically provides for a lottery and outreach to populations protected under the federal Fair Housing Act of 1968, as amended. The plan must be designed to prevent housing discrimination on the basis of race, creed, color, national origin, sex, age, disability, familial status, sexual orientation, gender identity, or any other legally protected class under state or federal law.

Affordable Housing. As used in this report, “affordable housing” is synonymous with low- or moderate-income housing, i.e., housing available to households earning no more than 80 percent of area median income at a cost that does not exceed 30 percent of their monthly gross income.

Affordable Housing Restriction. A contract, mortgage agreement, deed restriction or other legal instrument, acceptable in form and substance to the Town, that effectively restricts occupancy of an affordable housing unit to a qualified purchaser or renter, and which provides for administration, monitoring, and enforcement of the restriction during the term of affordability. An affordable housing restriction runs with the land in perpetuity or for the maximum period allowed by law. It should be entered into and made enforceable under the provisions of G.L. c. 184, §§ 31-33 or other equivalent state law.

Affordable Housing Trust. The mechanism used to account for and report revenues and expenditures for affordable housing, including but not limited to Community Preservation Act (CPA) receipts and other affordable housing funding sources.

Area Median Income (AMI). The median family income, adjusted for household size, within a given metropolitan or non-metropolitan area, updated annually by HUD and used to determine eligibility for most housing assistance programs. For Nantucket, AMI is based on the Nantucket County Median Income.

Article 82. A home rule petition approved by Nantucket Town Meeting in 2016 to collect a transfer fee on real estate transactions and dedicate the revenue to affordable housing development.

Chapter 40A. G.L. c. 40A, the state Zoning Act. The current version of the Zoning Act was adopted in 1975 (1975 Mass. Acts 808).

Chapter 40B. G.L. c. 40B, § 20-23 (1969 Mass. Acts 774), the state law administered locally by the Board of Appeals in order to create affordable housing. It provides eligible developers with a unified permitting process that subsumes all permits normally issued by multiple town boards. Chapter 40B establishes a basic presumption at least 10 percent of the housing in each city and town should be affordable to low-

or moderate-income households. In communities below the 10 percent statutory minimum, affordable housing developers aggrieved by a decision of the Board of Appeals can appeal to the state Housing Appeals Committee, which in turn has authority to uphold or reverse the Board's decision.

Chapter 40R. G.L. c. 40R (2004 Mass. Acts 149, s. 92), a state law that provides for overlay districts with variable densities for residential development and multi-family housing by right (subject to site plan review). At least 25 percent of the units in a Chapter 40R district have to be affordable to low- or moderate-income people.

Chapter 44B. G.L. c. 44B (2000 Mass. Acts 267), the Community Preservation Act, allows communities to establish a Community Preservation Fund for open space, historic preservation, and community housing by imposing a surcharge of up to 3 percent on local property tax bills. The state provides matching funds (or a partial match) from the Community Preservation Trust Fund, generated from Registry of Deeds fees.

Comprehensive Permit. The unified permit authorized by Chapter 40B for affordable housing development.

Community Development Block Grant (CDBG). Under the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5300 et seq.), the U.S. Department of Housing and Urban Development (HUD) makes funds available each year for large cities ("entitlement communities") and each of the fifty states (the Small Cities or "non-entitlement" program). CDBG can be used to support a variety of housing and community development activities provided they meet one of three "national objectives" established by Congress. Housing activities are usually designed to meet the national objective of providing benefits to low- or moderate-income people. Funds may be used for housing rehabilitation, redevelopment of existing properties for residential purposes (in some cases), making site improvements to publicly owned land in order to support the construction of new housing, interest rate and mortgage principal subsidies, and downpayment and closing cost assistance. As a "non-entitlement community," Nantucket has received CDBG funds in the past from DHCD and can only do so again by submitting a competitive application in the future. It could be an advantageous mechanism for code enforcement. The state program is guided by a five-year Consolidated Plan and One-Year Action Plans required by HUD.

Community Housing. As defined under Chapter 44B, "community housing" includes housing affordable and available to (a) households with incomes at or below 80 percent AMI and (b) between 81 percent and 100 percent AMI.

Community Preservation Act. Chapter 44B. G.L. c. 44B (2000 Mass. Acts 267) allows communities to establish a Community Preservation Fund for open space, historic preservation, and community housing by imposing a surcharge of up to 3 percent on local property tax bills. The state provides matching funds (or a partial match) from the Community Preservation Trust Fund, generated from Registry of Deeds fees.

Comprehensive Permit. The unified permit authorized by Chapter 40B for affordable housing development.

Department of Housing and Community Development (DHCD). The state's lead housing agency, originally known as the Department of Community Affairs (DCA). DHCD oversees state-funded public housing and administers rental assistance programs, the state allocation of CDBG and HOME funds, various state-funded affordable housing development programs, and the Community Services Block Grant (CSBG) Program. DHCD also oversees the administration of Chapter 40B.

Extremely Low Income. See Very Low Income.

Fair Housing Act (Federal). Established under Title VII of the 1968 Civil Rights Act, the federal Fair Housing Act prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), sexual orientation, gender identity, and disability.

Fair Housing Law, Massachusetts. G.L. c. 151B (1946), the state Fair Housing Act prohibits housing discrimination on the basis of race, color religious creed, national origin, sex, sexual orientation, age, children, ancestry, marital status, veteran history, public assistance reciprocity, or physical or mental disability.

Fair Market Rent (FMR). A mechanism used by HUD to control costs in the Section 8 rental assistance program. HUD sets FMRs annually for metropolitan and non-metropolitan housing market areas. The FMR is the 40th percentile of gross rents for typical, non-standard rental units occupied by recent movers in a local housing market. (See 24 CFR 888.)

Family. Under the Federal Fair Housing Act (FFHA), family includes any of the following:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
- (2) A group of persons residing together, and such group includes, but is not limited to:
 - (a) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - (b) An elderly family;
 - (c) A near-elderly family;
 - (d) A disabled family;
 - (e) A displaced family; and
 - (f) The remaining members of a tenant family.

Gross Rent. Gross rent is the sum of the rent paid to the owner plus any utility costs incurred by the tenant. Utilities include electricity, gas, water and sewer, and trash removal services but not telephone service. If the owner pays for all utilities, then gross rent equals the rent paid to the owner.

Group Home. A type of congregate housing for people with disabilities; usually a single-family home.

Household. One or more people forming a single housekeeping unit and occupying the same housing unit. (See definition of FAMILY)

Housing Appeals Committee (HAC). A five-member body that adjudicates disputes under Chapter 40B. Three members are appointed by the Director of DHCD, one of whom must be a DHCD employee.

The governor appoints the other two members, one of whom must be a city councilor and the other, a selectman.

Housing Authority. Authorized under G.L. 121B, a public agency that develops and operates rental housing for very-low and low-income households.

Housing Cost, Monthly. For homeowners, monthly housing cost is the sum of principal and interest payments, property taxes, and insurance, and where applicable, homeowners association or condominium fees. For renters, monthly housing cost includes rent and basic utilities (oil/gas, electricity).

HUD. See U.S. Department of Housing and Urban Development.

Inclusionary Zoning. A zoning ordinance or bylaw that encourages or requires developers to build affordable housing in their developments or provide a comparable public benefit, such as providing affordable units in other locations (“off-site units”) or paying fees in lieu of units to an affordable housing trust fund.

Infill Development. Construction on vacant lots or underutilized land in established neighborhoods and commercial centers.

Jobs-to-Housing Ratio. An indicator of the adequacy of employment and housing in a given community or area.

Labor Force. The civilian non-institutionalized population 16 years and over, either employed or looking for work.

Labor Force Participation Rate. The percentage of the civilian non-institutionalized population 16 years and over that is in the labor force.

Local Initiative Program (LIP). A program administered by DHCD that encourages communities to create Chapter 40B-eligible housing without a comprehensive permit, e.g., through inclusionary zoning, purchase price buydowns, a Chapter 40R overlay district, and so forth. LIP grew out of recommendations from the Special Commission Relative to the Implementation of Low or Moderate Income Housing Provisions in 1989. The Commission prepared a comprehensive assessment of Chapter 40B and recommended new, more flexible ways to create affordable housing without dependence on financial subsidies.

Low Income. As used in this report, low income means a household income at or below 50 percent of AMI. It includes the household income subset known as very low income.

Massachusetts Housing Partnership (MHP). A public non-profit affordable housing organization established by the legislature in 1985. MHP provides technical assistance to cities and towns, permanent financing for rental housing, and mortgage assistance for first-time homebuyers.

MassHousing. The quasi-public state agency that provides financing for affordable housing.

Mixed-Income Development. A residential development that includes market-rate and affordable housing.

- Mixed-Use Development.** A development with more than one use on a single lot. The uses may be contained within a single building (“vertical mixed use”) or divided among two or more buildings (“horizontal mixed use”).
- Moderate Income.** As used in this report, moderate income means a household income between 51 and 80 percent of AMI.
- Overlay District.** A zoning district that covers all or portions of basic use districts and imposes additional (more restrictive) requirements or offers additional (less restrictive) opportunities for the use of land.
- Regulatory Agreement.** An affordable housing restriction, recorded with the Registry of Deeds or the Land Court, outlining the developer’s responsibilities and rights
- Section 8.** A HUD-administered rental assistance program that subsidizes “mobile” certificates and vouchers to help very-low and low-income households pay for private housing. Tenants pay 30 percent (sometimes as high as 40 percent) of their income for rent and basic utilities, and the Section 8 subsidy pays the balance of the rent. Section 8 also can be used as a subsidy for eligible rental developments, known as Section 8 Project-Based Vouchers (PBV), which are not “mobile” because they are attached to specific units.
- Shared Equity Homeownership.** Owner-occupied affordable housing units that remain affordable over time due to a deed restriction that controls resale prices, thereby retaining the benefits of the initial subsidy for future moderate-income homebuyers.
- Single Room Occupancy (SRO).** A building that includes single rooms for occupancy by individuals and usually includes common cooking and bathroom facilities shared by the occupants.
- Subsidized Housing Inventory (SHI).** A list of housing units that “count” toward a community’s 10 percent statutory minimum under Chapter 40B.
- SHI-Eligible Unit.** A housing unit that DHCD finds eligible for the Subsidized Housing Inventory because its affordability is secured by a long-term use restriction and the unit is made available to low- or moderate-income households through an approved affirmative marketing plan.
- Subsidy.** Financial or other assistance to make housing affordable to low- or moderate-income people.
- Typical, Non-standard Rental Units.** A term that defines the types of rental units that HUD includes and excludes in establishing the FMR for each housing market area. The term excludes: public housing units, rental units built in the last two years, rental units with housing quality problems, seasonal rentals, and rental units on ten or more acres.
- U.S. Department of Housing and Urban Development (HUD).** The lead federal agency for financing affordable housing development and administering the Fair Housing Act.
- Very Low Income.** As used in this report, very low income is a household income at or below 30 percent of AMI. In some housing programs, a household with income at or below 30 percent of AMI is called extremely low income.

Workforce. People who work or who are available for work, either in a defined geographic area or a specific industry.

Workforce Housing. There is no single industry standard that defines “workforce housing.” HUD defines it as housing affordable to households earning between 80 and 120 percent of AMI. The Urban Land Institute has traditionally used the term “workforce housing” to describe units affordable to households with incomes between 60 and 100 percent AMI. Nantucket has adopted a broad range of incomes for the term “workforce housing,” from 60 to 150 percent AMI. In general, workforce housing is housing for people who work in a community and the pricing methodology should account for wages paid by local employers.

APPENDIX B. AFFORDABLE HOUSING TIMELINE: NANTUCKET

(Original from Nantucket Antheneum, 2015; Revised and Updated for HPP, 2016).

