

# **Town and County of Nantucket Select Board • County Commissioners**

Jason Bridges, Chair  
Matt Fee  
Dawn E. Hill Holdgate  
Brooke Mohr  
Melissa Murphy



16 Broad Street  
Nantucket, Massachusetts 02554

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[www.nantucket-ma.gov](http://www.nantucket-ma.gov)

C. Elizabeth Gibson  
Town & County Manager

## ***AGENDA FOR THE MEETING OF THE SELECT BOARD OCTOBER 19, 2022 - 5:30 PM PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS***

***YOU TUBE LINK FOR VIEWING ONLY:***

<https://youtu.be/QJqB2uEYN8Q>

***ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:***

[https://us06web.zoom.us/webinar/register/WN\\_bM93hil0SRm-PqdOOAzzbA](https://us06web.zoom.us/webinar/register/WN_bM93hil0SRm-PqdOOAzzbA)

- I. CALL TO ORDER***
- II. SELECT BOARD ACCEPTANCE OF AGENDA***
- III. ANNOUNCEMENTS***
  1. The Select Board Meeting is Being Audio/Video Recorded.
  2. Saturday, May 6, 2023 Annual Town Meeting:  
- Warrant Opens for Citizen Warrant Article Submittals September 29, 2022 through November 14, 2022 at 4:00 PM.
  3. Select Board Announcements/Comments.
- IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS***
- V. PUBLIC COMMENT\****
- VI. NEW BUSINESS\****
- VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS***
  1. Approval of Minutes of October 12, 2022 at 5:30 PM.
  2. Approval of Payroll Warrants for October 16, 2022.
  3. Approval of Treasury Warrants for October 19, 2022.

4. Approval of Pending Contracts for October 19, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

***VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS***

1. Zoning Board of Appeals: Resignation.
2. Tree Removal Denial "Appeal" to Board of Public Works: 14 West Creek Road (Tabled from October 12, 2022).
3. Community Preservation Committee (CPC): Request for Consideration as to Town Sponsorship (vs Citizen) of 2023 Annual Town Meeting Warrant Article(s) for CPC Recommendations.

***IX. PUBLIC HEARINGS***

1. Public Hearing to Consider Application for Change of Officers and Alteration of Premises of All-Alcoholic Beverages Club License for Sankaty Head Golf Club, Inc. dba The Sankaty Head Golf Club, Kimberly Matthews, Manager, for Premises Located at 100 Sankaty Road.
2. Public Hearing to Consider Application for Change of Officers and Change of Classification from Seasonal to Annual All-Alcoholic Beverages Club License for Nantucket Yacht Club, Inc. dba Nantucket Yacht Club, Peter McEachern, Manager, for Premises Located at 1 South Beach Street.

***X. TOWN MANAGER'S REPORT***

1. Update on Baxter Road Alternate Access Planning.
2. Update on Parking Commission Establishment.
3. FY 2023 First Quarter Budget Reports: General Fund; Our Island Home Enterprise Fund; Solid Waste Enterprise Fund.

***XI. SELECT BOARD'S REPORTS/COMMENT***

1. Committee Reports.

***XII. ADJOURNMENT***

***\*Identified on Agenda Protocol Sheet***

## **SELECT BOARD AGENDA PROTOCOL:**

**Roberts Rules:** The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

**Public Comment:** Public Comment is to bring matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action, if any. Except in emergencies, the Board will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Board to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with state and federal free speech laws:

- The agenda for regular Select Board meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Board to take up first. This time is reserved for speakers to address the Board on matters that are not related to any other Agenda item. If a speaker wishes to address the Board on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.
- All speakers are encouraged to present their remarks in a respectful manner.
- All remarks will be addressed through the Chair of the meeting.
- The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests. Verbal comments may also be curtailed if they exceed three (3) minutes and to the extent they exceed the scope of the Board's authority.

*Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of constitutional free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.*

**New Business:** For topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

**Public Participation:** The Board welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of the information presented. The Board will hear any staff input and then deliberate on a course of action.

**Select Board Report and Comment:** Individual Board Members may have matters to bring to the attention of the Board during a meeting. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Board meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.

*Approved on February 17, 2021*

**EXHIBIT 1**  
**AGREEMENTS TO BE EXECUTED BY TOWN MANAGER**  
**UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD**  
**October 19, 2022**

| Type of Agreement/Description  | Department                                  | With                                            | Amount                                                                          | Other Information                                                                                                                       | Source of Funding                               | Term                                 |
|--------------------------------|---------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------|
| Grant Agreement                | Human Services/Nantucket Council on Aging   | Elder Services of Cape Cod and the Islands, Inc | (\$7,500)                                                                       | Grant to provide home modifications for older adults on Nantucket                                                                       | Federal Grant/Title III Health & Human Services | October 1, 2021 - September 30, 2022 |
| Purchase Agreement             | Public Works                                | K5 Corporation                                  | \$1,177,478.33                                                                  | Town-Wide Line painting contract for FY23 (Roadway, Crosswalk & Stop Bars Markings)                                                     | Ch. 90 Fund & DPW Budget                        | October 19, 2022 - October 30, 2023  |
| Professional Service Agreement | Select Board/Town Admin - Natural Resources | Arcadis U.S., Inc.                              | Add \$95,225 to original contract amount of \$62,760 for new total of \$157,985 | Amend existing contract for Baxter Rd erosion control project permitting assistance; and extend contract end date to June 30, 2023      | Article 10 ATM 2022 & SBPF Gift                 | January 5, 2022 - June 30, 2023      |
| Professional Service Agreement | Planning                                    | The Public Archeology Laboratory, Inc.          | \$40,000                                                                        | Community-wide survey of cultural and architectural resources in Fish Lots, Brant Point & Cliffside neighborhoods                       | Mass Historical Commission Grant                | October 19, 2022 - October 30, 2023  |
| Professional Service Agreement | Police                                      | Foth Infrastructure & Environment, LLC          | \$229,539                                                                       | Service contract to prepare bid, construction & grant application documents for Town Pier repairs & improvements                        | Article 14 ATM 2019                             | July 1, 2022 - June 30, 2025         |
| Professional Service Agreement | Police                                      | Crosby Yacht Yard                               | \$49,999                                                                        | On-call maintenance services as needed for Harbormaster 26' Crosby Pump-out Boat                                                        | Harbormaster Clean Vessel Funds                 | July 1, 2022 - June 30, 2025         |
| Professional Service Agreement | Tax Collector                               | Kirkwood Direct, LLC                            | \$85,032                                                                        | Tax Bill Printing Services for printing, stuffing & mailing real and property tax bills, motor vehicle excise bills & boat excise bills | Tax Collector Budget                            | October 19, 2022 - October 30, 2025  |
| Purchase Agreement             | Public Works                                | Saltine Warrior, Inc.                           | \$83,500                                                                        | Supply & delivery of 500 tons of pre-treated road salt at \$167 per ton                                                                 | DPW Budget                                      | November 1, 2022 - August 31, 2023   |

**From:** [Leslie Snell](#)  
**To:** [Erika Mooney](#)  
**Subject:** FW: FYI  
**Date:** Wednesday, October 12, 2022 10:28:24 AM

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**From:** Ed Toole <edwtoole@comcast.net>  
**Sent:** Thursday, September 29, 2022 1:15 PM  
**To:** Nickesha Sheriff <nsheriff@nantucket-ma.gov>  
**Cc:** Susan McCarthy (sem@sgriffinlaw.com) <sem@sgriffinlaw.com>; Elisa Allen <eha10@comcast.net>; lisa@botticelliandpohl.com; Michael O'Mara <mjo.iprop@gmail.com>; Geoffrey Thayer <geoffthayer123@gmail.com>; Jim Mondani <jim@mondanilaw.com>; Mark Poor <permits@comcast.net>; Leslie Snell <LSnell@nantucket-ma.gov>; William Saad <wsaad@nantucket-ma.gov>  
**Subject:** Re: FYI

To make a long story short, I need to retire from the board of appeals .

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**Zoning Board of Appeals**

|                      |                            |                 |
|----------------------|----------------------------|-----------------|
| 5-yr appt            | Lisa Botticelli            | 2023            |
| <del>5-yr appt</del> | <del>Edward S. Toole</del> | <del>2024</del> |
| 5-yr appt            | Michael O'Mara             | 2025            |
| 5-yr appt            | Elisa H. Allen             | 2026            |
| 5-yr appt            | Susan McCarthy             | 2027            |



## Agenda Item Summary

|               |            |
|---------------|------------|
| Agenda Item # | VIII. 2.   |
| Date          | 10/19/2022 |

### Staff

Erika D. Mooney, Operations Administrator

### Subject

Tree Removal Denial "Appeal" to Board of Public Works: 14 West Creek Road

### Executive Summary

Matthew and Karsten Reinemo, owners of 14 West Creek Road, are "appealing" the August 18, 2022 decision of the Tree Warden and the Tree Advisory Committee denying the removal of two Elm trees at that location. Town Counsel has opined that Select Board, acting as the Board of Public Works, through the authority of Chapter 169 of the Acts of 1965, should hold a hearing to review the Tree Warden/Tree Advisory Committee's decision to deny the request to remove the trees at 14 West Creek Road. The appeal hearing is not a public hearing, does not require advertised notice, sworn testimony, abutter notice, etc. The Reinemos should be allowed to make their case for removal of the trees in question and the Tree Warden, David Champoux, to explain why the trees should stay.

### Staff Recommendation

Tree Warden/Tree Advisory Committee voted to deny the removal of the trees based on the determination that the trees in question are Town Trees pursuant to § 132-2 (Town tree designation) of the Code of the Town of Nantucket.

### Background/Discussion

Matthew and Karsten Reinemo requested a hearing before the Tree Warden/Tree Advisory Committee to remove two Elm trees at 14 West Creek Road, stating the trees prohibit "any reasonable development of the land" and there is no mention of Town trees in the deed to the property. The Tree Warden/Tree Advisory Committee reviewed the matter at its August 18, 2022 meeting and voted that the tree was a Town Tree pursuant to § 132-2 (Town tree designation) of the Code of the Town of Nantucket and should not be removed. The Reinemos are appealing the denial.

Impact: Environmental ☒ Fiscal ☐ Community ☒ Other ☐

### Board/Commission Recommendation

n/a

### Public Outreach



The tree hearing held by the Tree Warden/Tree Advisory Committee was publicized for two weeks in the local newspaper and the posting was also affixed to the tree in question.

**Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)**

N/A

**Attachments**

Email thread between Matt Reinemo and the DPW requesting an appeal of the denial

Memo from Tree Advisory Committee, background information, TAC minutes, § 132-2 (Town tree designation) of the Code of the Town of Nantucket; letters of opposition



**From:** [DPW](#)  
**To:** [Erika Mooney](#)  
**Cc:** [Dave Champoux \(dcland02584@gmail.com\)](mailto:dcland02584@gmail.com)  
**Subject:** FW: Public Tree Hearing  
**Date:** Monday, September 19, 2022 2:10:00 PM  
**Attachments:** [image001.png](#)

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Hello Erica,

The email below is a confirmation that Mr. Reinemo wants to appeal the Tree Committee decision on the Elm trees on 14 West Creek Road.

Thanks

Phyllis Ruguaru  
Office Manager  
Department of Public Works  
188 Madaket Road  
Nantucket, MA 02554  
Ph: (508) 228-7200 ext. 7519  
[pwrugaru@nantucket-ma.gov](mailto:pwrugaru@nantucket-ma.gov)

**Help me Get Stuff Done!**

Use these email tags in the email subject line for faster responses:

**[Action required]** - information in the email is time-sensitive and action is required.

**[FYI]** - No action needed at this time, but here's something you should know.

**[Question]** - Non urgent questions that will allow time for response.



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**From:** Matthew Reinemo <mattreinemo@gmail.com>  
**Sent:** Monday, September 19, 2022 1:43 PM  
**To:** DPW <[dpw@nantucket-ma.gov](mailto:dpw@nantucket-ma.gov)>  
**Subject:** Re: Public Tree Hearing

Yes, please go forward with the appeal.

On Mon, Sep 19, 2022 at 11:15 AM DPW <[dpw@nantucket-ma.gov](mailto:dpw@nantucket-ma.gov)> wrote:

Hello Mr. Reinemo,  
I am following up with you regarding the next steps from the public hearing. If you would like to appeal, please email back stating that and this will be put in the hands of the Select Board.

Either way let me know what your decision is.

Thanks

Phyllis Ruguaru  
Office Manager

Department of Public Works  
[188 Madaket Road](#)  
[Nantucket, MA 02554](#)  
[Ph: \(508\) 228-7200 ext. 7519](#)  
[pwru guaru@nantucket-ma.gov](mailto:pwru guaru@nantucket-ma.gov)

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- ❖ **[FYI]** - No action needed at this time, but here's something you should know.
- ❖ **[Question]** - Non urgent questions that will allow time for response.



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**From:** Matthew Reinemo <[mattreinemo@gmail.com](mailto:mattreinemo@gmail.com)>

**Sent:** Tuesday, August 16, 2022 7:55 PM

**To:** DPW <[dpw@nantucket-ma.gov](mailto:dpw@nantucket-ma.gov)>

**Subject:** Re: Public Tree Hearing

To Whom it May Concern,

In regards to West Creek Road tree hearing, I submit the following:

1. The property is 14 West Creek Road and it is owned by the Hat Creek Cattle Company, Inc., which in turn, is owned by me, Matthew Reinemo.
2. Survey has been provided.
3. Matthew Reinemo and Karsten Reinemo will be presenting.
4. Photos of the trees have been provided.
5. Detailed Write-Up

The nature of the problem is that two trees are on the lot and situated in a manner that prohibits any reasonable development of the land. The lot was subdivided in accordance with Planning Board directives, which prohibited access from Pleasant Street and dictated access from West Creek Road. This necessitated an easement across the back of the lot in question to the Sailing Center housing, which is accessed only across this lot. The lot is small to begin with and the only buildable area is where the trees are located.

The Planning Board and the HDC have already approved the building, and in fact insisted that the building be as close to Pleasant Street as possible, with the parking behind, and access from West Creek. The trees make the construction of a reasonable-sized building impossible.

The Tree Committee should grant the request because legally the town does not have any rights to the land or the trees to begin with. I have no reason to doubt that the town planted the trees or maintained the trees.

However, there is a very clear and accepted system of recording various property rights in Massachusetts (and the United States as a whole) and that system was not followed here. When purchasing this property and researching the deed, there is nothing there whatsoever indicating town trees or the town's rights to those trees. The lot was purchased assuming the trees were now our property, which is a reasonable assumption. If the town wished to assert some rights to these trees, it is essential that the proper information be placed on record in the Registry of Deeds. Since no such recording exists, we stringently reject the idea the town has any legal interest in the property or trees.

The cure requested is that the trees be cut down immediately. We will take care of that.

I am certainly not anti-tree and in the interest of the environment and the town, we would consider a donation of some trees that the committee, town or DPW could put to good use elsewhere. We hope for a very speedy

resolution to this matter and thus will consider this gift to facilitate that, regardless of the lack of town rights to the tree.

6. Legal Basis for Request- lacking any information in the deed, the town has no rights to the trees.

7. Acknowledgement that this is or is not a Town Tree

As stated above, I have no reason to doubt that the tree was planted by the town, but we reject entirely the idea that the town has any rights to the trees. To assert that the town does have rights to the trees would be flying in the face of accepted property recording and transfer practices that are absolutely essential to our society.

Thank you very much,

Matt Reinemo

On Wed, Aug 3, 2022 at 12:47 PM DPW <[dpw@nantucket-ma.gov](mailto:dpw@nantucket-ma.gov)> wrote:

Hello,

We are missing a couple more things for the hearing see requested information and what was submit and resend accordingly

1. Name of property owner and location of property
  2. Survey of the property, to include the location of the tree(s) in question
  3. Name of individuals helping in their presentation, if any
  4. Photos of the tree(s)
  5. Detailed write up outlining
    - a. The nature of the problem
    - b. Reasons the Tree Committee should grant the request.
    - c. The nature of the cure requested
6. Legal basis for request
7. Acknowledgement that this is OR is not a "Town Tree"

Thanks

Department of Public Works

[188 Madaket Road](#)

[Nantucket, MA 02554](#)



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**From:** Matthew Reinemo <[mattreinemo@gmail.com](mailto:mattreinemo@gmail.com)>

**Sent:** Tuesday, July 5, 2022 12:01 PM

**To:** DPW <[dpw@nantucket-ma.gov](mailto:dpw@nantucket-ma.gov)>

**Subject:** Public Tree Hearing

Good Afternoon,

Please find attached the information we gathered for the Public Tree hearing on July 21st, regarding 14 West Creek Road, owned by the Hat Creek Cattle Company, Inc. Please let me know if you need anything else.



# Memo

**To:** Board of Select Board

**From:** Tree Advisory Committee

**cc:** Stephen Arceneaux

**Date:** September 1, 2022

**Re:** 14 West Creek Road Elm Trees

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Town of Nantucket Tree Advisory Committee had a hearing on August 18, 2022, for two Elm trees at 14 West Creek Road. The official vote of the Tree Advisory Committee was unanimous vote with individual roll call to deny removal. Thus, TAC is notifying the Select Board with this information packet of the Advisory Board's decision.

Below are the major criteria applied by the Tree Advisory Committee in arriving at its determination of our long term vested interest in this Town Tree as follows:

- The tree is along the roadside and Town Counsel advises, under section 132 of the Town Code, if any part of the root system is on Town property, then it is Town property.
- Based on the Town Arborists assessment this tree has been worked on by the Town
- The Tree poses no public safety issue and is healthy, two important considerations the TAC weighs when deciding whether or not to approve removal of a Town tree.
- The Tree Committee agrees that the building plans presented by owner are workable around the trees

Sincerely,

David Champoux, Tree Warden  
Town of Nantucket  
Tree Advisory Committee

Attached

- Memo referring the matter to the Select Board
- Background on the matter
- TAC minutes regarding tree
- Photos of tree
- MGL that outlines the process, as well as a
- recommendation from the TAC
- Letters of Opposition

## PUBLIC TREE HEARING: 14 West Creek Road

1. Name of property owner and location of property – The property is 14 West Creek Road and it is owned by the Hat Creek Cattle Company, Inc., which in turn, is owned by me, Matthew Reinemo
2. Survey of the property, to include the location of the tree(s) in question- Attached
3. Name of individuals helping in their presentation, if any- Matthew Reinemo and Karsten Reinemo  
Photos of the tree(s) – Attached
4. Detailed write up outlining The nature of the problem is that two trees are on the lot and situated in a manner that prohibits any reasonable development of the land. The lot was subdivided in accordance with Planning Board directives, which prohibited access from Pleasant Street and dictated access from West Creek Road. This necessitated an easement across the back of the lot in question to the Sailing Center housing, which is accessed only across this lot. The lot is small to begin with and the only buildable area is where the trees are located.

The Planning Board and the HDC have already approved the building, and in fact insisted that the building be as close to Pleasant Street as possible, with the parking behind, and access from West Creek. The trees make the construction of a reasonable-sized building impossible.

