

# NP&EDC

NANTUCKET PLANNING AND ECONOMIC DEVELOPMENT COMMISSION



**COMMISSIONERS:** Nat Lowell (Chair), Andrew Bennett (Vice Chair), Kara Buzanoski, Jack Gardner, Dawn Holdgate, Wendy Hudson, Bert Johnson, Leslie B. Johnson, Joe Marcklinger, John McLaughlin, Barry Rector, and Linda Williams

---

## MINUTES

**Monday, February 1, 2016**

Planning & Land Use Services, 2 Fairgrounds Road, Conference Room – 6:00 p.m.

**Purpose: Regular Meeting:**

---

**STAFF IN ATTENDANCE:** Mike Burns, Transportation Planner; Eleanor Antonietti, Zoning Administrator; Andrew Vorce, Director of Planning (arrives at 6:15); Leslie Snell, Deputy Director of Planning (arrives at 6:30)

**ATTENDING MEMBERS:** Nat Lowell, Chairman; Andrew Bennett; Kara Buzanoski; Wendy Hudson; Bert Johnson; Joe Marcklinger; Linda Williams; and Leslie B. Johnson

**ABSENT:** Jack Gardner; Dawn Holdgate; John McLaughlin; and Barry Rector

**Public present: NONE**

---

### **I. Call to Order:**

The meeting was called to order at 6:06 pm

### **II. Establishment of Quorum:**

Chairman Lowell declared a quorum was present.

### **III. Approval of Agenda:**

**Adopted by UNANIMOUS consent.**

Next meeting is 3/28

### **IV. APPROVAL OF 2015 MINUTES:**

**The MOTION was made** by Chairman Lowell and seconded that the NP&EDC does hereby vote to approve the NP&EDC minutes for June 1, 2015 and October 5, 2015, as submitted.

The vote was **UNANIMOUS**.

### **V. PUBLIC COMMENTS:**

NONE

### **VI. ACTION/DISCUSSION**

#### **A. 3C Budget Adjustments**

Mike Burns has to consult NP&EDC. Staff has used more time on Title VI and inter-regional transportation planning. Using time from Performance measuring monitoring and ITS (Intelligent Transportation System) tasks - reallocating time.

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve/accept the 3C BUDGET ADJUSTMENTS as presented by Mike Burns.

The vote was **UNANIMOUS**.

**NP&EDC Minutes for February 1, 2016; adopted March 28, 2016**

**B. Action/Discussion of Budget regarding FY17**

AV Generally this is a requirement that we had before we merged with PLUS. It's hard to pull out what is NP&EDC and what is PLUS. Budget is pretty much set now. I ask that you just approve it as it applies to NP&EDC.

AV Is there any discussion?

NL Certain fixed items that you cannot really control through Planning Commission.

AV You see our goals and priorities. You see increased activity with Bldg. Dept. We have fully integrated dept. now, which is right approach. I will try for 2018 budget to have bylaw committee to amend the requirement.

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve/accept the 2017 BUDGET as presented by Andrew Vorce.

The vote was **UNANIMOUS**.

**C. Action/Discussion: 2016 ATM – Citizen’s Warrant Articles**

AV There is a list of Citizen Warrant Articles in your packet. There are 32.

I have outlined if and why they are a Planning Concern in Columns D & E of the spread sheet.

Discussion regarding AV’s recommendations.

Leslie J. has a question about #7? Fly boards ? Jet skis are a nightmare and this will only add to the chaos.

LW It's not included in existing code so they need to add it to what is regulated.

AV It is going before FinCom now.

Bert J. They could just go outside of the harbor

AV I encourage people to make it to FinCom if you are concerned

**MOTION** to approve all of the “NO” in Column D – specifically that said Articles are NOT OF PLANNING CONCERN.

M/S/A Kara B. and Joe M. 2<sup>nd</sup>

**UNANIMOUS**

**MOTION** to approve all of the “Refer to PB” in Column E

M/S/A Linda and Kara B. 2<sup>nd</sup>

**UNANIMOUS**

AV MOVE to take no action regarding ACQUISITION & DISPOSITION OF POPLAR in Spread Sheet rows 23 & 24 - DUPLICATE

**MOTION** to approve “NO ACTION” in Column D for rows 23 & 24

M/S/A Linda and Kara B. 2<sup>nd</sup>

**UNANIMOUS**

**MOTION** to support AV’s recommendation that ACQUISITION & DISPOSITION OF WOODBINE is of Planning Concern. (“YES” in Column D of rows 4 & 5)

M/S/A Linda and Kara B. 2<sup>nd</sup>

**UNANIMOUS**

Row 8 CHARTER AMENDMENT

LW Makes a Motion to make a Negative recommendation. This effects all of our subgroups and all of you on the planning commission.

