



100 Years Strong

Our Goals:

- Preserve
the island's resources
- Improve
the quality of island living
- Educate
the public on island issues
- Encourage
participation in island government

Camp Richard Preserved for Boy Scouts

Through their collective effort, the Nantucket Land Council, the Nantucket Civic League, and the Camp Richard Campers Association succeeded in preserving local ownership of the Nantucket Boy Scout's Camp Richard. Culminating a six-year legal battle, Judge Gary Nickerson ruled on July 16 that the Camp Richard Campers Association is the just and proper Trustee of the property.



Civic League officer Mary Wawro, who was point for the NCL on the litigation, observed that "The support from the entire Camp Richard Campers Association Nantucket Community was incredible. When the facts were finally brought before the court, the judge made the right decision and resoundingly ruled in favor of keeping the Civic League's "forever" gift under local control. After a 5-year struggle, justice was done."

Since 1955, the Nantucket Boy Scouts have operated our local Boy Scout camp near the Town Forest. Over the years, they have hosted hundreds of Boy Scout troops from across Massachusetts and New England, offering overnight wilderness camping experiences on their 100 acres of pristine forest land, donated to the local Boy Scouts by the

Growing Opposition to 40B Development

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In April 2018, local developers Jamie Feeley and Josh Posner submitted a Chapter 40B plan called Surfside Crossing. It would be a 156-unit development of 60 single-family homes and 96 condominiums, built on 13 acres of land on South Shore Rd. at a density of 12 units/acre. Since submitting their initial plan, the developers have scaled it back by about one-third: from 60 to 40 single-family homes and from 96 to 60 condominium units, reducing density from 12 units/acre to 7.7. For comparison, Sachem's Path (a nearby affordable development) has a density of just 4.4 units/acre.

Massachusetts General Law allows developers to override local zoning requirements in communities where less than 10% of the year-round housing stock is qualified as affordable. The intent is to add more affordable dwelling units by requiring 40B developers to price 25% of newly built units as affordable; the remainder can be market priced. 40B developers generally seek Zoning Board approval for overrides, allowing for increased density and height.

Over 700 opponents of the proposed Surfside Crossing project appeared at the August 28, 2018 public hearing of the Zoning

Board of Appeals (ZBA) on the project. The project was unanimously opposed by the Select Board, and a grass-roots organization, Nantucket Tipping Point, is coordinating opposition to it. The ZBA is empowered to deny the application; however, the developers can appeal to the State, which generally rules in favor of such appeals.

Nantucket Civic League Co-Presidents Peter Morrison and Charles Stott sent a letter of opposition. Their letter noted that the development would impose significant future demands on Nantucket's infrastructure, school system, water and sewer services, and public safety. The Civic League recommended that the developers withdraw their proposal and replace it with one that fully respects all the concerns the Select Board has voiced.

Opponents of the project cite a host of concerns: traffic and parking, safety and emergency response issues, sewer and water capacity, cultural and environmental issues, extreme density, and a threat to the sustainability of Nantucket's neighborhoods and natural resources.

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Officers

**Peter Morrison &
Charlie Stott ...**

co-presidents

Lee Saperstein...

vice president

Rick Atherton ...

treasurer

**Barbara Stott &
Mary Wawro ...**

co- secretaries

Peter Louderback ...

clerk/photographer

Mark

Your Calendar NOVEMBER

- 22 Turkey Plunge
- 30 Christmas Stroll



DECEMBER

- 1-2 Christmas Stroll
- 7 NCL Holiday Party
- 24 Red Ticket Drawing



Co-Presidents' Message

Our four priorities remain: preserving our island's resources, educating and informing the public on island issues, improving the quality of island living, and encouraging participation in local government.

Your co-presidents and our Executive Committee members are advancing on all four fronts. Topping the list of ongoing activities--our two traditional annual forums, "Meet the Articles" and "Meet the Candidates." Each is well-attended and also reaches a much larger TV audience who watch it "on demand" afterward. "Meet the Articles" features competing perspectives on key articles to be voted on at Annual Town Meeting. This year's "Meet the Candidates" forum invited 12 contestants in 5 separate races to explain why they seek office and what their positions are on issues.