The Tree Committee should grant the request because legally the town does not have any rights to the land or the trees to begin with. I have no reason to doubt that the town planted the trees or maintained the trees. However, there is a very clear and accepted system of recording various property rights in Massachusetts (and the United States as a whole) and that system was not followed here. When purchasing this property and researching the deed, there is nothing there whatsoever indicating town trees or the town's rights to those trees. The lot was purchased assuming the trees were now our property, which is a reasonable assumption. If the town wished to assert some rights to these trees, it is essential that the proper information be placed on record in the Registry of Deeds. Since no such recording exists, we stringently reject the idea the town has any legal interest in the property or trees.

The cure requested is that the trees be cut down immediately. We will take care of that.

I am certainly not anti-tree and in the interest of the environment and the town, we would consider a donation of some trees that the committee, town or DPW could put to good use elsewhere. We hope for a very speedy resolution to this matter and thus will consider this gift to facilitate that, regardless of the lack of town rights to the tree.

5. Legal basis for request- lacking any information in the deed, the town has no rights to the trees.
6. Acknowledgement that this is OR is not a "Town Tree" – As stated above, I have no reason to doubt that the tree was planted by the town, but we reject entirely the idea that the town has any rights to the trees. To assert that the town does have rights to the trees would be flying in the face of accepted property recording and transfer practices that are absolutely essential to our society.

# **PUBLIC HEARING**

Pursuant to MGL Chapter 87, § 3 and Chapter 132, § 4 of the Town Code, please be advised that the Tree Advisory Committee will hold a public hearing on Thursday, August 18, 2022, at 2:30 PM via ZOOM to consider Removal/Relocation/Replacement of two Town Elm Trees at the following location: 12 West Creek Rd.

**TREE ADVISORY COMMITTEE**

G03

14 WEST CREEK ROAD

20' GRAVEL DRIVE  
ON-SITE DRAINAGE

1 12x20'  
2 9x20'  
3 9x20'  
4 9x20'  
5 9x20'  
6 9x20'

SLOPE 1:20'

SLOPE 1:20'

1st LEVEL  
RETAIL  
1,000 sf  
EMPLOYEE AREA  
262 sf  
OCCUPANCY  
2nd LEVEL  
ANCILLARY OFFICE/STORAGE  
1,374 sf  
OCCUPANCY  
FULL BASEMENT  
ANCILLARY STORAGE  
1,262 sf  
OCCUPANCY

12x13' OPEN TO MEZZANINE

EMPLOYEE SERVICE AREA

SERVICE ENTRY 3

2

DOWN 17r

UP 18r

ENTRY 2

FIRST LEVEL PLAN  
1,262 sf

PLEASANT STREET

INTERIOR LOT-LINE 73.70'

SANDCASTLE CONSTRUCTION INC.  
ARCHITECTS & BUILDERS

P.O. BOX 2113  
NANTUCKET, MA  
02584

508.228.8050

PROJECT  
REINEMO BUILDING  
14 WEST CREEK ROAD  
NANTUCKET, MA

COMMERCIAL BUILDING: RETAIL

NOTES  
HDC 08-10-2021  
CERT. 06-3974

SCI COPYRIGHT 2021  
TITLE  
1st LEVEL FLOOR  
PLAN  
AREA / OCCUPANCY  
PARKING

DATE  
07-07-2021

SCALE  
1/4"=1'0"

2







# Meeting Minutes

|                                         |                                                                                                                                                                                                                                                        |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee/Board/s                       | TREE ADVISORY COMMITTEE                                                                                                                                                                                                                                |
| Day, Date, and Time                     | THURSDAY, August 18, 2022,<br>PUBLIC HEARINGS AT 2:30 PM<br>REGULAR MONTHLY MEETING AT 3:00PM                                                                                                                                                          |
| Location / Address                      | REMOTE PARTICIPATION VIA ZOOM<br>The meeting will be aired at a later time on the Town's Government TV YouTube Channel <a href="https://www.youtube.com/channel/UC-sgxA1fdoxteLNzRAUHIxA">https://www.youtube.com/channel/UC-sgxA1fdoxteLNzRAUHIxA</a> |
| Signature of Chair or Authorized Person | DAVID CHAMPOUX, TREE WARDEN/CHAIR                                                                                                                                                                                                                      |
| WARNING:                                | IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!                                                                                                                     |

**Committee Members Present:** David Champoux, Dale Gray, Mike Misurelli, Ben Champoux, John Schichtel.

## **PUBLIC HEARINGS – 2:30PM**

1. **Town Elms on 14 West Creek Rd.– Karsten Reinemo wants to build on the empty lot in front of Community Sailing Building (directly across from the old “Lucky’s”) thus wants to remove the trees and/or move them.**

## **CALL TO ORDER**

David Champoux called the meeting to order at 3:00 pm. He reminded participants that the session was being recorded ([Tree Advisory Committee - 08/18/2022 - YouTube](#)). A rollcall of attendees showed that a quorum existed among the in-person attendees.

**Matthew Reinemo:** started the meeting by stating that They took it on themselves to ask about the trees, there is nothing on public record indicating the tree is a Town tree and it wasn't listed on the deed. He says he doesn't doubt that the tree is a Town tree, if rights need to be asserted to the trees they need to be indicated on the DEED. They have gone through permitting and planning and every other Town agency, and they have been told that the building needs to be as close as possible to Pleasant Street. There are no more curb cuts allowed. Matthew Reinemo is asking to be able to cut the trees and is offering to get other trees to the town to be planted somewhere else.

**David Champoux:** questioned if the trees were mapped on plans and Matthew Reinemo answered No and asked why they would be. David Champoux said they are street trees, and they should have been identified. David continued to say that the trees were planted and signed off on and Karsten Reinemo signed off on permission to plant on property with stipulation that these are town trees maintained by the Town. To keep things in the open David stated that there was a tree next door that was cut allowed by the Town on a deal made. David stated that there is no reason to remove the trees. David stated that he is not in favor to remove the tree.

**Ben Champoux:** He realizes the significant gaps in the tree mapping, but he stated these were obvious. Tree committee is working with Planning to improve these processes. He said there might

be room for negotiations to do something different from the plans since curb cuts are not allowed to co-exist with the trees. He is not in favor for cutting the trees.

**Karsten Reinemo:** Unfortunately, the plans show that the community sailing lot and their lot was one lot at one time. Planning board dictated how the lot would be laid out they would be no curb cut and the zoning was changed, to be a zero setback. There is no possible way to change the plans. He states there is nothing indicated in the deed there are two trees. Community sailing was allowed to remove a tree and he thinks it is not fair. They don't want to take this to litigation they want to work with the Town to make a better deal.

**David Champoux:** Nothing can be done about what happened in the past and this Tree committee wants to make things right and can do something about this case and that's why we are having a hearing. David states he talked to Reinemo's architect Rob Newman, and he thinks the plans can be reconfigured to protect the trees with a 12 foot no dig zone. Rob is willing to draw a plan to show that.

**Matthew Reinemo:** He states that he doesn't see how the tree committee can reasonably say that the plans are workable around the trees. He suggested litigation to plant some trees elsewhere. He stated the legality of these trees is questionable.

**David Champoux:** Letters have been received showing people are against this. This will go to the Select Board who has the ultimate authority.

**Mary Longcare:** Mary has submitted a letter against the cutting of the trees. She states the fact that a mistake was made for the Community Sailing does not justify making another mistake for the remaining lot. It was the burden of the purchases of the lot to do the due diligence at the time purchase to see if the lot was suitable for what they intended. The pattern in the town for decades has been clear that when there are trees on the street, you need to find out if they are Town trees and you need to get permission before you harm them. The trees are a public benefit. She is opposed to the removal of the trees.

**Hillary Rayport:** Wanted to emphasize Mary's comment and agree with it. The trees are visible, and the plot plan was laid out people could see the trees were there and an assumption was made that the trees could be removed which is something everyone know it's not something that can be assumed on Nantucket. One of the reason the building envelope is a problem is because recent town meetings there's been more and more parts of the building removed from counting towards ground cover and setbacks and now, we are able to have steps in setback which allows for larger buildings which allows the buildings to be closer to the trees. The trees were put there intentionally, and we have an eyewitness. Removing the trees is damaging to the community and the building is more valuable with the trees in it. There is a mid-island plan from 2004 and it talks about trees and maintaining a tree canopy. Lots are no longer required to be surveyed by a professional surveyor and this is causing issues, this should have been caught. She feels bad the lot plans were approved and has brought us to this point.

**David Champoux:** Asked Hillary if she is willing to write a letter to support her statement which Hillary Rayport agreed to.

**Mike Misurelli:** He echoed Hillary's comments that's he's sorry the Reinemo's are this far in the process, and we are having this hearing. Mike does not support taking the tree down.

**David Champoux:** Asked for motion to vote and Ben Champoux made a motion for the trees to remain, and it was a unanimous vote to keep the trees by the tree committee.

**Matthew Reinemo**: Asked the Tree Committee that moving forward if the trees can be noted on the deeds. He hopes that better recording of trees should improve.

## **REGULAR MONTHLY MEETING – 3:00 PM**

### **I. CALL TO ORDER**

David Champoux called the meeting to order at 3:00 pm. He reminded participants that the session was being recorded ([Tree Advisory Committee - 08/18/2022 - YouTube](#)). A rollcall of attendees showed that a quorum existed among the in-person attendees.

### **III. COMMITTEE ACCEPTANCE OF AGENDA**

Motion to approve -All in favor

### **III. COMMITTEE APPROVAL OF MINUTES**

#### **1. Approval of Minutes**

a. May 19, 2022

Motion to approve -All in favor

### **IV. ANNOUNCEMENTS**

1. Appreciation to Anne Dokerty and Daniel Weber of 2 Lincoln St., Siasconset who are going to donate two Accolade Elms in replacement of the dead Choke Cherry that Dale Gary will be taking down.

### **V. PUBLIC COMMENT /DISCUSSION**

41 West Chester -Nancy Martin wants to remove the Tree on the corner of W Chester and North Liberty and replace it with a less expansive tree.

**David Champoux**: David asked if there was someone in attendance in favor of the removal and there was no answer.

He continued to state that the tree is perfectly healthy Silver Linden. It's been there since 1981/82. This was a NHT tree. The Town has since taken over this tree. It has a Town maintenance history. Solution presented by Dale is to Lay down filter fabric to help with the suckering's.

All present voted to keep tree.

### **VI. CITIZEN/DEPARTMENTAL REQUESTS**

**None**

### **VII. OLD BUSINESS**

- Removing of the dead Maple tree on the Corner of Mill and Pleasant is complete
- Continued discussion of new sewer Force Main & Gravity feed project. All Committee Members received the links to review the project forwarded by David Gray and sent to you via Catherine Hull on Tuesday June 7, 2022.

The tree committee has reviewed the plans for Sewer Force Main & Gravity feed project submitted by Dave Gray and agree David Gray should be invited for the next meeting to answer questions the tree committee might have.

John Schichtel: Suggested bringing in a consultant who can guide the tree committee regarding what other cities are doing.

- Continuation of discussion of the need for DPW purchase of the Stump grinder.
  - Stump Grinder contract is complete for FY23 – Contract#1859 that ends 6/30/23 for \$18,000 Vendor is Path Finder LLC
  - For the purchasing of a Stump Grinder quotes are attached, this purchase is set for FY24 capital details are below

VERMEER CTX1603VP Vermeer - CTX160 Track Mini Skid Steer 40 HP Kohler Tier 4 Final/Stage IIb diesel engine, hydrostatic ground drive, pilot operated ground drive control, operator platform with console cushions, dual fuel tanks, 12-gallon hydraulic tank, flat-faced hydraulic quick disconnects, dual auxiliary hydraulics, loader arms with universal mounting plate, and 12-volt power port: 9" tracks. \$50,999

### **VIII. NEW BUSINESS**

1. Open Forum to bring subjects to light for future discussions  
Dale raised a question of the Tree Committee going in front of the BOS to increase fines for damages to Town trees.

### **IX. STATUS OF ACTION ITEMS**

Tree Committee wants to continue with meetings both in person and via zoom

### **X. ACTION LIST**

None

### **XI. ADJOURNMENT**

Motion to adjourn – All in favor

**§ 132-2. Town tree designation. [Added 4-13-1998 ATM by Art. 51, approved 7-31-1998]**

Any tree will be designated a "Town tree" by meeting any one of the following conditions:

- A. The tree was purchased, or its planting was paid for, by the Town.
- B. The tree stands on or has its trunk partially on Town-owned property.
- C. The tree was donated or otherwise conveyed to the Town.
- D. The tree has been maintained more than once by use of Town funds, equipment or personnel during the last 20 years, with the visits separated by more than one year.
- E. Town trees shall be marked with a medallion, the presence of which shall be conclusive of the status of the tree as a Town tree.

**From:** [ml@marylongacre.com](mailto:ml@marylongacre.com) <[ml@marylongacre.com](mailto:ml@marylongacre.com)>

**Sent:** Wednesday, August 17, 2022 10:28 PM

**To:** Stephen Arceneaux <[sarceneaux@nantucket-ma.gov](mailto:sarceneaux@nantucket-ma.gov)>; [dcland02584@gmail.com](mailto:dcland02584@gmail.com); Richard Moore <[rmoore@nantucket-ma.gov](mailto:rmoore@nantucket-ma.gov)>; [mike@jm-landscapeservices.com](mailto:mike@jm-landscapeservices.com)

**Subject:** Letter of opposition RE tree removal proposed at 12 West Creek Rd

Hi Dave-

As you remember, I was on the Tree Advisory Committee when we bought and planted the elms at what is now 12 & 14 West Creek Rd, must be more than 25 years ago now.

I am adamantly opposed to the removal of the two remaining elm trees on this property. I was shocked that the first one was allowed to be removed, but grudgingly understood the public benefit for Nantucket Community Sailing to build their dorm. However, I thought there was no way the Town would allow the other two trees to be removed.

If the Town allows trees that were planted with future generations in mind to be removed while still young and healthy, what is the point in planting them at all? I did not devote my time, energy, and fundraising for the Tree Advisory Committee to plant temporary trees. I am filled with pride every time I go past one of the trees that were planted in the 1990's when I served on the Committee. It is wonderful to see the canopy we imagined decades ago coming into being. In addition, these trees were planted to sustain Nantucket's abundance of elms, as we are slowly losing the 19<sup>th</sup> century plantings. Removing the replacements is untenable.

I hope the Tree Advisory Committee will unequivocally deny the petition for removal, and further order the trees to be protected from damage during any construction activities.

I will plan to attend the public hearing via Zoom on the 18<sup>th</sup>.

Mary Longacre  
202-415-7843 cell

**Hillary Hedges Rayport  
89 Main Street  
Nantucket, MA 02554**

August 30, 2022

Mr. David Champoux  
Tree Warden  
Town of Nantucket

Dear Mr. Champoux:

I'm writing to support protecting and retaining, in their current location, the two elm trees at the corner of Pleasant Street and West Creek. These two majestic Town trees are flourishing and maturing, and enhance the beauty and enjoyment of the mid-island neighborhood.

Keeping these trees where they are is consistent with the goals of the Mid-Island Area Plan, approved by the NP&EDC in 2003. The document calls for adding more "vertical" green space by planting trees. Overall, the plan advises developing a Mid-Island inspired by our charming downtown: with clusters of mixed-use buildings, shared parking, and networks of shady sidewalks.

The plan says to avoid inefficient "suburban patterns of development" where asphalt and cars, not buildings and trees, dominate the landscape. When these trees were planted, the Mid Island plan was to reduce parking requirements on lots and introduce shared and on street parking, bike paths, and transit.

Sadly, that vision has been stymied by short-term planning and now this building is on a collision course with these trees. Please protect the trees and encourage the developer and the ZBA to work something out, so we have a leafy Mid-Island downtown. The value of these maturing trees, so far along towards being mighty elms, cannot be replaced by planting saplings. The lot, and our island, will be more valuable with the benefit of shade trees and a thriving, walkable mid-island.

Sincerely,

A handwritten signature in cursive script that reads "Hillary Rayport". The ink is dark and the signature is fluid, with a long, sweeping tail on the "t".

Hillary H. Rayport



## Agenda Item Summary

|               |            |
|---------------|------------|
| Agenda Item # | IX. 1.     |
| Date          | 10/19/2022 |

### Staff

Amy Baxter, Licensing Administrator

### Subject

Liquor License Multiple Amendments Application – ***Sankaty Head Golf Club, Inc, DBA Sankaty Head Golf Club, 100 Sankaty Road, License #00040-CL-0762***

### Executive Summary

***Sankaty Head Golf Club, Inc.*** is applying for Multiple Amendments to their ***Annual Club All Alcohol*** Liquor License for ***DBA Sankaty Head Golf Club*** at ***100 Sankaty Road***.

The Multiple Amendments include the following:

1. Change of Officers (Non-Profit Club)
2. Alteration of Premises: Adding 18 hole golf course to Licensed Premises

### Staff Recommendation

Applicant meets all requirements and has submitted documentation as outlined below.

Application must be approved by both the Local Licensing Authority (Select Board) and ABCC. An amended License will be issued within (7) Business Days of notification of final approval by ABCC.

### Background/Discussion

Summary and Requirements for Change of Officers (Non-Profit Club):

The Sankaty Head Golf Club is updating their list of Officers with the ABCC as is required for Clubs before or at same time to making other licenses amendments. Officers and Directors must match ABCC records. As they are a Non-Profit Club (no ownership by Officers) they are not required to submit CORIs as other establishments must do. Requirements for Change of Officers include:

- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Vote of the Club
- Business Structure Documents



### Summary and Requirements for Alteration of Premises:

The Sankaty Head Golf Club is requesting an Alteration of Licensed Premises to add their 18-hole golf course to the Licensed Premise. Please see attached description of service and ABCC Advisory for Golf Course Alcohol service.

If Alteration is approved, licensee will need to add signage at each crossing of a public way per ABCC Advisory: "No alcoholic beverages permitted beyond this point." Locations to be inspected by Licensing upon issuing of updated license.

As part of an on-going audit of all licenses, this type of application will be required for all golf courses on island that provide alcohol service/consumption on their golf course. Currently no golf course includes the playing area on their licensed premise. In this case, Sankaty Head Golf reached out on their own to modify the licenses and bring the Club into compliance.

Requirements for an Alteration of Premises include the items listed above and in addition the following:

- Legal Right to Occupy
- Supporting Financial Records (Not applicable in this case)
- Floor/Site Plan
- Advertisement and Abutter Notification for One South Beach Street.

