

SELECT BOARD

Minutes of the Meeting of August 2, 2023. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Dawn Holdgate, Thomas Dixon, Matt Fee, Dr. Malcolm MacNab and Brooke Mohr.

I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:30 PM following the Pledge of Allegiance.

II. SELECT BOARD ACCEPTANCE OF AGENDA

Chair Holdgate noted items VIII-2 and 3 are being moved under Citizen/Departmental Requests (IX). The agenda was otherwise accepted. She also stated that if there are any committee applicants present who aren't able to attend the August 16th meeting can speak on their applications tonight.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson introduced new DPW Director Andrew Patnode. The Board welcomed Mr. Patnode and he received a round of applause.

Ms. Gibson reviewed the announcements:

1. The Select Board Meeting is Being Audio/Video Recorded.

2. Announce Applications Received for 2023 Committee Vacancies – Round 2: Agricultural Commission, Cemetery Commission, Council for Human Services, Council on Aging, Cultural Council, Finance Committee, Harbor and Shellfish Advisory Board, Planning Board Alternate, Real Estate Assessment Committee, Town Council Study Committee, Tree Advisory Committee. Operations Administrator Erika Mooney read the names of the applicants for Round 2 appointments to fill vacancies, as follows:

Agricultural Commission: Kelly Steffen

Cemetery Commission: Allen Reinhard (incumbent but applied late for annual appointments)

Council for Human Services: Claudia Valle (incumbent but applied late for annual appointments); Sarah Wright; Kelly Steffen

Council on Aging: no applicants

Cultural Council: no applicants

Finance Committee: Joseph H. Wright

Harbor and Shellfish Advisory Board: James Sjolund

Planning Board Alternate: John Kitchener; Cameron Murphy; Kelly Steffen

Real Estate Assessment Committee: Nathaniel E. Lowell

Town Council Study Committee: Peter N. Schaeffer; Michael L. Alvarez; Jerico Mele; Beau Barber; Curtis Barnes; Donna Martino (Advisory Committee of Non-Voting Taxpayers representative); Jill Vieth; Jeff Carlson;

John Riccio; Hillary Hedges Rayport; Kelly Steffen; Joseph T. Grause Jr. (applied late); Caroline Baltzer (applied late)
Jill Vieth was present and introduced herself.

Tree Advisory Committee: Whitfield C. Bourne (incumbent but applied late for annual appointments); Mary Longacre

Ms. Mooney said it will be up to the Select Board whether or not the applications for Joe Grause and Caroline Baltzer will be considered. She noted that she has reached out to the Talent Bank to see if anyone is interested in the seats that still have no applicants and has gotten some response for Round 3.

3. No Select Board Meeting on Wednesday, August 9, 2023 (Summer Schedule); Next Meeting to be Held on Wednesday, August 16, 2023.

Ms. Gibson added the following announcements:

August 10 at 12:30 PM, Public Tour of the Town's First Solar Project at the Surfside Wastewater Treatment Facility, 81 South Shore Road. More information at www.nantucket-ma.gov/SurfsideSolar

The public is encouraged to participate in the development of a draft Long-Range Transportation Plan! Visit www.nantucket-ma.gov/LRTP to participate in the Review Phase and comment on the draft document.

Public participation is critical to ensure community concerns are addressed in the update to the Nantucket and Madaket Harbors Action Plan. To take the survey visit <https://nantucket-ma.civilspace.io/en/projects/39/engagements/22/sections/1>

4. Select Board Announcements/Comments.

There were no Board comments.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

There was no follow up.

V. PUBLIC COMMENT

Andrew Saul, of Sconset spoke on increased activity on the Sconset Bluff Walk, stating that abutters are "overwhelmed" by the foot traffic and other activities increasingly occurring along the Bluff Walk. He suggested that advertising of the area be curtailed if possible. He said he believes this increased activity is becoming a security issue. Steven Colan, of Sconset concurred with Mr. Saul and expressed concern as to people expanding their walking into private property.

Meridith Lepore suggested that the Town acquire a fire boat.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII 1 – 3; seconded by Ms. Mohr; all in favor, so voted.

1. Approval of Minutes of July 19, 2023 at 5:30 PM; July 20, 2023 at 4:00 PM.

2. Approval of Payroll Warrants for July 23, 2023.

3. Approval of Treasury Warrants for July 26, 2023; August 2, 2023.

4. Approval of Pending Contracts for August 2, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Dixon recused himself from the pending contracts vote. Ms. Mohr moved to approve the pending contracts, as presented; seconded by Mr. Fee; so voted 4-0.

VIII. CONSENT ITEMS

1. Gift Acceptances: Natural Resources Department; Human Services (Saltmarsh Senior Center); Fire Department. Ms. Mohr reviewed the list of gifts and the donors. Ms. Mohr moved to accept all gifts for their designated purposes, with thanks to the donors; seconded by Dr. MacNab; all in favor, so voted.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

2. Cisco Brewers and Bartletts Farm: Request for Extension of Hours for Music and Alcoholic Beverage Service on August 22, 2023 (Rain Date August 23, 2023). Licensing Administrator Amy Baxter reviewed the request, noting the Board has approved this in years past and it is allowed under Cisco Brewers liquor and entertainment license conditions. Mr. Fee recused himself from the vote. Ms. Mohr moved approval as requested; seconded by Mr. Dixon; so voted 4-0.