We hosted two other topical forums this year. One focused on in-town parking concerns, identifying ways to mitigate traffic congestion and ease access to downtown. The other forum explored the future of Nantucket's landfill, and beginning to develop a vision of the landfill for guiding the Town's future choices and decisions.

Complementing these forums are several initiatives emblematic of our mission to preserve the island's resources, educate and inform the public on island issues, and promote civic engagement. One is our water quality initiative, inaugurated two years ago, to foster a gradual cultural change to help restore water quality and preserve our fisheries. This initiative has proven highly successful, thanks to active participation by several of our 25 neighborhood associations. To date, roughly one-third of our 25 associations have hosted presentations at their annual summer gatherings, featuring presentations and discussions by the Town's resource experts. We offer to arrange speakers for their summer meetings, and the feedback from members has been very positive. We are generating tangible results, partnering with the Town's Natural Resources Dept., the Nantucket Shellfish Assn., and others who are advocating on behalf of Nantucket's harbors and ponds.

Another initiative, now in its third year, musters our neighborhood associations' support for Nantucket's "Clean Team"-- those volunteers doing Saturday morning clean-ups around the Island. Each week, we connect the Nantucket Clean Team organizers with our neighborhood association president where the Team will be working that week, who in turn can alert members to show up that Saturday to participate. It's a simple "force multiplier" to improve the look of our neighborhoods.

A third initiative addresses affordable housing concerns. Last year, we applied for--and secured for the Civic League--a Nantucket Cot-

tage Hospital "Community Health Initiative" grant to advance an embryonic idea from an earlier Civic League forum on affordable housing. We're using this grant support to launch a website to connect Nantucket homeowners who have unused living space with employers whose employees seek year-round housing. The aim: to demonstrate that a specialized website can facilitate word-of-mouth contact between employees who seek year-round housing and homeowners with available living space who hadn't ever considered renting that space. The headline: "Help House an Employee Who Serves You." Watch for this website in the months ahead.

A fourth initiative centers on the current 40B Surfside Crossing application and future demands it would impose on Nantucket. The Civic League's full Board of Directors voted unanimously to urge the Town's Select Board to underscore its resolve to the Zoning Board of Appeal and its commitment to arrive at alternatives to future 40B developments.

Our Executive Committee has completed a year-long strategic planning process that culminated in adoption of a plan focused on three areas: transportation, parking and traffic; population, growth and density; and environmental issues.

The Civic League emphasizes communication. Our two summer Presidents Breakfasts invited association presidents to share their respective victories and challenges. At the June 23 breakfast, our presidents heard from Nantucket's Select Board Chair, Jason Bridges, and our Town Manager, Libby Gibson. We kept it informal, and it was a big success.

Our quarterly newsletters have attained a new high standard. And lastly, our Camp Richards litigation finally culminated in an unqualified victory!

We're on a roll-- a source of pride to us all in these trying times!

Peter A. Morrison *Charlie E. Stott*



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Violations of Noise Bylaw a Concern

At our recent Presidents' Breakfast, Nantucket Town Association President Henry Terry noted that violations of the Town's noise ordinance are of increasing concern to the association's members. We've done some research on behalf of all our neighborhood associations, and here are your options for getting solutions.

The short answer: Residents and visitors should contact the Nantucket Police Department if they suspect that there is a violation. If the alleged violator is a bar or restaurant, they should email Licensing Administrator Amy Baxter at abaxter@police.nantucket-ma.gov.

What this means for you: One can apply to the Select Board for a special "permit for relief" from the noise level designated in this chapter—e.g., for a wedding reception. Any permit granted by the Select Board would set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.

Chapter 101 of the Town's bylaws, adopted in 1969, prohibits excessive, unnecessary, loud or unusual noise between 10:00 pm and 7:00 am (7:30 am during June 15-September 15). The prohibition imposes a fine of up to \$200 for each offense, including "the operation of any radio, phonograph or other mechanical sound device or instrument or in the playing of any band, orchestra, musician or group of musicians or in the use of any device to amplify the aforesaid or the making of loud outcries, exclamations, other loud or boisterous noises or loud and boisterous singing by any person or group of persons or in the use of any device to amplify the aforesaid noise where the noise is plainly audible

at a distance of 100 feet from the building, structure, vehicle or premises in which or from which it is produced."