- **October 9, 1948** – Veterans’ Housing Authority (VHA) appointed
 - Elected: Charles P. Flanagan, John L. Hardy, Frank L. Hardy, Leroy A. Pease
- **February 12, 1949** – VHA officially active
 - Open call for veteran applications; 42 received
- **April 30, 1949** – VHA program under “rental-purchase” plan (MGL Ch. 372)
 - Tenants may purchase houses after five years of inhabitation
- September 30, 1950** – VHA housing project complete; open for public inspection
 - 9 units on Orange Street
- **December 8, 1956** – VHA announces liquidation of all 9 houses
- **February 15, 1958** – VHA final report released
 - 8 homes purchased by original tenants; 1 sold to public bidder
 - Program officially dissolved
- **March 17, 1969** – First Nantucket Housing Authority vote at annual town election
 - Elected: Charles R. Morris, Francis W. Pease, George E. Pinault, John K. Wilson
- **July 10, 1969** – Nantucket Housing Authority public meeting on elderly housing proposal
- **August 23, 1969** – Massachusetts enacts the Comprehensive Permit Act (Chapter 40B)
- **February 19, 1970** – Elderly housing project cancelled due to lack of qualified applicants
- **November 3, 1971** – Nantucket Development Corporation (NDC) formed
 - Announces plans for elderly and low-income housing
 - President: Kenneth W. Holgate
- **November 18, 1971** – NDC housing project meeting
 - 125-unit Tashama Farm development for elderly/low-income residents
 - To be funded through Massachusetts Housing Finance Agency
- **April 12, 1977** – Nantucket Housing Authority abolished at town meeting
 - Article 28 by a vote of 153-61
- **December 5, 1983** – New Housing Authority approved by vote at Town Meeting
- **February 21, 1985** – Housing Authority to receive \$570,000 grant
 - Part of the Massachusetts Comprehensive Housing Act of 1983

- **July 1985** – Applications accepted for new Academy Hill elderly housing development
 - 28 total units, 12 affordable elderly housing apartments
- **August 1, 1985** – Town land transferred to Housing Authority
 - 19.9 acres to be developed for elderly and family housing,
 - Miacomet Village
 - 15 acres at the former Navy Base in Tom Nevers, to be used by six lottery applicants as a part of self-help housing program
- **March 1986** – Landmark House elderly housing center opens to residents
 - Developed by Nantucket Community Services on Old Island Home property
 - Subsidized by the Farmers Home Administration (FmHA, terminated in 2006)
- **October 25, 1986** – Nantucket Housing Needs Conference
- **July 23, 1987** – Nantucket Planning Commission approves new Housing Partnership
 - Members from the Planning Board, Housing Authority, Historic District Commission, and Nantucket Commission Services
- **December 23, 1987** – Native American burying ground found on Miacomet Village building site
- **April 15, 1989** – Miacomet Village project dedication ceremony
- **August 8, 1996** – Ground breaking for additional 19 units behind Miacomet Village location
- **April 9, 2001** – Nantucket adopts Community Preservation Act (CPA)
 - Voluntary state legislation establishing a local community preservation fund; monies raised by a 3% property tax
 - 62% approval at annual Town Meeting
- **May 25, 2004** – Groundbreaking Ceremony for Nantucket Public Schools’ new teacher housing project
 - 12 affordable units on Cow Pond Lane
 - Managed by the Nantucket Education Trust Fund (Nantucket Housing Office assumes responsibility in 2007)
- **September 2, 2004** – Interfaith Council begins emergency rental assistance program
- **February 2007** – Lottery conducted for five of ten affordable homeownership units at Beach Plum Village
- **August 2007** – Abrem Quarry affordable 40B housing project complete
 - 28 units; originally proposed in 2001

- **April 23, 2009** – Nantucket named most expensive county for rentals
 - National Low Income Housing Coalition study
- **April 25, 2013** – “Quiet Crises”; rental housing shortage peaks
 - Seasonal and year-round rental shortage
 - Fair-market rental rates exceed those of Manhattan according to Department of Housing and Urban Development (HUD) statistics
- **April 30, 2015** – Housing Nantucket produces Workforce Housing Needs Assessment
- **June 2015** – Sachem’s Path Phase I affordable 40B housing project lottery
 - Two-phase, 36-unit development for first-time homeowners
 - Project originally proposed in December 2011
- **November 9, 2015** – Nantucket Town Meeting approves zoning amendments to provide additional density in exchange for an affordable housing requirement in the CN and R5 districts. These changes were made so that Richmond Great Point Development could pursue a mixed-income, mixed residential use development off Old South Road.
- **April 2015** – Completion of Sachem’s Path Phase I development.

APPENDIX C. MASTER PLAN IMPLEMENTATION: HOUSING AND LAND USE, 2009 – PRESENT

Compiled by Leslie Snell, Nantucket Planning and Land Use Services Department

June 6, 2016

2009 ATM Amendments

- Article 26 – adoption of the Master Plan, which is a ten-year document containing, among other things, a section on housing.
- Article 27 – inserted an allowance for up to four apartments within a commercial building by-right in the CDT, CMI, and CN zoning districts.
- Articles 32, 33, 34, 35, 36 – removed residential areas from a commercial zoning district (RC-2) and placed them in a residential district (R-5) that allows detached dwelling units or duplexes.
- Article 41 – removed properties from the RC-2 district and placed them in the CN district, which allows apartments as approved in Article 27. The previous district allowed a maximum of two dwelling units per lot.

2009 STM Amendments

- Articles 10 and 15 – reduced the minimum age to live in an Assisted Living Community from 65 to 55 and excludes affordable housing, in addition to employee housing, from the total number of units allowed.

2010 ATM Amendments – nothing applicable

2011 ATM Amendments

- Article 48 – removed a soon to be vacant from a commercial district (RC-2) and placed it in a residential district allowing detached dwelling units or duplexes (R-5). Placed a portion of that same land in the CN district, which allows up to four apartments per lot by-right in addition to light commercial use. The previous district allowed a maximum of two dwelling units per lot.
- Article 57 – reduced the density of an existing residential area from essentially quarter acre zoning to eighth acre zoning. Provides potential for redevelopment of lots in that area for what would likely be year-round housing.
- Article 63 – expanded Bylaw provisions for secondary lots.

2012 ATM Amendments

- Article 37 – expanded the CDT district, which allows up to four apartments per lot by-right in addition to commercial use. The previous district allowed a maximum of two dwelling units per lot.
- Articles 41, 42, 43, 44 – removed residential areas from a commercial zoning district (RC-2) and placed them in a residential district (R-5) that allows detached dwelling units or duplexes.
- Article 46 – expanded the CN district, which allows up to four apartments per lot by-right in addition to commercial use. The previous district allowed a maximum of two dwelling units per lot.

2013 STM Amendments – nothing applicable**2013 ATM Amendments**

- Article 30 – expanded the apartment allowance to include the CTEC and CI districts.

2014 ATM Amendments

- Article 38 – expanded the CDT district, which allows up to four apartments per lot by-right in addition to commercial use. The previous district allowed a maximum of two dwelling units per lot.
- Article 42 – expanded the CN district, which allows up to four apartments per lot by-right in addition to commercial use. The previous district allowed a maximum of two dwelling units per lot.
- Article 45 – expanded the CN and CTEC districts, which allow up to four apartments per lot by-right in addition to commercial use. The previous district allowed a maximum of two dwelling units per lot.
- Article 50 – reduced density from half acre to quarter acre in a re-developing residential area.
- Article 51 – combination of reducing density (R-20 to R-5) and removing commercial use potential (RC-2 to R-5) to rezone an area to a high density residential district allowing detached dwelling units or duplexes (R-5).
- Article 63 – expanded Bylaw provisions for secondary lots.
- Article 66 – revised apartment definition to be more flexible about the location of the apartments within a commercial structure.
- Article 67 – inserted a new use “apartment building” allowing up to six dwelling units with a total of no more than eight bedrooms in the CN and VN districts by special permit.

2015 ATM Amendments

- Article 45 – removed residential areas from a commercial zoning district (RC) and placed them in a residential district (ROH).
- Article 61 – removed certain accessory dwelling restrictions in an effort to encourage more accessory units.
- Article 62 – inserted an allowance for a third dwelling unit on residential properties in the following zoning districts: R-5, R-10, R-20, R-40, LUG-1, LUG-2, and LUG-3.

2015 STM Amendments

- Article 1 – reduced density from half acre to eighth acre (R-20 to R-5), two acres to less than a quarter acre (LUG-2 to CN), and two acres to eighth acre (LUG-2 to R-5) in a residential area to provide for the redevelopment of existing vacant lots.
- Article 2 – inserted workforce homeownership housing bonus lots and workforce rental community bylaw provisions that allow substantial increased density. Workforce homeownership housing bonus lots must be eligible for approval as Local Action Units must restrict at least 25% of the units to households earning at or below 80% of the AMI. Workforce rental community must also restrict at least 25% of the dwelling units to households earning at or below 80% of AMI.

2016 ATM Amendments

- Article 34 – removed properties in the mid-island area from the RC district (identified to be phased out in the 2009 Master Plan) and placed them in the CMI district, which allows up to four apartments on a lot by-right in a district that formerly only allowed two dwelling units per lot. CMI also allows apartment buildings – up to six dwelling units – by special permit.
- Article 35 – removed properties in the mid-island area from the RC-2 district (identified to be phased out in the 2009 Master Plan) and placed them in the CMI district, which allows up to four apartments on a lot by-right in a district that formerly only allowed two dwelling units per lot. CMI also allows apartment buildings – up to six dwelling units – by special permit.
- Article 36 – inserted allowance for apartment buildings in the CMI district at a density of one dwelling unit for each 1,250 square feet of lot area.
- Article 39 – removed properties from a commercial zoning district (RC-2) and placed them in a combination of a residential district (R-5) that allows detached dwelling units or duplexes and a commercial district (CN) that allows commercial uses, apartments, and apartment buildings. RC-2 density allowed two dwelling units per lot. CN allows up to six, depending on lot size.
- Article 48 – reduced density in a year-round residential neighborhood from two acres to one acre. Will allow subdivision potential on some lots.
- Article 51 – expanded Bylaw provisions for tertiary dwellings.
- Article 52 – inserted a new use “tiny house unit” to be allowed in the same zoning districts as a tertiary dwelling. Essentially the same as a tertiary dwelling.
- Article 54 – expanded Bylaw provisions for secondary lots.
- Article 55 – removed income and asset restrictions for family members to qualify for the covenant program.

APPENDIX D. “SAFE HARBOR” STATUS THROUGH HOUSING PLAN CERTIFICATION

In 2002, the Massachusetts Department of Housing and Community Development (DHCD) created an incentive for cities and towns to take an active role in increasing the supply of affordable housing. By developing a plan that met DHCD’s requirements under the Planned Production program, communities could become eligible to deny a comprehensive permit for twelve (or possibly twenty-four) months if they implemented their housing plan by meeting a minimum annual low-income housing production target. The Planned Production program was overhauled in 2008, at which time the planning component became known as the Housing Production Plan. Nantucket obtained Housing Production Plan approval in 2009, but the plan expired in 2014.

To qualify for the flexibility that a DHCD-approved Housing Production Plan offers, Nantucket would need to create (through the issuance of permits and approvals) at least twenty-four new low- or moderate-income housing units (or an amount equal to or greater than the 0.50 percent production goal) in a given calendar year and obtain certification from DHCD that the Housing Production Plan standard had been met. Units eligible for the Subsidized Housing Inventory (SHI) will be counted for the purpose of certification in accordance with 760 CMR 56.03(2).

(2) Subsidized Housing Inventory.

(a) The Department shall maintain the SHI to measure a municipality’s stock of SHI Eligible Housing. The SHI is not limited to housing units developed through issuance of a Comprehensive Permit; it may also include SHI Eligible Housing units developed under

G.L. Chapters 40A, 40R, and other statutes, regulations, and programs, so long as such units are subject to a Use Restriction and an Affirmative Fair Marketing Plan, and they satisfy the requirements of guidelines issued by the Department.

(b) Units shall be eligible to be counted on the SHI at the earliest of the following:

1. For units that require a Comprehensive Permit under M.G.L. c. 40B, § 20 through 23, or a zoning approval under M.G.L. c. 40A or completion of plan review under M.G.L. c. 40R, the date when:
 - a. the permit or approval is filed with the municipal clerk, notwithstanding any appeal by a party other than the Board, but subject to the time limit for counting such units set forth at 760 CMR 56.03(2)(c); or
 - b. on the date when the last appeal by the Board is fully resolved;
2. When the building permit for the unit is issued;
3. When the occupancy permit for the unit is issued; or
4. When the unit is occupied by an Income Eligible Household and all the conditions of 760 CMR 56.03(2)(b) have been met (if no Comprehensive Permit, zoning approval, building permit, or occupancy permit is required.)

Requests for certification may be submitted at any time. DHCD will determine whether Nantucket complies within 30 days of receipt of the Town’s request. If DHCD finds that Nantucket complies with the Housing Production Plan, the certification will be deemed effective on the date upon which Nantucket achieved its numerical target for the calendar year, in accordance with the rules for counting units on the SHI under 760 CMR 56.03(2). The certification will remain in effect for one year from its effective date. If DHCD finds that

Nantucket has increased its number of SHI Eligible Housing units in a calendar year by at least 1 percent of its total housing units, the certification will remain in effect for two years from its effective date.

The certification process would allow Nantucket's Board of Appeals to deny a comprehensive permit for twelve months (or twenty-four months, as applicable), or continue to approve projects based on merit. However, if the Board decides to deny a comprehensive permit or impose conditions during the Housing Plan certification period, it must do so according to the following procedures. 760 CMR 56.05(3) and 56.03(8)

- Within fifteen days of opening the public hearing on a comprehensive permit application, the Board has to provide written notice to the applicant, with a copy to DHCD, that denying the permit or imposing conditions or requirements would be consistent with local needs, the grounds that it believes has been met (e.g., a Housing Plan certification is in effect), and the factual basis for that position, including supportive documentation.
- If the Applicant wishes to challenge the Board's assertion, it must do so by providing written notice to DHCD, with a copy to the Board, within fifteen days of receiving the Board's notice, and include supportive documentation.
- DHCD will review the materials provided by the Board and the applicant and issue a decision within thirty days. The Board has the burden of proving that a denial or approval with conditions would be consistent with local needs, but any failure of DHCD to issue a timely decision constitutes a determination in favor of the Town.
- While this process is underway, it tolls the requirement to complete the public hearing and final action within 180 days.

APPENDIX E. AFFIRMATIVE FAIR HOUSING MARKETING PLAN REQUIREMENTS

Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP)

Key Review Points

City/Town: _____		Reviewer: _____
Project Name: _____		Date of Review: _____
Address: _____		
RENTAL	OWNERSHIP	BOTH

Note: The checklist below is intended to assist with AFHMP review but does not replace the requirements of the DHCD AFHMP guidelines, available at <http://www.mass.gov/hed/docs/dhcd/hd/fair/afhmp.pdf> (see also section III of the DHCD Comprehensive Permit Guidelines at <http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>). The AFHMP guidelines must be consulted in their entirety.