**Impact: Environmental** ☐ **Fiscal** ☐ **Community** ☐ **Other** ☐

N/A

#### Board/Commission Recommendation

N/A

#### Public Outreach

Public notice in Inquirer & Mirror

#### Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A

#### Attachments

ABCC Multiple Amendments Application and Supporting Documents; Sankaty Head Golf Club Liquor License





*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*

☐ For Reconsideration

**LICENSING AUTHORITY CERTIFICATION**

Nantucket

City /Town

00040-CL-0762

ABCC License Number

**TRANSACTION TYPE (Please check all relevant transactions):**

The license applicant petitions the Licensing Authorities to approve the following transactions:

- |                                                                                   |                                                                                                   |                                                                           |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input checked="" type="checkbox"/> Alteration of Licensed Premises                               | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|                                                                                   | <input type="checkbox"/> Other <input type="text"/>                                               | <input type="checkbox"/> Change of DBA                                    |                                                                       |

**APPLICANT INFORMATION**

|                                          |                                                              |                                                                                                        |                                                     |
|------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| Name of Licensee                         | <input type="text" value="Sankaty Head Golf Club, Inc."/>    | DBA                                                                                                    | <input type="text" value="Sankaty Head Golf Club"/> |
| Street Address                           | <input type="text" value="100 Sankaty Road Siasconset, MA"/> |                                                                                                        | Zip Code <input type="text" value="02564"/>         |
| Manager                                  | <input type="text" value="Kimberly Matthews"/>               |                                                                                                        |                                                     |
| <input type="text" value="\$12 Club"/>   | <input type="text" value="Annual"/>                          | <input type="text" value="All Alcoholic Beverages"/>                                                   |                                                     |
| Type<br>(i.e. restaurant, package store) | Class<br>(Annual or Seasonal)                                | Category<br>(i.e. Wines and Malts / All Alcohol)                                                       |                                                     |
|                                          |                                                              | Granted under Special Legislation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |                                                     |
|                                          |                                                              | If Yes, Chapter <input type="text"/>                                                                   |                                                     |
|                                          |                                                              | of the Acts of (year) <input type="text"/>                                                             |                                                     |

**DESCRIPTION OF PREMISES**

Complete description of the licensed premises

First floor: club room, kitchen, bar, office, reception room. Basement. Ladies and Men's locker rooms, small bar. Outdoors on grass patio located on western side of the Club House. 18 hole golf course with service area from the existing Clubhouse Bar and Grill facing ninth hole green. No alcohol may cross public way (Polpis Road) intersecting Golf Course.

**LOCAL LICENSING AUTHORITY INFORMATION**

|                                                           |                                                                     |                                         |                                                        |                      |                                                    |
|-----------------------------------------------------------|---------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------|----------------------|----------------------------------------------------|
| Application filed with the LLA:                           | Date                                                                | <input type="text" value="09/29/2022"/> | Time                                                   | <input type="text"/> |                                                    |
| Advertised                                                | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Date Published                          | <input type="text" value="10/6/22 &amp; 10/13/22"/>    | Publication          | <input type="text" value="Inquirer &amp; Mirror"/> |
| Abutters Notified:                                        | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Date of Notice                          | <input type="text" value="09/29/22"/>                  |                      |                                                    |
| Date APPROVED by LLA                                      | <input type="text" value="10/19/2022"/>                             | Decision of the LLA                     | <input type="text" value="Approves this Application"/> |                      |                                                    |
| Additional remarks or conditions<br>(E.g. Days and hours) | <input type="text"/>                                                |                                         |                                                        |                      |                                                    |
| For Transfers ONLY:                                       |                                                                     |                                         |                                                        |                      |                                                    |
| Seller License Number:                                    | <input type="text"/>                                                | Seller Name:                            | <input type="text"/>                                   |                      |                                                    |

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
Ralph Sacramone  
Executive Director

## PUBLIC NOTICE

Please be advised that the Select Board will hold a public hearing on Wednesday, October 19, 2022 at 5:30 PM to consider an Alteration of Premises application for the Annual All Alcoholic Beverages Liquor License for The Sankaty Head Golf Club, Inc., dba The Sankaty Head Golf Club, located at 100 Sankaty Road, Nantucket, MA 02554, Kimberly Matthews, Manager. The hearing will be held in-person at the first floor Community Room of the Public Safety Facility, 4 Fairgrounds Road as well as via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email [licensing@police.nantucket-ma.gov](mailto:licensing@police.nantucket-ma.gov).

LICENSE #: 00040-CL-0762

LICENSE FEE: \$3,250.00

THE LICENSING BOARD *for the*  
TOWN OF NANTUCKET, MASSACHUSETTS  
HEREBY GRANTS AN  
**ANNUAL RETAIL CLUB LICENSE**  
TO EXPOSE, KEEP FOR SALE, AND TO SELL  
**ALL ALCOHOLIC BEVERAGES**

**AMENDMENTS TO LICENSE IN RED.**

**TO BE CONSUMED ON THE PREMISES**

**BUSINESS:** Sankaty Head Golf Club, Inc.

**DBA:** Sankaty Head Golf Club

**PREMISES:** 100 Sankaty Avenue  
Siasconset, MA 02564

**MANAGER:** Kimberly Matthews

**ON PREMISES DESCRIBED AS:**

First floor: club room, kitchen, bar, office, reception room. Basement. Ladies and Mens locker rooms, small bar. License includes alcoholic beverage service outdoors on grass patio located on western side of the Club House. **18 hole golf course with service area from the existing Clubhouse Bar and Grill facing ninth hole green. No alcohol may cross public way (Polpis Road) intersecting golf course. Site plan on file with Licensing Office.**

**The hours during which alcoholic beverages may be sold:** In accordance with MGL Chapter 138 and amendments thereto with the local provision that patrons shall not be served alcoholic beverages before 8:00AM Monday through Saturday and 11:00AM on Sunday. **No alcohol service is permitted after 1:00AM** and patrons must be off the license premises and said **premises must be closed by 1:30AM**. Any restrictions apply as are on file with the local licensing authority. In accordance with Article 40 ATM 2001, Chapter 86.1 Board of Health Regulations Prohibit Smoking in Certain Places within the Town of Nantucket.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the Massachusetts General Laws, as amended and any rules or regulations made thereunder by the licensing authorities, including, but not limited to Chapter 250 of the Town of Nantucket Rules and Regulations Governing Alcoholic Beverages.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this X day of 202X.

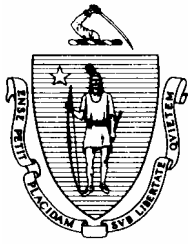
**DRAFT**

Jason Bridges  
Chair, Select Board

**THIS LICENSE WILL EXPIRE DECEMBER 31, 2022**

*\*Unless earlier suspended, cancelled, or revoked*

**This License Shall Be Displayed On the Premises in a Conspicuous Place Where it May Be Easily Seen.**



Timothy P. Cahill  
Treasurer and Receiver General

Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: (617) 727-3040  
Fax: (617) 727-1258

Eddie J. Jenkins  
Chairman

NOTICE  
TO ALL LOCAL LICENSING AUTHORITIES  
AND ALL LICENSEES UNDER M.G.L. c. 138, § 12

To advance the Alcoholic Beverages Control Commission's out-reach to assist you in your efforts to control the licensed premises and the operation of the business, to prevent violation of any of the provisions of the Liquor Control Act and Commission regulations, to help conduct the licensed business in a proper and orderly manner, and to avoid compliance issues, the Alcoholic Beverages Control Commission ("the Commission") would advise you of a recent Commission action. On April 2, 2009, the Commission issued a decision that sets out the guidelines the Commission will apply in deciding whether to approve any application for a § 12 license to sell alcoholic beverages at any location on the grounds of a golf course deemed reasonable and proper.

The following GUIDELINES were established by the Commission in the decision issued in *In Re: New England Golf Partners, Inc. dba Georgetown Club*, Georgetown (ABCC Decision dated April 2, 2009). The Guidelines that the Commission set to approve an application for the service of alcoholic beverages on the holes of a golf course are as follows:

1. Alcoholic beverages cannot be sold or delivered outdoors on the grounds of a golf course unless and until approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission as part of a § 12 licensed establishment.

Once approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission as part of a § 12 licensed establishment only those alcoholic beverages sold or delivered by the approved licensee may be consumed and possessed by the patrons outdoors on the grounds of a golf course that is included as part of a § 12 licensed establishment.

2. An application to extend the premises must describe the area in detail. The applicant must provide the description of the area in detail that includes the location and size of any areas of service and storage of alcoholic beverages, including whether alcoholic beverages will be sold or delivered in or from a cart. For example:

“the 18 holes of the golf course as shown on the scorecard on the golf course dated January 27, 2009 attached hereto and marked as Exhibit 1 to be sold from 3 beverage carts”;

“the area containing the 18 holes of the golf course shown on the plan attached hereto dated January 27, 2009 attached hereto and marked as Exhibit 1 to be sold at the stands indicated and from a beverage cart”;

“the area containing holes 1-7, 9-12- and 16-18 on the north side of Main Street as shown on the plan attached hereto dated January 27, 2009 attached hereto and marked as Exhibit 1 to be sold at the stands indicated and from a beverage cart and stored in the shack indicated.”

3. The applicant for the license to be used on the grounds of a golf course must provide documented proof that the applicant has a legal right to occupy the grounds of the golf course on which permission is sought to sell and deliver alcoholic beverages. For example, the applicant may provide a copy of a lease, an occupancy agreement, a letter agreement or a contract.
4.
  - (a) The grounds of the golf course must be contiguous and appurtenant to the existing licensed premises.
  - (b) Public ways may intersect, interrupt or divide the grounds of the golf course for which approval is sought. The Commission will approve a single license to cover that portion of the grounds of a golf course that lies across a public way provided the licensee applies for and receives from the Commission a transportation permit under M.G.L. c. 138, § 22 for each beverage cart used in the transportation and delivery of alcoholic beverages.
  - (c) No licensee shall permit any patron to possess or carry alcoholic beverages in or on a public way.
  - (d) At each crossing of a public way, each licensee shall post signs stating “no alcoholic beverages permitted beyond this point” at appropriate locations in a conspicuous place where these signs can easily be read.
  - (e) Parking lots of a golf course will be treated the same as a public way. The Commission will not approve any parking lot to be included in the description of licensed premises on the grounds of a golf course.
5. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
6. No more than two drinks shall be sold, delivered or in the possession of any one patron at any one time while on the grounds of a golf course approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission.

7. The applicant must post signs stating “no alcoholic beverages permitted beyond this point” at appropriate locations bordering the course in a conspicuous place where these signs can easily be read. The local licensing authorities may specify the location of any such signs.

8. No § 12 licensee shall permit any patron to possess alcoholic beverages on the grounds of a golf course approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission other than those alcoholic beverages purchased from that licensee.

9. No § 12 licensee shall permit any patron to carry or transport any alcoholic beverages off the grounds of a golf course approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission.

10. A § 12 licensee is reminded that the § 12 licensee must ensure that each person employed for the direct handling or selling of alcoholic beverages is 18 years of age or older.

Licensees should be vigilant during the golfing season to avoid violations of G.L. c.138, § 69 and ensure that no alcoholic beverage is sold or delivered on any licensed premises to an intoxicated person. Care should also be taken to avoid violations of G.L. c.138, § 34 by ensuring not only that no one makes “a sale or delivery of any alcoholic beverage or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person” but also that no one furnishes, and knowingly or intentionally supplies, gives, or provides to or allows a person under 21 years of age to possess alcoholic beverages on premises or property owned or controlled by a license holder.

With grateful appreciation and many thanks for your attention, assistance and co-operation in these efforts, the Commission is confident that each of you work daily to ensure that all operations are structured, advertised and actually operated in compliance with all laws of the Commonwealth. Through our efforts together, we can be sure that each license serves the public need and is operated only in such a manner so as to protect the common good. With this mutual success, our spring and summer seasons will be safe.

Dated at Boston, Massachusetts this 3rd day of April 2009.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

A handwritten signature in black ink, appearing to read "Eddie J. Jenkins". The signature is stylized with a large, looping initial "E" and a cursive "Jenkins".

Eddie J. Jenkins,  
Chairman

SUPPLEMENTAL INFORMATION  
THE SANKATY HEAD GOLF CLUB

The proposed type of alcoholic beverage service at the Sankaty Head Golf Club will be service from the existing Clubhouse bar and grill located on the eastern side of the Clubhouse and facing the ninth hole green as shown on the site plan annexed hereto as Exhibit "A." The Club proposes no beverage cart or other mobile service of alcoholic beverages. Golf members and their guests will be served alcoholic beverages at the Clubhouse bar and grill and then carry the beverages by cart or in a golf bag to the golf holes. Alcoholic beverages will be stored in a secure storage area inside the Clubhouse.

Sankaty Road a/k/a Polpis Road, a public way, intersects the Sankaty Head Golf Course between the first and second golf hole and the eighth and ninth golf hole, as shown on the site plan annexed hereto as Exhibit "B." It is, however, unlikely that golf members and their guests will carry or possess alcoholic beverages in or on this public way. Typically, a golfing member or guest will finish playing nine holes, stop by the bar and grill in the Clubhouse to obtain an alcoholic beverage, and then continue to play the remaining golf holes ten through eighteen



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**APPLICATION FOR MULTIPLE AMENDMENTS**

Please select all of the amendments you are applying for(continued):

☐ **CHANGE OF LOCATION**

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt  
Monetary Transmittal Form  
Alteration of Premises/Change of Location Application  
Vote of the Entity Board  
Supporting financial records  
Legal Right to Occupy  
Floor Plan  
Abutter's Notification\*  
Advertisement\*

☒ **ALTERATION OF PREMISES**

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt  
Monetary Transmittal Form  
Alteration of Premises/Change of Location Application  
Vote of the Entity Board  
Supporting financial records  
Legal Right to Occupy  
Floor Plan  
Abutter's Notification\*  
Advertisement\*

☐ **MANAGEMENT AGREEMENT**

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt  
Monetary Transmittal Form  
Management Agreement Application  
Management Agreement  
Vote of the Entity Board  
CORI Forms for all listed in Section 8A and attachments

**IMPORTANT NOTE:** A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. This does not pertain to a liquor license manager that is employed directly by the entity.



*The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)*

**APPLICATION FOR MULTIPLE AMENDMENTS**

*Please select all of the amendments you are applying for(continued):*

**Non-Profit Club's ONLY**

e.g. Veteran's Club

☒ **Non-Profit Club CHANGE OF OFFICERS/DIRECTORS**

DOR Certificate of Good Standing  
DUA Certificate of Compliance  
Change of Officers/Directors Application  
Vote of the club signed by an approved officer  
Business Structure Documents-Articles of Organization from the Secretary of the Commonwealth  
CORI Authorization Form This form **must** be *notarized with a stamp or raised seal*.  
Monetary Transmittal Form  
\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt

☐ **Non-Profit Club CHANGE OF MANAGER**

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt  
Monetary Transmittal Form  
Change of Manager Application  
Vote of the club signed by an approved officer  
CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.  
Updated Officers and Directors\*  
\*Please ensure to update your officers and directors **simultaneously** or **PRIOR** to applying for a change of manager. It will be returned with no action taken if the officers and directors do not match ABCC records.  
**Proof of Citizenship.** Passport, birth certificate, voter registration, or naturalization papers will be accepted.



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM

APPLICATION FOR MULTIPLE AMENDMENTS

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL  
LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE  
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

0762-CL-00040

ENTITY/ LICENSEE NAME SANKATY HEAD GOLF CLUB, INC. d/b/a SANKATY GOLF CLUB

ADDRESS

100 SANKATY ROAD, PO BOX 293

CITY/TOWN

SIASCONSET

STATE

MA

ZIP CODE

02564

For the following transactions (Check all that apply):

- |                                                                                   |                                                                                                   |                                                                           |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input checked="" type="checkbox"/> Alteration of Licensed Premises                               | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|                                                                                   | <input type="checkbox"/> Other                                                                    |                                                                           | <input type="checkbox"/> Change of DBA                                |

**THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS  
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL**

Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**APPLICATION FOR MULTIPLE AMENDMENTS**

**1. BUSINESS ENTITY INFORMATION**

| Entity Name                  | Municipality         | ABCC License Number |
|------------------------------|----------------------|---------------------|
| SANKATY HEAD GOLF CLUB, INC. | SIASCONSET, MA 02564 | 0762-CL-00040       |

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

SANKATY HEAD GOLF CLUB INC. DESIRES TO ADD THE 18 HOLES OF THE GOLF COURSE SHOWN ON A PLAN DATED SEPTEMBER 21, 2022 TO ITS LICENSED PREMISES. A COPY OF THE PLAN IS ANNEXED HERETO AS EXHIBIT "A."

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

| Name                | Title              | Email            | Phone        |
|---------------------|--------------------|------------------|--------------|
| KEVIN F. DALE, ESQ. | CLERK/GEN. COUNSEL | kevin@vdhlaw.com | 508-228-4455 |

**2. AMENDMENT-Change of License Classification**

|                                                                                                                                            |                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--|
| <input type="checkbox"/> <b>Change of License Category</b><br>All Alcohol, Wine and Malt,<br>Wine Malt and Cordials                        | Last-Approved License Category |  |
|                                                                                                                                            | Requested New License Category |  |
| <input type="checkbox"/> <b>Change of License Class</b><br>Seasonal or Annual                                                              | Last-Approved License Class    |  |
|                                                                                                                                            | Requested New License Class    |  |
| <input type="checkbox"/> <b>Change of License Type*</b><br>i.e. Restaurant to Club<br>*Certain License Types<br>CANNOT change once issued* | Last-Approved License Type     |  |
|                                                                                                                                            | Requested New License Type     |  |

**3. AMENDMENT-Change of Business Entity Information**

|                                                                                                            |                                   |  |
|------------------------------------------------------------------------------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> <b>Change of Corporate Name</b>                                                   | Last-Approved Corporate Name:     |  |
|                                                                                                            | Requested New Corporate Name:     |  |
| <input type="checkbox"/> <b>Change of DBA</b>                                                              | Last-Approved DBA:                |  |
|                                                                                                            | Requested New DBA:                |  |
| <input type="checkbox"/> <b>Change of Corporate Structure</b><br>LLC, Corporation, Sole<br>Proprietor, etc | Last-Approved Corporate Structure |  |
|                                                                                                            | Requested New Corporate Structure |  |

**4. AMENDMENT-Pledge Information**

|                                                     |                                   |  |
|-----------------------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> <b>Pledge of License</b>   | To whom is the pledge being made: |  |
| <input type="checkbox"/> <b>Pledge of Inventory</b> |                                   |  |
| <input type="checkbox"/> <b>Pledge of Stock</b>     |                                   |  |

## 5. AMENDMENT-Change of Manager

### ☐ Change of License Manager

#### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises  Last-Approved License Manager

#### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?\* ☐ Yes ☐ No \*Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? ☐ Yes ☐ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

| Date                 | Municipality         | Charge               | Disposition          |
|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

#### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

| Start Date           | End Date             | Position             | Employer             | Supervisor Name      |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

#### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☐ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

| Date of Action       | Name of License      | State                | City                 | Reason for suspension, revocation or cancellation |
|----------------------|----------------------|----------------------|----------------------|---------------------------------------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/>                              |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/>                              |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/>                              |

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature

Date

## 6. AMENDMENT-Change of Officers, Stock or Ownership Interest

☒ **Change of Officers/Directors**    ☐ **Change of Ownership Interest (LLC Managers/LLP Partners, Trustees)**    ☐ **Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
|-----------------------|-------------------------|----------------------------------------------------|----------------------------------------------------|
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |
| Title and or Position | Percentage of Ownership | Director/ LLC Manager US Citizen                   | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |

Additional pages attached?