If the violation occurs on the premises of rental property, the owner and/or his agent must be notified in writing by certified mail that a violation of § 101-1 has occurred on said rental property and that a complaint for violation of the bylaw may be taken against him/her if the property owner and/or agent fails to mitigate the activities of the person or persons who have rented the property.

Chapter 101 also prohibits: the loading, unloading, opening, closing or otherwise handling of boxes, crates, containers, building materials, trash cans, dumpsters or similar objects between the hours of 10:00 p.m. and 6:00 a.m. so as to project sound across a real property line; a noise disturbance across a real property line by operating any mechanically powered saw, sander, grinder, drill, lawnmower or garden tool or similar device used outdoors, with the exception of snowblowers, before 7:00 a.m. (7:30 am during June 15-September 15) Monday through Saturday and before 10:00 a.m. Sunday. Snowblowers, lawnmowers and chain saws shall be exempted from some sound-level limits.



**Nantucket is one big neighborhood
— and one small island.**



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Our Member Associations

Austin Farms

Brant Point

Cisco

Fishers Landing

Harbor South Civic

Hinkley Lane

Hummock Pond

Hussey Farm
Homeowners

Madaket Conservation

Madaket Residents

Miacomet Conservation

Monomoy Civic

Nantucket Town

Naushon Homeowners
Trust

Pine Valley

Pocomo Area

Polpis

Quidnet

Shimmo Area

Siasconset Civic

Smith Point

Surfside

Tom Nevers Civic

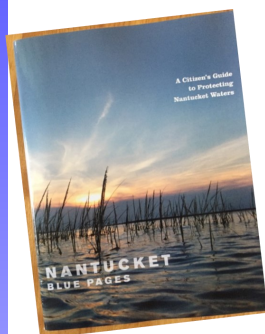
Wauwinet Landowners

West Miacomet



JUST PUBLISHED!! *NANTUCKET BLUE PAGES, A Citizen's Guide to Protecting Nantucket's Waters*

This collaborative effort by the Harbor Plan Implementation Committee, local writer, guide and naturalist Peter Brace, and graphic designer Rob Johnson have produced the definitive publication: *Nantucket*



Blue Pages, A Citizen's Guide to Protecting Nantucket's Waters. The Guide educates the public about our wetland resources and the actions each of us can take to protect our water quality and fisheries. The impetus for the Blue Pages came from the 2009 Nantucket and Madaket Harbors Action Plan.

This accessible guide provides historical and current data on our watershed and sources of pollution, along

with practical suggestions for how we all can preserve the Island's water quality and aquifer. The goal is to guide residents and visitors in operating and caring for homes, cars, boats, lawns and gardens in an environmentally responsible way, to minimize pollution of our harbors, groundwater, and many freshwater ponds.

Thanks to the Nantucket Shellfish Association, which supported wrapping up the writing project; and to the Nantucket Land Council, which funded publication and distribution of this definitive citizen's guide.

Free copies of the *Nantucket Blue Pages*, are available at the Atheneum, the Land Council office on Ash Lane, or the Town Building. Read or download a free digital copy

at: <http://neble.wsimg.com/1dcad14d27799923c02d6f257855f14d?AccessKeyId=65FD3F989CEB4D843386&disposition=0&alloworigin=1>

Camp Richard—from pg 1

Nantucket Civic League from 1955 through the early 1970s. In 1973, the local Boy Scouts founded the non-profit to operate the camp with local volunteer help and donations. The Land Council and the Civic League supported the local scouts, recognizing the critical importance of maintaining the site as open space under local control.

"This is an amazing win for the people who put so many years of hard work into the camp and for all Nantucketers for years to come," said Cormac Collier, the Nantucket Land Council's Executive Director. "The Land Council was proud to fight for local control and invested significant resources to insure this land remains as open space."