DEVELOPER/CONTRACTOR INFORMATION:

Are the developer staff and contractor qualifications consistent with the Guidelines? YES NO

Did developer/contractor representative(s) certify that the AFHMP is consistent with the Guidelines?

YES O

MARKETING:

Will the application period run for at least 60 days? YES NO

Will advertisements be placed in local and regional newspapers? YES NO

If YES, which newspapers: _____

Will advertisements be placed in newspapers that serve minority groups and other protected classes? YES NO

If YES, which newspapers: _____

Will advertisements run at least two times over a 60-day period? YES NO

Are sample ads included? YES NO

Is marketing comparable in local, regional and minority newspapers? YES NO

If NO, explain: _____

Are outreach notices to be sent to local fair housing commissions? YES NO

To other local/regional religious institutions, housing authorities, social service agencies, nonprofits, etc?

YES NO

If YES, where: _____

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Is the outreach appropriate to the type of housing proposed (e.g., marketing to senior centers for elderly housing)?

YES NO Explain: _____

Are applications made available at public, wheelchair accessible locations including one that has some night hours?

YES NO

Does the advertisement and other marketing include a telephone number, including a TTY/TTD phone number, to call to request an application via mail? YES NO

Does the advertisement and other marketing indicate that applications may be submitted by mail, fax or e-mail?

YES NO

Does marketing include non-English publications? YES NO

If YES, which languages: _____

What s the basis for determining the languages? Explain: _____ Will available Metro Boston Area affordable units be reported to Metrolist? YES NO

Will available affordable and available accessible units be listed with MassAccess (CHAPA's Housing Registry)?

YES NO

Will available affordable ownership units be listed with MassAccess? YES NO

Will available affordable ownership units be listed with MAHA's lottery website? YES NO

Are air Housing logo and slogan included in all marketing materials? YES NO

Do applicant materials include a statement of the housing provider's obligation to not discriminate in the selection of applicants? YES NO

Do applicant materials state that persons with disabilities may request reasonable accommodations in rules, policies, practices or services or reasonable modifications in the housing? YES NO

Do informational materials provide notice of free language assistance to applicants, translated or to be translated into the languages of LEP populations anticipated to apply? YES NO

Does marketing refrain from describing characteristics of desirable applicants/residents (e.g., "for four persons only", "active lifestyle community," "empty nesters")? YES NO

If NO, explain: _____

Does marketing convey unlawful preferences or limitations (e.g., only white models)? YES NO

If YES, explain: _____

Does marketing include reference to local residency preferences? YES NO [NOTE: not permitted]

Does marketing indicate resident selection by lottery or other random selection procedure? YES NO

RESIDENT SELECTION:

Are copies of a sample application and information packets for potential applicants included and acceptable?

YES NO

Are info sessions scheduled to allow for maximum opportunity to attend (i.e., evenings, weekends, accessible location)? YES NO

Are the eligibility criteria consistent with the Guidelines? YES NO

Is resident selection based on a lottery? YES NO

If NO, is it based on a fair and equitable procedure (i.e., not “first come, first served”) approved by the subsidizing agency? YES NO Explain: _____

If a lottery to be utilized, will the lottery be held at a public, wheelchair accessible location? YES NO

Are the lottery procedures consistent with the Guidelines? YES NO

Is the community choosing to implement a local selection preference? YES NO

If YES, is the need for the local preference demonstrated consistent with the Guidelines? YES NO

Explain: _____

[NOTE: 70% local preference is maximum permitted but percentage must be justified based on documented local need]

Does the demonstrated need correspond to the housing type and eligibility criteria of the project? (e.g., wait list at another rental development used to demonstrate need is for apartments to be rented at similar rents and for residents at similar income levels) YES NO Explain: _____

Are all the proposed preference types consistent with the Guidelines? YES NO

Are the geographic boundaries of the local preference area smaller than the municipal boundaries? YES NO

[NOTE: not permitted]

Does the AFHMP include efforts to address potential discriminatory effects of a local selection preference (e.g., will minority applicants be moved into the local selection pool to ensure it reflects the racial/ethnic balance of the region and/or other efforts consistent with the Guidelines)? YES NO Explain: _____

Is the working preference the only local preference? YES NO

If YES, are persons with disabilities and/or 62 years of age or older that live in the community given the benefit of the preference? YES NO

Are there durational requirements for living or working in the community? YES NO [NOTE: Not permitted]

Are local preference units subject to different or more beneficial terms (e.g., reduced prices) than other affordable units? YES NO

If YES, explain: _____

Are household size restrictions and preferences consistent with the Guidelines? YES NO

Does the AFHMP provide persons with disabilities in need of accessible units first preference for such units?

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YES NO

Does the AFHMP address adaptable units consistent with the Guidelines? YES NO

Does the AFHMP provide for criminal background checks consistent with the Guidelines (e.g., not imposed prior to the lottery and consistent with DHCD model CORI policy)? YES NO

Does the AFHMP require any deposits or fees to be paid? YES NO

If YES, are they consistent with the Guidelines? YES NO

WAIT LISTS

After the lottery, are households that are not awarded a unit placed on a wait list in the order that they were drawn from the *general* pool? YES NO

For rental projects, is the procedure for ordering new applicants upon re-opening of the wait list based upon a random selection procedure after a minimum application period of no less than 10 business days? YES NO

If NO, explain: _____

Is there a procedure for wait lists that do not close, and does it address persons with disabilities consistent with the Guidelines? YES NO Explain: _____

Does the ongoing affirmative and general marketing/outreach materials provide explicit notice of the availability of reasonable accommodations in the application process and a corresponding telephone number? YES NO

For ownership projects, does the AFHMP include a method for ensuring continued compliance w/ the Guidelines upon resale? YES NO

OVERALL COMMENTS

APPENDIX F. DISPOSITION OF MUNICIPAL PROPERTY FOR AFFORDABLE HOUSING

As Nantucket already knows, local governments can create affordable housing by making town-owned land available for eligible projects. Properties disposed of for affordable housing can include underutilized public facilities, municipally owned land, or vacant, abandoned, and tax-delinquent private properties acquired through purchase or tax foreclosure. Land bank programs can strategically acquire and preserve multiple properties for affordable housing development. Land banking is one of the functions a municipal affordable housing trust can perform.

Following the procedures for real property disposition under G.L. c. 30B, § 16, a city or town may sell surplus property and prioritize the development of affordable housing. As a rule, municipalities are restricted from giving property to private individuals or offering it for less than fair market value. However, they can convey surplus property for less than market value if the property would be used for a public benefit purpose. Alternately, for publicly owned land in neighborhoods with increasing market demand or recent public investment, jurisdictions can sell land at market price to affordable housing developers before increases in value are realized in the price of the land.

Chapter 30B intends to serve two primary policy objectives: open, fair, competitive bidding and obtaining the best value for communities and other public agencies that are subject to the law. For these reasons, just about every procurement conducted by cities and towns involves some type of bid or proposal process that allows any interested party the opportunity to compete. Most towns today have enough experience with purchasing services and supplies that the requirements for those types of procurements are fairly well understood. However, the Chapter 30B requirements for acquiring or selling real property are different. Since the value of the Fairgrounds Road property obviously exceeds \$35,000 (current threshold under Chapter 30B), the Town will have to issue a Request for Proposals (RFP) to convey the land through a fair and open procurement process. Nantucket may want to request RFP assistance from the Massachusetts Housing Partnership (MHP), which has considerable

experience with town property dispositions for affordable housing.

Below is a summary of the Chapter 30B procedures Nantucket will need to account for in disposing of the Fairgrounds Road property or other land that may be available for affordable housing development. The Town may have other steps it needs to take before it embarks on the disposition process, e.g., how much housing and what types of housing, how much of the housing can be limited for use as employer-assisted housing, how many units should be restricted for use as low- or moderate-income housing, whether the Town intends to provide any financing for the project (e.g., through the affordable housing trust), and so forth. It may also be in the Town's interest to work with other large employers on Nantucket by setting aside some of the market-rate units for those organizations to lease for year-round or temporary employee use, thereby essentially guaranteeing some of the rental income. These decisions, or at least a framework for making them, should be settled before the procurement process begins.

In addition, the Town may want to determine how much interest exists among developers and what their expectations might be. This could be done through an informal "Request for Expressions of Interest" (RFI) prior to initiating the Chapter 30B procurement process. It is important to note that the RFI process cannot be used to pre-qualify or pre-screen developers for purposes of creating a shortlist for the eventual RFP. For real property dispositions, Chapter 30B requires communities to make the RFP available to any interested party who requests it. Nevertheless, an advantage of the RFI is that it could help the Town understand what is feasible, what developers might be concerned about, and how to design a lease procurement if the Town wants to offer the land for long-term lease instead of offering it for sale.

Real Property Disposition for Public Purposes

First Steps

- Declare the property "surplus" and available for acquisition and development of mixed-income housing and employee housing. (A public determination made by the Board of Selectmen and documented in the record is fine.)

- Determine the market value of the property. This can be in the form of an opinion by the Town assessor (a formal appraisal is not required, though many towns commission one). The opinion or appraisal needs to be kept in the records of the real property disposition, as the Town's auditors will most likely ask to review it.
- For public benefit dispositions that will result in a purchase price below market value, the Town must explain why in a notice published in the Central Register. There is a form for this purpose on the Central Register website.

Rule for Award

Selecting a buyer for surplus municipal property can be as simple as taking the highest-price offer, but when the end result is a project to promote public purposes, the selection process is more complicated. For affordable housing dispositions, the Town will need to decide how it plans to choose the best proposal, which means the developer selection process will be based primarily on **qualitative criteria**.

The RFP that will eventually be issued can state a fixed sale price and thereby remove price considerations from the selection process. Still, some communities set a below-market minimum sale price and give themselves the flexibility to consider price along with other qualitative factors. One problem with that approach is that if meeting all of the Town's expectations for the project involves a very high cost, a low minimum sale price can be enough to make the project infeasible and discourage good developers. A second problem that sometimes occurs with public benefit dispositions is that if a very desirable development proposal provides for a much lower purchase price than other proposals received, the developer selection process can become unduly complicated, with reviewers disputing the how far the Town should go to aim for quality over price. So, the rule for award is a critical decision that needs to be made before much time is spent on drafting the RFP.

Proposal Evaluation Criteria

The key to any public land disposition for affordable housing lies with the evaluation criteria. There are three groups of criteria that need to be created for the RFP: criteria for determining whether a proposer is responsive and responsible, for comparing propos-

als based on their merits, and for evaluating price – if price will even be considered.

- **Responsive and responsible** criteria involve considerations such as: is the proposal complete? Is the proposer willing to accept the Town's terms and conditions for sale of the property?
- **Comparative criteria** involve the non-price considerations that will allow the Town to identify the best proposals overall. Some examples of common non-price considerations include:
 - Developer's capacity, evidenced by the number of similar projects completed by the proposer within some specified period of time (e.g., five years); experience and qualifications of the development principals; prior working relationships involving members of the development team; and highly favorable references.
 - Financial capacity, evidenced by prior experience financing mixed-income housing developments of similar scale and complexity; ability to provide equity contribution, and ability to secure financing for the proposed project as demonstrated by letter(s) from prospective lender(s).
 - Experience and qualifications of the design team for the type of project submitted by the proposer, including past collaborations by the proposed design team.
 - Experience and qualifications of the general contractor (the firm as a whole, the principals, and senior management), evidenced by a track record of completing projects on time and within budget at a quality commensurate with the client's expectations.
 - Desirability of proposed building and site design, including attention to the Historic District Commission's design preferences and design principles identified in the RFP (if any).
 - Sustainability, including proposed green building techniques and materials to be used in site design, building construction, and building operations.
 - Project schedule, with preference for a shorter and achievable development schedule over

a longer development schedule or a short but impractical development schedule, with justification via a basic market analysis for whatever the proposed schedule may be. (Note: some communities commission a market study and provide it to prospective developers – who may elect to obtain their own study or pay for a peer review or “second opinion” of the town’s study.)

- Feasibility of the proposed project, based on an analysis of the development budget, the developer’s demonstrated ability to resolve permitting issues as they may arise, the likely acceptability of the proposed designs by regulators and lenders, the likelihood of obtaining proposed financing for predevelopment costs, construction and soft costs as estimated, and the reasonableness of the budget overall. (Note: communities usually hire an independent consultant to review the financials submitted by proposers.)
- Purchase price (if price will be one of the rating factors).

These criteria can be rated according to a simple scheme, e.g., “best,” “acceptable,” or “unacceptable,” or some other system as long as the RFP is clear about what the rating method will be. If some criteria will carry more weight than others, the RFP should say so.

Writing the RFP

There is a basic structure to all real property disposition RFPs and some unique components that should be included in the RFP for a public benefit disposition. Although it may be tempting to start writing the RFP right away, it rarely makes sense until the “basics” described above have been settled:

- What kind of development is the Town looking for?
- How many units, or what is the acceptable minimum-maximum range?
- What are the most important outcomes?
- Does purchase (or lease) price matter?

- How will the Town evaluate the proposer’s development team? What information will the Town need in order to evaluate the team?
- What design information will the Town need in order to reach some conclusions about the quality of the developer’s proposal? A preliminary plan? Elevation drawings? Material specifications?
- How will the Town determine that proposers are competent and able to do the project?
- What information does the Town need in order to determine if a proposed project is feasible?