☒ Yes ☐ No

### CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

### MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.

☐ Yes ☐ No

## 6. AMENDMENT-Change of Officers, Stock or Ownership Interest

### 6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

|                   |                |                         |
|-------------------|----------------|-------------------------|
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |

### 6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### 6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|----------------|-----------------|------|---------------------------------------------------|
|                |                 |      |                                                   |
|                |                 |      |                                                   |
|                |                 |      |                                                   |

## 7. AMENDMENT-Change of Premises Information

☒ **Alteration of Premises:** (must fill out attached financial information form)

### 7A. ALTERATION OF PREMISES

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

ADDITIONAL LICENSED PREMISES: THE 18 HOLES OF THE GOLF COURSE AS SHOWN ON A PLAN DATED 09/21/22, A COPY OF WHICH IS ANNEXED HERETO AS EXHIBIT "A."

### PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

FIRST FLOOR: CLUB ROOM, KITCHEN, BAR, OFFICE, RECEPTION ROOM, BASEMENT, LADIES AND MEN'S LOCKER ROOMS, SMALL BAR, OUTDOOR GRASS PATIO LOCATED ON WESTERN SIDE OF THE CLUB HOUSE, 18 HOLES OF THE GOLF COURSE AS SHOWN ON PLAN ANNEXED HERETO AS EX. "A."

Total Sq. Footage

5,601,816+/- sf

Seating Capacity

136

Occupancy Number

150

Number of Entrances

9

Number of Exits

9

Number of Floors

2

☐ **Change of Location:** (must fill out attached financial information form)

### 7B. CHANGE OF LOCATION

Last-Approved Street Address

Proposed Street Address

### DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

### OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☐ No

## 8. AMENDMENT-Management Agreement

☐ **Management Agreement:** (must fill out all pages in section 8)

Are you requesting approval to utilize a management company through a management agreement?  
If yes, please fill out section 8.

☐ Yes ☐ No

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

**IMPORTANT NOTE:** A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

### 8A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

| Entity Name           | Address                 | Phone                                              |                                                    |                                                    |
|-----------------------|-------------------------|----------------------------------------------------|----------------------------------------------------|----------------------------------------------------|
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               |                                                    |                                                    |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |                                                    |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |                                                    |
| Title and or Position | Percentage of Ownership | Director                                           | US Citizen                                         | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |                                                    |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |                                                    |
| Title and or Position | Percentage of Ownership | Director                                           | US Citizen                                         | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |                                                    |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |                                                    |
| Title and or Position | Percentage of Ownership | Director                                           | US Citizen                                         | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |
| Name of Principal     | Residential Address     | SSN                                                | DOB                                                |                                                    |
| <input type="text"/>  | <input type="text"/>    | <input type="text"/>                               | <input type="text"/>                               |                                                    |
| Title and or Position | Percentage of Ownership | Director                                           | US Citizen                                         | MA Resident                                        |
| <input type="text"/>  | <input type="text"/>    | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |

#### CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?  
If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☐ No

### 8B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 8A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

# The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Room 1717, Boston, Massachusetts 02108-1512

## CERTIFICATE OF CHANGE OF DIRECTORS OR OFFICERS OF NON-PROFIT CORPORATIONS (General Laws, Chapter 180, Section 6D)

I, KEVIN F. DALE

, \*Clerk / \*Assistant Clerk

of THE SANKATY HEAD GOLF CLUB, INC. (ID# 041807755)

(Exact name of corporation)

having a principal office at 100 SANKATY ROAD, PO BOX 293, SIASCONSET, MA 02564

(Street address of corporation in Massachusetts)

certify that pursuant to General Laws, Chapter 180, Section 6D, a change in the directors and/or the president, treasurer and/or clerk of said corporation has been made and that the name, residential address, and expiration of term of each director and the president, treasurer and clerk are as follows:

| NAME                             | RESIDENTIAL ADDRESS | EXPIRATION OF TERM OF OFFICE |
|----------------------------------|---------------------|------------------------------|
| President: E. GARRETT BEWKES III |                     | 08/26/2023                   |
| Treasurer: EDWARD J. SANFORD     |                     | 08/26/23                     |
| Clerk: KEVIN F. DALE             |                     | 08/26/23                     |
| **Assistant Clerk:               |                     |                              |
| Directors: E. GARRETT BEWKES III |                     | 08/26/23                     |
| EDWARD J. SANFORD                |                     | 08/26/23                     |
| MARCIA MORAN                     |                     | 08/26/23                     |
| EILEEN O'GARA                    |                     | 08/24/24                     |
| BONNIE LEVISON                   |                     | 08/24/24                     |
| EDWARD S. TOOLE                  |                     | 08/24/24                     |

SIGNED UNDER THE PENALTIES OF PERJURY, this 12TH day of SEPTEMBER, 20 22

, \*Clerk / \*Assistant Clerk.

\*Delete the inapplicable words.

\*\*Please provide the name and residential address of the assistant clerk if below is executing this certificate of change.

CONTINUATION SHEET NO. 1  
THE SANKATY HEAD GOLF CLUB, INC.  
2023 DIRECTORS

| <u>NAME</u>          | <u>RESIDENTIAL ADDRESS</u> | <u>EXPIRATION<br/>OF TERM:</u> |
|----------------------|----------------------------|--------------------------------|
| JAMIE PFAFF          |                            | 08/24/24                       |
| DARRELL L. GUSTAFSON |                            | 08/23/25                       |
| JOHN A. HILTON, JR.  |                            | 08/23/25                       |
| CRISS L. TROAST      |                            | 08/23/25                       |
| PAMELA HOLDING       |                            | 08/23/25                       |
| CHRISTOPHER QUICK    |                            | 08/23/25                       |

Examiner

# The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Room 1717, Boston, Massachusetts 02108-1512

## CERTIFICATE OF CORRECTION

(General Laws, Chapter 180, Section 3A)

1. Exact name of corporation: THE SANKATY HEAD GOLF CLUB, INC.
2. Document to be corrected: CERTIFICATE OF CHANGE OF DIRECTORS OR OFFICERS OF NON PROFIT
3. The above mentioned document was filed with the Secretary of the Commonwealth on

SEPTEMBER 12, \_\_\_\_\_, 2022.

4. Please state the inaccuracy or defect in said document:

PRESIDENT: E. GARRETT BEWKES III, [REDACTED]

DIRECTOR: E. GARRETT BEWKES III, [REDACTED]

5. Please state corrected version of the document:

PRESIDENT: E. GARRETT BEWKES III, [REDACTED]

DIRECTOR: E. GARRETT BEWKES III, 1 [REDACTED]

*Note: This correction should be signed by the person(s) required by law to sign the original document.*

SIGNED UNDER THE PENALTIES OF PERJURY, this 19TH day of SEPTEMBER, 2022.

\_\_\_\_\_, \*President / \*Vice President,

KEVIN F. DALE

\_\_\_\_\_, \*Clerk / \*Assistant Clerk / \*Incorporator(s).

*\*Delete the inapplicable words.*

*Note: If the inaccuracy or defect to be corrected is not apparent on the face of the document, minutes of the meeting substantiating the error must be filed with the certificate. Additional information may be provided on separate 8 1/2 x 11 sheets of white paper with a left margin of at least 1 inch.*

P.C.

## 8. AMENDMENT-Management Agreement

### 8C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 8A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### 8D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 8A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Licensee Name | License Type | Municipality | Date(s) of Agreement |
|---------------|--------------|--------------|----------------------|
|               |              |              |                      |
|               |              |              |                      |
|               |              |              |                      |

### 8E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 8B, 8C or 8D ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|----------------|-----------------|------|---------------------------------------------------|
|                |                 |      |                                                   |
|                |                 |      |                                                   |
|                |                 |      |                                                   |

### 8F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee?

Yes ☐ No ☐

b. Will the licensee retain control of the business finances?

Yes ☐ No ☐

c. Does the management entity handle the payroll for the business?

Yes ☐ No ☐

d. Management Term Begin Date

e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

☐ \$ per month/year (indicate amount)

☐ % of alcohol sales (indicate percentage)

☐ % of overall sales (indicate percentage)

☐ other (please explain)

#### ABCC Licensee Officer/LLC Manager

Signature:

Title:

Date:

#### Management Agreement Entity Officer/LLC Manager

Signature:

Title:

Date:

## 9. FINANCIAL DISCLOSURE

Required for the following transactions:

- Change of Officers, Stock or Ownership Interest (E.g. New Stockholder/Transfer or Issuance of Stock)
- Change of Premises Information
- Pledge of License, Inventory or Stock

Purchase Price(s):

N/A

### SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

| Name of Contributor | Amount of Contribution |
|---------------------|------------------------|
|                     |                        |
|                     |                        |
|                     |                        |
|                     |                        |
| Total               |                        |

### SOURCE OF FINANCING

Please provide signed financing documentation.

| Name of Lender | Amount | Type of Financing | Is the lender a licensee pursuant to M.G.L. Ch. 138. |
|----------------|--------|-------------------|------------------------------------------------------|
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |

### FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

## APPLICANT'S STATEMENT

I, KEVIN F. DALE the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager  
Authorized Signatory

of SANKATY HEAD GOLF CLUB, INC  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Kevin F. Dale  
KEVIN F. DALE

Date: SEPTEMBER 29, 2022

Title:

CLERK/GENERAL COUNSEL

### ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

1. EXHIBIT "A": a) PHOTOGRAPHS OF SANKATY HEAD GOLF CLUB.

b) SUPPLEMENTAL INFORMATION, SANKATY HEAD GOLF CLUB.

2. EXHIBIT "B": CHANGE OF OFFICERS AND DIRECTORS OF THE SANKATY HEAD GOLF CLUB AS FILED WITH THE MASSACHUSETTS SECRETARY OF STATE ON SEPTEMBER 12, 2022.

**EXHIBIT "A"**

### ENTITY VOTE

The Board of Directors or LLC Managers of

SANKATY HEAD GOLF CLUB, INC.

Entity Name

duly voted to apply to the Licensing Authority of

NANTUCKET

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

JULY 21, 2022

Date of Meeting

For the following transactions (Check all that apply):

- |                                                                                   |                                                                                                   |                                                                           |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input checked="" type="checkbox"/> Alteration of Licensed Premises                               | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|                                                                                   |                                                                                                   | <input type="checkbox"/> Other <input type="text"/>                       | <input type="checkbox"/> Change of DBA                                |

"VOTED: To authorize

KEVIN F. DALE

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts.”

A true copy attest,

Corporate Officer /LLC Manager Signature

(Print Name)

### For Corporations ONLY

A true copy attest,

Corporate Clerk's Signature

(Print Name)

9/29/22



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/28/2022  
Data updated Jan. 2021

Print map scale is approximate.  
Critical layout or measurement  
activities should not be done using  
this resource.



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/28/2022  
Data updated Jan. 2021

Print map scale is approximate.  
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activities should not be done using  
this resource.



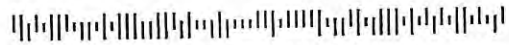
Commonwealth of Massachusetts  
Department of Revenue  
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L0776207296  
Notice Date: October 11, 2022  
Case ID: 0-001-736-006



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



SANKATY HEAD GOLF CLUB INC  
100 SANKATY ROAD  
SIASCONSET MA 02564

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, SANKATY HEAD GOLF CLUB INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

### *Visit us online!*

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LT. GOVERNOR



404987719

Rosalin Acosta  
SECRETARY

Connie C. Carter  
INTERIM DIRECTOR

SANKATY HEAD GOLF CLUB  
P.O. BOX 293  
SIASCONSET, MA 02564

EAN: 00634540  
October 11, 2022

Certificate Id:63324

The Department of Unemployment Assistance certifies that as of 10/11/2022 ,SANKATY HEAD GOLF CLUB is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Connie C. Carter, Interim Director

Department of Unemployment Assistance

TOWN OF NANTUCKET

LIQUOR LICENSE

LIST OF PARTIES IN INTEREST IN THE MATTER OF THE PETITION OF:

PROPERTY OWNER..... SANKATY HEAD GOLF CLUB INC  
MAILING ADDRESS..... C/O VDHB&S, 2 Whalers Lane, PO BOX 659, Nantuket, MA 02554  
PROPERTY LOCATION.. 100 SANKATY ROAD, Nantucket, MA 02554  
ASSESSORS MAP/PARCEL.. 49 / 2  
SUBMITTED BY: Kevin F. Dale

SEE ATTACHED PAGES

I certify that the foregoing is a list of persons who are owners of land whose property directly touches the proposed property and churches and schools within 500 feet of the property, all as they appear on the most recent applicable tax list.

July 13, 2022  
DATE

Mary Haley,  
Senior Clerk,  
Assessor's Office  
Digitally signed by Mary  
Haley, Senior Clerk,  
Assessor's Office  
Date: 2022.07.13 10:34:29  
-04'00'  
ASSESSOR'S OFFICE  
TOWN OF NANTUCKET

## Abutters Listing

| Co-Owner Full Name          | Address Line 1            | City           | State | Zip    | Location           |
|-----------------------------|---------------------------|----------------|-------|--------|--------------------|
|                             | 153 HUMMOCK POND RD       | NANTUCKET      | MA    | 02554  | POLPIS RD          |
| D & M BAXTER ROAD NOM TRUST | 101 EAST MELROSE STREET   | CHEVY CHASE    | MD    | 20815  | 92 BAXTER RD       |
| C/O GRETZ HANNAH J          | 940 EAST DEERPATH RD      | LAKE FOREST    | IL    | 60045  | 115 SANKATY RD     |
| C/O CRONIN CAROL            | 19 MAYO AVENUE            | ANNAPOLIS      | MD    | 21403  | 117 SANKATY RD     |
|                             | PO BOX 293                | SIASCONSET     | MA    | 02564  | 125 SANKATY RD     |
| DLKMLD NOM TRUST            | 101 EAST MELROSE ST       | CHEVY CHASE    | MD    | 20815  | 107 SANKATY RD     |
| C/O GRETZ HANNAH J          | 940 EAST DEERPATH RD      | LAKE FOREST    | IL    | 60045  | 111 SANKATY RD     |
|                             | P O BOX 270806            | HOUSTON        | TX    | 77277  | 103 SANKATY RD     |
|                             | P O BOX 821               | SIASCONSET     | MA    | 02564  | 81 SANKATY RD      |
|                             | 103 OAKES STREET          | PORT JEFFERSON | NY    | 11777  | 85 SANKATY RD      |
|                             | 250 1ST AV, UNIT 805      | CHARLESTOWN    | MA    | 02129  | 83 SANKATY RD      |
|                             | 35 LINCOLN CIRCLE         | TUCKAHOE       | NY    | 10707  | 8 BAYBERRY SIAS LN |
| CYGNET NOMINEE TRUST        | 37 CENTER ST              | NANTUCKET      | MA    | 02554  | 97 SANKATY RD      |
| NIMZO NOMINEE TRUST         | P O BOX 616               | SIASCONSET     | MA    | 02564  | 101 SANKATY RD     |
|                             | 42 MARLBOROUGH PL         | LONDON         |       | NW80PL | 8 ISOBELS WY       |
|                             | PO BOX 293                | SIASCONSET     | MA    | 02564  | 12 ISOBELS WY      |
|                             | PO BOX 293                | SIASCONSET     | MA    | 02564  | PLAINFIELD         |
|                             | 153 HUMMOCK POND RD       | NANTUCKET      | MA    | 02554  | OFF BURNELL ST     |
|                             | 313 W WOLF POINT PL #5001 | CHICAGO        | IL    | 60654  | 93 SANKATY RD      |
|                             | 31 STRICKLAND RD          | COS COB        | CT    | 06807  | 9 BAYBERRY SIAS LN |
|                             | PO BOX 293                | SIASCONSET     | MA    | 02564  | 90 SANKATY RD      |
|                             | 153 HUMMOCK POND RD       | NANTUCKET      | MA    | 02554  | SAULS HILLS        |



## Agenda Item Summary

|               |            |
|---------------|------------|
| Agenda Item # | IX. 2.     |
| Date          | 10/19/2022 |

### Staff

Amy Baxter, Licensing Administrator

### Subject

Liquor License Multiple Amendments Application – ***Nantucket Yacht Club, Inc, DBA Nantucket Yacht Club, One South Beach Street, License #0044-CL-0762***

### Executive Summary

***Nantucket Harbor Yacht Club, Inc.*** is applying for Multiple Amendments to their ***Seasonal Club All Alcohol*** Liquor License for ***DBA Nantucket Yacht Club*** at ***One South Beach Street***.

The Multiple Amendments include the following:

1. Change of Officers (Non-Profit Club)
2. Change of Classification: Change from Seasonal to an Annual License

### Staff Recommendation

Applicant meets all requirements and has submitted documentation as outlined below.

Application must be approved by both the Local Licensing Authority (Select Board) and ABCC. An amended License will be issued within (7) Business Days of notification of final approval by ABCC.

### Background/Discussion

Summary and Requirements for Change of Officers (Non-Profit Club):

The Nantucket Yacht Club is updating their list of Officers with the ABCC as is required for Clubs before or at same time to making other licenses amendments. Officers and Directors must match ABCC records. As they are a Non-Profit Club (no ownership by Officers) they are not required to submit CORIs as other establishments must do. Requirements for Change of Officers include:

- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Vote of the Club
- Business Structure Documents



## Summary and Requirements for Change of Classification (Seasonal to Annual):

The Nantucket Yacht Club is requesting a change from Seasonal to an Annual License. This allows the Club to purchase and serve alcohol throughout the year – rather than be restricted to April 1 – January 15. From a Licensing perspective all Clubs should be on the Annual level as they are not open to the public and subject to the same terms as other public on-premise licenses. Most other Clubs are currently an Annual License to include: Great Harbor, Nantucket Golf, Sankaty, VFW, American Legion, Anglers Club.

Requirements for a Change of Classification include the items listed above and in addition the following:

- Legal Right to Occupy
- Advertisement and Abutter Notification for One South Beach Street.

**Impact: Environmental** ☐ **Fiscal** ☐ **Community** ☐ **Other** ☐

N/A

**Board/Commission Recommendation**

N/A

**Public Outreach**

Public notice in Inquirer & Mirror

**Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)**

N/A

**Attachments**

ABCC Multiple Amendments Application and Supporting Documents; Nantucket Yacht Club Liquor License





*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*

☐ For Reconsideration

**LICENSING AUTHORITY CERTIFICATION**

Nantucket

City /Town

00044-CL-0762

ABCC License Number

**TRANSACTION TYPE (Please check all relevant transactions):**

The license applicant petitions the Licensing Authorities to approve the following transactions:

- |                                                                                   |                                                                                                   |                                                                              |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input checked="" type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input type="checkbox"/> Alteration of Licensed Premises                                          | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)     | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)    | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder          | <input type="checkbox"/> Change of Hours                              |
|                                                                                   |                                                                                                   | <input type="checkbox"/> Other <input type="text"/>                          | <input type="checkbox"/> Change of DBA                                |

**APPLICANT INFORMATION**

|                                          |                                                                   |                                                                                    |                                                                                                        |
|------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Name of Licensee                         | <input type="text" value="Nantucket Yacht Club, Inc."/>           | DBA                                                                                | <input type="text" value="Nantucket Yacht Club"/>                                                      |
| Street Address                           | <input type="text" value="One South Beach Street Nantucket, MA"/> |                                                                                    | Zip Code <input type="text" value="02554"/>                                                            |
| Manager                                  | <input type="text" value="Peter McEachern"/>                      |                                                                                    | Granted under Special Legislation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <input type="text" value="\$12 Club"/>   | <input type="text" value="Annual"/>                               | <input type="text" value="All Alcoholic Beverages"/>                               |                                                                                                        |
| Type<br>(i.e. restaurant, package store) | Class<br>(Annual or Seasonal)                                     | Category<br>(i.e. Wines and Malts / All Alcohol)                                   |                                                                                                        |
|                                          |                                                                   | If Yes, Chapter <input type="text"/><br>of the Acts of (year) <input type="text"/> |                                                                                                        |

**DESCRIPTION OF PREMISES**

Complete description of the licensed premises

Main Clubhouse Including Kitchen, Lounge, Snack Bar, Patio, Porches. Added New Bar to Second Floor of Existing Clubhouse.

