

NANTUCKET CEMETERY COMMISSION
Posted Meeting of March 20, 2023, at 10:00 am
At Polpis Cemetery, 264 Polpis Road

DRAFT MINUTES FOR REVIEW AND APPROVAL

Attendance: Commissioners: Frances Karttunen, Scott McIver, Allen Reinhard (Chair), Lee Saperstein, and Barbara White.

Guest: Rick Beaudette, Attorney for the Hicks family, owners of the eastward abutting property at 268 Polpis Road.

1. Call to Order.

Allen Reinhard called the meeting to order at 10:03 am. A roll-call of attendees showed that a quorum existed. In addition, the agenda was approved by acclamation.

2. Public and Commissioner Comments.

Allen Reinhard reminded those in attendance that the purpose of the meeting was for an “inspection of proposed land to be traded with an abutter” (Agenda Item 2.) and then to have a “discussion of suitability of potential use of proposed land for burials” (Agenda Item 3.). In that the first agenda item was comments from the public, he invited Rick Beaudette, attorney for the abutters to offer his comments. Rick Beaudette first said that he was pleased to meet the members of the Cemetery Commission and that he hoped that this exchange of information could put everyone on the “same page.” He continued by saying that as much as one and one-half years ago he had received a communication from Town Counsel suggesting that a land swap was imminent and that the proposal made by the Hicks family would be acceptable to the Town of Nantucket (attached). Lee Saperstein noted that the Commission had not been given the same information; instead, it had been told to wait until the land could be surveyed and that this information came only at its last meeting of March 8, 2023.

3. Observe Proposed Bounds.

Allen Reinhard said that it was time now to look at the proposed bounds of the cemetery if the Town’s proposal was accepted. This is shown on the map created by Leo Asadoorian, PLS, surveyor, and called Option B (also attached). The group walked northwards and stopped at the northeast corner of the existing cemetery boundary. He pointed out the 20-ft plus zone that would be granted to the Hicks and then pointed to the proposed new northeast corner. The group walked up into the land that would become part of the cemetery if Option B was accepted. Scott McIver asked Rick Beaudette if this swap would be acceptable to his clients. The response was that they would not be agreeable to it because their outdoor reception area was just below where we were standing and they would like for it to be shielded from the cemetery. Scott McIver then asked what would be acceptable.

Before the issue of an acceptable compromise could be discussed, Barbara White asked about the cost of surveying and if his clients were amenable to paying for it. She and Frances Karttunen were concerned that the Cemetery Commission's limited funds should not be taxed for the surveying costs. Lee Saperstein suggested that this could become part of the negotiation best managed by Ken Beaugrand, Town Real Estate Specialist.

Allen Reinhard recounted his frustration at the almost eight-year delay between a request from the Hicks family for a swap and today. Rick Beaudette expressed surprise at this comment because he had understood that the request for a swap came from the Cemetery Commission. An extract from the minutes of June 10, 2015, is included here.

“2. Plan to layout additional lots at Polpis. The Commission then resumed its regular meeting and, to accommodate the guest's schedule, started with Agenda Item 4. “Plan to layout additional lots at Polpis.” The commission's guest, Ms Hicks, is the abutter to the east of the Polpis Cemetery. Chair Reinhard indicated that there had been previous unfinished communication between the Cemetery Commission and the Hicks family over a land swap. For the benefit of the Commissioners who had not been present, Chair Reinhard asked Ms Hicks if she, as an owner of 268 Polpis Road, would be interested in a land swap to expand the cemetery on its north side by accepting some land alongside her property, which is the eastern boundary of the Cemetery. Her property is ‘L’-shaped and abuts the cemetery on two sides. She said, “potentially, yes.” but only if her family bore no expense and if there was no net loss of area to her land. She asked that we start negotiations with her attorney, Mr. Richard Beaudette. She said, also, that if they could receive a width equal to the sideline setback required by zoning, it would be helpful. For the record, 268 Polpis Road is in the LUG-3 zone that requires a 20-ft side yard setback.”

The reference to “previous unfinished communication” could not be found in minutes of earlier meetings and it is presumed that it was an unrecorded conversation.

Rick Beaudette then returned to the issue of a compromise layout for the land to be granted to the Town by the Hicks. He understands, he said, the benefit to his clients of the swap. They have told him that the landscaped lands between their home and the cemetery is used by them for reception purposes and they would much prefer that the new boundary not overlook this area. Perhaps the proposed boundary could be pushed back to the high point of the ground so that the cemetery would be on the west-facing downslope. Lee Saperstein suggested that the Commission is interested in a regular and symmetric boundary because it makes fencing and maintenance, such as mowing, easier. He wondered if the boundary could form a triangular piece of land creating a quadrilateral after the swap. Several commission members objected to this proposal and said that the swap should be a rectangle but not necessarily as long as shown in Option B. All recognized that the two parcels must be of equal size and value. At that point, Lee Saperstein moved that we ask Ken Beaugrand to negotiate with the Hicks and their attorney on the Commission's behalf, starting with Option B. but with an understanding that a reasonable compromise would be in order. This motion – start with Option B. but come up with an acceptable compromise – was seconded and accepted unanimously by the Commission.