Once these questions are answered, the RFP is not difficult to prepare. Disposition RFPs typically include the following information and in the order shown below.

■ Introduction

- Statement of Authority (the legal basis upon which the Town can offer the property for sale or lease)
- Definitions of words and phrases used in the RFP
- Proposal deadline and summary-level submission instructions
- Date/time of property tour and pre-bid briefing (if the Town chooses to offer one)
- Purchase price (which be stated as a minimum or in the case of a public purposes disposition, a below-market fixed price)
- Miscellaneous provisions, e.g., how long bid proposals must remain valid, how proposal discrepancies will be resolved, and the rules governing withdrawal or modification of a submitted proposal.
- General conditions that will apply during the procurement process
- Instructions for communicating with the Town during the bid period

■ Property Description

- Ownership
- Location

- Zoning
 - Existing conditions description
 - Utilities
 - Required easements (if any)
 - Current use
 - Surrounding land uses
 - Site constraints
 - Environmental concerns (if any)
- Development Objectives

Here is where the Town should describe what is wants to accomplish with development of the Fairgrounds Road property. It will be important to reflect these objectives in the proposal evaluation criteria and the proposal submission requirements.

■ Project Schedule Requirements

The Town needs to specify any particular scheduling conditions that the selected developer has to meet. Common examples of project schedule requirements include the period within which the selected developer will have to enter into a disposition agreement with the Town and provide a deposit; how long the developer will have to enter into a Development Agreement with the Town; the anticipated completion date for the project, barring unforeseen market conditions; and how breaches of the agreement will be resolved.

■ Minimum Terms and Conditions

Here is where the Town needs to describe the terms and conditions the selected developer will be required to meet as a condition of the disposition agreement and the eventual Development Agreement. Common conditions include matters such as:

- Clarifying the developer's responsibility for all costs associated with obtaining permits and approvals and costs associated with constructing and operating the project;
- Clarifying the developer's due diligence obligations;

- Indemnification and "hold harmless" requirements protecting the Town from claims associated with the condition of the property or operation of the project;
- Limitations on assigning or subleasing the property to any other entity;
- Identification of any use restrictions that will be imposed on the property in order to protect the affordable housing units or achieve other objectives of the project;
- How and when the acquisition price must be paid.

Any terms and conditions the Town will eventually want Town Counsel to incorporate in a purchase and sale agreement should be disclosed in the RFP.

■ Proposal Instructions

In this section, the Town needs to identify the required proposal components and number of proposal copies required, describe what a responsive and responsible proposal must have, and indicate whether the proposal must follow a particular order. Some communities require proposals to adhere to a certain format; others simply require that proposals contain all of the specified information and leave it to proposers to package their proposals as they see fit. In any case, here are common submission requirements for disposition RFPs.

- Proposal Form
- Price Summary Form
- Comparable Experience
- Proposer's Qualifications Statement: a summary of the Developer's organization and experience; identification and resumes of all principals; roles of principals; identification of parties/entities who will have an equity interest in the project; a list of references for at least three recently completed projects; a financial statement; and a disclosure of any pending litigation, liens, foreclosures, bankruptcies, or other actions that would interfere with construction or permanent financing or delay the timely progress of the project.

- Architect's & Engineer's Profile, including references
- General Contractor's Profile, including references and a list of subcontractors
- Technical Proposal: a narrative description of the project that fully summarizes the project, including: the use(s), approximate allocation of space for each type of use, tenure type, a conceptual site plan, typical layout for each unit type, unit amenities and finishes including preliminary specifications, overall project (including common area) amenities, Energy Star and/or LEED-eligible components, and other planned improvements to the Property. The proposal should identify expected sources of financing and any actions/support needed from the Town for such.
- Proposed Project Schedule
- Financial Qualifications
- Preliminary Pro Forma
- Certificate of Non-Collusion
- Disclosure of Beneficial Interest as required by M.G.L. c.7, Section 40J*
- Certification as to Payment of Taxes*
- Corporate Resolution, if a Corporation

**These certifications need to be updated prior to closing.*

■ Proposal Review Criteria and Evaluation Process

In this section of the RFP, the Town needs to describe how the proposal review process will be conducted and explain how the review criteria will be rated. (See "Proposal Evaluation Criteria" above.) A comparison criteria rating scheme such as best/acceptable/unacceptable is fairly simple to use. Another option is the rating and ranking system that Chapter 30B requires for RFPs to purchase contracts for services of \$35,000 or more (highly advantageous/advantageous/not advantageous/unacceptable).

■ Exhibits

- Locus map
- Assessor's map

- Property deed
- Survey plan (if available)
- Easements required (if any)
- Sample affordable housing restriction
- Zoning summary or permitting chart

Distributing the RFP

The RFP for real property disposition must be advertised for two successive weeks in a newspaper with local circulation and, since the site exceeds 2,500 sq. ft, the RFP must be advertised in the Commonwealth's Central Register, too. To maximize the effectiveness of the proposal solicitation process, the Town may also advertise in newspapers with regional circulation, send the RFP to industry groups (such as Urban Land Institute or the Massachusetts Homebuilders Association) or affordable housing organizations such as Citizens Housing and Planning Association (CHAPA), or directly prospective developers. Throughout the proposal period, the Town must maintain a record of developers and others who received the RFP, and anyone who requests the RFP must be provided a complete copy. If the Town needs to issue an addendum before the proposal deadline, the record of original recipients will ensure that everyone with an interest in the site is properly notified.

Receiving & Reviewing Proposals

Every proposal received by the deadline must be opened and publicly announced on the date and time and in the location specified in the RFP for submission of proposals. Unlike RFPs for purchasing goods and services, where the proposal is divided into two parts (technical and price), the proposal for real property disposition must be submitted as a single package and its entirety becomes public information as soon as it is read into the record. (This differs from the procurement system the Town is most likely familiar with, where the technical proposal is confidential until reviewers have finished evaluating it and the price proposal is opened and considered later in the review process.)

Not surprisingly, the review process must be governed by the evaluation criteria stated in the RFP. Proposers who fall short of the "responsive" and "responsible" requirements can be eliminated before

reviewers initiate the more time-consuming process of applying the comparative criteria (the criteria used to evaluate a proposal based on its merits). All of the reviews should be done in writing so there will be a clear record of the decision process. The proposal with the highest rating as a result of the review process should be selected as the designated developer. However, if for any reason the Town is unhappy with the proposals it receives, the procurement can be canceled as long as the cancellation occurs before the Town has entered into an agreement with any of the developers.

After choosing the developer for the project, the Town will need to file a notice with the Central Register, identifying the selected developer and explaining why the sale price for the land is less than market value. In addition, the developer is required by law to file a notice of beneficial interest with the Division of Capital Asset Management and Maintenance (DCAMM).

APPENDIX G. TOWN OF AMHERST: TAX INCENTIVE LEGISLATION FOR AFFORDABLE HOUSING

CHAPTER 148 OF THE ACTS OF 2015: AN ACT PROVIDING AFFORDABLE HOUSING PROPERTY TAX INCENTIVES IN THE TOWN OF AMHERST

SECTION 1. For the purposes of this act, “Low or moderate income housing”, shall mean housing for individuals or families with incomes at or below 95 per cent of area median income. Area median income shall be calculated by the United States Department of Housing and Urban Development, or any successor agency, and shall be adjusted for family size.

SECTION 2. Notwithstanding any general or special law to the contrary, the select board of the town of Amherst may enter into agreements for special tax assessments for properties that include low or moderate income affordable housing consistent with the terms of this act.

SECTION 3. For a residential or mixed use development with 10 or more dwelling units in which at least 10 per cent of the units are low or moderate income housing and subject to an affordable housing restriction as defined in section 31 of chapter 184 of the General Laws, the increase in assessed value resulting from such development shall be phased in increments over a period of up to 10 years to the full assessed value of the property; provided, however, that the maximum property tax incentive shall be based on the difference in net operating income for such development with affordable units and the net operating income without such affordable units. Determination of eligibility shall be made as of July 1 of each year for the fiscal year beginning on July 1.

APPENDIX H. TOWN OF PROVINCETOWN: TAX EXEMPTIONS FOR AFFORDABLE HOUSING

CHAPTER 408 OF THE ACTS OF 2002: AN ACT RELATIVE TO PROPERTY TAX EXEMPTIONS FOR RENTAL PROPERTIES IN THE TOWN OF PROVINCETOWN USED AS AFFORDABLE HOUSING

SECTION 1. Notwithstanding any general or special law to the contrary, residential real estate in the town of Provincetown which is rented to and occupied by a person of low income, at a rental amount not exceeding the standards of the United States Department of Housing and Urban Development for low income persons, shall be exempt from taxation under chapter 59 of the General Laws.

SECTION 2. The exemption shall be equal to the tax otherwise due on the parcel based on the full and fair assessed value, multiplied by the square footage of the housing units rented to and occupied by a person or family of low income, divided by the total square footage of a structure located on the parcel. For rental housing, assessment of such property, if by an income approach to value, shall assume fair market rent for all units. To be eligible for exemption, the housing unit shall be leased to a low income person at rents for the entire fiscal year for which the exemption is sought.

SECTION 3. The date of determination as to the qualifying factors required by this act shall be July 1 of each year for the fiscal year beginning on such July 1.

SECTION 4. This act shall be submitted to the voters of the town at the next annual or special town election, in the form of the following question which shall be placed upon the official ballot to be used at that election: "Shall an act passed by the general court in the year 2002 entitled, 'An Act relative to property tax exemptions for rental properties in the town of Provincetown used as affordable housing', be accepted?" If a majority of the votes cast in answer to that question is in the affirmative, then sections 1, 2 and 3 of this act shall thereupon take effect, but not otherwise.

SECTION 5. Section 4 of this act shall take effect upon its passage.

Approved December 19, 2002.

2016 Housing Production Plan

Responsibility Matrix

Implementation Strategy	Lead	With support from	Financial Requirements
Develop affordable housing on Town-owned land (6 Fairgrounds Road)	BOS	PLUS	TDB relative to RFP response
Moderate- & High-Density Zoning Districts	Planning Board / PLUS	BOS	
Options for Regulatory Reform	Planning Board / PLUS	BOS, HDC	
Chapter 40B	BOS		
Historic District Commission	HDC	PLUS	
Orientation of New Housing	Energy Office	PLUS	
Mass Save New Construction Program	Energy Office	PLUS	
Transfer Fee, Local Appropriations	BOS	Housing, Coordinator, AHTF	\$1m annually, minimum
CPA funds for affordable housing	CPC	BOS, AHTF	Increased emphasis on Housing in grants
Town-Owned Land Study	Housing Coordinator	PLUS	
Tax Incentives	BOS	PLUS	
Energy Efficiency and Housing Affordability	Energy Office	PLUS	
Reducing the potential for disparate impact on protected classes	PLUS	BOS	
Leadership from the Top	BOS	All Town entities	
Development Partnerships	PLUS	BOS, Housing Coordinator	
Affordable Housing Trust Fund	AHTF	BOS	See "Local Appropriations" above

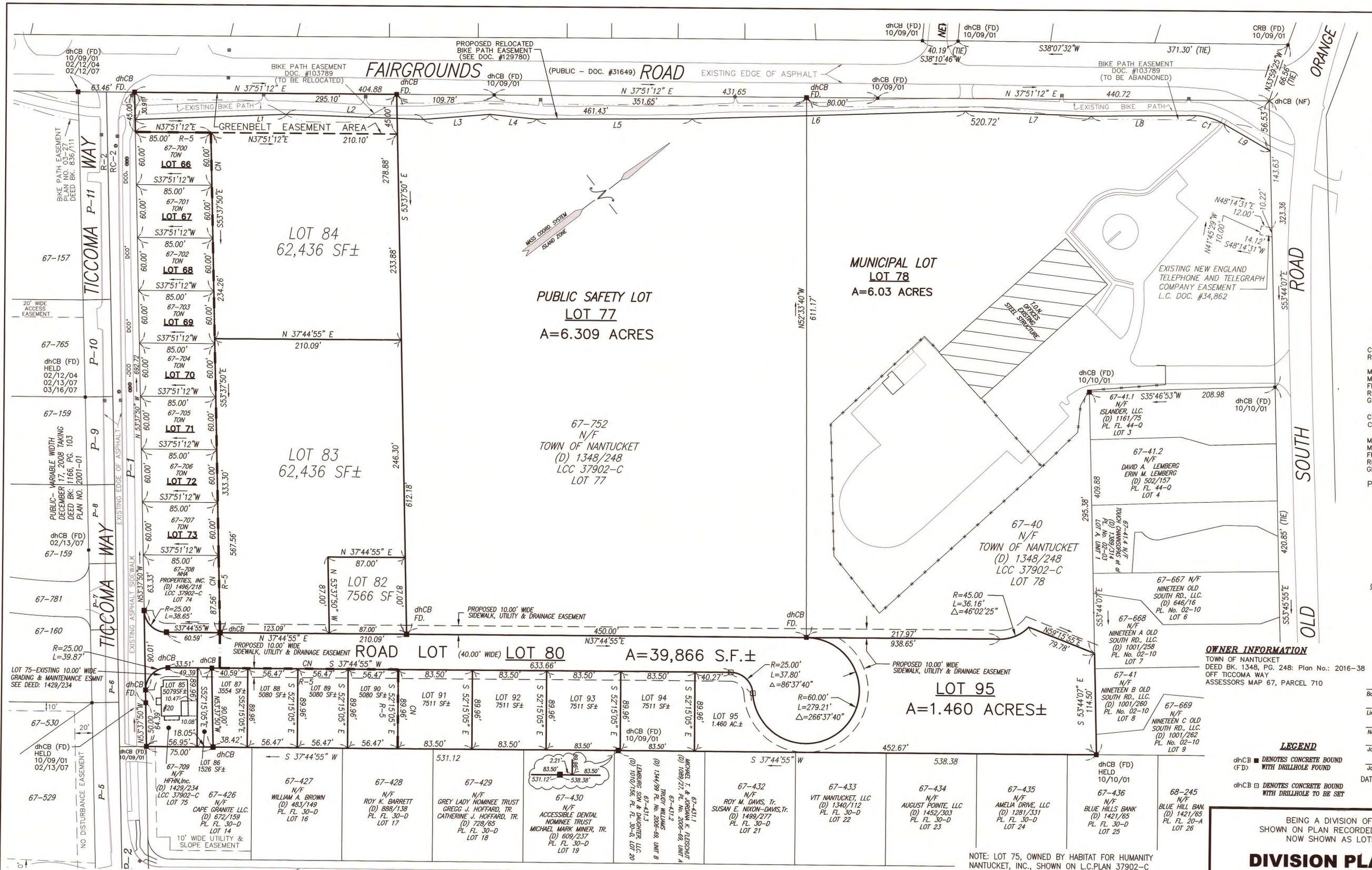
Libby Gibson

From: Rick Atherton
Sent: Wednesday, September 14, 2016 5:05 PM
To: 'Jim Kelly'; Dawn Hill Holdgate
Cc: Libby Gibson
Subject: agenda