**LOCAL LICENSING AUTHORITY INFORMATION**

|                                                           |                                                                     |                                         |                                                        |                      |                                                    |
|-----------------------------------------------------------|---------------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------|----------------------|----------------------------------------------------|
| Application filed with the LLA:                           | Date                                                                | <input type="text" value="09/14/2022"/> | Time                                                   | <input type="text"/> |                                                    |
| Advertised                                                | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Date Published                          | <input type="text" value="10/6/22 &amp; 10/13/22"/>    | Publication          | <input type="text" value="Inquirer &amp; Mirror"/> |
| Abutters Notified:                                        | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Date of Notice                          | <input type="text" value="09/26/22"/>                  |                      |                                                    |
| Date APPROVED by LLA                                      | <input type="text" value="10/19/2022"/>                             | Decision of the LLA                     | <input type="text" value="Approves this Application"/> |                      |                                                    |
| Additional remarks or conditions<br>(E.g. Days and hours) | <input type="text"/>                                                |                                         |                                                        |                      |                                                    |
| For Transfers ONLY:                                       |                                                                     |                                         |                                                        |                      |                                                    |
| Seller License Number:                                    | <input type="text"/>                                                | Seller Name:                            | <input type="text"/>                                   |                      |                                                    |

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
Ralph Sacramone  
Executive Director

## PUBLIC NOTICE

Please be advised that the Select Board will hold a public hearing on Wednesday, October 19, 2022 at 5:30 PM to consider a Change of Class application from a Seasonal to an Annual All Alcoholic Beverages Club Liquor License for Nantucket Yacht Club, Inc., dba Nantucket Yacht Club, located at One South Beach Street, Nantucket, MA 02554, Peter McEachern, Manager. The hearing will be held in-person at the first floor Community Room of the Public Safety Facility, 4 Fairgrounds Road as well as via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email [licensing@police.nantucket-ma.gov](mailto:licensing@police.nantucket-ma.gov).

LICENSE #: 00044-CL-0762

LICENSE FEE: **\$3,900.00**

NEW LICENSE FEE: **\$3,250.00**

THE LICENSING BOARD *for the*  
TOWN OF NANTUCKET, MASSACHUSETTS  
HEREBY GRANTS AN  
**SEASONAL ANNUAL RETAIL CLUB LICENSE**  
TO EXPOSE, KEEP FOR SALE, AND TO SELL  
**ALL ALCOHOLIC BEVERAGES**

**AMENDMENTS TO LICENSE IN RED.**

**TO BE CONSUMED ON THE PREMISES**

**BUSINESS:** Nantucket Yacht Club, Inc.  
**DBA:** NANTUCKET YACHT CLUB  
**PREMISES:** One South Beach Street  
Nantucket, MA 02554  
**MANAGER:** Peter A. McEachern

**ON PREMISES DESCRIBED AS:**

Main Clubhouse Including Kitchen, Lounge, Snack Bar, Patio, Porches. Second Floor Bar.

**The hours during which alcoholic beverages may be sold:** In accordance with MGL Chapter 138 and amendments thereto with the local provision that patrons shall not be served alcoholic beverages before 8:00AM Monday through Saturday and 11:00AM on Sunday. **No alcohol service is permitted after 1:00AM** and patrons must be off the license premises and said **premises must be closed by 1:30AM**. Any restrictions apply as are on file with the local licensing authority. In accordance with Article 40 ATM 2001, Chapter 86.1 Board of Health Regulations Prohibit Smoking in Certain Places within the Town of Nantucket.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the Massachusetts General Laws, as amended and any rules or regulations made thereunder by the licensing authorities, including, but not limited to Chapter 250 of the Town of Nantucket Rules and Regulations Governing Alcoholic Beverages.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this day of 2022.

**DRAFT COPY**

Jason Bridges  
Chair, Select Board

**~~THIS LICENSE IS VALID APRIL 1, 2022 – JANUARY 15, 2023~~**

*\*Unless earlier suspended, cancelled, or revoked*

**THIS LICENSE IS VALID JANUARY 1, 2022 – DECEMBER 31, 2022**

*\*Unless earlier suspended, cancelled, or revoked*



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM

APPLICATION FOR MULTIPLE AMENDMENTS

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

00044-CL-0762

ENTITY/ LICENSEE NAME

Nantucket Yacht Club, INC.

ADDRESS

One South Beach Street

CITY/TOWN

Nantucket

STATE

MA

ZIP CODE

02554

For the following transactions (Check all that apply):

- |                                                                                   |                                                                                                   |                                                                              |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input checked="" type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input type="checkbox"/> Alteration of Licensed Premises                                          | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)     | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)    | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder          | <input type="checkbox"/> Change of Hours                              |
|                                                                                   | <input type="checkbox"/> Other                                                                    | <input type="checkbox"/> Change of DBA                                       |                                                                       |

**THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL**

Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3, Chelsea, MA 02150-2358*  
*www.mass.gov/abcc*

**APPLICATION FOR MULTIPLE AMENDMENTS**

*Please select all of the amendments you are applying for:*

☐ CHANGE OF CATEGORY

\$200 fee via [ABCC website](#) and Payment Receipt  
Monetary Transmittal Form  
DOR Certificate of Good Standing  
DUA Certificate of Compliance  
Change of Category Application  
Vote of the Entity Board  
Advertisement\*  
Abutter's Notification\*

☐ CHANGE OF LICENSE TYPE

\$200 fee via [ABCC website](#) and Payment Receipt  
Monetary Transmittal Form  
Change of License Type Application  
Vote of the Entity Board  
Advertisement\*

☐ CHANGE OF CORPORATE STRUCTURE

\$200 fee via [ABCC website](#) and Payment Receipt  
Monetary Transmittal Form  
DOR Certificate of Good Standing  
DUA Certificate of Compliance  
Change of Corporate Structure Application  
Vote of the Entity Board  
Business Structure Documents  
If Sole Proprietor, Business Certificate  
If partnership, Partnership Agreement  
If corporation or LLC, Articles of Organization from the Secretary of the Commonwealth

CHANGE OF CLASSIFICATION

☒ \$200 fee via [ABCC website](#) and Payment Receipt  
Monetary Transmittal Form  
DOR Certificate of Good Standing  
DUA Certificate of Compliance  
Change of Classification Application  
Vote of the Entity Board  
Abutter's Notification\*  
Advertisement\*



*The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)*

**APPLICATION FOR MULTIPLE AMENDMENTS**

*Please select all of the amendments you are applying for(continued):*

**Non-Profit Club's ONLY**

e.g. Veteran's Club



**Non-Profit Club CHANGE OF OFFICERS/DIRECTORS**

DOR Certificate of Good Standing

DUA Certificate of Compliance

Change of Officers/Directors Application

Vote of the club signed by an approved officer

Business Structure Documents-Articles of Organization from the Secretary of the Commonwealth

CORI Authorization Form This form must be *notarized with a stamp or raised seal*.

Monetary Transmittal Form

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt



**Non-Profit Club CHANGE OF MANAGER**

\$200 fee via [ABCC website](http://ABCC website) and Payment Receipt

Monetary Transmittal Form

Change of Manager Application

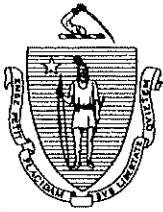
Vote of the club signed by an approved officer

CORI Authorization Complete one for the proposed manager of record. This form **must** be *notarized with a stamp or raised seal*.

Updated Officers and Directors\*

\*Please ensure to update your officers and directors **simultaneously** or **PRIOR** to applying for a change of manager. It will be returned with no action taken if the officers and directors do not match ABCC records.

**Proof of Citizenship.** Passport, birth certificate, voter registration, or naturalization papers will be accepted.



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3, Chelsea, MA 02150-2358*  
*www.mass.gov/abcc*

**APPLICATION FOR MULTIPLE AMENDMENTS**

**1. BUSINESS ENTITY INFORMATION**

| Entity Name                | Municipality | ABCC License Number |
|----------------------------|--------------|---------------------|
| Nantucket Yacht Club, Inc. | Nantucket    | 00044-CL-0762       |

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Change of Officers, Change of Class from Seasonal to Annual and describe the Premises as: Main Clubhouse, including Anchorage Bar & Dining Room, Ballroom, Governors Room, Burgee Bar, and Snack Bar, and all patios, terraces, porches, decks, and lawn.

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

| Name            | Title           | Email                        | Phone          |
|-----------------|-----------------|------------------------------|----------------|
| Peter McEachern | General Manager | peter@nantucketyachtclub.org | (508) 228-1400 |

**2. AMENDMENT-Change of License Classification**

|                                                                                 |                                |          |
|---------------------------------------------------------------------------------|--------------------------------|----------|
| <input type="checkbox"/> <b>Change of License Category</b>                      | Last-Approved License Category |          |
| All Alcohol, Wine and Malt,<br>Wine Malt and Cordials                           | Requested New License Category |          |
| <input checked="" type="checkbox"/> <b>Change of License Class</b>              | Last-Approved License Class    | Seasonal |
| Seasonal or Annual                                                              | Requested New License Class    | Annual   |
| <input type="checkbox"/> <b>Change of License Type*</b>                         | Last-Approved License Type     |          |
| i.e. Restaurant to Club<br>*Certain License Types<br>CANNOT change once issued* | Requested New License Type     |          |

**3. AMENDMENT-Change of Business Entity Information**

|                                                               |                                   |  |
|---------------------------------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> <b>Change of Corporate Name</b>      | Last-Approved Corporate Name:     |  |
|                                                               | Requested New Corporate Name:     |  |
| <input type="checkbox"/> <b>Change of DBA</b>                 | Last-Approved DBA:                |  |
|                                                               | Requested New DBA:                |  |
| <input type="checkbox"/> <b>Change of Corporate Structure</b> | Last-Approved Corporate Structure |  |
| LLC, Corporation, Sole<br>Proprietor, etc                     | Requested New Corporate Structure |  |

**4. AMENDMENT-Pledge Information**

|                                                     |                                   |  |
|-----------------------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> <b>Pledge of License</b>   | To whom is the pledge being made: |  |
| <input type="checkbox"/> <b>Pledge of Inventory</b> |                                   |  |
| <input type="checkbox"/> <b>Pledge of Stock</b>     |                                   |  |

## 5. AMENDMENT-Change of Manager

☐ **Change of License Manager**

### A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises  Last-Approved License Manager

### B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?\* ☐ Yes ☐ No \*Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? ☐ Yes ☐ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

| Date | Municipality | Charge | Disposition |
|------|--------------|--------|-------------|
|      |              |        |             |
|      |              |        |             |
|      |              |        |             |

### C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

| Start Date | End Date | Position | Employer | Supervisor Name |
|------------|----------|----------|----------|-----------------|
|            |          |          |          |                 |
|            |          |          |          |                 |
|            |          |          |          |                 |
|            |          |          |          |                 |

### D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☐ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

| Date of Action | Name of License | State | City | Reason for suspension, revocation or cancellation |
|----------------|-----------------|-------|------|---------------------------------------------------|
|                |                 |       |      |                                                   |
|                |                 |       |      |                                                   |
|                |                 |       |      |                                                   |

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date

## 6. AMENDMENT-Change of Officers, Stock or Ownership Interest

☒ **Change of Officers/Directors**    ☐ **Change of Ownership Interest (LLC Managers/LLP Partners, Trustees)**    ☐ **Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

| Name of Principal | Residential Address                     | SSN | DOB |
|-------------------|-----------------------------------------|-----|-----|
| Gregory G Fowlkes | 155 East 72nd Street New York, NY 10021 |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                                         | US Citizen                                                    | MA Resident                                                   |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Commodore             | 0.00                    | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input checked="" type="radio"/> No |

| Name of Principal | Residential Address                   | SSN | DOB |
|-------------------|---------------------------------------|-----|-----|
| Burton C Hurlock  | 100 Edgewater Drive Needham, MA 02492 |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                                         | US Citizen                                                    | MA Resident                                                   |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Vice Commodore        | 0.00                    | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No |

| Name of Principal | Residential Address                    | SSN | DOB |
|-------------------|----------------------------------------|-----|-----|
| Tara Vittone      | 109 Pecksland Road Greenwich, CT 06831 |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                                         | US Citizen                                                    | MA Resident                                                   |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Secretary             | 0.00                    | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input checked="" type="radio"/> No |

| Name of Principal | Residential Address                  | SSN | DOB |
|-------------------|--------------------------------------|-----|-----|
| Emily Kilvert     | 4 Darling Street Nantucket, MA 02554 |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                                         | US Citizen                                                    | MA Resident                                                   |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Fleet Captain         | 0.00                    | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No |

| Name of Principal | Residential Address                          | SSN | DOB |
|-------------------|----------------------------------------------|-----|-----|
| Betsy L Morgan    | 325 Central Park West, 7N New York, NY 10025 |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                                         | US Citizen                                                    | MA Resident                                                   |
|-----------------------|-------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|
| Treasurer             | 0.00                    | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input checked="" type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input checked="" type="radio"/> No |

| Name of Principal | Residential Address | SSN | DOB |
|-------------------|---------------------|-----|-----|
|                   |                     |     |     |

| Title and or Position | Percentage of Ownership | Director/ LLC Manager                              | US Citizen                                         | MA Resident                                        |
|-----------------------|-------------------------|----------------------------------------------------|----------------------------------------------------|----------------------------------------------------|
|                       |                         | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No | <input type="radio"/> Yes <input type="radio"/> No |

Additional pages attached? ☐ Yes ☐ No

### CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

### MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?  
Please provide a copy of the management agreement.

☐ Yes ☒ No

## 6. AMENDMENT-Change of Officers, Stock or Ownership Interest

### 6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

|                   |                |                         |
|-------------------|----------------|-------------------------|
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |
| Name of Principal | Title/Position | Percentage of Ownership |
|                   |                |                         |

### 6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### 6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|----------------|-----------------|------|---------------------------------------------------|
|                |                 |      |                                                   |
|                |                 |      |                                                   |
|                |                 |      |                                                   |

### ENTITY VOTE

The Board of Directors or LLC Managers of

Nantucket Yacht Club, Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Nantucket

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

9/3/2022

Date of Meeting

For the following transactions (Check all that apply):

- |                                                                                   |                                                                                                   |                                                                              |                                                                       |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> New License                                              | <input type="checkbox"/> Change of Location                                                       | <input checked="" type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                                      | <input type="checkbox"/> Alteration of Licensed Premises                                          | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)     | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                                        | <input type="checkbox"/> Change Corporate Name                                                    | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)    | <input type="checkbox"/> Management/Operating Agreement               |
| <input checked="" type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder          | <input type="checkbox"/> Change of Hours                              |
|                                                                                   |                                                                                                   | <input type="checkbox"/> Other <input type="text"/>                          | <input type="checkbox"/> Change of DBA                                |

"VOTED: To authorize

Lucinda Ballard

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,



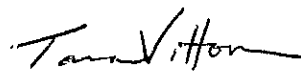
Corporate Officer /LLC Manager Signature

Lucinda Ballard

(Print Name)

For Corporations ONLY

A true copy attest,



Corporate Clerk's Signature

TANA VITONE

(Print Name)

## APPLICANT'S STATEMENT

I, Lucinda Ballard the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager  
Authorized Signatory

of Nantucket Yacht Club, Inc.  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Lucinda Ballard

Date:

September 2, 2022

Title:

Commodore

## **8. AMENDMENT-Management Agreement**

### **8C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 8A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Name | License Type | License Name | Municipality |
|------|--------------|--------------|--------------|
|      |              |              |              |
|      |              |              |              |
|      |              |              |              |

### **8D. PREVIOUSLY HELD MANAGEMENT AGREEMENT**

Has any individual or entity identified in question 8A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Licensee Name | License Type | Municipality | Date(s) of Agreement |
|---------------|--------------|--------------|----------------------|
|               |              |              |                      |
|               |              |              |                      |
|               |              |              |                      |

### **8E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Have any of the disclosed licenses listed in question 8B, 8C or 8D ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

| Date of Action | Name of License | City | Reason for suspension, revocation or cancellation |
|----------------|-----------------|------|---------------------------------------------------|
|                |                 |      |                                                   |
|                |                 |      |                                                   |
|                |                 |      |                                                   |

### **8F. TERMS OF AGREEMENT**

a. Does the agreement provide for termination by the licensee?

Yes ☐ No ☐

b. Will the licensee retain control of the business finances?

Yes ☐ No ☐

c. Does the management entity handle the payroll for the business?

Yes ☐ No ☐

d. Management Term Begin Date

e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

☐ \$ per month/year (indicate amount)

☐ % of alcohol sales (indicate percentage)

☐ % of overall sales (indicate percentage)

☐ other (please explain)

**ABCC Licensee Officer/LLC Manager**

Signature:

Title:

Date:

**Management Agreement Entity Officer/LLC Manager**

Signature:

Title:

Date:

## 9. FINANCIAL DISCLOSURE

Required for the following transactions:

- Change of Officers, Stock or Ownership Interest (E.g. New Stockholder/Transfer or Issuance of Stock)
- Change of Premises Information
- Pledge of License, Inventory or Stock

Purchase Price(s):

|  |
|--|
|  |
|--|

### SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

| Name of Contributor | Amount of Contribution |
|---------------------|------------------------|
|                     |                        |
|                     |                        |
|                     |                        |
|                     |                        |
|                     |                        |
| Total:              |                        |

### SOURCE OF FINANCING

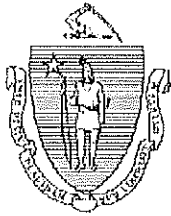
Please provide signed financing documentation.

| Name of Lender | Amount | Type of Financing | Is the lender a licensee pursuant to M.G.L. Ch. 138. |
|----------------|--------|-------------------|------------------------------------------------------|
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |
|                |        |                   | <input type="radio"/> Yes <input type="radio"/> No   |

### FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

|  |
|--|
|  |
|--|



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker  
GOVERNOR  
Karyn E. Polito  
LT. GOVERNOR



402866405

Rosalin Acosta  
SECRETARY  
Connie C. Carter  
DIRECTOR

NANTUCKET YACHT CLUB  
P.O. BOX 667  
NANTUCKET, MA 02554

EAN: 00519410  
September 07, 2022

Certificate Id:62477

The Department of Unemployment Assistance certifies that as of 9/7/2022 ,NANTUCKET YACHT CLUB is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Connie C. Carter, Director

Department of Unemployment Assistance



Commonwealth of Massachusetts  
Department of Revenue  
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L1095707584  
Notice Date: September 8, 2022  
Case ID: 0-001-695-454



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



NANTUCKET YACHT CLUB  
PO BOX 667  
NANTUCKET MA 02554-0667

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, NANTUCKET YACHT CLUB is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

### *Visit us online!*

Visit [mass.gov/dor](https://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau



**Nantucket Yacht Club**  
**Meeting of the Board of Governors**  
**September 3, 2022**

A meeting of the Board of Governors of the Nantucket Yacht Club was duly called and held on the Nantucket Yacht Club's Ballroom and Governors' Room on Saturday, September 3, 2022 pursuant to notice duly given.