4. Discussion of Suitability of Potential Use of Proposed Land for Burials.

Allen Reinhard thanked Rick Beaudette for his input to the Commission, who then left the meeting. Allen Reinhard then said that it was apparent that the swapped land, appropriately cleared and landscaped, could accommodate many years of future growth. He asked if there were any further items needing discussion. Hearing none, he asked for a motion to adjourn. Barbara White and Frances Karttunen accommodated his request and the commission voted unanimously to adjourn.

5. Adjournment.

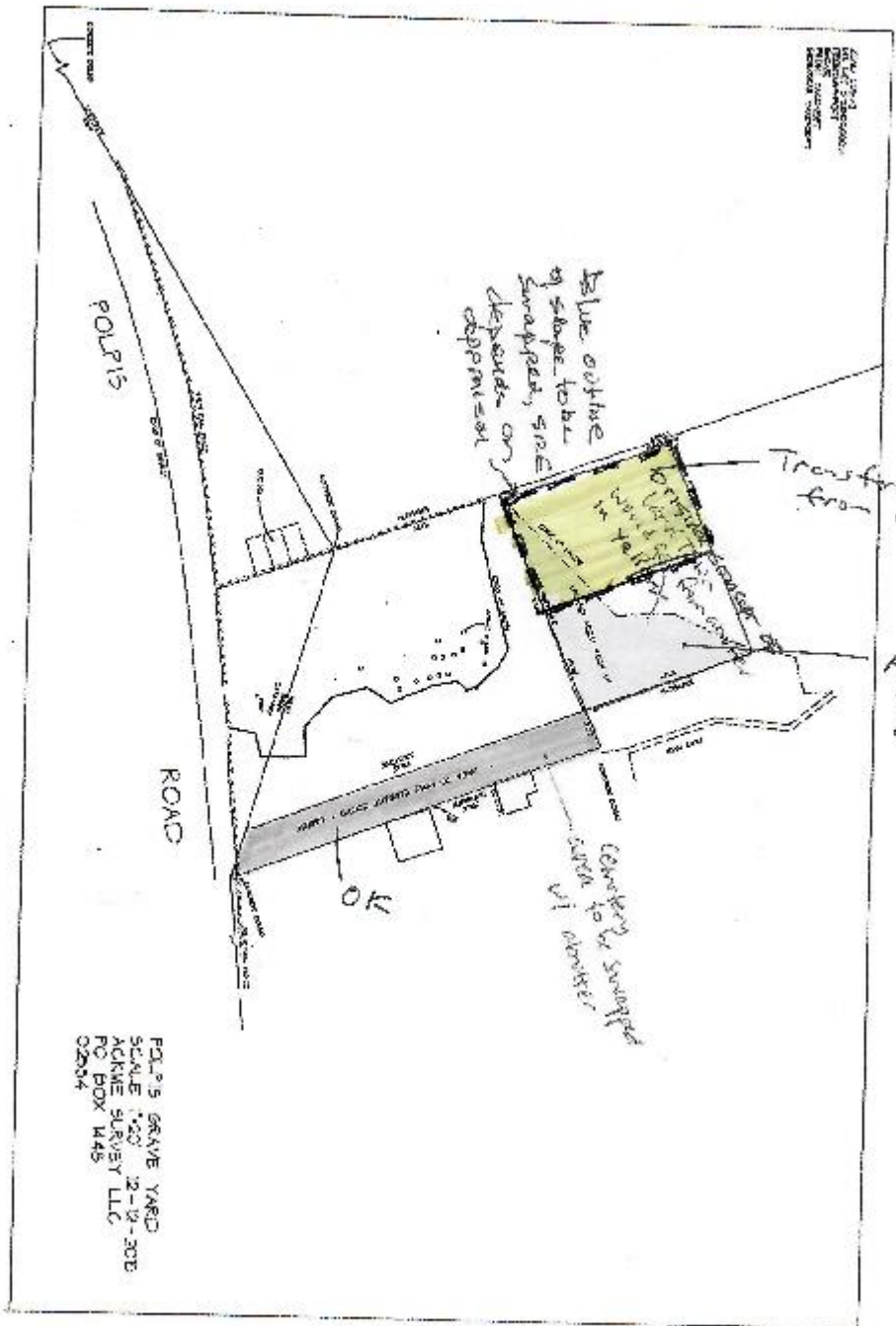
Adjournment came at 10:42 am.

Next regular meeting: Wednesday, April 12, 2023, at 3:00 pm, in the DPW conference room at 188 Madaket Road. For those who wish to attend virtually, a Zoom link will also be sent to Commissioners.

Respectfully submitted: _____; Date: _____
Lee W. Saperstein, Secretary

Nantucket Cemetery Projects List.