Please add an agenda item to ask if the BOS will request its representative to the Affordable Housing Trust to ask that board to go on record as asking the Planning Board to support keeping an affordable housing restriction (or whatever the best practice to accomplish the goal requested be incorporated in the Housing Production Plan) for zoning changes at the STM.

Rick

RICK ATHERTON
PO Box 3126
Nantucket MA 02584
508.228.2366
ratherton@nantucket-ma.gov



NANTUCKET REGISTRY OF DEEDS

Date: _____

Time: _____

Plan No.: _____

Attest: Register

SHEET 1 OF 1

RESERVED FOR REGISTRY USE

VICINITY MAP SCALE: 1" = 1600'

CURRENT ZONING CLASSIFICATION:
Residential 5 (R-5)

MINIMUM LOT SIZE: 5000 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT.
REAR/SIDE SETBACK: 5 FT./10 FT 1 SIDE
GROUND COVER %: 40 %

CURRENT ZONING CLASSIFICATION:
Commercial Neighborhood (CN)

MINIMUM LOT SIZE: 7,500 S.F.
MINIMUM FRONTAGE: 50 FT.
FRONT YARD SETBACK: 10 FT.
REAR/SIDE SETBACK: 10 FT./5 FT.
GROUND COVER %: 40 %

PROPOSED BIKE PATH EASEMENT
LINE & CURVE TABLE

LINE NO.	BEARING	DISTANCE
L1	N35°24'12"E	170.92'
L2	N39°33'21"E	153.94'
L3	N33°07'59"E	74.95'
L4	N43°15'58"E	53.15'
L5	N37°16'27"E	174.87'
L6	N35°50'28"E	307.97'
L7	N39°42'54"E	141.49'
L8	N37°07'13"E	117.99'
L9	N67°31'08"E	60.05'

CURVE NO.	RADIUS	ARC LENGTH
C1	70.00	33.20'
	DELTA	TANGENT
	27°10'37"	16.92'

OWNER INFORMATION

TOWN OF NANTUCKET
DEED BK. 1348, PG. 248; Plan No.: 2016-38
OFF TICCOMA WAY
ASSESSORS MAP 67, PARCEL 710

Nantucket Planning Board
APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

- Barry Rector, Chairman
- Linda Williams, Vice Chairman
- Nathaniel Lowell
- Joseph Markinger
- John F. Trudell III
- DATE SIGNED: _____
- FILE No.: _____

LEGEND

dhCB ■ DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND (FD)

dhCB □ DENOTES CONCRETE BOUND WITH DRILLHOLE TO BE SET

BEING A DIVISION OF LOTS 75, 79 & 81
SHOWN ON PLAN RECORDED AS PLAN NO.: 2016-38
NOW SHOWN AS LOTS: 82 THROUGH 95

**DIVISION PLAN OF LAND
in NANTUCKET, MA.**

prepared for
TOWN OF NANTUCKET

1"=50' JUNE 3, 2016

GRAPHIC SCALE

LE025/ #63
V:\DRAWFILES\B7808\TICCOMA-ANR JUNE2016.dwg 6/6/2016 12:31:16 PM EDT Copyright Blackwell & Associates, Inc. 1994-2016

THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 82-95 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.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

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.

Leo C. Asadoorian 6/6/16
PROFESSIONAL LAND SURVEYOR DATE



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

NO.	DATE	DESCRIPTION	BY

Summary of Recent Board Discussions Regarding Mix of Housing at 6 Fairgrounds Road September 21, 2016 Board of Selectmen's Meeting

Summary

There has not been a specific vote of the Board on exactly what the mix of housing should be at the 6 FG site. There have been several discussions mentioning a mix of affordable housing that would be eligible for the SHI list as well as housing for town employees, plus a Town Meeting vote (below).

Reverse chronology

April 27, 2016

Update on the project. Discussion. No votes taken, no specific consensus indicated. Mention of preference for town employee housing; and how to get units onto SHI list.

February 17, 2016

Update on the project. Review of results of interviews with Board members: "Board universally in favor of seeing rental workforce and affordable housing developed at 6 FG site". Discussion. No votes taken, no specific consensus indicated. Mention of preference for town employee housing; and possibility of selling Ticcoma lots if deeded for affordable housing.

August 19, 2015

Update on the project. Discussion regarding goal for housing at the site: mix of town employee, affordable and market rate units.

April 2015 Annual Town Meeting – Article 99

Vote by Town Meeting on FinCom Motion to use property for "affordable housing purposes or municipal sponsored housing of any kind including but not limited to housing for seasonal and/or permanent employees of the Town/County". FinCom Motion was endorsed by BOS.

2. Update Regarding Housing Project at 6 Fairgrounds Road (formerly known as 2-4 Fairgrounds).

Independent Housing consultant Tucker Holland gave an update on affordable and workforce housing at the Town-owned 6 Fairgrounds Road property. He reviewed Board commonalities that came out of a February 17, 2016 presentation he provided to the Board, including a preference for Town employees when filling the units; and, a mixture of units including all rental, single family apartments, dorms and single family houses. Mr. Holland said the goal is June 2016 to issue a Request for Proposals (RFP) with a September 2016 bid opening. Mr. Holland reviewed working under the proposed Commercial Neighborhood zoning district vs. a 40B development; concept plans; and activity since February 17 including appropriations approved at the 2016 Annual Town Meeting, housing forums/presentations, a housing survey, and moving forward with a draft Housing Production Plan. Mr. Holland reviewed the results from a recent housing survey and answered questions from Board members. He reviewed a proposed site plan and Director of Planning Andrew Vorce answered questions from Board members regarding road layouts. Mr. Holland reviewed a timeline and key dates to move forward. Some discussion followed regarding the Town's Subsidized Housing Inventory (SHI) list and the Town's needs and how to "marry" them in some ways. Mr. Atherton said he wants to ensure the Town is working on this issue with a "top guy" at Town Counsel's office who has "influence and experience" and is not just going to give an opinion. Mr. Atherton also voiced his concern with scheduling a Board hearing and adoption of a Housing Production Plan on different days as he wants the Board to be able to review the plan before it is final and presented for adoption. Mr. Holland said a draft of the plan will be available for review on Monday. Mr. Fee said the Town needs to get the "biggest bang for the buck" and make sure any profits are put back into housing to maintain the units and create more as the land is valuable and the need is critical.

3. Review of 2016 Annual Town Meeting Follow-up Actions. Ms. Gibson reviewed follow-up action items from the 2016 Annual Town Meeting. Chairman Kelly said the Board will review action items for Articles 87-103 and get back to Ms. Gibson with any comments.

4. Review of Fall 2016 Special Town Meeting. Ms. Gibson reviewed potential dates for a fall Special Town Meeting. The Board consensus is to schedule it for Wednesday, October 12, 2016. Ms. Gibson reviewed possible warrant articles. Mr. Fee spoke in favor of extending sewer further on Polpis Road that was approved at the 2016 Annual Town Meeting. Mr. Atherton suggested focusing on the Madaket/Warren's Landing/Somerset sewer project and Our Island Home, and to not move forward on a municipal building at this time, saying "we will get to it when we get to it". Ms. Hill Holdgate said regarding Our Island Home, the Board needs to finalize a location so the Town can start public outreach. Chairman Kelly spoke in favor of moving forward with the sewer project and Our Island Home but not on a new municipal building. He said the Board will discuss a location for Our Island Home at its meeting next week. Mr. Fee said regarding Our Island Home, the Town also needs to focus on a housing component for staff.

X. SELECTMEN'S REPORTS/COMMENT

1. Report from Real Estate Assessment Committee. Real Estate Assessment Committee (REAC) chairman Rhoda Weinman noted when REAC first met, many yard sale lots already had pricing in place which they did not change. She said the committee spent time reviewing the purpose of the yard sale program. Ms. Weinman reviewed a pricing formula that REAC developed. Ms. Hill Holdgate asked how using the new formula would compare on previous sales. Ms. Weinman said she feels the pricing would be close. Ms. Weinman asked if the Board felt REAC was still necessary. The Board consensus is for REAC to continue as a permanent committee.

6 Fairgrounds Road Workforce Housing RFP Update

to

Board of Selectmen

April 27th, 2016

Andrew Vorce

Director of Planning

Leslie Snell

Deputy Director of Planning

Tucker Holland

Independent Housing Consultant

Agenda

- Review of what our “goal” is with this housing project
- Brief overview of Feb 17th BOS update
- Activities since February 17th
 - Summary survey results
- Review of the site plan and preliminary road layout plan
- Timeline / Next Steps
 - What decisions need to be made by the BOS / CC and others
 - Timing
 - Other considerations
 - Financing options

Goal at 6 Fairgrounds

- Execute the will of the voters
 - Article 99, approved with unanimous consent at 2015 ATM:

To see if the Town will vote to transfer all or any portion of the Town-owned property located at 16 Vincent Circle (shown on Assessors Map 67, Parcel 710) not including Lots A, B and C situated off Ticcoma Way and shown on a plan entitled “Subdivision Concept Plan Prepared for the N.P. & E.D.C.,” dated September 5, 2013, prepared by Blackwell & Associates, Inc. as voted in accordance with Article 101, 2014 ATM, and 2, 4, 6, 8, 10,12, 14, and 16 Ticcoma Way (shown on Assessors Map 67, Parcels 700, 701, 702, 703, 704, 705, 706 and 707), from the Board of Selectmen for general municipal purposes to the Board of Selectmen for the purposes of conveyance or lease, and further to authorize the Board of Selectmen to use or convey, lease or otherwise dispose of all or any portions of the property for affordable housing purposes or municipal sponsored housing of any kind including but not limited to housing for seasonal and / or permanent employees of the Town or County of Nantucket, and for roadway, access, and utility purposes to serve said housing and any surrounding property including but not limited to 2 and 4 Fairgrounds Road, subject to Chapter 30B of the Massachusetts General Laws.

