

ADVISORY COMMITTEE OF NONVOTING TAXPAYERS

Minutes of Public meeting 10 A.M., SATURDAY, February 11, 2023 via Zoom

1. Attending members: Kathy Baird, Gary Beller, Bill Gardner, Don Greene, Peter Halle, Peter Kahn and Bill Sherman. Member absent: Lou Bassano. A quorum was present. Also present were guests Gene Briskman, Ralph Kuncel, Donna Martino and Scott Ulm. Our guest speakers were Gail Walker, Nantucket Lights (Article 76) and Bruce Mandel, Motorized Passengers Devices Bylaw (Article 72).
2. At approximately 10:02 AM the Chair Peter Halle convened the meeting and read the Virtual Meeting Script.
3. The Agenda approval for today's meeting was moved and seconded and passed unanimously.
4. Approval of the minutes from the January 28 meeting was moved and seconded. It passed unanimously.
5. Peter Halle introduced our guest speaker, Gail Walker, the author of Town Warrant Article 76, looking to replace the current Outdoor Lighting Bylaw with one that includes modern lighting and supports the Dark Sky Initiative.
6. Gail provided a link to materials regarding her article to ACNVT prior to the meeting that is included as an attachments to these minutes.
7. Gail provided an overview of the components of her bylaw in a format that followed its tenets and followed up by summarizing her response to common questions and concerns. She noted support to-date for her article from the Nantucket Civic League (NCL), the Nantucket Historical Commission, the Brant Point Association and the Madaket Conservation Association (MCA). Gail indicated that the town is currently not supporting the article due to concerns about enforcement and priority. FINCOM will be considering the article this coming week.
8. Gail answered technical questions about lumens, shielding which included visual examples, covered enforcement and whether outdoor lighting concerns are a sufficient priority to require the extensive changes being proposed to the current regulations
9. Due to time constraints, ACNVT member discussion on this topic and a decision on recommendations will be postponed until the next ACNVT meeting. Peter Halle thanked Gail for her well-researched presentation.
10. Peter Halle introduced our guest speaker, Bruce Mandel, the author of Town Warrant Article 72, Motorized Passenger Devices, a modification to Town Chapter 98 to prohibit the use of such devices on the bike paths.
11. Bruce had provided materials regarding his article to ACNVT prior to the meeting and they are attached to these minutes.
12. Bruce noted that the MCA and NCL had provided written approval of his proposed article and the bike association (which meets infrequently) had not voted to take a position. Town counsel voiced no legal concern but indicated the potential for enforcement challenges. Bruce cited several other cities that have banned or restricted these devices on pedestrian paths. Bruce answered several questions regarding enforcement and the impact of the article on the currently allowed use of motorized bicycles in pedal-mode. Safety impacts of

moving these devices to the roads was also discussed. Speed limits on the bike paths were not included in the article as they are seen as not enforceable due to small footprint for radar detection. FINCOM has decided not to make a recommendation to adopt this article but Bruce noted this has not been an impediment in passing previous articles of similar nature that he had submitted. Given time constraints, a discussion on this topic and a decision on recommendation will be held over to be dealt with at the next meeting of the ACNVT. Peter Halle thanked Bruce for his presentation and participation in our meeting.

13. Short-Term Rental Working Group (STRWG) Update – Peter Kahn and Kathy updated the ACNVT on the 31 January meeting stating it was mostly a process discussion with little substance other than an overview of the consolidated feedback from the public input session held on December 12. Progress is slow due to the delay in obtaining STR data and the complex and opaque process being used to acquire it. Concern was voiced that there will be no STR registration web portal until November 2023 despite the bylaw taking effect last month. It was noted town committees are voting ‘not to adopt’ citizens STR articles at the May Annual Town Meeting in deference to the STRWG results scheduled for consideration at a Special Town Meeting on November 7. ACNVT submitted the same recommendation to the town as a result of our January 28 meeting.
14. A short discussion on the ACNVT appointment process resulted in a suggestion to backfill the rotational assignments, first come, first served, starting with the longer terms first.
15. Next meeting topics will include discussion on the ATM articles presented at this meeting and an update from the STRWG members.
16. Next ACNVT meeting Saturday, February 25, 2023 at 10am.
17. Motion to adjourn was seconded and passed unanimously at 12:01 pm.

Respectfully submitted,

Kathy Baird, Secretary

Attachments (4)

(1) – Link to Article 76 meeting information per item 6 above

<https://nantucketlights.org/proposed-new-bylaw>

(2) – Attachments to Article 72 meeting information per item 11 above

- a. Bike Path Citizen Article – ACNVT Bullet Points
- b. Bike Path Citizen Article – Responses to FINCOM Questionnaire
- c. Bike Path Citizen Article – Motorized Personal Device Photos
- d. Bike Path Citizen Article – Netherlands Cycling Pathways Study

The following link represents the recording of this meeting located on the Town of Nantucket YouTube website. <https://www.youtube.com/watch?v=q2V1zQvCUYk>