Commodore David King called the meeting to order. The following Officers and Governors, constituting a quorum, were present:

***Officers:***

Lucinda Ballard, Commodore  
Gregory G. Fowlkes, Vice Commodore  
Burton C. Hurlock, Rear Commodore  
Tara Vittone, Secretary  
Eugene H. Clapp, III, Treasurer  
Emily Kilvert, Fleet Captain

***Governors:***

|                       |                       |
|-----------------------|-----------------------|
| Tarah Breed           | Betsy Morgan          |
| Lissy Stevenson Bryan | John D. Nichols, Jr.  |
| Connie Crosby         | West Riggs            |
| James F. Crowley      | Stephen Ulian         |
| Carl Jelleme          | James Waterbury       |
| Linda McGrath         | Whiting Willauer, Jr. |
| Louise Middleton      | David Worth           |

Also present were Past Commodores Nathan R. Allen, Jr., C. Marshall Beale, Robert Braunohler, Robert Constable, Whitney Gifford, Herbert W. Goodall, III, Eric S. Holch, David G. King, Jr., David B. Poor, E. Geoffrey Verney, General Manager Peter McEachern, and Honorary Governor Vice Admiral Jack Baldwin.

**Nominating Committee**

**David G. King, Jr.**

Commodore King stated that pursuant to the By-Laws and the posting of the proposed candidates, the candidates for Governors are John D. Nichols, Jr., Stephen Ulian and Whiting Willauer, Jr. He continued to name those candidates for re-election to the Board: Lissy Stevenson Bryan and Michael Kennedy. In addition, Commodore King stated that the Nominating Committee is pleased to nominate James Waterbury to fill a vacant, unexpired term and to serve until the Annual Meeting in 2024.



**January Meeting Update**

**Gregory G. Fowlkes**

Vice Commodore Fowlkes announced that the January meeting will be held in Bermuda. A pamphlet with the details was distributed for review.

Upon motion, duly made and seconded, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink that reads "Tara Vittone". The signature is written in a cursive style with a long, sweeping underline.

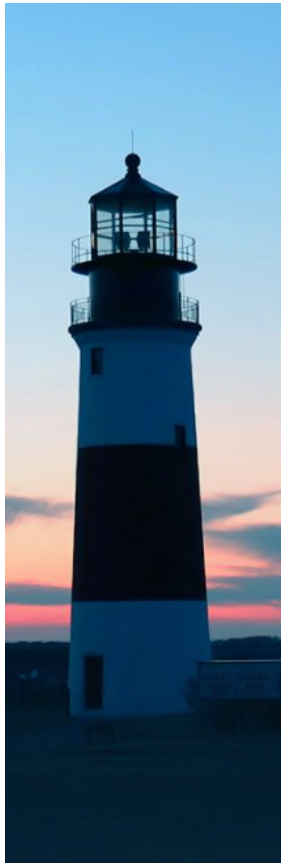
Tara Vittone  
Secretary

# Alternative Access and Utility Relocation for Continuity of Services for Baxter Road Residents

Select Board Meeting – Project Update

October 19, 2022

# Agenda



- 1 Introduction
- 2 Project Status Update
- 3 Public Engagement Summary
- 4 Routing Alternatives
- 5 Cost Overview
- 6 Next Steps

## Introductions – Project Team



**C. Elizabeth Gibson**  
Town Manager



**Kenneth Beaugrand**  
Real Estate Specialist



**Vincent Murphy**  
Coastal Resilience Coordinator



**William D. Casey, Jr., PE**  
Project Manager



**Jennifer Kelly Lachmayr, PE,  
BCEE**  
Project Director



**Kathryn Edwards, PE**  
Public Outreach Lead



**Andy Elderbrock, EI**  
Project Engineer

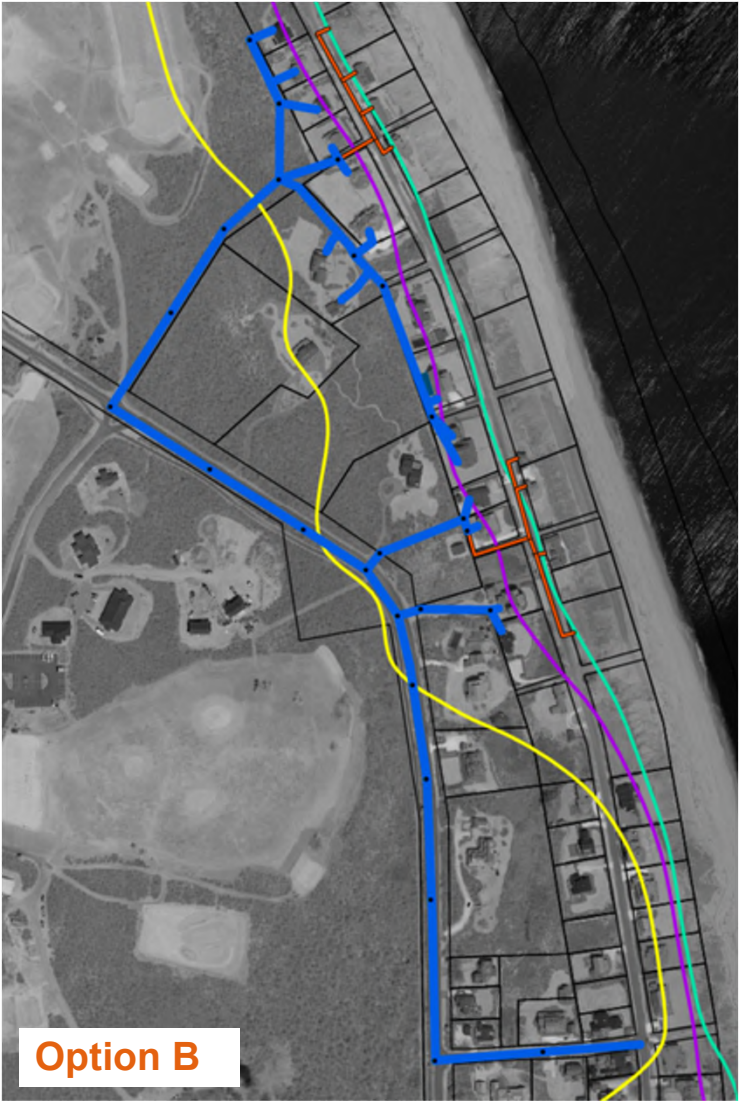
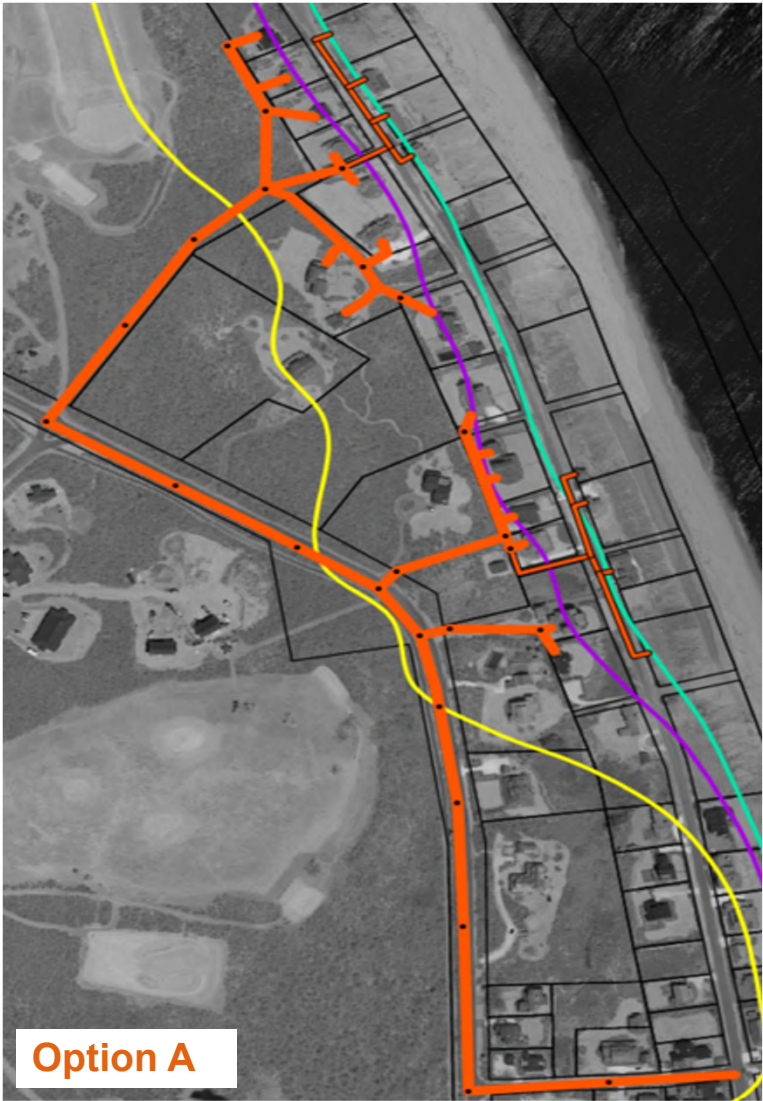
## Project Status Update

- Activities Since Prior Select Board Update on July 6, 2022
  - Communication with Homeowners
  - Rights-of-entry
  - Wetlands and Endangered Species Delineation Scheduled
  - Field Survey Scheduled
  - Basis of Design Memorandum Progress
  - Public Meeting – August 2, 2022

## Public Engagement Summary

- Public Meeting August 2, 2022 at Siasconset Casino
  - Main takeaways:
    - Homeowners are in favor of erosion control measures (geotubes) along the bluff
    - Clear sentiment expressed was frustration with the lack of progress related to erosion control measures
    - Received specific comments on route Options A & B
      - ✓ Led to development of another route option – currently under consideration

Routing  
Alternatives



## Cost Overview

- Items affecting previously presented costs:
  - Inflation
  - Additional linear footage of access based on routing
  - Additional linear footage of utilities based on routing
  - New water main
  - Additional pavement
  - Easements

## Upcoming Work Items

1. Field Work – Wetlands & Endangered Species Delineation & Survey (*Fall 2022*)
2. Permitting (*ongoing*)
3. Basis of Design Memorandum (*ongoing – DRAFT November 2022*)

## Thank You!



**William D. Casey, Jr., PE**

Project Manager



**Jennifer Lachmayr, PE**

Project Director



<https://www.bostonglobe.com/metro/2014/09/28/battle-over-bluff-nantucket/L41admApMt3ZGqsO8XITl/story.html>

**Arcadis.** Improving quality of life.

**From:** [John Giorgio](#)  
**To:** [Libby Gibson](#)  
**Cc:** [Erika Mooney](#)  
**Subject:** RE: Parking Commission  
**Date:** Wednesday, October 12, 2022 9:59:54 AM  
**Attachments:** [Re G.L. c.40 sec. 22A 12.msg](#)

---

Libby;

Under Article 66 of the 2018 Annual Town Meeting, the Town voted to establish one or more parking benefit districts pursuant to c. 40, sec. 22A and ½.

The statute provides:

Section 22A1/2. A city or town may establish 1 or more parking benefit districts, as a geographically defined area, in which parking revenue collected therein may be designated in whole or in part for use in that district through a dedicated fund in accordance with the purposes and uses listed in section 22A. A parking benefit district may be managed by a body designated by the municipality, including, but not limited to, a business improvement district or main streets organization.

The Select Board now has the authority to establish one or more parking districts and may designate an entity, such as a parking commission, to manage the parking districts. Also, based on the attached opinion of DOR, the Town can now establish a dedicated fund for parking revenue, but those funds must be appropriated by Town Meeting and must be earmarked for parking activity.

In my opinion, if it intended that the Parking Commission be advisory only, the Select Board could vote to establish a Parking Advisory Committee. If, however, the intent is to confer specific power and authority on this Commission, I would recommend that that be done either by general bylaw or parking regulation established by the Select Board pursuant to G.L. c. 40, §22. The other alternative to consider is establishing a Parking Department within Town Administration and have a parking clerk designated to oversee parking management and enforcement. This is the model that Provincetown has established.

John

John W. Giorgio, Esq.  
**KP | LAW**  
101 Arch Street, 12th Floor

Boston, MA 02110  
O: (617) 556 0007  
D: (617) 654 1705  
F: (617) 654 1735  
C: (617) 785 0725  
[jgiorgio@k-plaw.com](mailto:jgiorgio@k-plaw.com)  
[www.k-plaw.com](http://www.k-plaw.com)

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**From:** Libby Gibson <LGibson@nantucket-ma.gov>  
**Sent:** Tuesday, October 4, 2022 6:35 PM  
**To:** John Giorgio <JGiorgio@k-plaw.com>  
**Subject:** Parking Commission

Any guidance on how to set up a "Parking Commission"? Is that a statutory group?

C. Elizabeth Gibson, ICMA-CM  
Town Manager  
Town of Nantucket  
(508) 228-7255

---

This email was scanned by Bitdefender

**From:** [Brian Riley](#)  
**To:** [Colleary, Kathleen \(DOR\)](#)  
**Cc:** [Lauren F. Goldberg](#); [John Giorgio](#)  
**Subject:** Re: G.L. c.40, sec. 22A 1/2  
**Date:** Friday, December 29, 2017 9:47:09 PM  
**Attachments:** [image001.png](#)

---

Great, Kathleen, that all makes sense - and a happy new year to you!

Sent from my iPhone

On Dec 29, 2017, at 8:38 PM, Colleary, Kathleen (DOR) <[colleary@dor.state.ma.us](mailto:colleary@dor.state.ma.us)> wrote:

Brian,

This statute was not in the Muni Mod bill filed by the Governor. It was added by the legislature so we are not as familiar with the intent of the statute as we are with other provisions in Muni Mod.

However, it says that a "city or town" may establish the districts. It does not require acceptance or specify any board or officer that may act on behalf of the city or town in creating the districts. Therefore, our view is that some legislative body action is needed for a city or town to implement the statute. We don't think the city or town has to adopt a bylaw or ordinance, although it may certainly do so. The legislative body can vote to establish the district or simply to authorize the chief executive or other officer to do so.

Parking revenues collected within the district are earmarked to pay for any district parking or transportation expenditures or purposes listed in G.L. c. 40, § 22A. We think the monies in the fund must be appropriated for those purposes as the statute does not expressly provide otherwise. As you know, before Muni Mod, § 22A parking revenues were also reserved for appropriation.

I hope this information is helpful.

Happy New Year!

Kathleen

Kathleen Colleary, Chief  
Bureau of Municipal Finance Law  
Division of Local Services  
Department of Revenue  
617-626-2400  
[colleary@dor.state.ma.us](mailto:colleary@dor.state.ma.us)

---

**From:** Brian Riley [<mailto:BRiley@k-plaw.com>]

**Sent:** Thursday, December 28, 2017 9:16 PM

**To:** Colleary, Kathleen (DOR)

**Subject:** G.L. c.40, sec. 22A 1/2

Hi, Kathleen – happy end of 2017! A quick question for you – this statute, which was added by the Municipal Modernization Act, provides as follows:

Chapter 40, §22A½:

**A city or town may establish 1 or more parking benefit districts, as a**

**geographically defined area, in which parking revenue collected therein may be designated in whole or in part for use in that district through a dedicated fund in accordance with the purposes and uses listed in section 22A. A parking benefit district may be managed by a body designated by the municipality, including, but not limited to, a business improvement district or main streets organization.**

Have you been asked whether establishing one of these parking benefit districts requires a bylaw, or any other vote of Town Meeting? It certainly doesn't say that, but it also doesn't say anything about a procedure for how a district gets established. It also creates a "dedicated fund" in a vague way as well. Any thoughts or guidance much appreciated, have a great weekend - many thanks.

Brian

Brian W. Riley, Esq.

**KP | LAW**

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C: (617) 909 9084

[briley@k-plaw.com](mailto:briley@k-plaw.com)

[www.k-plaw.com](http://www.k-plaw.com)

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# **TOWN OF NANTUCKET**

*Quarterly Financial Report  
First Fiscal Quarter Ended  
September 30, 2022*



# *Table of Contents*

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| Results for most recent quarter..... | 6  |
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| Investment Report.....               | 10 |

# Financial Highlights

## General Fund Revenues

First quarter General Fund <sup>(1)</sup> revenues were \$38.6M, representing a \$4.5M increase over the first quarter of last year. Real estate and personal property taxes collected continue to be the main drivers behind the quarter-over-quarter increase with \$3M (+13%) and \$105K (+18%), respectively. In the local receipts category, there is a significant increase in Local Rooms Tax collected +\$1.3M (+25%) compared to Q1/FY22. Motor Vehicle Excise Tax decreased over the same period last year ending in \$430,372 (-\$32%). Revenue from Fees & Rentals saw an increase of \$117,693 (+26%), when compared to the first quarter of FY2022. Concession Rental Fees in particular were up 119%. Licenses & Permits increased as well with \$13,238 (+4%). Fines & Forfeits revenue was down -50% this quarter. Other Departmental Revenue decreased over Q1/FY22 with \$46,178 (-21%). The Revenue collected ended the quarter at 34% of the estimated budgeted revenue for the year.

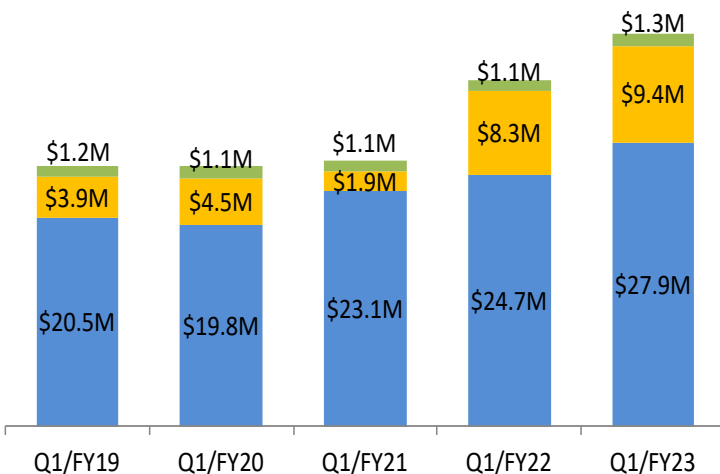
## General Fund Expenses

General Fund expenses ended the quarter at \$35,554,870 with increase of \$5,553,063 (+19%) over the same quarter in FY2022, when we ended at \$30,001,807. General Government expenses increased by \$700K (+35%) which can be contributed to salaries – signed union contracts and new positions for FY2023 in various departments. School spending increased \$154K (+4%) over the same period last year. Safety & Protection and Marine expenses were up as well with +18% and +32%, respectively. There was an increase in Maintenance of +70% compared to Q1/FY22, the main drivers are Public Buildings and Public Works. Health & Human Services were down \$7,738 (-3%). Debt Service was up +36% and Debt Interest was down -7% over the same quarter last year. Overall, the General Fund Expenses ended the quarter at 29% of the Annual Budget.