Source: 2015 ATM Warrant

February 17th Presentation Summary

- Reviewed BOS Commonalities
 - BOS universally in favor of seeing rental workforce and affordable housing developed at 6FG site
 - Town employee preference when filling units
 - Intention to provide short-term horizon (e.g., 3-5 years)
 - Utilize long-term ground lease
 - Potential to “partner” with other Island organizations
 - Mix of units:
 - Single family, Apartments – 1 and 2 bedroom, Seasonal dormitory
 - Larger building(s) in relative proximity to Police Building
 - Taper to single family toward Fairgrounds and Ticcoma
 - “It needs to be done right”
 - Architectural integrity / quality and scale
 - Appropriate parking and green space
 - Ongoing management, maintenance and repair a key consideration
 - Work under proposed CN zoning preferable to 40-B route
- Reviewed timeline
 - June target to issue RFP w/ target September bid opening

Concepts



Activities February 17th – Now

- ATM
 - Article 10 – \$1 M for AHTF (w/ BOS approval)
 - Article 39 – 6FG to CN Zoning
 - Article 82 – HRP for ½% RE Transfer Fee to fund workforce housing
- Housing Forums/ Presentations
- Housing Survey – Town Department, Businesses, Nonprofits
- Housing Production Plan
- 6 FG RFP draft outline begun
- Blackwell and Associates – Road Lot
- Wannacomet Water Company
- Visit to Cottages on Greene
- Civic League Seasonal Housing Pilot
- Consultation with Lee Smith in Town Counsel’s office – Fair Housing

Draft Survey Results

- Sent to all Town Departments, 700+ Chamber of Commerce Members, 81 nonprofits
- 212 responses
 - 23 representing Town Departments
 - 122 representing Businesses
 - 59 representing Nonprofits
- 1,863 year-round employees
 - 972 in housing “sufficiently affordable and stable to meet their needs”
 - 456 expressly not in sufficiently affordable and stable
 - 57% of YR employees earning below \$70k
- 1,392 seasonal employees
 - 716 in housing “sufficiently affordable to meet their needs”
 - 388 expressly not in sufficiently affordable and stable
- 75% of respondents indicate that dormitory style housing is welcome for all or a portion of their seasonal employees needs
- 41% would be interested in cost-sharing , including management expense, for their year-round employee housing
- 49% would be interested in cost-sharing , including management expense, for their seasonal employee housing

Timeline & Key Dates

- May 25th County Commissioner Hearing
 - Road layout
 - No objections, June 1st paperwork filing
 - Objection would require 2nd hearing (June)
- Subdivision plan
 - File for June 13th Planning Board Meeting
 - Blackwell and Associates preparing
- Housing Production Plan Review
 - Draft available by May 1st
 - Planning Board hearing and adoption
 - June 13th
 - BOS hearing and adoption
 - June 22nd
- 6FG Housing RFP workgroup
 - 2 members of BOS (MF, DH-H) Town Manager, Town Planner & IHC
 - Continuing consultation with Heidi Bauer
 - Design package
 - Density: 106 units upward limit

Additional Actions / Considerations

- Wannacomet Water Company
 - To provide materials at no cost
 - Installation estimate
- Road clearing
 - Land Bank (option)
- DPW
 - Sewer cost
- Financing options
 - Build and hold bidder(s)
 - One-stop or partnered
 - Consortium of Town, Businesses and Nonprofits

having a program for residents to get a sticker or placard to allow for parking on the street for up to two weeks or free parking at 2 Fairgrounds Road for two weeks. Chairman DeCosta closed the public hearing regarding paid parking at 2 Fairgrounds Road. Mr. Atherton moved to approve the proposed amendments for long-term parking at 2 Fairgrounds Road as recommended by Chief Pittman; Mr. Glidden seconded. So voted 3-1. Chairman DeCosta was opposed. Chief Pittman reviewed courtesy van parking, noting there has been an increase in traffic and usage at the established courtesy van location. He reviewed the proposed language and associated fees per vehicle. Chief Pittman answered questions from Board members. Chairman DeCosta closed the public hearing regarding Courtesy Vans and associated fees. Mr. Glidden moved to approve the proposed amendments regarding Courtesy Vans with a \$100 fee per vehicle; Mr. Atherton seconded. So voted 4-0. Chairman DeCosta said regarding residential parking permits, year-round residents should only pay \$50 per vehicle and the Town should use the street list like the Steamship Authority does to establish residency status. He suggested selling the residential parking permits in January/February and recommended continuing the public hearing to redraft the proposed amendments. He also recommended not limiting the number of residential parking permits for one year and see what the numbers are. He also suggested if residents have off-street parking available, then on-street parking permits should cost more. Mr. Fee moved to continue the public hearing for residential parking permits to March 16, 2016; Mr. Glidden seconded. So voted 4-0.

8. Public Hearing to Consider Amendments to the Nantucket Town Sewer District Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 19, 66, 67 and 68 of 2016 Annual Town Meeting. Chairman DeCosta opened the public hearing. Director of Planning Andrew Vorce explained that a work group consisting of Ms. Buzanoski, Mr. Santamaria and himself has reviewed all the sewer district-related articles. He reviewed maps for Article 19, the Town-sponsored article for sewer to Nantucket Harbor Shimmo and Plus needs areas. Chairman DeCosta expressed confusion regarding the maps as he thought the Shimmo/Shawkemo areas were included in the warrant this year. Ms. Buzanoski said those areas will be among the last to be sewered and will be at least 20 years from now. Mr. Atherton said he feels the Shawkemo area is not the greatest need right now. Mr. Vorce noted that the maps have been around in draft form since last fall. Finance Committee Chairman Jim Kelly asked if any infrastructure or costs can be shared with Shawkemo later. Chairman DeCosta closed the public hearing for Article 19. Mr. Fee moved to give a positive recommendation to Article 19; Mr. Atherton seconded. So voted 4-0. Mr. Vorce reviewed Article 66, noting it is sponsored by the Town and adds and removes certain parcels in the sewer districts. He reviewed associated maps and answered questions from Board members. Chairman DeCosta closed the public hearing for Article 66. Mr. Atherton moved to give a positive recommendation to Article 66; Mr. Fee seconded. So voted 4-0. Mr. Vorce reviewed Article 67, a citizen petition, noting the area is outside a Needs Area and did not meet the minimum criteria to be added to the District and is not recommended by the staff group. He reviewed a map and answered questions from Board members. Chairman DeCosta closed the public hearing for Article 67. Mr. Atherton moved to give a negative recommendation to Article 67; Mr. Fee seconded. So voted 4-0. Mr. Vorce reviewed Article 68, a citizen petition, and an associated map. Chairman DeCosta said he is worried about Bartlett Road neighbors who could be required to tie into sewer as a result. Some discussion followed on the Somerset Needs Areas and this area/subdivision. Mr. Vorce noted that Mr. Dimock, the sponsor of Article 68, worked hard with the Planning Board and received a lot of cooperation from him. Mr. Fee expressed concern on private vs. public sewer costs. Mr. Atherton moved to give a positive recommendation to Article 68; Mr. Glidden seconded. So voted 4-0.

VIII. TOWN MANAGER'S REPORT

1. Update from Independent Housing Consultant. Independent Housing Consultant Tucker Holland reviewed the history of the 4 Fairgrounds road parcel as well as Article 99 of the 2015 Annual Town

Meeting which allows use of the property for workforce and affordable housing purposes. He also reviewed a summary of Selectmen interviews he conducted about housing at 4 Fairgrounds Road, noting there is a preference to offer housing to Town employees and have a mix of units (single family, apartments, seasonal dormitories) and locating larger buildings (dormitories) closer to the Public Safety Facility. Mr. Holland reviewed site sketch and concept drawings as well as next steps and a timeline. Mr. Holland answered questions from Board members. Some discussion followed on costs and development plans. Mr. Holland stated that the idea is for zero financial obligation to the Town. Chairman DeCosta said he feels the Town should pay for seasonal dormitory housing. Mr. Fee said he "doesn't sense" that the site plan sits in well with the entire property. Mr. Glidden stated he is not worried about selling some of the Ticcoma Way lots if they are deeded as affordable housing and it could offset costs for the larger development. Mr. Fee added that he is in favor of the concept drawings.

IX. SELECTMEN'S REPORTS/COMMENT

1. Appointment: Mosquito Control Commission. Mr. Fee moved to appoint Timothy Lepore to fill a vacancy on the Mosquito Control Commission, with a term to expire June 30, 2018; Mr. Glidden seconded. So voted 4-0.

2. Request for Approval of Conflict of Interest Disclosure in Connection with Sewer Project and Pursuant to MGL Chapter 268A, Section 19. Mr. Glidden moved to approve a conflict of interest disclosure for Richard J. Hussey regarding the proposed sewer project; Mr. Fee seconded. Mr. Atherton questioned the language on the form. Ms. Gibson noted that the language was provided by Town Counsel. Mr. Atherton encouraged that all conflict of interest disclosure forms be posted on the Town's website and filed with the Town Clerk. On the motion, so voted 4-0.

3. Committee Reports.

Mr. Atherton said he is "rethinking" the Dimock property and sewer districts and said the Board needs a policy about private sewer installations. Chairman DeCosta noted that the Board still has not set a percentage for betterments for the sewer project on the 2016 Annual Town Meeting Warrant.

Mr. Fee noted that all Board members were served with a lawsuit challenging the Board's decision regarding an HDC appeal of 13 C Street and the fact that the HDC Act mandates that a vote must be of at least three members of the Board, not a majority of the voting members present (the Board had voted 2-1 on the appeal with only three members sitting on the matter). Mr. Atherton stated he feels Town Counsel should have drafted a resolution following the Board's vote clarifying the vote. Chairman DeCosta suggested having Mr. Fee work with Ms. Gibson on drafting a resolution that clarifies that the Board's vote constitutes a denial of the appeal because the majority of the Board did not vote in favor.

X. ADJOURNMENT

The meeting was unanimously adjourned at 8:52 PM.

Approved the day of, 2016.

4 Fairgrounds Road Affordable Housing RFP Update

to

Board of Selectmen

February 17th, 2016

Andrew Vorce

Director of Planning

Leslie Snell

Deputy Director of Planning

Tucker Holland

Independent Housing Consultant

Agenda

- History of 4FG Parcel
- BOS Interviews Summary
- Site & Concepts
- Timeline / Next Steps
- Q&A and Feedback

History of 4FG Parcel

- Parcel originally acquired on authorization of 2004 ATM
 - Article 77
 - Purpose: Municipal use, housing, possible cultural center
- At 2009 ATM, initial affordable lots authorized
 - Article 98
 - 11 parcels along Ticoma Way
- Lot 77 (Police and Municipal Building) created in 2009
- At 2015 ATM, the workforce / affordable housing purpose was reinforced by unanimous consent of Article 99

ARTICLE 99 – 2015 ATM

(Real Estate Disposition: Long-term Lease Authorization for Town-owned portions of 16 Vincent Circle and Ticcoma Way fka 2 Fairgrounds Road)

To see if the Town will vote to transfer all or any portion of the Town-owned property located at 16 Vincent Circle (shown on Assessors Map 67, Parcel 710) not including Lots A, B and C situated off Ticcoma Way and shown on a plan entitled “Subdivision Concept Plan Prepared for the N.P. & E.D.C.,” dated September 5, 2013, prepared by Blackwell & Associates, Inc. as voted in accordance with Article 101, 2014 ATM, and 2, 4, 6, 8, 10,12, 14, and 16 Ticcoma Way (shown on Assessors Map 67, Parcels 700, 701, 702, 703, 704, 705, 706 and 707), from the Board of Selectmen for general municipal purposes **to the Board of Selectmen for the purposes of conveyance or lease, and further to authorize the Board of Selectmen to use or convey, lease or otherwise dispose of all or any portions of the property for affordable housing purposes or municipal sponsored housing of any kind including but not limited to housing for seasonal and / or permanent employees of the Town or County of Nantucket, and for roadway, access, and utility purposes to serve said housing and any surrounding property including but not limited to 2 and 4 Fairgrounds Road, subject to Chapter 30B of the Massachusetts General Laws.**

Source: 2015 ATM Warrant

BOS Interviews Summary

- Commonalities

- BOS universally in favor of seeing workforce and affordable housing developed at 4FG site
- Town employee preference when filling units
 - Intention to provide short-term horizon (e.g., 3-5 years)
- Strong desire to retain Town ownership of land
 - E.g., utilize long-term ground lease
- Mix of units:
 - Single family
 - Some with separate basement apartment
 - Some potentially available to Town department heads
 - Apartments – 1 and 2 bedroom
 - Seasonal dormitory
 - Potential to “partner” with other Island organizations

BOS Interviews Summary (cont'd)

- Commonalities (cont'd)
 - Locate “larger” buildings closer to Police / Fire building locations
 - Seasonal dormitory building(s) in relative proximity to Police building
 - Taper to single family toward Ticoma / Amelia
 - General:
 - “It needs to be done right”
 - Architectural integrity / quality and scale
 - Appropriate parking and green space
 - Ongoing maintenance and repair a key consideration
 - Working under proposed CN zoning preferable to 40-B route
- Individual considerations / ideas
 - Some single family units made available for sale...?
 - Small commercial (e.g., sandwich / convenience shop) element...?
 - Tiny houses...?
 - Energy efficiency requirements...?

Concepts



Next Steps / Timeline

- February 17th: receive further BOS input and direction
- February: canvas department heads as to individual department needs
 - Nonprofit and Chamber surveys
- February - March: review and research comparable Town housing RFPs (e.g., Falmouth, others) and review Town RFP process
 - How to maximize SHI credit
 - Meet with Heidi Bower
- March - April: draft RFP development
 - Research potential interested parties (e.g., Stanmar, Scanlan)
- April 2nd: ATM
- April 27th: potential BOS update on process
- May: RFP refinement
- June 1: target date to issue RFP
- September 15th: target bid opening date

Q&A and Feedback

From: [Erika Mooney](#)
To: [Jim Kelly](#)
Cc: [Libby Gibson](#); [Gregg Tivnan](#)
Subject: 6FG BOS Action
Date: Monday, September 19, 2016 12:54:07 PM
Attachments: [BOSminutes20160217.pdf](#)
[BOSminutes20160427.pdf](#)
[BOS Presentation 1_17Feb16_v5.pdf](#)
[BOS Presentation 2_27Apr16.pdf](#)
[info for 081915 BOS meeting re 2FG housing update.pdf](#)
[HousingDocs.pdf](#)

Jim:

Attached are minutes and presentations from the February 17 and April 27 BOS meetings of this year. As you can see, there was never a formal vote on who the housing would be for at 6 Fairgrounds Road.

In addition, below is a section from the draft minutes of 8/19/15 (still need editing) as well as from information from that meeting and a document called "HousingDocs" from a meeting on May 6, 2015.

