

Town Administration Comments on 2022 Annual Town Meeting Citizen Warrant Articles

As of 01/09/22

Subject to Change

Notes

- No Town Admin Comments are made on Zoning Articles
- No appropriations of citizen warrant articles are included in any of the Town budget or capital project recommendations – *except* for the Community Preservation article(s) (routine)
- Town Counsel Comments are attached [2022-Annual-Town-Meeting-Citizen-Warrant-Article-Submissions-Town-Counsel-Comments-PDF \(nantucket-ma.gov\)](#)
- Link to Citizen Warrant Articles: [2022-Annual-Town-Meeting-Citizen-Warrant-Articles-PDF \(nantucket-ma.gov\)](#)

Article A – Zoning Map Change/Jackson

No Comment

Article B – 10 Surfside Rd property control/McGrady

Defer to Town Counsel Comment

Article C – Direct Select Board to allow 14 days between ATM & ATE/McGrady

Traditionally, there have been between 8-10 days between the ATM and ATE (depending on the day of the week ATM occurs). Question the purpose of an additional 4-6 days; also, depending on when Town Meeting is held, holidays and school vacation days can interfere with scheduling. If the desire is to give “voters who were unable to attend the Annual Town Meeting the opportunity to discuss and publish their opinions about override articles before having to vote on them at the election” – they can do that at any point even prior to Town Meeting; and, if the desire is to publish opinions in the newspaper there seems to be sufficient time to allow for that, already.

Article D – Single Use Plastics (Containers for Alcoholic Beverages)/Mandel

Unclear what is intended as submitted. The proposed changes do not reconcile with existing wording in the current bylaw.

Article E – Single Use Plastics (Single Use Plastic Fiber Tobacco Filter Products)/Mandel

Again, the proposed changes do not reconcile with existing wording in the current bylaw.

Article F – Home Rule Petition to Prohibit Fertilizer/Minella

Defer to Town Counsel Comment

Article G – Sewer District Map Change (15 Milestone Crossing)/Buckley

A public hearing held by the Select Board acting as the Sewer Commissioners is currently scheduled for 2/9/22. Town Admin recommendation pending internal review with Sewer/Health/PLUS.

Article H – Home Rule Petition for Solar Power/Booms

Defer to Town Counsel Comment.

Article I – Home Rule Petition for Complaints Ombudsman/T Williams

A similar article has been before Town Meeting 3 previous times (2018, 2019, 2021) and has either been referred to the Town Government Study Committee which took no subsequent action; or, failed by vote of Town Meeting. It is unclear as to how and when complaints would be “mediated” and/or determined to be valid; how an ombudsman would be selected; the legality of how “redress” would be made.

Article J – Appropriation (\$300,000) for a Solid Waste Shredder (C Williams)

Unclear what this is. There is no indication as to what would be “shredded” and where the shredded material would be disposed of. Finding a receiver of shredded material (which would have to comply with Massachusetts waste bans), depending on what it is, would likely be challenging. The Town has previously authorized \$628,866 to upgrade equipment at the Materials Recovery Facility (MRF) (\$175,000 per Article 12 at 2019 ATM and \$453,866 per Article 20 at 2020 ATM), which authorizations are still open and will be supplemented by other Solid Waste Enterprise Fund capital expenditures being proposed for FY2023 and FY2024, all in accordance with a MRF renovation plan under active consideration. Purchase of a shredder would not optimize recycling or landfill diversion and would not be consistent with the MRF upgrade plans being considered.

Article K – Zoning Map Change/Bunting

No Comment

Article L – Bylaw Amendment for Gender Equality at Beaches/Stover

Presumably, the beach goer reaction to this would generate a lot of additional activity for the Police Department and other enforcement personnel. If approved, a positive motion will need to indicate a specific Chapter in the Code.

Article M – Bylaw Amendment for Wharves and Waterways/Sutton

Defer to Town Counsel Comment.

Currently, the regulations require dinghies to be removed from certain locations between certain dates. It seems the petitioner is seeking an additional two weeks from one location and one day in another. If the Harbor and Shellfish Advisory Board feels this is important enough to recommend a change in the regulations, that recommendation could be made to the Select Board.

Article N – Home Rule Petition regarding membership of NP&EDC/Rayport

Defer to Town Counsel Comment.

Several years ago, the DPW Director position was removed from the membership of the NP&EDC because having that position on the Commission dated back to when administration of the Town’s operations was not centralized. We maintain that the DPW Director is not a

necessary part of the Commission and the person in that position can simply attend NP&EDC meetings as needed. Having Town positions on advisory or regulatory boards – unless statutorily required – can be awkward at times due to supervisory or other circumstances.

Articles O-U – Zoning

No Comment

Articles V-Y – Real Estate

Pending recommendation(s) from Real Estate Assessment Committee

Articles Z-BB – Community Preservation

No Comment (annual articles, no issues)

Article CC – Sewer District Map Change (44 Skyline Dr)/C Williams

A public hearing held by the Select Board acting as the Sewer Commissioners is currently scheduled for 2/9/22. Town Admin recommendation pending internal review with Sewer/Health/PLUS.

Articles DD-EE – Zoning

No Comment