**First Quarter General Fund Revenues**

5-Yr History  
(in millions of dollars)

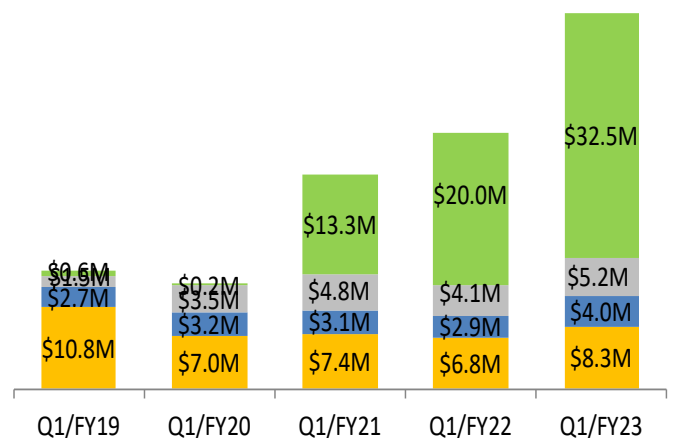
■ Real Estate & Property Taxes ■ Local Receipts ■ State Aid & Other



**First Quarter General Fund Expenditures <sup>(2)</sup>**

5-Yr History  
(in millions of dollars)

■ Salaries & Benefits ■ Operational Expenses  
■ Debt Service ■ Transfers & Other Sources



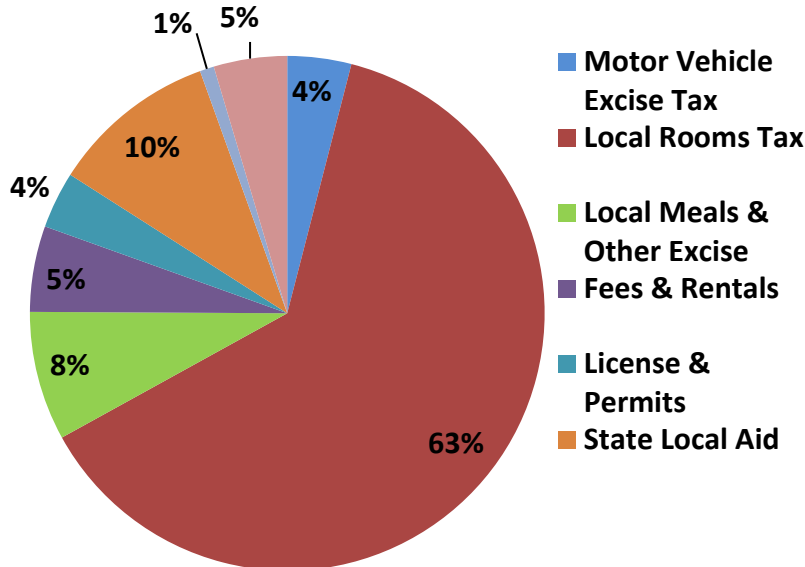
(1) General Fund: general government, safety & protection, marine department, maintenance, human services, culture & recreation, and contractual obligations.

# General Fund Revenues

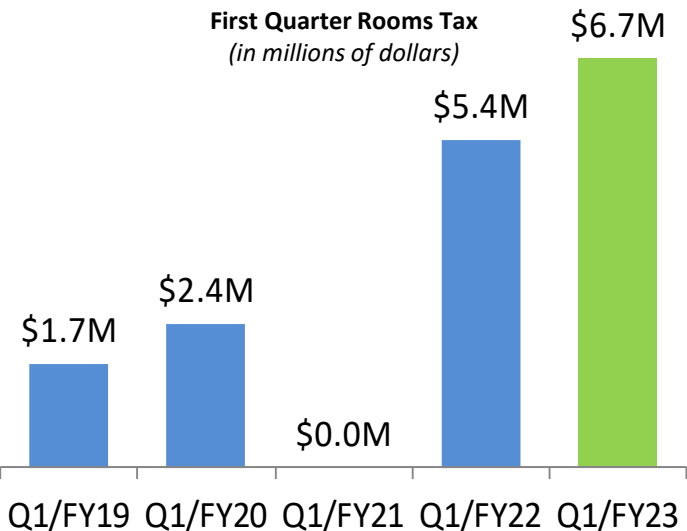
Where does the money come from?

General Fund Revenues <sup>(1)</sup>

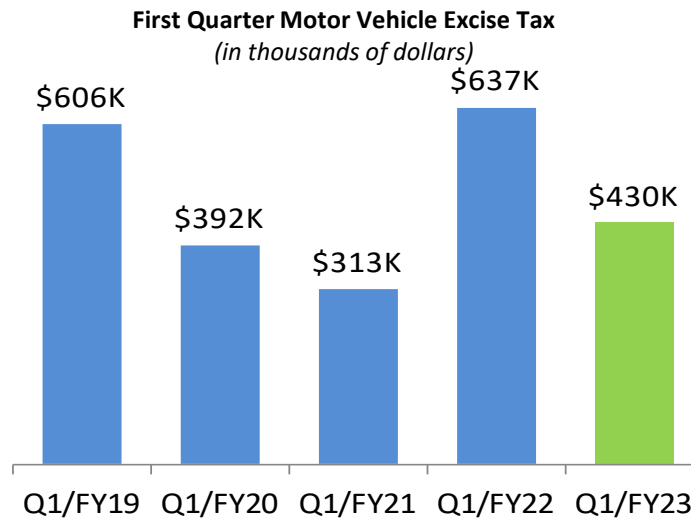
For Fiscal Quarter Ended September 30, 2022



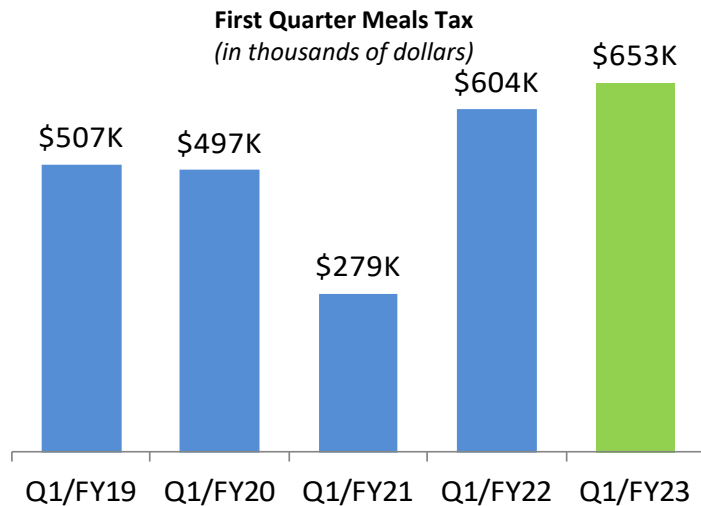
First Quarter Rooms Tax  
(in millions of dollars)



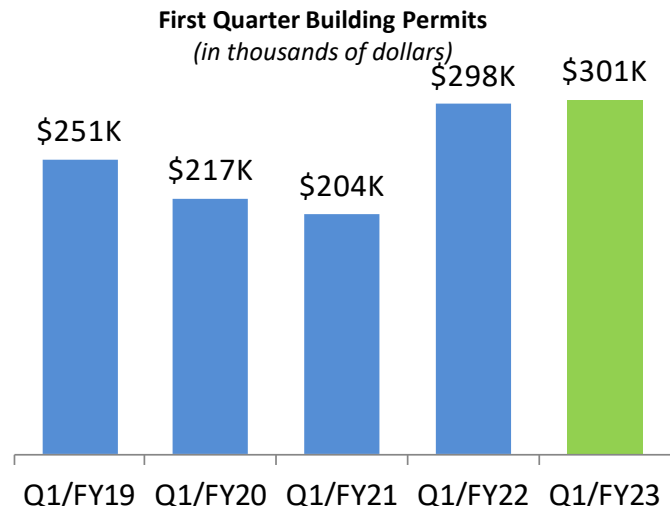
First Quarter Motor Vehicle Excise Tax  
(in thousands of dollars)



First Quarter Meals Tax  
(in thousands of dollars)



First Quarter Building Permits  
(in thousands of dollars)



<sup>(1)</sup> Excludes real estate and personal property tax revenue

# General Fund Revenues

Results for most recent quarter

|                                       | Quarter Ended Sep 30 |               | QTR/QTR  |              | FY2023 Budget |
|---------------------------------------|----------------------|---------------|----------|--------------|---------------|
|                                       | FY2023               | FY2022        | % Change | \$ Change    | Quarter       |
| Real Estate Taxes                     | \$ 27,142,943        | \$ 24,077,093 | 13%      | \$ 3,065,850 | \$ 23,231,490 |
| Personal Property Taxes               | 697,488              | 592,334       | 18%      | 105,154      | 636,061       |
| Excise Taxes                          |                      |               |          |              |               |
| Motor Vehicle Excise Tax              | 430,372              | 636,540       | (32%)    | (206,168)    | 687,500       |
| Local Rooms Tax                       | 6,746,736            | 5,417,779     | 25%      | 1,328,957    | 1,687,500     |
| Local Meals Tax                       | 652,605              | 604,025       | 8%       | 48,580       | 175,000       |
| Other - Includes Penalties & Interest | 216,290              | 311,799       | (31%)    | (95,508)     | 134,631       |
| Subtotal - Excise Taxes               | 8,046,003            | 6,970,142     | 15%      | 1,075,861    | 2,684,631     |
| Charges for Services                  | 42,439               | 38,440        | 10%      | 3,999        | 12,563        |
| Fees & Rentals                        |                      |               |          |              |               |
| Planning Board Filing Fees            | 15,850               | 20,915        | (24%)    | (5,065)      | 18,750        |
| Plumbing & Wiring Inspection Fees     | 107,045              | 99,590        | 7%       | 7,455        | 84,325        |
| HDC Filing Fees                       | 80,990               | 79,500        | 2%       | 1,491        | 82,500        |
| Concession Rental Fees                | 184,000              | 83,930        | 119%     | 100,070      | 43,653        |
| Marine Moorings & Docking Fees        | 17,179               | 17,215        | (0%)     | (36)         | 51,813        |
| Other                                 | 172,684              | 158,906       | 9%       | 13,778       | 117,710       |
| Subtotal - Fees & Rentals             | 577,749              | 460,056       | 26%      | 117,693      | 398,750       |
| License & Permits                     |                      |               |          |              |               |
| Building Permits                      | 301,344              | 297,600       | 1%       | 3,743        | 202,481       |
| Liquor Licenses                       | 18,650               | 12,000        | 55%      | 6,650        | 54,750        |
| Other                                 | 61,895               | 59,051        | 5%       | 2,845        | 68,288        |
| Subtotal - License & Permits          | 381,889              | 368,651       | 4%       | 13,238       | 325,518       |
| State Local Aid                       |                      |               |          |              |               |
| School Aid                            | 989,343              | 912,534       | 8%       | 76,809       | 989,343       |
| Other                                 | 131,172              | 23,888        | 449%     | 107,284      | 83,577        |
| Subtotal - State Local Aid            | 1,120,515            | 936,422       | 20%      | 184,093      | 1,072,920     |
| Fines & Forfeits                      |                      |               |          |              |               |
| Parking Fines                         | 89,094               | 178,398       | (50%)    | (89,304)     | 52,000        |
| Other                                 | 6,425                | 11,600        | (45%)    | (5,175)      | 5,500         |
| Subtotal - Fines & Forfeits           | 95,519               | 189,998       | (50%)    | (94,479)     | 57,500        |
| Investment Income                     | 133,660              | 49,599        | 169%     | 84,061       | 41,250        |
| Other Departmental Revenue            |                      |               |          |              |               |
| Town Gas Sales                        | 25,075               | 17,140        | 46%      | 7,935        | 13,500        |
| Off Duty Police and Fire Personnel    | 38,216               | 13,817        | 177%     | 24,399       | 22,875        |
| Other Departmental Revenue            | 109,082              | 187,595       | (42%)    | (78,513)     | 76,125        |
| Subtotal - Other Dept'l Revenue       | 172,373              | 218,552       | (21%)    | (46,178)     | 112,500       |
| Miscellaneous                         |                      |               | na       | -            | -             |
| Transfer & Other Sources              |                      |               |          |              |               |
| Debt Premium                          | -                    | -             | na       | -            | -             |
| Indirect Costs                        | 145,575              | 145,575       | -        | -            | 145,575       |
| Other                                 | -                    | -             | na       | -            | -             |
| Subtotal - Transfer & Other Sources   | 145,575              | 145,575       | -        | -            | 145,575       |
| Total General Fund Revenue            | \$ 38,556,151        | \$ 34,046,861 | 13%      | \$ 4,509,290 | \$ 28,718,758 |

# General Fund Revenues

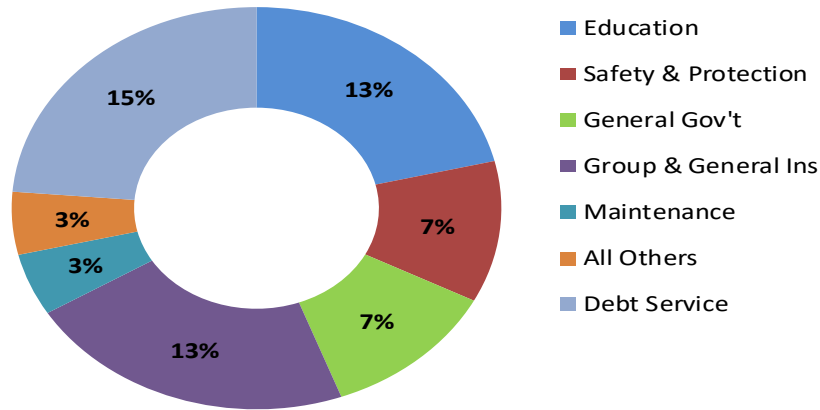
Results for 3 Months Ended September 30, 2022

|                                       | Three Months Ended Sep 30 |               | YTD/YTD  |              | FY2023         | % of Budget |
|---------------------------------------|---------------------------|---------------|----------|--------------|----------------|-------------|
|                                       | FY2023                    | FY2022        | % Change | \$ Change    | Budget         |             |
| Real Estate Taxes                     | \$ 27,142,943             | \$ 24,077,093 | 13%      | \$ 3,065,850 | \$ 92,925,960  | 29%         |
| Personal Property Taxes               | 697,488                   | 592,334       | 18%      | 105,154      | 2,544,243      | 27%         |
| Excise Taxes                          |                           |               |          |              |                |             |
| Motor Vehicle Excise Tax              | 430,372                   | 636,540       | (32%)    | (206,168)    | 2,750,000      | 16%         |
| Local Rooms Tax                       | 6,746,736                 | 5,417,779     | 25%      | 1,328,957    | 6,750,000      | 100%        |
| Local Meals Tax                       | 652,605                   | 604,025       | 8%       | 48,580       | 700,000        | 93%         |
| Other - Includes Penalties & Interest | 216,290                   | 311,799       | (31%)    | (95,508)     | 538,524        | 40%         |
| Subtotal - Excise Taxes               | 8,046,003                 | 6,970,142     | 15%      | 1,075,861    | 10,738,524     | 75%         |
| Charges for Services                  | 42,439                    | 38,440        | 10%      | 3,999        | 50,250         | 84%         |
| Fees & Rentals                        |                           |               |          |              |                |             |
| Planning Board Filing Fees            | 15,850                    | 20,915        | (24%)    | (5,065)      | 75,000         | 21%         |
| Plumbing & Wiring Inspection Fees     | 107,045                   | 99,590        | 7%       | 7,455        | 337,300        | 32%         |
| HDC Filing Fees                       | 80,990                    | 79,500        | 2%       | 1,491        | 330,000        | 25%         |
| Concession Rental Fees                | 184,000                   | 83,930        | 119%     | 100,070      | 174,610        | 105%        |
| Marine Moorings & Docking Fees        | 17,179                    | 17,215        | (0%)     | (36)         | 207,250        | 8%          |
| Other                                 | 172,684                   | 158,906       | 9%       | 13,778       | 470,840        | 37%         |
| Subtotal - Fees & Rentals             | 577,749                   | 460,056       | 26%      | 117,693      | 1,595,000      | 36%         |
| License & Permits                     |                           |               |          |              |                |             |
| Building Permits                      | 301,344                   | 297,600       | 1%       | 3,743        | 809,922        | 37%         |
| Liquor Licenses                       | 18,650                    | 12,000        | 55%      | 6,650        | 219,000        | 9%          |
| Other                                 | 61,895                    | 59,051        | 5%       | 2,845        | 273,150        | 23%         |
| Subtotal - License & Permits          | 381,889                   | 368,651       | 4%       | 13,238       | 1,302,072      | 29%         |
| State Local Aid                       |                           |               |          |              |                |             |
| School Aid                            | 989,343                   | 912,534       | 8%       | 76,809       | 3,957,373      | 25%         |
| Other                                 | 131,172                   | 23,888        | 449%     | 107,284      | 334,308        | 39%         |
| Subtotal - State Local Aid            | 1,120,515                 | 936,422       | 20%      | 184,093      | 4,291,681      | 26%         |
| Fines & Forfeits                      |                           |               |          |              |                |             |
| Parking Fines                         | 89,094                    | 178,398       | (50%)    | (89,304)     | 208,000        | 43%         |
| Other                                 | 6,425                     | 11,600        | (45%)    | (5,175)      | 22,000         | 29%         |
| Subtotal - Fines & Forfeits           | 95,519                    | 189,998       | (50%)    | (94,479)     | 230,000        | 42%         |
| Investment Income                     | 133,660                   | 49,599        | 169%     | 84,061       | 165,000        | 81%         |
| Other Departmental Revenue            |                           |               |          |              |                |             |
| Town Gas Sales                        | 25,075                    | 17,140        | 46%      | 7,935        | 54,000         | 46%         |
| Off Duty Police and Fire Personnel    | 38,216                    | 13,817        | 177%     | 24,399       | 91,500         | 42%         |
| Other Departmental Revenue            | 705,641                   | 187,595       | 276%     | 518,046      | 304,500        | 232%        |
| Subtotal - Other Dept'l Revenue       | 768,932                   | 218,552       | 252%     | 550,380      | 450,000        | 171%        |
| Miscellaneous                         |                           |               | na       | -            |                | na          |
| Transfer & Other Sources              |                           |               |          |              |                |             |
| Debt Premium                          | -                         | -             | na       | -            | -              | na          |
| Indirect Costs                        | 145,575                   | 145,575       | -        | -            | 582,300        | 25%         |
| Other                                 | -                         | -             | na       | -            | -              | na          |
| Subtotal - Transfer & Other Sources   | 145,575                   | 145,575       | -        | -            | 582,300        | 25%         |
| Total General Fund Revenue            | \$ 39,152,710             | \$ 34,046,861 | 15%      | \$ 5,105,849 | \$ 114,875,030 | 34%         |

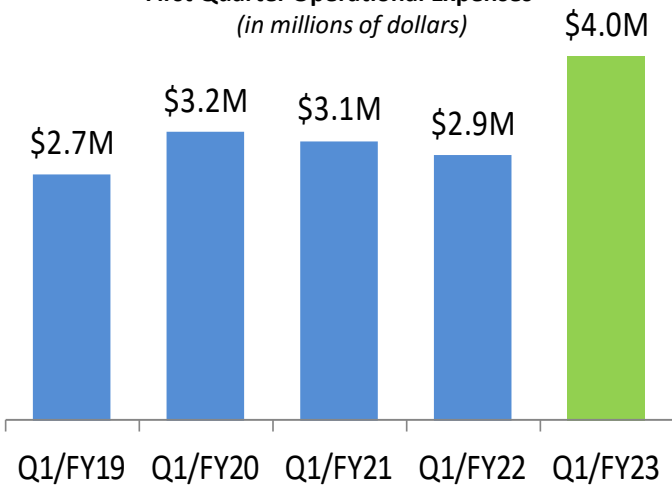
# General Fund Expenses

Where does the money go?