NL explains the CHARTER AMENDMENT - 3 consecutive terms maximum with 1 year off

Wendy Let's focus on whether it's a planning concern.

LW This is targeting 2 people in particular

Wendy I don't think the Boards should be able to say anything. This should be a town-wide consensus.

**NP&EDC Minutes for February 1, 2016; adopted March 28, 2016**

Nat L. There are unintended consequences ... Sounds like a good idea to set term limits.  
Andy Bennett here has been on ConCom for 3 yrs.

Kara Makes a Motion that this is not a planning concern

LW I already made a motion. Now I have to withdraw my motion.

Joe M. Let's find out and vote on these two motions.

AV You are already late to the table. FinCom has made a favorable recommendation.  
You need to vote as a body whether you think this is a planning concern. And then you make a 2<sup>nd</sup> motion.

LW I withdraw my motion.

M/S/A Kara Leslie J. 2<sup>nd</sup>

NO VOTE

LW This is targeted at me and John McLaughlin. This is using town mtg. for a personal problem. This has been tried twice before and was resoundingly voted down.

4 Yes VOTE affirming that this is not a planning concern (WH, LJ, KB, AB)

4 NO VOTE affirming that this is a planning concern (NL, BJ, Joe M., LW)

LW Makes MOTION to make no recommendation meaning that nothing would be printed on warrant.

AV None of the NP&EDC recommendations are even printed in the warrant. They go to FinCom or PB. It might come up if someone asks if the NP&EDC took a position.

NO 2<sup>nd</sup>.

LW withdraws her 2<sup>nd</sup> motion.

(No recommendation)

Row 9 RIGHT TO FARM

Kara B. feels this is a planning concern

LW Isn't this covered in the existing bylaw to some extent?

AV Any agricultural use is covered in any district right now but this is a general bylaw change, not a zoning change. There were concerns with farm in "Wally World". The Agricultural Commission supports.

Wendy H. I am in favor of the spirit of this. This could help create jobs. We can send a message that we would like to see this work but the proponents may need to rework and refine it. We should think of positive input.

**MOTION** to hold to 3/28

M/S/A/ Joe m 2<sup>nd</sup>

**UNANIMOUS**

Rows 13 & 14

TOWN SEWER DISTRICT - one lot extension. Did not get adequate # of points. 3+ acre lot in LUG-3. Milestone Crossing.

Kara B. He has 10 bedrooms and a commercial kitchen.

LW Then he needs a new system. Upgrade.

AV We definitely need to include Dimock b/c that was a subset of Somerset. He needs to install utilities. Don't want a bunch of septic tanks. Both proposals qualify as being of planning concern. The Mark Dawson one is outside the district and I recommend that you support a NO ACTION recommendation for that one but support a positive recommendation for Dimock.

**MOTION** that Town Sewer District article regarding Mark Dawson is NOT of planning concern.

M/S/A LW Joe M 2<sup>nd</sup>

**UNANIMOUS**

**NP&EDC Minutes for February 1, 2016; adopted March 28, 2016**

**MOTION** that Town Sewer District article regarding DON DIMOCK is of planning concern and we make a positive recommendation.

M/S/A LW Kara B 2nds

Row 18 regarding ACQUISITION of 40 – 44 SPARKS

AV Additional authority to acquire property to be leased as a funeral home. I did review this with FinCom tonight, but we did not finish up. This is the property closest to Norman Moore's. The Town does not have clear title. Acquire it for open space or cemetery use or general municipal purposes. 42R Sparks is already owned by the Town so no need for Taking. School Committee has to release its right to that property. The other maps were already covered in prior articles - 42 & 44 Sparks Av. Positive recommendation would allow the Town to acquire. This is a real estate acquisition so 2/3 majority vote is needed. REAC refused to review this. Policy level decision.

**MOTION** that this article is NOT of planning concern.

M/S/A LW AB 2<sup>nd</sup>

Bert J. OPPOSED.