In 2013, the regional Boy Scouts entity, the Cape & Islands Council of the Boy Scouts of America, tried to assert ownership of the site, ignoring the rights of the local Boy Scouts and of the Civic League, and then sell off a substantial portion of it to a real estate developer. When the local scouts defied their plans, the Cape & Islands Council preemptively went to

court in Barnstable, without notice to the local Boy Scout Committee, claiming that it owned the land, despite the long history of local control and ownership, and it obtained an ex parte injunction from Superior Court Judge Gary Nickerson awarding it possession and barring the local Nantucket scout leaders from the camp.

The Civic League, which retained the right to have the land revert to it if it were no longer used by the local scouts, and the Nantucket Land Council joined forces with Camp Richard Campers Association in order to support the local scouts and protect the area. The injunction was modified, the Civic League's right of reversion was confirmed, and the imminent sale to the developer was stymied, but the Court also ordered that the local scouts and the Cape & Islands Council jointly run the camp and made the Cape & Islands Council the trustee of the camp.

Losing local control to an off-Island entity that had already shown its propensities was unacceptable, so the Nantucket parties successfully appealed that part of the Judge Nickerson's

decision to the Massachusetts Appeals Court, claiming that the Judge had appointed the Cape & Islands Council as trustee without having first heard any evidence as to whether that appointment was appropriate. This past winter, the Appeals Court agreed, and the case was remanded back to the Superior Court for a determination of who should be the permanent trustee, the Camp Richards Campers Association or the Cape & Islands Council.

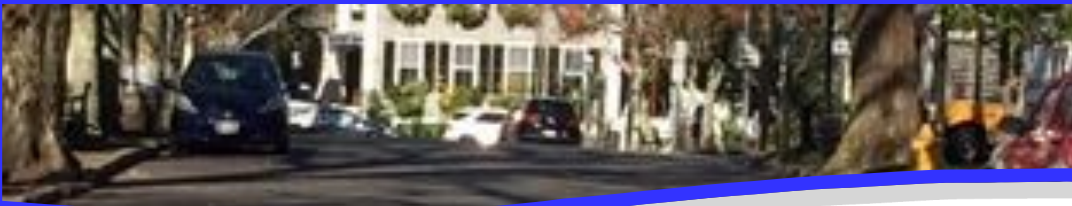
"I've been counsel to the Land Council for over 35 years, and for me personally, this may be the most significant case I've ever worked on," said Peter Fenn, the Land Council's long-time attorney. "The way the entire Island community has come together to support their local institutions has been incredible. . . . This is what makes Nantucket such a special place."

The Land Council will be working with the Camp Richard Campers Association to secure a permanent conservation restriction on the property.

Thanks to the Nantucket Land Council for the content of this article.



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Civic League Adopts Strategic Plan

The Nantucket Civic League's Board of Directors on August 25, 2018 approved a strategic plan developed by members of the Executive Committee. This plan culminates a year-long process led by committee member Bob Kucharavy.

The plan includes a new mission statement:

"The Nantucket Civic League, founded in 1903, represents 25 neighborhood associations. Our purpose is to advance continuous improvement in the quality of life on Nantucket by identifying important and emerging issues, informing the community about them and helping to build consensus on solutions."

The committee formed three work groups: **Population, Growth and Density; Transportation, Traffic and Parking; and Environmental Issues**. Each of these areas of concern are consistent with NCL's new mission statement.

The **Environmental Issues Work Group** has identified several environmental concerns including: trash and littering around the island, the landfill, water quality and pollution, coastal erosion, and human impact on Nantucket's environment. The group's first action step was to sponsor an August 8 Forum to identify and address issues with the landfill. The forum featured Rob McNeil, Nantucket Director of Public Works and Nantucket Land Council Executive Director Cormac Collier. The work group also has supported publication of *Nantucket Blue Pages: A Citizen's Guide to Protecting Nantucket's Waters*.

