

TOWN OF NANTUCKET
2019 Annual Town Meeting
Citizens' Petitions
Town Counsel Review

Petition No.	Lead Petitioner	Description	Comment
A	Ken Beaugrand	Approve recommendations of Community Preservation Committee for Fiscal Year 2020.	Approved as to form. The motion should correct the reference in <u>SOURCES</u> from FY 2018 to FY 2020. The same reference change should be made to State matching funds.
B	Ian Golding	Amend Town Code by adding a new Article to Chapter 57 – Bicycle Safety.	Approved as to form. The Town will need permission of landowners to install signs on private property.
C	Ken Beaugrand	Approve recommendations of Community Preservation Committee for Fiscal Year 2020 Budget Transfers.	Approved as to form.
D	Arthur I. Reade, Jr.	Zoning Map Change: rezone four parcels located on Appleton Road from the Village-Technical District (V-Tech) to the Village-Neighborhood (VN) District.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
E	Samuel N. Limperis	Zoning Map Change: Rezone one parcel located on Lovers Lane from residential-20 (R-20) to Commercial Neighborhood (CN) District.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
F	Sandra Palchanis	Zoning Map Change: rezone two parcels located on Daffodil Lane from Limited Use General -2 (LUG-2) to Residential -40 (R-40).	Approved as to form. Petition must be referred to Planning Board for a public hearing.
G	Arthur I. Reade, Jr.	Amendment Section 139-17 of the Zoning Bylaw - Height Limitations - allowing an as	Approved as to form.

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		of right height limitation of 35 feet in the FEMA 100-year Flood Zone (rather than by special permit).	Petition must be referred to Planning Board for a public hearing.
H	Walter Wieners	Appropriate \$110,000 to fund ambulance transport for behavioral health patients from Nantucket to treatment facilities off island.	If Finance Committee is in favor, it may be more appropriate to amend the Town's operating budget rather than a special article appropriation. Motion must identify a specific funding source.
I	John B. Brescher	Amend Sewer Bylaw (Chapter 41) by adding three parcels located on Hickory Meadow Lane to the Sewer District.	Approved as to form. Petition should be referred to the Board of Selectmen for a recommendation pursuant to Chapter 396 of the Acts of 2008 (the Nantucket Sewer Act.) A positive motion should state that an amendment to Chapter 41 of the Town Code is necessary.
J	John B. Breascher	Amend Sewer Bylaw (Chapter 41) by adding 16 parcels located on Polpis Road to the Sewer District.	Approved as to form. Petition should be referred to the Board of Selectmen for a recommendation

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			<p>pursuant to Chapter 396 of the Acts of 2008 (the Nantucket Sewer Act.)</p> <p>A positive motion should state that an amendment to Chapter 41 of the Town Code is necessary.</p>
K	Robert F. Cole	Formation of a Committee for Sensible Cannabis Policy.	Approved as to form. Section 44-6 of the Town Code authorizes the Moderator to appoint a committee if authorized by Town Meeting unless Town Meeting votes to appoint members of a Committee.
L	Campbell Sutton	Appropriation – Installation of two stop signs at the intersection of Bartlett Road and Surfside Road.	Approved as to form.
M	Tobias Glidden	Adoption of Stretch Energy Code.	Approved as to form. Adoption of the Code is a required step in order for the Town to receive a Green Communities designation.
N	Tobias Glidden	Appropriation – Municipal Energy Study	Approved as to form.

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O	Tobias Glidden	Appropriation - \$30 Million for the acquisition of existing properties for affordable housing purposes.	Approved as to form. The borrowing authority, if approved by a two-thirds vote at Town Meeting, will also require a Proposition 2 ½ debt exclusion at the 2019 Annual Town Election. The appropriation is for the acquisition of "existing properties." Funds may be granted to the Nantucket Affordable Housing Trust and expended with oversight by the Select Board.
P	Tobias Glidden	Zoning Bylaw Amendment – Creation of a Solar Energy Overlay District.	Approved as to form. Petition must be referred to Planning Board for a public hearing. The proposed bylaw would create an as of right use for land based solar energy facilities, subject to minor site plan review. Adoption of this zoning bylaw is also a prerequisite for a Green Communities designation.