Row 21 COASTAL PROPERTIES on page 60 of Packet

AV This is striking Chapter 67 which means that the Board of Selectmen cannot lease or license the coastal land in Sconset for any use. It would have to go to ATM mtg.

LW I think this is a planning concern.

AB Big planning concern, regulating access across town property.

**MOTION** that this article is of planning concern.

M/S/A LW AB 2<sup>nd</sup>

**UNANIMOUS**

**MOTION** to make a negative recommendation

M/S/A LW AB 2<sup>nds</sup>

**UNANIMOUS**

Rows 26 -29 ACQUISITION & DISPOSITION of Wanoma Way and Saccacha Ave.

AV These are standard paper street acquisition and disposition articles. Portion of Wanoma Way that goes over the bluff.

KB Why did Arthur R. propose this?

AV We did not do any paper streets this year. We are taking the year off.

KB Saccacha one is a tiny strip of land. REAC recommends this. It will fix a setback issue. Dead end street.

**MOTION** that this article is of planning concern.

M/S/A LW KB 2<sup>nd</sup>

**UNANIMOUS**

**MOTION** to make a Positive recommendation

M/S/A LW KB 2<sup>nds</sup>

**UNANIMOUS**

**D. Action/Discussion regarding Annual Performance Review of Director Vorce  
Authorization to approve Personnel Action Form**

AV thank you for submitting my annual performance review. They have not all been tabulated. Barry uses a program. Last year was a productive year. Alot of projects have moved forward (Cultural District, Tank Farm move ...) Annual increase is consistent with other raises. I have info. On that if desired. Water Co. Gave out merit raises within this range. I have been lead to believe that there is some sort of cap. 3%

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve the Personnel Action Form to be signed by Nat Lowell.

**5 in FAVOR and 3** (Kara B., Andrew B., Bert J.) **ABSTAINING**

**E. Action/Discussion of Disclosure regarding 268A Section 19 by Director Vorce**

Disclosure of Director Vorce's interest in matter involving subdivision modification to allow tertiary dwellings on certain lots. He lives in Essex Rd. Subdivision.

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to affirm that Director Vorce has no financial interest in providing advice to applicant seeking to modify Essex Road subdivision and draft a warrant article to change zoning in the subdivision.

The vote was **UNANIMOUS**.

**F. Action/Discussion regarding Vacation Carryover for Andrew Vorce**

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve/accept Andrew Vorce's request for carry over of 92 vacation hours for a two year period.

The vote was **UNANIMOUS**.

**G. Out-of-State Travel Request – APA National Conference**

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve/accept Mike Burn's request for Out-of-State Travel to attend the APA National Conference in Phoenix, Arizona from April 1 – 6, 2016.

The vote was **UNANIMOUS**.

**H. Rural Council (Appointed Wendy Hudson)**

**\*\*\*\*\*Re-Affirm Vote**

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby re-affirm prior vote to appoint Wendy Hudson to the Rural Council.

**I. Action/Discussion: 2016 Meeting Calendar**

Mike Burns explains that part of the TIP is to have a few meetings between May and July. There could be a few special meetings.

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby vote to approve/accept the 2016 Meeting Calendar as presented by Mike Burns.

The vote was **UNANIMOUS**.

**VII. OTHER BUSINESS:**

**A. Transportation Report**

Mike Burns updates commission on various activities.

**B. Cultural Districts**

AV The Cultural District was unanimously approved. We are 33<sup>rd</sup> in the state. Aquinna was there too.

LW What does this get us?

AV It is marketed as an interesting place to go and there is some state budget funding for which we can compete with other named districts.

NL Does it involve private property?

AV It is all private property.

WH Is there a local steering committee?

AV The Nantucket Arts Council. They talked about a year-round programming effort.

LW They talked about doing a sidewalk art show, like up in New Hampshire.

WH They changed the Town Laws. You cannot do anything on sidewalks. When are we starting our literary council district? We should not be #33 on this.

AV I agree. Took too long.

**NP&EDC Minutes for February 1, 2016; adopted March 28, 2016**

**C. Updated Ocean Management Plan**

AV The main issue is interconnections in offshore area. Route between 2 islands as a way to connect us with Martha's Vineyard and do our own project in state waters that would benefit us.

NL Isn't this a bidding process?