3. RW Bryant: Request for Waiver of Town Noise Bylaw for Night Work Along Portion of Easton Street to Install Fiber-optic Cable. Operations Administrator Erika Mooney reviewed the request, noting the work proposed is too difficult to do during the day and the Coast Guard Station Brant Point considers it critical infrastructure work for their operations. She recommended a condition of approval is that RW Bryant must notify all affected abutters in the work zone in advance of the night work. Ms. Mohr moved approval as requested with the condition of abutter notification; seconded by Mr. Fee; all in favor, so voted.

1. Coastal Resilience Coordinator: Quarterly Report for Coastal Resilience Advisory Committee. Coastal Resilience Coordinator Leah Hill reviewed the materials in the Board's agenda packet including the recommendations for the Town to hire a dedicated grant writer and for the Board to include coastal resilience in its Strategic Plan.

X. TOWN MANAGER'S REPORT

1. Continued Review of Potential Warrant Articles for November 7, 2023 Special Town Meeting, Including Proposed Short-Term Rental Articles. Ms. Gibson reviewed the status of the draft warrant, including an overview and/or any changes since the Board's last meeting, for each article. Mr. Fee commented on assessing betterments to the Surfside area road projects. Mr. Fee commented on the upgrades to the South Valley Pump Station and a concern about the taxpayers funding the entirety of that project, which he said he hopes will not happen. Chair Holdgate recused herself from the following discussion, taking a seat in the audience. Vice Chair Mohr assumed the position of Chair, asking if any Board members had questions or comments on the short-term rental related articles. Mr. Fee spoke on continuing concerns he has with these articles, stating that he is working through them. Some discussion followed as to the timeline of the warrant and whether there is any room to delay adoption; and, whether or not there could be "placeholder article(s)" that could be further developed through a motion(s). Town Counsel John Giorgio spoke to the specifics of potential placeholder articles. Discussion continued further as to whether or not additional time is necessary for the Board to consider the articles and what questions are outstanding that need answers. Mr. Fee said there could be the potential for amendments; however, there could be scope issues which might prevent that. Mr. Giorgio spoke on article scope issues and quantum of vote issues between general bylaw articles and zoning bylaw articles. Extensive discussion followed on the pros and cons of general bylaws vs zoning bylaws to regulate short-term rentals

(STR). Ms. Mohr suggested that if Board members are concerned about the articles, that concrete suggestions be brought forward tonight. Discussion followed on this. Mr. Fee and Dr. MacNab each expressed concerns as to the current wording of the STR articles and indicated they are not sure they will support them, as written. Dr. MacNab acknowledged that it is late to be trying to come up with revised or new articles, due to the schedule for the STM. Ms. Mohr asked what data is available, predictive or otherwise, to address the concerns of Mr. Fee and Dr. MacNab and expressed concern that concrete suggestions are needed at this point. Matt Haffenreffer, consultant for data analytics for the former STR workgroup, spoke on the difficulty of coming up with definitive data given the many variables, in order to address Mr. Fee's request to better understand potential impacts of the proposed warrant articles. Dr. MacNab commented that he does not think the Board is getting anywhere with this discussion, concluding he believes the current articles are not going to change. Mr. Dixon, having served on the STR work group, spoke on the various scenarios on which the work group spent a great deal of time and discussion. Dr. MacNab spoke further on the data, or lack thereof, currently. Kathy Baird asked if corrective edits could be provided on the STR articles. Ms. Mohr suggested those be forwarded to the Town Manager. John Kitchener responded to Dr. MacNab's comments about the data, and what the STR work group discussed with respect to data and scenarios. Curtis Barnes commented on the changes in occupancy vs rental contracts. Ms. Mohr stated that there are plans for public information sessions after the warrant is adopted for people to ask questions about their personal situations. Karen Zagayko commented on some Frequently Asked Questions that the STR work group developed.

Chair Holdgate returned to the table.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Chair Holdgate commented on a Governance Workshop the Board held today from 10:00 AM to 1:00 PM, noting it was very productive and valuable. She noted the Board will be holding a Strategic Planning session in October.

Chair Holdgate asked the Board to consider one additional meeting per month for licensing issues.

Ms. Mohr asked the Board to consider seeking advice from legislators as to the regulation of E-bikes. Chair Holdgate concurred and suggested that this agenda category (XI) be re-worded more broadly to allow for discussion about potential agenda items.

Mr. Fee commented on local people leaving the Island.

Mr. Dixon commented on the recent passing of John McLaughlin and his long-time service to the Town. Other Board members spoke on their remembrances of Mr. McLaughlin.

XII. ADJOURNMENT

Mr. Fee moved adjournment at 7:36 PM; seconded by Dr. MacNab; all in favor, so voted.

Approved the 16th day of August 2023.

**SELECT BOARD
AUGUST 2, 2023 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. 2023 Committee Vacancies Timeline - Round 2; List of Committee Vacancy Applicants - Round 2; Committee Applications - Round 2
- VII. 1. Draft minutes of 7/19/2023; Draft minutes of 7/20/2023
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. Gift summary & recommended motion; Natural Resources gift; Saltmarsh Center gift; Fire gift
- VIII. 2. AIS re: Cisco - Bartlett's Farm staff party; Email from Bartlett's Farm; Cisco liquor license; Cisco entertainment license
- VIII. 3. AIS re: RW Bryant noise bylaw waiver request; Email from RW Bryant; Plan of work area
- IX. 1. AIS re: CRAC quarterly report; CRAC quarterly report; Reflections from former CRAC Chair
- X. 1. Outline for 11/7/2023 STM Warrant as of 6/25/2023; Draft Short-Term Rental warrant articles; Bruce Mandel email; Smith Point Assn email; Michael Kopko email; Franci Neely email; DRAFT 11/7/2023 Special Town Meeting Warrant