2. Fairgrounds Road Housing Update. Ms. Gibson stated the Board has been discussing 2 Fairgrounds as community housing. There is an informal administrative workgroup. Ms. Gibson stated that prior to issuing RFP she needs direction/input from the Board regarding the goal for housing at the site. Ms. Gibson further asked about the density, who develops and will the property be leased. Mr. DeCosta stated he would like rental units/apartments, not houses to buy, need to max units, get best bang for the buck (pre-fab/modular). Mr. Fee needs to see numbers. Ms. Gibson can provide. Mr. Atherton asked about possible options. Ms. Gibson can work on getting possible options. Mr. DeCosta suggested slowing down and stated the need to think of full use of the property. Mr. DeCosta stated there are three new 40Bs upcoming and the Town's need for a new Island Home. Mr. Glidden stated we the need to address the housing crisis to keep pace. Mr. Atherton feels Town property should be used for Town employees first. Mr. DeCosta stated not ready to commit land especially since within the last 48 hours he has learned new facility may not be able to move to Sherburne Commons' site. A discussion ensued regarding what might need to go on 2 Fairgrounds property. The Board would like sketches of options. Mr. DeCosta feels all in agreement that housing will be at 2 Fairgrounds but how much and where. Ms. Gibson will circulate information packet developed by Remain. Mr. Glidden feels there should be community housing, not just employee housing. Mr. Glidden stated the need to move forward to build housing for community and the need to keep on priority list. Mr. Atherton stated the need to get the plot plan to see sense of all needs at 2 Fairgrounds. Melissa Philbrick gave a summary regarding report. Ms. Philbrick stated she is happy to answer questions once the Board gets the packets. Ms. Philbrick further stated the Town's only hope is to create stable middle market housing for workforce. Mr. Glidden stated the Board needs to show leadership. Attorney Cohen stated Paston 40B is getting pushback on design from Historic District Commission.

Erika

Erika D. Mooney

2 Fairgrounds Road Housing Update – 8/19/15 Board of Selectmen Meeting

As of 8/12/15

Background

Several months ago ReMain offered to fund the services of an architect to come up with conceptual drawings for the number(s) of rental units that could be potentially constructed at the 2(-4) Fairgrounds Road site. This analysis involved a calculation under existing zoning, CN zoning (would require Town Meeting approval), a 40R scenario (would require Town Meeting approval) and a 40B. The number of units obviously varies under each zoning scenario, with the most units being allowed with a 40B or CN zoning. Using a combination of types of units (Studio, 1-BR, 2-BR, 3-BR) a capacity assessment (“all in” cost analysis of the cost of development of two different zoning scenarios) was also developed and facilitated by ReMain.

An administrative workgroup comprised of:

- Town Manager
- Director of Planning
- ReMain reps x 2 plus architect
- School Superintendent
- Director of Housing Nantucket
- 2 Selectmen

has met a few times to review and discuss these scenarios and provide input/information. We most recently met on August 11th and generally agreed that prior to issuance of an RFP for a developer to develop the site, we need the Board’s input and agreement and/or acknowledgement on the following:

1. Goal for Housing at the Site:

The group’s understanding is that as a result of the approval of Article 99 of the 2015 annual town meeting (authorizes Board to long-term lease portions of the 2 FG site for housing); and the 2015 workforce housing survey that a portion of the Town-owned property at 2-4 Fairgrounds Road should be made available for Community Housing including a mix of affordable and market-rate units, and a number of units specifically for town employees; with the highest density reasonably and economically feasible; to be developed and managed by a third party(s); the land to be leased to the developer/third-party at no or low cost until certain level of rental income is received at which point, the Town could share in the receipt of that revenue.

Need Board to confirm/modify

2. Siting of the New Municipal Building:

Confirmation that the new municipal building is intended to be sited at the corner of Fairgrounds and Old South Roads; or, in that immediate vicinity. ***Need Board to confirm/modify***

3. Confirmation that Immediate (future?) Municipal Needs can be met at the Site:

As we are getting definitive with housing at this site, we need to understand/acknowledge that once housing is “in”, it isn’t likely to be removed. There are some items we need to be sure we can take care of elsewhere – or at 2-4 Fairgrounds - before we commit to the areas that have been identified for the housing, including:

- Our Island Home (Sherburne Commons site analysis in progress)
- Town fueling station (different location actively under review);
- Parking? (additional Park & Ride?)*
- Additional seasonal housing (39 Washington probably temporary; may need to “reserve” an area at 2-4 FG for dormitory housing)

Need Board to acknowledge/understand

4. Financing & Timing:

There are various options for financing this project. The most common option would be for the Town to issue an RFP for the property to be developed in accordance with certain conditions (such as: number/type of units, 3rd party management requirement, who will fund what for infrastructure and utilities, layout, under what zoning the property will be developed, what the lease terms would be). We are planning to meet with a developer next month who has done many housing projects so that we can get direct input on structuring an RFP; and, to have a professional prepare the RFP for the Board’s review; and, perhaps most importantly to understand what risks this project might pose. We want to issue an RFP to which qualified, reputable, reliable, capable, developers will respond.

Need Board to confirm/modify/provide input

**this leads into potential options for the Fire Station property which should undergo a reuse review sometime soon*

Notes from 4-15-15 meeting in preparation for BOS Housing Update-May 6, 2015

Present: Libby Gibson, Gregg Tivnan, Leslie Snell, Matt MacEachern, Anne Kuszpa, Jason Bridges, Rachel Hobart

Discussed variety of housing issues related to the passage of Article 99 at ATM and what the next steps should be for the Town, including an outline for a possible agenda for BOS meeting.

Proposed Agenda:

Housing needs assessment-Anne Kuszpa

- Presentation of highlights and needs (**Executive summary in BOS packet**)
- Share any recommendations/creative solutions from Judi Barrett

Article 99-ReMain's design/feasibility study

Rachel Hobart

- Update of Design/Feasibility study- ReMain agreed to work with an architect to create conceptual designs to enable the Town and the public to visualize attractive, affordable housing of varying densities on the site. Design portion underway-preliminary feasibility available if TON interested. (**Interim report in BOS packet**)

Matt MacEachern, Emeritus Design (**Include site plans, uses and possibilities in BOS packet**)

- Present thinking about the site and ways to approach the project
- Development of the Lot as of right- what current zoning allows
- What can the site accommodate? 40B options and CN options

Discussion-What does the BOS/Town want to do with the property?-Libby Gibson and Leslie Snell

Preliminary decisions:

- Own and develop, Lease, Sell
- Income level-Middle market?
- Design solution-Number and type of units
- Timeline for project
- Public input
- RFP-What is important to have in it? For example: on-site property management, some municipal housing- year round and seasonal, Landscaping, Appearance/type of housing, energy efficiency measures, infrastructure

TO: Libby Gibson

FROM: Rachel Hobart

DATE: April 27, 2015

RE: Visualizing Affordable Housing on the Town-Owned Land Adjacent to 4 Fairgrounds Road

Interim Report

Background: In December, ReMain proposed to fund a feasibility/design study to help visualize and understand several housing options for the land located between the Ticoma lots and 4 Fairgrounds Road (“the Site”). Permission was granted by the Board of Selectmen to go on to the Site and collect information necessary for this design/feasibility study. Town Administration and the PLUS Office were willing to assist with this study. In return, ReMain and its design team agreed to share the results of these efforts with the BOS and PLUS Offices.

Progress to date: Matt MacEachern, Emeritus Design, was retained by ReMain to create conceptual designs for attractive, affordable housing of varying densities on the Site. His plans are attached for review by the Board. Scenarios showing development of the site under current zoning, under “Community Neighborhood” zoning, and with a 40B project were explored. All plans and elevations are preliminary in nature and meant to illustrate possibilities, not to recommend a particular aesthetic, configuration or result.

Next Steps for ReMain: In the event the Selectmen decide to move forward with the development of the Site in some form or fashion, ReMain proposes to continue to work with Emeritus, Town Administration, the PLUS Office and Housing Nantucket to study the Site. Input from the Board of Selectmen is needed as to what ways they would consider proceeding (e.g., rental vs. ownership, maximum number of units in larger buildings vs. single family dwellings). Several alternative scenarios could be explored further. From a feasibility perspective, this study could include very rough estimates of construction costs (total \$s and costs per square foot) and possible pricing for the various resulting housing units proposed. On the design aspects, if input from the Historic District Commission would be helpful to the Board, ReMain and Emeritus could review the conceptual drawings with the HDC for their preliminary feedback.

We think that this feasibility study would help inform the Board’s future decision-making processes, and we would like to continue to work closely with Town Administration and the PLUS Office to more fully develop those scenarios which are of interest to the Board.

We would be able to report back to the Board with this additional information approximately two months after receiving direction from the Board as to what scenarios warrant further study.

EXECUTIVE SUMMARY

Key Findings

- Nantucket has an **undeniable shortage of price-appropriate housing for people who work on Nantucket throughout the year**. The lack of affordably priced housing is a barrier to a decent quality of life for workers and their families and an obstacle to hiring qualified people for some specialized positions.
- Nantucket has 11,650 housing units: **64 percent seasonal and 36 percent year-round**.
- The median home price on Nantucket is \$1.2M, yet the median family income is \$92,800. **Homeownership is prohibitive for 90 percent of the island's year-round households**.
- The year-round and seasonal rental supply is conspicuously limited at all bedroom size and market levels. The greatest year-round demand is for two-bedroom units. **Nantucket needs to focus on creating reasonably priced rental housing for families if it expects to attract and keep workers over the long run**.
- Roughly 55 percent of Nantucket's homeowners and 40 percent of its renters struggle to pay for the housing units they occupy. **Half of all year-round households are housing cost burdened**.
- **Most of Nantucket's un-affordably housed renters are working-age people**, especially young people below age 34.
- The number of **owner-occupied homes has decreased** by 640 units or 5.5 percent since 2000.
- According to recent population estimates from the Census Bureau, 10,856 people in 4,200 households live on Nantucket year-round. The Town's population has increased approximately **14 percent since 2000**.

Potential Approaches

- **Develop rental housing on Town-owned land**, including units for single people and families.
- **Allow relocated units to be placed on nonconforming lots**, subject to an affordable housing covenant.
- **Commit all Community Preservation Act (CPA) funding to housing** (except the statutory set-asides for open space and historic preservation).
- **Encourage the Nantucket Land Bank to adopt a housing policy** and partner with the Town, Housing Nantucket, and others to create affordable housing.
- **Use Low Income Housing Tax Credits and state and federal resources** to increase the supply of safe, decent, sanitary rental housing.
- **Seek special legislation to establish a Housing Bank** and create shared equity housing, e.g., a land trust or buy-downs of lower-end units while they still exist.
- **Embrace inclusionary zoning** in all areas not zoned for very-low-density residential development.
- **Strengthen code enforcement**.
- **Seek special legislation to provide tax-relief and other incentives** to develop accessory units and tertiary dwellings for affordable housing.
- **Relieve sewer connection and other permitting fees for affordable housing developments**.



"...housing Nantucket people since 1994."

MEMORANDUM OF AGREEMENT

Four Corners

THIS MEMORANDUM OF AGREEMENT (this "Agreement") is entered into as of _____, 2016 (the "Effective Date") by and between Nantucket Cottage Hospital, a Massachusetts corporation, having its address at 57 Prospect St, Nantucket, Massachusetts (the "Hospital"), and the Town of Nantucket, a Massachusetts municipal corporation, having an address of Town & County Building, 16 Broad Street, in said Nantucket (the "Town", together with the Hospital, the "Parties") acting by and through the Board of Selectmen (the "Board").

RECITALS

- A. **WHEREAS**, the Town desires to reconstruct and incorporate certain geometric improvements (the "Four Corners Project") to the intersection located at the juncture of South Prospect Street, Surfside Road, Sparks Avenue, and Atlantic Avenue in the Town ("Four Corners"), all as more particularly shown on a plan entitled "Four Corners Intersection Improvements" Drawing No. EX-C dated September 29, 2015, prepared by RJO'Connell & Associates, Inc., being Exhibit A attached hereto and made a part hereof;
- B. **WHEREAS**, the Town is in the process of applying for a grant from the Commonwealth of Massachusetts under the Mass Works Infrastructure Program to provide funding for the Four Corners Project;
- C. **WHEREAS**, the Hospital owns certain property located on South Prospect Street, Surfside Road, Sparks Avenue, and Atlantic Avenue by virtue of Certificate of Title No. _____ filed with Nantucket Registry District of the Land Court (the "Hospital Property"), as shown on Exhibit A-1, which will be affected by the Four Corners Project;
- D. **WHEREAS**, the vote of Article 102 of the April 2015 Annual Town Meeting, authorized the Board of Selectmen to take by eminent domain certain land which is shown on a plan entitled "Taking and Disposition Plan of Land in Nantucket, MA, prepared for Nantucket Cottage Hospital," dated July 16, 2015, prepared by Blackwell & Associates, Inc. recorded with Nantucket County Registry of Deeds as Plan No. 2016-49, a copy of which is attached hereto as, being Exhibit B (the "Taken Property");
- E. **WHEREAS**, the Board executed the Order of Taking by Eminent Domain of the Taken Property on June 22, 2016, which was recorded with Nantucket County Registry of Deeds in Book 1546, Page 75 and filed with said Registry District of the Land Court as Document No. 152094;
- F. **WHEREAS**, pursuant to the vote of Article 103 of the April 2015 Annual Town Meeting, the Board is authorized to deed the Taken Property to the Hospital;
- G. **WHEREAS**, the Taken Property does not exceed thirty-five thousand (\$35,000) dollars in value, the Town is not required to solicit proposals for the conveyance of the Taken Property pursuant to M.G.L. c. 30B, §16; and

H. **WHEREAS**, in consideration of the conveyance of the Taken Property, the Hospital has agreed to cooperate with the Town to facilitate the completion of the Four Corners Project on the terms set forth in this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and agreements contained herein, the receipt, sufficiency and delivery of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereto agree as follows:

**ARTICLE 1.
EASEMENTS**

1.1 **Construction and Easements**

1.1.1 Within fourteen (14) days of the Hospital's receipt of written notice from the Town that it has secured sufficient funding commitments to commence the construction of the Four Corners Project and the Town has authorized the commencement of the construction of the Four Corners Project pursuant to the construction contracts for the Four Corners Project, the Hospital shall execute and deliver an easement to the Town in the form attached hereto as Exhibit C granting the Town the following rights:

(a) a temporary construction easement (the "Construction Easement") for construction and construction staging on portions of the Hospital Property (the "Construction Easement Area") in connection with the construction and completion of the Four Corners Project, which Construction Easement Area is more fully shown on Exhibit D-1, attached hereto. The Construction Easement shall expire upon completion of the Four Corners Project.