The **Population, Growth and Density Work Group** notes that NCL association presidents have expressed concerns reflecting two underlying realities: the presence of so many people during peak summer months and the consequences of rezoning and 40B residential developments. The group has determined that voters at Town Meetings on proposed zoning changes should be better informed. The group is looking into adopting a set of

metrics to spell out (1) the likely impact on Nantucket's tax base and municipal revenues, service costs, and required capital investments for infrastructure, schools, and other major public facilities; (2) foreseeable future revenue and expenditure levels; (3) needed property tax levels and resulting tax rates based on those now known; and (4) estimated cost impacts for today's average residential property owner, showing the property tax consequences for a typical island resident or seasonal homeowner. Foreseeable action steps are designing a spreadsheet for estimating such metrics; and reaching a communitywide consensus on an eventual upper limit to the resident population. Such reckonings could advance better-informed decisions by local voters able to reference an agreed-upon vision of Nantucket's future residential capacity.

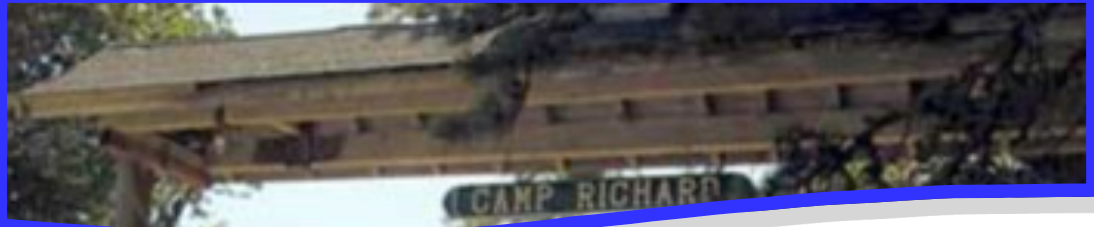
The **Transportation, Traffic and Parking Work Group** aims to spur continuous improvement in the provision of safe, efficient, convenient transportation that is sensitive to the Island character. The group formulated several objectives and identified specific actions steps to guide implementation: (1) building consensus for and advocating for a parking sticker proposal, as a first step toward improving downtown traffic flow and parking opportunities in accordance with traffic rules and regulations; (2) developing a plan to inform the community about the overall concept of the proposed intermodal transportation center (ITC); (3) promoting an assessment levied on vehicles transported here by ferry and dedicating a portion of the embarkation fee revenue to support free or reduced price NRTA bus service; (4) developing an education plan and "FAQs" brochure on proposed road construction, roundabouts, sidewalk improvements, and bike paths; and (5) identifying streets where vehicles park on the sidewalks and weighing potential changes (building upon results of a WPI student project now under way, to be completed by December 11).

The three work groups will continue to meet periodically and work on implementation of goals and objectives.



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Camp Richard Legal Victory Celebration

The Nantucket Civic League awarded its Civic Salute to the Nantucket Land Council and Nantucket's local boy scout troop for persevering in a six-year legal battle to preserve local ownership of Camp Richard. Camp Richard is a 100-acre boy scout camp near the state forest that was deeded to the local scouts by the Nantucket Civic League. The Civic Salute award was granted at our September 4 annual meeting at the 'Sconset Casino.

Our six-year legal battle culminated in the July 16, 2018 ruling by Judge Gary Nickerson. His ruling found that the Camp Richard Campers Association is the proper trustee for the camp operated by the scouts since 1955. The parties, including the Civic League, prevailed in the litigation against the Cape and Islands Council of the Boy Scouts, which aimed to sell a portion of the property to a developer.

In addition to the Nantucket Land Council, our Civic Salute honored several individuals and organizations involved in the litigation: Bob Graves, Peter Fenn, Marc

Roberts, David Kelston, Allen Reinhard, Michael Wilson, George Rezendes, Jack McGrady, Greg Hinson, Jason Graziadei, Bert Johnson, Tripp Cobb, Homer Ray III, Ralph Hardy, Bill Maguire, Charles Lenhart, Fran Karttunen, Kathleen O'Donnell; and the Camp Richard Campers Association and the Nantucket District Committee.

Attendees at NCL's 115th Annual Meeting also were treated to a compelling presentation on Nantucket's dynamic population by Alan Worden, founder of the Nantucket Data Platform. For information about NDP's projects, visit <https://nantucketdataplatfrom.com/>. Also, Co-Presidents Peter Morrison and Charles Stott reported on the past year's achievements and forthcoming priorities including implementing a new strategic plan focusing on: population growth and density; environmental issues; and transportation, traffic and parking.