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Q	Frederick McClure	Zoning Bylaw Amendment – Swimming pools.	<p>Approved as to form. Petition must be referred to Planning Board for a public hearing.</p> <p>The word “foot” is missing from the new language to be added to the definition of swimming pool in Section 139-2 of the Zoning Bylaw. The bylaw will apply to the issuance of any building permit for a swimming pool after the first publication of the Legal Notice of the Planning Board public hearing on the proposed zoning change.</p>
R	Judith W. Wegner	Directs certain Town boards to undertake a feasibility study relating to the creation of a residential rental facilities registration, inspection, and certification System.	<p>Approved as to form. This petition constitutes a non-binding directive to the Town boards listed in the petition.</p>
S	Theresa A. William	Directs Town officials to establish standards for performance of duties by Town officials and a complaint procedure to address appropriate redress of wrong doing or maladministration.	<p>The first section of this petition (published standards) constitutes a non-binding directive to Town Officials.</p>

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Petition No.	Lead Petitioner	Description	Comment
		Establish a Complaints Committee to Deal with Complaints of Wrong Doing and Maladministration Against Town Officials.	<p>The second section of this petition requires the establishment of a Complaints Committee that would be empowered “to deal with complaints of wrongdoing and maladministration.” Such a Committee cannot be established merely by a vote of Town Meeting, whose authority is limited to establishing committees to study a particular question.</p> <p>In order for a “Complaints Committee” to effectively “deal with” complaints, such a Committee would have to be established by Charter or Bylaw.</p>
T	Steven Cohen	Zoning Bylaw Amendment – Definition of a tent by placing additional limitations on the duration of time that tents may be erected.	Approved as to form. Petition must be referred to Planning Board for a public hearing.

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Petition No.	Lead Petitioner	Description	Comment
U	Steven Cohen	Zoning Bylaw Amendment – Definition of ground cover - to exclude generators and mechanical and utility equipment.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
V	Steven Cohen	Zoning Bylaw Amendment – Definition of Yard, Front - to allow the Planning Board to waive by special permit certain set back requirements for lots abutting a single street.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
W	Steven Cohen	Zoning Bylaw Amendment – Definition of Structure - to exclude stairs providing access to a structure, including access ramps and platforms that are at least two feet from a lot line.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
X	Steven Cohen	Zoning Bylaw Amendment – Rear lot subdivision - to allow the number of building lots to include those allowed in an ANR Plan. Eliminates the requirement that the lots meet all dimensional and upland requirements contained in the “Rules and Regulations Governing the Subdivision of Land. “	Approved as to form. Petition must be referred to Planning Board for a public hearing.
Y	Steven Cohen	Zoning Bylaw Amendment – Covenant program- to allow the expansion of the secondary lot option for lots subject to Nantucket Housing Needs Covenant.	Approved as to form. Petition must be referred to Planning Board for a public hearing.

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Z	Steven Cohen	Zoning Bylaw Amendment – Definition of marijuana establishment - Change the required minimum separation for adult use marijuana establishments from 2,000 to 500 feet.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
AA	Steven Cohen	Zoning Bylaw Amendment – Definition of marijuana establishment – Allows waivers from the requirements of the bylaw by the issuance of a special permit by the Planning Board.	Approved as to form. Petition must be referred to Planning Board for a public hearing.
BB	Steven Cohen	Authorization of a lease or license of Town-owned land for a coastal erosion project – Sconset Bluff.	Approved as to form. It is assumed that the intent of this petition is to address the bylaw that was enacted at the October 10, 2018, Special Town Meeting which amended Section 67-1.E of the Town Code.
CC	Steven Cohen	Real estate acquisition –Washington Ave	Approved as to form. This would authorize a yard sale transaction.
DD	Steven Cohen	Real estate conveyance – Washington Ave	Approved as to form.

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			This would authorize a yard sale transaction.
EE	Tobias Glidden	Sense of the meeting - Whale Heritage Site	This is a non-binding resolution that proposes to support the designation by the World Cetacean Alliance of a Whale Heritage Site in the waters around Nantucket Island.

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