(b) a permanent easement (the "Transportation Easement", together with the Construction Easement, the "Easements") on portions of the Hospital Property (the "Transportation Easement Area"), which Transportation Easement Area is more fully shown on Exhibit D-2, attached hereto, for continued rights of public access over, and operation and maintenance of, the Four Corners Project.

1.1.2 Notwithstanding anything contained herein to the contrary, nothing herein shall be construed to limit, in any way, the Hospital's rights to (i) undertake any ordinary or deferred maintenance, upgrades and/or repairs to the properties subject to the Easements; and (ii) to reconstruct improvements at the properties subject to the Easements in the event of a casualty.

1.2 **Conditions to Grant of Easements**

1.2.1 The Town shall be committed to pay all costs associated with (i) the relocation of the building shown on Lot 2 on Exhibit A, commonly known as the "Lima Cottage"; (ii) storm water discharge off of Lots 1, 2, and 3 of the Hospital Property and connections to all related utilities and improvements required

therefor; and (iii) any driveways, utilities, relocation of improvements, or any other alterations required in connection with the easements located on Lots 1, 2, and 3 of the Hospital Property, provided that the Town receives all funding necessary to construct the four corners Project and is authorized to proceed to construct the Project pursuant to the construction contracts.-

1.2.2 The Town agrees to place on~~As of~~ the April 2017 Annual Town Meeting Warrant for a vote of Town Meeting an article to rezone~~the Town shall have rezoned~~ Lots 1, 2, and 3 of the Hospital Property, as shown on Exhibit A, to place such lots in the Commercial Neighborhood Zone and the Nantucket Cottage Hospital Overlay District to allow all uses permitted in such zone and district, including, but not limited to, apartment uses.

1.2.3 During the Term of this Agreement, the Hospital agrees not to place any permanent structures or improvements in the Construction Easement Area and the Transportation Easement Area and not to make any improvements to or re-locate the structure of the Lima Cottage which will impact the construction of the Four Corners Project by the Town.

~~1.2.2~~

Formatted: Body Text, bt

1.3 Consideration Paid to Town

In the event that for any reason the Hospital does not convey the Easements to the Town, including the termination or expiration of this Agreement, then upon thirty (30) days written notice from the Town, the Hospital agrees to pay to the Town an amount equal to one dollar (\$1.00) per square foot of the Taken Property in consideration for the deed of the Taken Property.

ARTICLE 2. THE FOUR CORNERS PROJECT

2.1 The Four Corners Project

In the event the Hospital grants the Easements to the Town upon the terms set forth herein, the Four Corners Project shall be constructed in substantially the location and configuration shown on Exhibit A, except as the Town may revise due to changes in the design of the Project and the Town shall, at its sole cost and expense, be solely responsible, in perpetuity, for the construction, operation, and maintenance of the Four Corners Project.

ARTICLE 3. TERM

3.1 Term

The term of this Agreement ("Term") will commence on the Effective Date and shall terminate upon the earlier to occur of (i) the ~~tenth~~ 10th anniversary of the Effective Date or (ii) the date upon which the Town determines it will not proceed with the Four Corners

Project. Upon expiration of the Term, this Agreement shall terminate and the Parties shall have no further obligations hereunder.

**ARTICLE 4.
MISCELLANEOUS**

4.1 Continued Cooperation

The Parties shall cooperate with one another at reasonable times and on reasonable conditions and shall execute and deliver within a reasonable time such reasonable and customary instruments and documents as may be necessary in order fully to carry out the intent and purposes of the transactions contemplated hereby, including any and all documents required for the Grants for the funding of the Project. Except for such instruments and documents as the Parties were originally obligated to deliver by the terms of this Agreement, such cooperation shall be without additional cost or liability.

4.2 Modifications

This Agreement may not be modified except by the written agreement of the Parties.

4.3 Gender and Number

Words of any gender used in this Agreement will be construed to include any other gender and words in the singular number will be construed to include the plural, and vice versa, unless the context requires otherwise.

4.4 Captions

The captions used in connection with the Articles, Sections and Subsections of this Agreement are for convenience only and will not be deemed to expand or limit the meaning of the language of this Agreement.

4.5 Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

4.6 Counterparts

This Agreement may be executed in multiple counterparts, each of which when taken together shall constitute a fully executed original document. Additionally, signatures transmitted by Portable Document Format (PDF) may be used in place of original signatures, the Parties hereby agreeing to waive any defenses to the enforcement of the terms of this instrument based on such form of signature.

4.7 Governing Law

This Agreement shall be governed by the laws of the Commonwealth of Massachusetts.

4.8 No Third Party Rights

Nothing in this Agreement, express or implied, shall confer upon any person, other than the parties hereto and their respective successors and assigns, any rights or remedies under or by reason of this Agreement.

4.9 Relationship of the Parties

Nothing contained herein shall be construed as a creating a relationship of principal and agent or of partnership or joint venture between the Parties.

4.10 Notices

All notices required or permitted hereunder shall be in writing and shall be served on the Parties at the addresses set forth below. Any such notices shall, unless otherwise provided herein, be given or served (a) by depositing the same in the United States mail, postage paid, certified and addressed to the party to be notified, with return receipt requested, (b) by overnight delivery using a nationally recognized overnight courier, (c) by personal delivery, or (d) by electronic mail addressed to the electronic mail address set forth below for the party to be notified with a confirmation copy delivered by another method permitted under this Section 4.10. Notice given in accordance herewith for all permitted forms of notice other than by electronic mail, shall be effective upon the earlier to occur of actual delivery to the address of the addressee or refusal of receipt by the addressee (even if such addressee refuses delivery thereof). Notice given by electronic mail in accordance herewith shall be effective upon the entrance of such electronic mail into the information processing system designated by the recipient's electronic mail address. Except for electronic mail notices as described above, no notice hereunder shall be effective if sent or delivered by electronic means. In no event shall this Agreement be altered, amended or modified by electronic mail or electronic record. A party's address may be changed by written notice to the other party; provided, however, that no notice of a change of address shall be effective until actual receipt of such notice. Copies of notices are for informational purposes only, and a failure to give or receive copies of any notice shall not be deemed a failure to give notice. Notices given by counsel to the Hospital shall be deemed given by the Hospital and notices given by counsel to the Town shall be deemed given by the Town.

If to the Hospital:
Nantucket Cottage Hospital
57 Prospect Street
Nantucket, MA 02554
c/o Dr. Margot Hartmann
President and CEO
Email: mhartmann1@partners.org

with copies to:
Goulston & Storrs PC
400 Atlantic Avenue
Boston, MA 02110-3333
Attn: John E. Twohig, Esq.
Email: jtwohig@goulstonstorrs.com

If to the Town:
Nantucket Town Manager
16 Broad Street
Nantucket, MA 02554

with copies to:
KP Law, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110

Attn: Elizabeth C. Gibson, Town
Manager
Email: lgibson@nantucket-ma.gov

Attn: Vicki S. Marsh, Esq.
Email: vmarsh@k-plaw.com

4.11 Recitals

The Recitals set forth above are incorporated into and made a part of this Agreement as if fully set forth herein.

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DRAFT

IN WITNESS WHEREOF, the parties have executed this Agreement as an instrument under seal as of the date first written above.

[Nantucket Cottage Hospital]

By: _____

Name: _____

Title: _____

Hereunto duly authorized

[Town of Nantucket
By its Board of Selectmen BOS]

By: _____

Name: _____

Title: _____

Hereunto duly authorized

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EXHIBIT A

Plan of Four Corners Project

[Attached.]

DRAFT

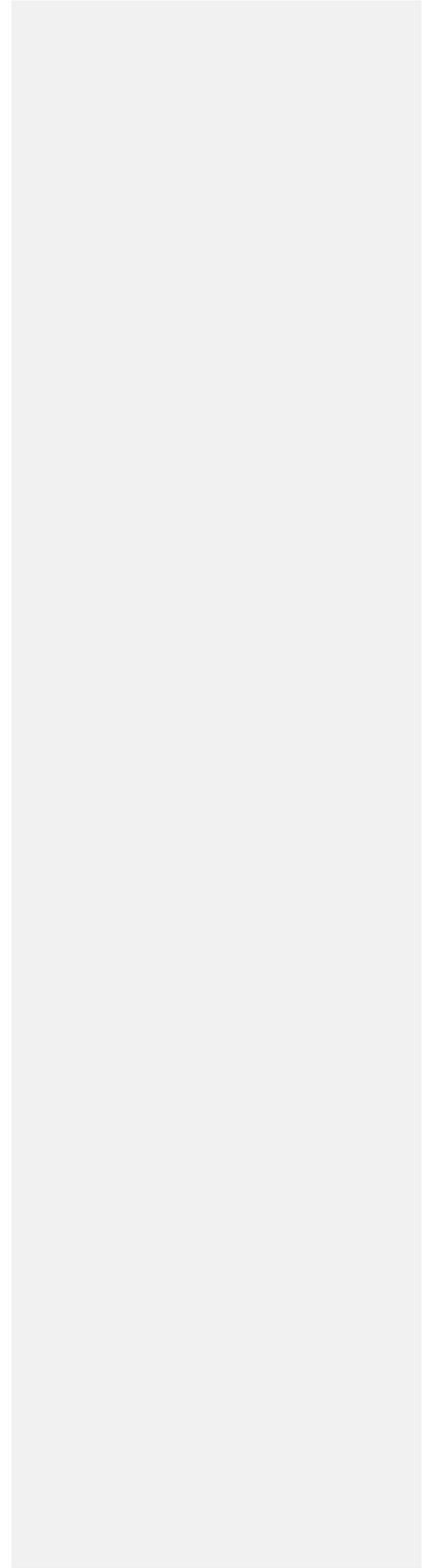


EXHIBIT A-1

Hospital Property Title Documents

[Attached.]

DRAFT

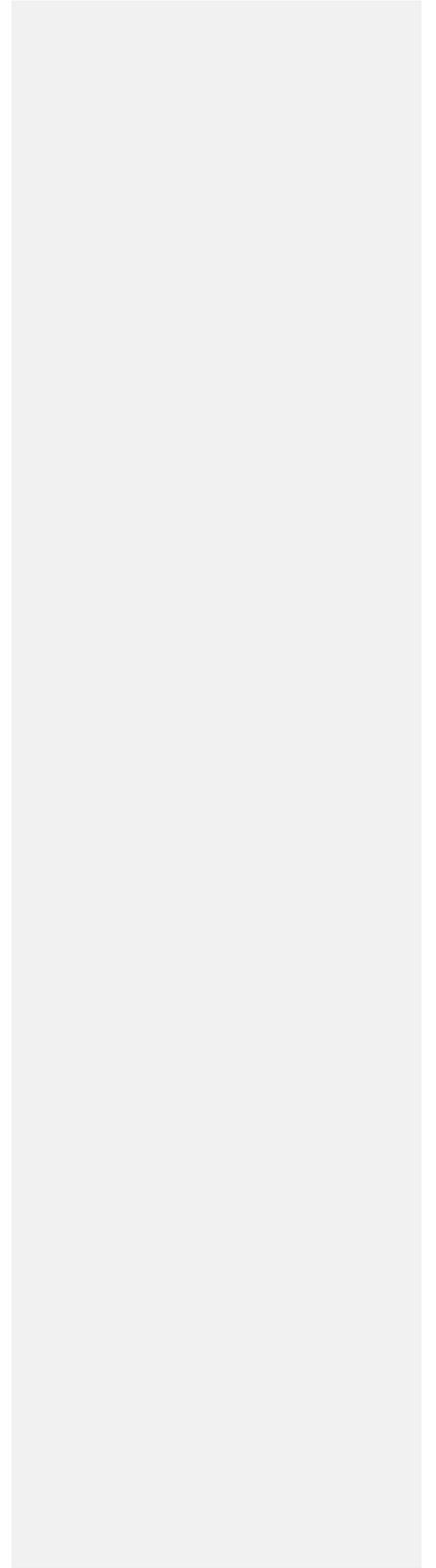


EXHIBIT B

Plan of Taken Property

[Attached.]

DRAFT

EXHIBIT C

Form of Easement Agreement

[Attached.]

DRAFT

EXHIBIT D-1

Plan of Construction Easement

[Attached.]

DRAFT

EXHIBIT D-2

Plan of Transportation Easement

[Attached.]

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