AV Yes. Lauren Sinatra - Energy Office - will be helping with this. They are asking for names to join a new committee - Offshore Sand Mining Task Force. Looking for RPA members. Looking for people in Fishing Industry. Need names. Appointments are made by Secretary of State.

LW recommends Pete Kaiser who is familiar with beach nourishment.

AV One of the specific offshore areas is by Great Point. Increasingly concerned where Ames and Madaket Rd. come together. We need to pump some sand back and build that beach back up. Millie's Bridge could become unusable.

LW There used to be a road going over to Smiths Pt. in 1930s

NL Sewer to Madaket?

Kara DEP will not allow us to install sewer out there because it's an active erosion area.

AV The person will have to travel to Boston. There is funding. Don't know how often they will be meeting.

Discussion about other potential recommendations (including Carl Borchert, Karl Sjolund, and Myles Reis).

Nat L. Fronzuto could be ex officio

AV Fisheries guy thought Pete gave very valuable information

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby approve that Andrew Vorce ask Pete Kaiser if he would be interested in being involved.

**D. Hampshire Council – Regional Planning Agency – Review Recommendation**

AV there is nothing for you to do. We already gave a negative recommendation. They are petitioning to become the 14<sup>th</sup> RPA. MARPA has taken a position against it and we have gone along with the majority. We have not implemented our regulatory authority.

**E. Free Skate for Affordable Housing – EVENT**

AV Anne Kuszpa is looking for participation and co-sponsoring for this event which will educate public on local affordable housing options.

WH What is the question? Will we add our names to this?

AV Yes.

LW We could have an information table there. Stake holders with housing issue will be there.

Joe M. Are they looking for \$

LW no

**The MOTION was made** by Linda Williams and seconded that the NP&EDC does hereby approve that the commission supports this event as a named "sponsor".

**F. Complete Streets Training on March 18<sup>th</sup> 9:30AM to 12:30PM**

There is new funding - up to \$500,000 for technical assistance and \$400,000 for construction projects. We need at least 8 Officials to attend training, which is on island at Faregrounds Restaurant, or they will cancel. Members will have to RSVP. Tailored for municipal officials and employees such as members of BOS, ZBA, PB, HDC, and Planning Staff. Being conducted through Bay State Roads Program which is a cooperative agency connecting University of Mass. Amherst, Federal Highway, and Mass DOT. The product is to understand local policy. All roads need to be constructed for all ages, abilities and all modes of transportation. The idea is to see how a community can sculpt their policy to make that happen.

**G. Discussion regarding *Surfside Commons* 40B apartment building project – 106 Surfside Rd.**

No new developments. Site Visit is to be rescheduled. Staff will notify commissioners.

**NP&EDC Minutes for February 1, 2016; adopted March 28, 2016**

**H. MISCELLANEOUS**

Mike Burns explains why bids submitted for In-town Bike Path were rejected. Ambiguities regarding pavement items caused those who bid on the project to bid without a good understanding of what was requested. (Warm mix asphalt was bid as if it was standard asphalt instead of being bid as an additive.) This caused the bids to be too high.

Joe M. How many bid?

MB There were 2 bids with one submitted by Victor-Brandon Corporation and the other, winning bid, by Northern Construction.

NL Does anyone have any other questions for Mike?

Wendy Does that change the timeline - the bid?

MB Summer 2017 - but need to have it rebid and then we look for a construction schedule

Wendy Hudson An economic dvpt. issue came up. Civic Economics does studies on economic impact. Amazon is now collecting sales tax. They have opened up a big warehouse in Mass. There is a new study that discusses the draining effect of tax revenue - loss of jobs, loss of property taxes, brick and mortar store suffers ... Loss of commerce. Country wide problem. I am on Retailer Assn. Board. Having to pay time and a half (blue law/religious based) on Sunday's putting brick and mortar at total disadvantage. Trying to get governor to change the law. Minimum wages are rising. Family medical leave act. Governor Rand wants to protect merchants. They did not take action and they ruled that Amazon is not a retailer and does not have to comply with the time and a half rule for Sunday employees. Level playing field. Gvt. Should not be endorsing something that compromises the brick and mortar stores.

LW Should we take action by making a recommendation as an RPA? AV could discuss with MAARPA.

---

**ADJOURNMENT M/S/A to ADJOURN MEETING 7:25**

Submitted by:  
Eleanor Antonietti