- Cemetery monument condition survey (completed); awarding of four more contracts for monument conservation.
- Split rail fence at Polpis Cemetery: installed in existing cemetery; needed in newly acquired land.
- Survey to lay out additional lots at Polpis.
- Toe and lot corner markers for new Polpis lots when laid out (purchase order in progress).
- Consolidation of lots at Newtown Cemetery with recordable ground survey.
- Fencing at the Historic Coloured Cemetery: sections installed, needed against Vesper Lane.
- Fencing and brush removal at New (fencing installed) and Old North Cemeteries.



POLPIS GRAVE YARD
 SCALE 1"=20'
 2-12-2013
 ACRME SURVEY LLC
 PO BOX 145
 02904

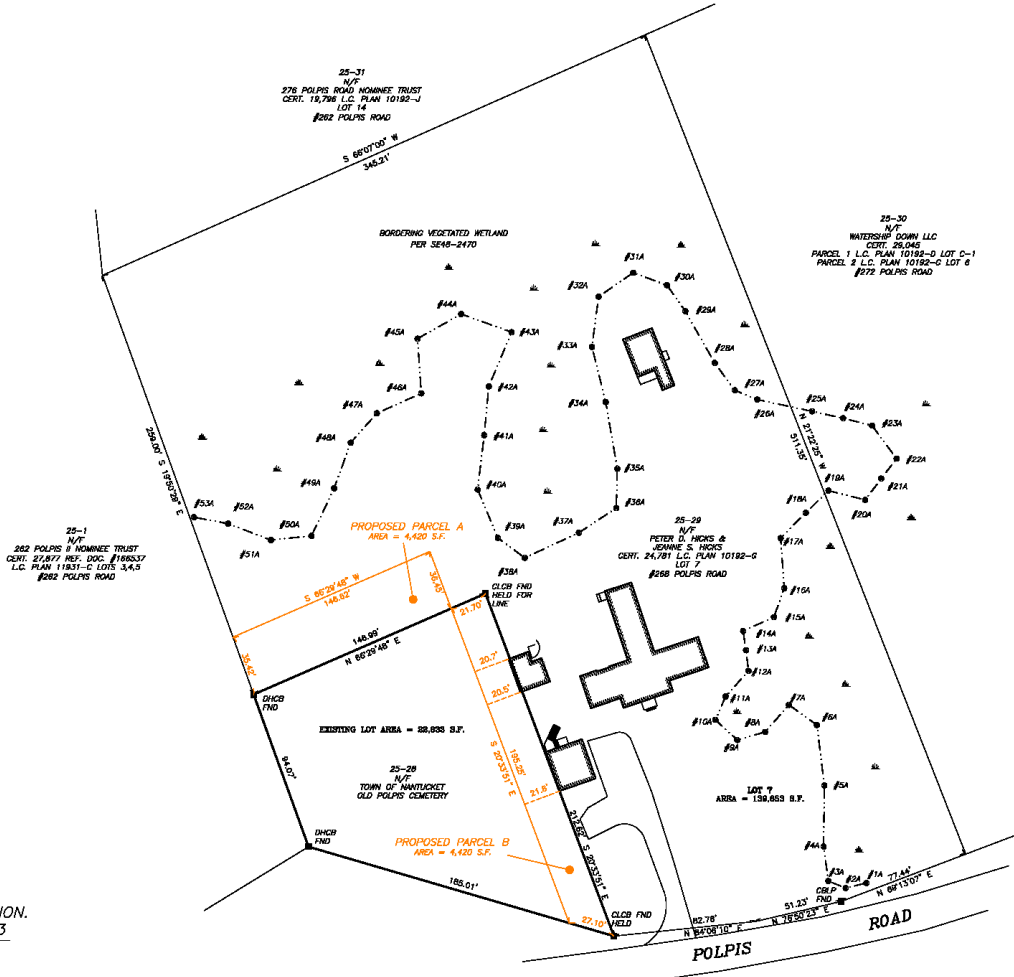
DATE: 2-12-2013
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]

CURRENT ZONING CLASSIFICATION:
Limited Use General 3 (L.U.G.-3)

MINIMUM LOT SIZE: 120,000 S.F.
MINIMUM FRONTAGE: 200 FT.
FRONT YARD SETBACK: 35 FT.
REAR/SIDE SETBACK: 20 FT.
GROUND COVER % : 3%

LEGEND

- DHC#
FND DENOTES CONCRETE BOUND WITH DRILLHOLE FOUND
- CLCB
FND DENOTES CENTER LINE OF CONCRETE BOUND FOUND
- CRP
FND DENOTES CONCRETE BOUND WITH LEAD PLUG FOUND



Option B
BEING A SUBDIVISION OF LOT 7
SHOWN ON LAND COURT PLAN 10192-G
Concept Plan of Land
in
Nantucket, Mass.
Prepared for
**TOWN OF NANTUCKET
OLD POLPIS CEMETERY**
Scale: 1" = 30' MARCH 08, 2023

BLACKWELL & ASSOCIATES, Inc.
Professional Land Surveyors
30 FEASTIVAL CIRCLE
NANTUCKET, MASS. 02554
(508) 228-9028
GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

DRAFT FOR
REVIEW AND DISCUSSION.
DATE: 03-08-2023

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