

COUNTY COMMISSIONERS

Minutes of the Meeting of January 6, 2016. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Commission present were Rick Atherton, Robert DeCosta, Matt Fee, Tobias Glidden and Dawn E. Hill Holdgate.

I. CALL TO ORDER

Chairman Glidden called the meeting to order at 6:12 PM following a meeting of the NRTA Advisory Board.

II. ANNOUNCEMENTS

1. County Manager C. Elizabeth Gibson noted that the meeting is being audio and video recorded.

III. PUBLIC COMMENT

None.

IV. NEW BUSINESS

None.

V. PUBLIC HEARINGS

1. Second Public Hearing to Consider Extending the Hummock Pond Road Bicycle Path, referred to as Milk Street Extension, from Hummock Pond Road to Mt. Vernon Street as Shown on Plan Entitled "Permanent and Temporary Easement Plan, Extension of Hummock Pond Road Bike Path Along Milk Street Extension, County of Nantucket, Nantucket, Massachusetts," Dated September 30, 2015, Prepared by ACKME Survey LLC; and to Consider Acquiring Permanent and Temporary Easements on Abutting Parcels of Land by Purchase, Gift and/or Eminent Domain, Pursuant to MGL Chapters 79 and 83, or Otherwise. Chairman Glidden opened the public hearing.

At 6:13 PM Mr. DeCosta left the meeting; he returned at 6:15 PM.

Transportation Planner Mike Burns reviewed plans for the Milk Street Bicycle Path, noting it will be 8' wide and run along the south side of Milk Street, affecting nine properties. He said utility relocations still need to be finalized and the right of way plans still need to be revised. Mr. Burns noted he has received four donations of easement of the nine properties, or about 10% of the total area required, which results in some savings for the community. John West, president of the Prospect Hill Cemetery Association, stated he doesn't "comprehend the taking language", and that monetary consideration should be given to Prospect Hill as he feels a "rock bottom price" is being offered. Mr. West said he is in favor of the path but concerned about Prospect Hill's liability. Abutter John Ray, whose house is located very close to the road, spoke in favor of locating the path on the north side of Milk Street. Prospect Hill Cemetery Association superintendent Jeff Morash said he feels the taking damage award is too low. Carl Borchert spoke in favor of the proposal. National Grid engineer Stephen Breton noted six locations along the proposed path need hand holes on the private property-side of the bike path and he asked that the locations be incorporated into the layout plan. Mr. Fee asked if the utility lines will be buried. Mr. Breton said no, that it would cost millions of dollars. Dave Fredericks noted there is no charge to the County from the utilities to relocate the poles. Mr. Burns said the bike path was not located on north side of Milk Street because of public safety issues; it was deemed dangerous for bicyclists and pedestrians to have to cross the road. Mr. Burns answered questions from Commission members. Mr. Ray clarified that he hoped the road itself could be moved. Mr. West asked if there is any liability exposure for Prospect Hill or any indemnification. He added he would like assurance in writing that Prospect Hill will be free of any encumbrances. Attorney George

Pucci of Town Counsel's office said the County is taking property and doesn't indemnify anyone. Mr. Fee moved to close the public hearing; Mr. Atherton seconded. All in favor, so voted. Chairman Glidden read the following motion prepared by Town Counsel: moved to extend the Hummock Pond Bicycle Path, from Hummock Pond Road to Mt. Vernon Street, into and along Milk Street, and to acquire by gift and/or eminent domain, permanent and temporary easements for public pathway purposes, as shown more particularly on a plan entitled "Permanent and Temporary Easement Plan", dated September 30, 2015, prepared by ACME Survey LLC, and to award damages in the amounts and to the owners listed in an exhibit to the Order of Taking (the exhibit shall not be recorded), and, further, to execute the Order of Taking and any and/or all other documents and undertake such other action as may be necessary or convenient to accomplish the foregoing. Mr. Atherton so moved; Ms. Hill Holdgate seconded. So voted 4-1. Mr. Fee was opposed as he feels the utility lines should be buried.

VI. COMMISSIONERS REPORTS/COMMENTS

None.

VII. ADJOURNMENT

The meeting was unanimously adjourned at 6:48 PM.

Approved the 27th day of January, 2016.

**COUNTY COMMISSIONERS
JANUARY 6, 2016 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- V. 1. Email from Town Counsel, re: prepared motion; Order of Taking by Eminent Domain for Pathway Extension; taking plans; easement donations from 60 Milk Street and 66 Milk Street; Milk Street offer letters