Vice President Allen Reinhard chose to step down; Lee Saperstein was elected to replace him. All other officers and Executive Committee members were reelected.

Covenant Homes Keep Workforce Housing for Present/Future Generations

High home prices and tight inventories have us all pondering possibilities--like selling off part of a lot or subdividing a cottage from a main house. Nantucket's Covenant Program provides creative possibilities for both buyers and sellers. *Examples:*

- Retirees, no longer interested in maintaining rental cottages, can create and sell covenant homes with separate driveway access on their property.
- Off-island owners of large lots can retain the main house as a summer rental, but carve off the secondary cottage as a covenant home.
- Owners selling a large-lot property often have better luck selling two parcels, one as a covenant.
- Employers can create covenant homes for their employees.
- Parents can parcel off covenant lots for grown children.

-Divorcing couples can utilize covenant capabilities within their settlements.

Nantucket's Covenant Program is a local zoning bylaw that enables moderate-income people to live and work on island. The Program allows two dwellings on one lot to have separate owners (instead of being sold together as before). The bylaw provides for a permanent affordability covenant on the lot, and the income-qualified covenant homeowner must abide by residency and resale restrictions.

Among the many possibilities: Covenant homes may be created for *family members* (including oneself) regardless of purchaser income, as long as the covenant homeowner resides in the home year-round and abides by program rules.

Covenant buyers and sellers can find each other a real estate broker. Currently, qualified buyers greatly outnumber covenant homes for sale.

Fifteen years and seventy-eight covenant homes later, the Covenant Program has a proven track record of creating affordable homeownership amidst an ever-climbing market. Covenant homeowners are hospital employees, teachers, public safety officials, landscapers, restaurant workers, and elder caregivers. Many of them once faced a dismal choice: live in unsafe conditions, or relocate off-island.

Learn more about these possibilities at <http://housingnantucket.org> or contact Anne Kuszpa, Executive Director, Housing Nantucket at anne@housingnantucket.org or (774) 333-3927.



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Voters Approve Plastics Regulation at Special Town Meeting

A warrant article regulating the use of single use plastics was overwhelmingly adopted at the October 10, 2018 Special Town Meeting. The regulation applies to the commercial use, sale, and distribution of certain plastic items in stores and restaurants. It does not regulate home use or purchases off-island.

The new regulation targets a variety of everyday single-use plastic products that can't be recycled: straws and drink stirrers, six-pack can and bottle flexible yokes, single-use drinking cups and lids, plates, non-compostable eating utensils, drinking water in single-serve polyethylene terephthalate (PET) containers, and single-use coffee pods. (Certain medical packaging and plant-based plastics are exempt.) The new Town by-law is effective June 1, 2020, affording Stop & Shop and other commercial vendors an 18-month period to accommodate these changes.

Three citizen's petitions were considered: [Article 1 \(adopted 180-75\)](#) now requires approval by voters at Town Meeting, rather than by the Select Board, of any leasing or licensing for any Town-owned coastal land to a non-governmental body for erosion-control protection purposes. [Article 2 \(defeated\)](#) proposed a zoning change from Limited Use General-2 (LUG-2) to Residential-4D (R-4D) on Old South Road, the site of the controversial Surfside Crossing 40B proposed development. [Article 3 \(adopted 144-62\)](#) requires a vote of Town Meeting for the installation of private sewer lines beneath Town roads. Town Counsel, however, questioned its enforceability on several grounds.

Five warrant articles relating to marijuana were debated at length. Discussion centered on zoning by-law amendments, a ban on public consumption of marijuana, marijuana licensing, and limiting the number of licenses to be issued. The result: marijuana licenses issued are not to exceed 20% of the number of year-round licenses for retail sale of alcoholic beverages. That allows for just two licensed marijuana dispensaries, limited to the Commercial Industrial (CI) and Commercial Neighborhood (CN) zoning districts.

Several appropriations articles for transportation improvements on Old South Road and Milestone Road could not be considered because the requisite two percent of registered voters was not present. Despite the lack of a quorum, the appropriations for these articles were voted upon at the November 6 election and were defeated.