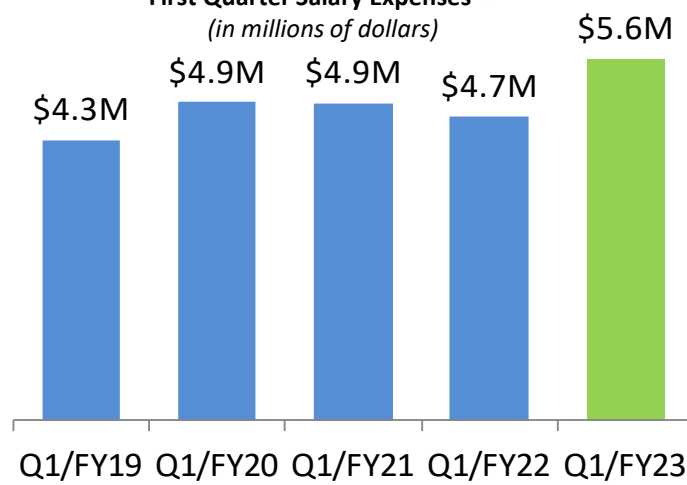
**General Fund Expenses**  
For Fiscal Quarter Ended September 30, 2022



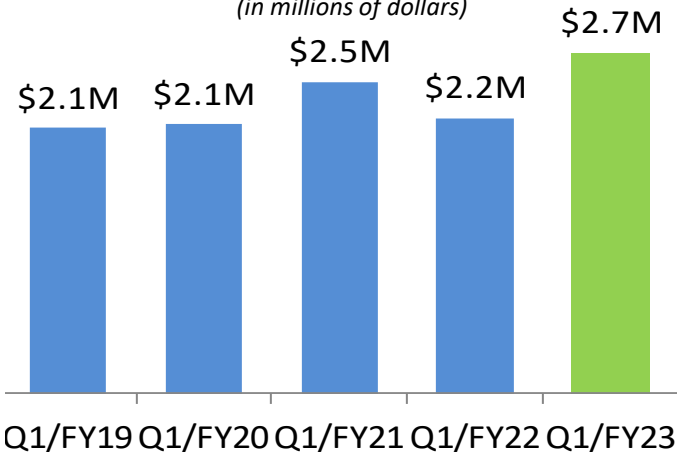
**First Quarter Operational Expenses <sup>(1)</sup>**  
(in millions of dollars)



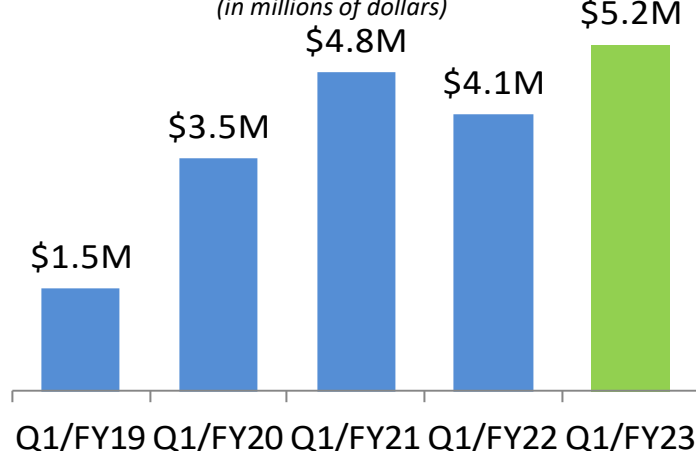
**First Quarter Salary Expenses <sup>(2)</sup>**  
(in millions of dollars)



**First Quarter Health & Other Group Insurance**  
(in millions of dollars)



**First Quarter Debt Service (P&I)**  
(in millions of dollars)



<sup>(1)</sup> Excludes Debt Service, Transfers and State Assessments, which are subject to timing differences

<sup>(2)</sup> Excludes Health Insurance & Other Group Insurance, Pension Costs and Contractual Obligations.

# General Fund Expenses

Results for most recent quarter

|                                       | Quarter Ended Sep 30 |                     | QTR/QTR     |                     | FY2023 Budget        |
|---------------------------------------|----------------------|---------------------|-------------|---------------------|----------------------|
|                                       | FY2023               | FY2022              | % Change    | \$ Change           | Quarter              |
| <b>General Government</b>             |                      |                     |             |                     |                      |
| Finance Committee                     | \$ 184               | \$ 180              | 2%          | \$ 4                | \$ 4,670             |
| Finance & Operations                  | 505,419              | 441,251             | 15%         | 64,168              | 634,709              |
| Human Resources                       | 155,610              | 88,612              | 76%         | 66,999              | 154,540              |
| Information Systems / GIS             | 549,067              | 265,428             | 107%        | 283,639             | 427,758              |
| Legal / Town Counsel                  | 112,389              | 66,921              | 68%         | 45,467              | 113,008              |
| Moderator                             | -                    | -                   | na          | -                   | 421                  |
| Planning & Land Use Services          | 452,958              | 383,555             | 18%         | 69,403              | 583,606              |
| Town Administration                   | 447,417              | 355,933             | 26%         | 91,484              | 580,975              |
| Housing Office                        | 43,870               | -                   | na          | 43,870              | 370,032              |
| Natural Resources                     | 232,904              | 190,525             | 22%         | 42,380              | 290,757              |
| Town Clerk                            | 68,213               | 105,631             | (35%)       | (37,418)            | 91,945               |
| <b>Subtotal</b>                       | <b>\$ 2,568,032</b>  | <b>\$ 1,898,035</b> | <b>35%</b>  | <b>\$ 669,997</b>   | <b>\$ 3,252,420</b>  |
| <b>Safety &amp; Protection</b>        |                      |                     |             |                     |                      |
| Emergency Management                  | \$ -                 | \$ -                | na          | -                   | 2,000                |
| Fire Department                       | 838,666              | 704,083             | 19%         | 134,583             | 826,898              |
| Police & Animal Control               | 1,627,137            | 1,374,142           | 18%         | 252,996             | 1,981,601            |
| Street Lighting                       | 18,183               | 18,232              | (0%)        | (49)                | 41,250               |
| <b>Subtotal</b>                       | <b>\$ 2,483,987</b>  | <b>\$ 2,096,456</b> | <b>18%</b>  | <b>\$ 387,530</b>   | <b>\$ 2,851,749</b>  |
| <b>Marine &amp; Coastal Resources</b> |                      |                     |             |                     |                      |
| Marine Department                     | \$ 734,624           | \$ 557,227          | 32%         | 177,397             | 271,284              |
| <b>Subtotal</b>                       | <b>\$ 734,624</b>    | <b>\$ 557,227</b>   | <b>32%</b>  | <b>\$ 177,397</b>   | <b>\$ 271,284</b>    |
| <b>Maintenance</b>                    |                      |                     |             |                     |                      |
| Gas / Town Vehicles                   | \$ 78,412            | \$ 55,701           | 41%         | 22,711              | 93,750               |
| Mosquito Control                      | -                    | 23,000              | (100%)      | (23,000)            | 44,258               |
| Public Buildings                      | 303,512              | 99,032              | 206%        | 204,480             | 321,395              |
| Public Works                          | 656,262              | 462,018             | 42%         | 194,244             | 902,758              |
| Park & Rec                            | 52,229               | -                   | na          | 52,229              | 87,883               |
| Snow & Ice Removal                    | 380                  | 1,774               | (79%)       | (1,394)             | 20,650               |
| <b>Subtotal</b>                       | <b>\$ 1,090,795</b>  | <b>\$ 641,525</b>   | <b>70%</b>  | <b>\$ 449,270</b>   | <b>\$ 1,470,695</b>  |
| <b>Health &amp; Human Services</b>    |                      |                     |             |                     |                      |
| Health & Human Services               | \$ 243,675           | \$ 251,413          | (3%)        | (7,738)             | 358,421              |
| <b>Subtotal</b>                       | <b>\$ 243,675</b>    | <b>\$ 251,413</b>   | <b>(3%)</b> | <b>\$ (7,738)</b>   | <b>\$ 358,421</b>    |
| <b>Culture &amp; Recreation</b>       |                      |                     |             |                     |                      |
| Atheneum                              | \$ 196,309           | \$ 191,521          | 2%          | 4,788               | 196,309              |
| Town Clock                            | 124                  | 143                 | (13%)       | (19)                | 1,175                |
| Visitor Services                      | 172,170              | 88,327              | 95%         | 83,843              | 121,768              |
| <b>Subtotal</b>                       | <b>\$ 368,603</b>    | <b>\$ 279,991</b>   | <b>32%</b>  | <b>\$ 88,612</b>    | <b>\$ 319,253</b>    |
| <b>Other Expenditures</b>             |                      |                     |             |                     |                      |
| Debt Service Principal                | \$ 4,245,027         | \$ 3,127,037        | 36%         | 1,117,991           | 1,821,043            |
| Debt Service Interest                 | 926,972              | 994,905             | (7%)        | (67,933)            | 976,325              |
| Group Insurance                       | 2,682,624            | 2,171,277           | 24%         | 511,347             | 4,108,220            |
| General Insurance                     | 2,101,213            | 1,870,264           | 12%         | 230,949             | 737,977              |
| Retirement Assessment                 | -                    | -                   | na          | -                   | 1,574,792            |
| Cherry Sheet Assessments              | 303,310              | 180,127             | 68%         | 123,183             | 293,601              |
| Contractual Obligations               | -                    | -                   | na          | -                   | 113,750              |
| Intergovernmental-SWEF                | 8,046,306            | 6,502,995           | 24%         | 1,543,311           | 2,011,577            |
| Intergovernmental-OIH                 | 5,125,000            | 5,000,000           | 2%          | 125,000             | 1,281,250            |
| Intergovernmental-Cumm School         | 550,000              | 500,000             | 10%         | 50,000              | 137,500              |
| Education                             | 4,084,702            | 3,930,555           | 4%          | 154,147             | 8,606,747            |
| <b>Subtotal</b>                       | <b>\$28,065,155</b>  | <b>\$24,277,160</b> | <b>16%</b>  | <b>\$ 3,787,995</b> | <b>\$ 21,662,781</b> |
| <b>Total General Fund Expenses</b>    | <b>\$35,554,870</b>  | <b>\$30,001,807</b> | <b>19%</b>  | <b>\$ 5,553,063</b> | <b>\$ 30,186,602</b> |

# General Fund Expenses

Results for 3 Months Ended September 30, 2022

|                                       | Three Months Ended Sep 30 |                     | YTD/YTD     |                    | FY23 Budget           | % of       |
|---------------------------------------|---------------------------|---------------------|-------------|--------------------|-----------------------|------------|
|                                       | FY2023                    | FY2022              | % Change    | \$ Change          | Annual                | Budget     |
| <b>General Government</b>             |                           |                     |             |                    |                       |            |
| Finance Committee                     | \$ 184                    | \$ 180              | 2%          | \$ 4               | \$ 18,680             | 1%         |
| Finance & Operations                  | 505,419                   | 441,251             | 15%         | 64,168             | 2,538,837             | 20%        |
| Human Resources                       | 155,610                   | 88,612              | 76%         | 66,999             | 618,159               | 25%        |
| Information Systems / GIS             | 549,067                   | 265,428             | 107%        | 283,639            | 1,711,030             | 32%        |
| Legal / Town Counsel                  | 112,389                   | 66,921              | 68%         | 45,467             | 452,032               | 25%        |
| Moderator                             | -                         | -                   | na          | -                  | 1,683                 | -          |
| Planning & Land Use Services          | 452,958                   | 383,555             | 18%         | 69,403             | 2,334,424             | 19%        |
| Town Administration                   | 447,417                   | 355,933             | 26%         | 91,484             | 2,323,902             | 19%        |
| Housing Office                        | 43,870                    | -                   | na          | 43,870             | 1,480,127             | 3%         |
| Natural Resources                     | 232,904                   | 190,525             | 22%         | 42,380             | 1,163,029             | 20%        |
| Town Clerk                            | 68,213                    | 105,631             | (35%)       | (37,418)           | 367,778               | 19%        |
| <b>Subtotal</b>                       | <b>\$ 2,568,032</b>       | <b>\$ 1,898,035</b> | <b>35%</b>  | <b>\$ 669,997</b>  | <b>\$ 13,009,680</b>  | <b>20%</b> |
| <b>Safety &amp; Protection</b>        |                           |                     |             |                    |                       |            |
| Emergency Management                  | \$ -                      | \$ -                | na          | -                  | 8,000                 | -          |
| Fire Department                       | 838,666                   | 704,083             | 19%         | 134,583            | 3,307,592             | 25%        |
| Police & Animal Control               | 1,627,137                 | 1,374,142           | 18%         | 252,996            | 7,926,403             | 21%        |
| Street Lighting                       | 18,183                    | 18,232              | (0%)        | (49)               | 165,000               | 11%        |
| <b>Subtotal</b>                       | <b>\$ 2,483,987</b>       | <b>\$ 2,096,456</b> | <b>18%</b>  | <b>\$ 387,530</b>  | <b>\$ 11,406,995</b>  | <b>22%</b> |
| <b>Marine &amp; Coastal Resources</b> |                           |                     |             |                    |                       |            |
| Marine Department                     | \$ 734,624                | \$ 557,227          | 32%         | 177,397            | 1,085,137             | 68%        |
| <b>Subtotal</b>                       | <b>\$ 734,624</b>         | <b>\$ 557,227</b>   | <b>32%</b>  | <b>\$ 177,397</b>  | <b>\$ 1,085,137</b>   | <b>68%</b> |
| <b>Maintenance</b>                    |                           |                     |             |                    |                       |            |
| Gas / Town Vehicles                   | \$ 78,412                 | \$ 55,701           | 41%         | 22,711             | 375,000               | 21%        |
| Mosquito Control                      | -                         | 23,000              | (100%)      | (23,000)           | 177,032               | -          |
| Public Buildings                      | 303,512                   | 99,032              | 206%        | 204,480            | 1,285,581             | 24%        |
| Public Works                          | 656,262                   | 462,018             | 42%         | 194,244            | 3,611,032             | 18%        |
| Park & Rec                            | 52,229                    | -                   | na          | 52,229             | 351,534               | 15%        |
| Snow & Ice Removal                    | 380                       | 1,774               | (79%)       | (1,394)            | 82,600                | 0%         |
| <b>Subtotal</b>                       | <b>\$ 1,090,795</b>       | <b>\$ 641,525</b>   | <b>70%</b>  | <b>\$ 449,270</b>  | <b>\$ 5,882,779</b>   | <b>19%</b> |
| <b>Health &amp; Human Services</b>    |                           |                     |             |                    |                       |            |
| Health & Human Services               | \$ 243,675                | \$ 251,413          | (3%)        | (7,738)            | 1,433,684             | 17%        |
| <b>Subtotal</b>                       | <b>\$ 243,675</b>         | <b>\$ 251,413</b>   | <b>(3%)</b> | <b>\$ (7,738)</b>  | <b>\$ 1,433,684</b>   | <b>17%</b> |
| <b>Culture &amp; Recreation</b>       |                           |                     |             |                    |                       |            |
| Atheneum                              | \$ 196,309                | \$ 191,521          | 2%          | 4,788              | 785,237               | 25%        |
| Town Clock                            | 124                       | 143                 | (13%)       | (19)               | 4,700                 | 3%         |
| Visitor Services                      | 172,170                   | 88,327              | 95%         | 83,843             | 487,074               | 35%        |
| <b>Subtotal</b>                       | <b>\$ 368,603</b>         | <b>\$ 279,991</b>   | <b>32%</b>  | <b>\$ 88,612</b>   | <b>\$ 1,277,011</b>   | <b>29%</b> |
| <b>Other Expenditures</b>             |                           |                     |             |                    |                       |            |
| Debt Service Principal                | \$ 4,245,027              | \$ 3,127,037        | 36%         | 1,117,991          | 7,284,172             | 58%        |
| Debt Service Interest                 | 926,972                   | 994,905             | (7%)        | (67,933)           | 3,905,298             | 24%        |
| Group Insurance                       | 2,682,624                 | 2,171,277           | 24%         | 511,347            | 16,432,879            | 16%        |
| General Insurance                     | 2,101,213                 | 1,870,264           | 12%         | 230,949            | 2,951,910             | 71%        |
| Retirement Assessment                 | -                         | -                   | na          | -                  | 6,299,169             | -          |
| Cherry Sheet Assessments              | 303,310                   | 180,127             | 68%         | 123,183            | 1,174,402             | 26%        |
| Contractual Obligations               | -                         | -                   | na          | -                  | 455,000               | -          |
| Intergovernmental-SWEF                | 8,046,306                 | 6,502,995           | 24%         | 1,543,311          | 8,046,306             | 100%       |
| Intergovernmental-OIH                 | 5,125,000                 | 5,000,000           | 2%          | 125,000            | 5,125,000             | 100%       |
| Intergovernmental-Cumm School         | 550,000                   | 500,000             | 10%         | 50,000             | 550,000               | 100%       |
| Education                             | 4,084,702                 | \$3,930,555         | 4%          | 154,147            | 34,426,987            | 12%        |
| <b>Subtotal</b>                       | <b>\$ 28,065,155</b>      | <b>\$24,277,160</b> | <b>16%</b>  | <b>\$3,787,995</b> | <b>\$ 86,651,123</b>  | <b>32%</b> |
| <b>Total General Fund Expenses</b>    | <b>\$ 35,554,870</b>      | <b>\$30,001,807</b> | <b>19%</b>  | <b>\$5,553,063</b> | <b>\$ 120,746,408</b> | <b>29%</b> |

# Capital Investments

*Maintaining and improving the infrastructure*

## FY2023 YTD Top 15 Capital Projects

Expenditures for Three Months Ended September 30, 2022

| ACCOUNT DESCRIPTION            | 2023 Actuals |
|--------------------------------|--------------|
| A19'23 10-12 WASHINGTON ST     | 4,750,000.00 |
| A15'23 SCHOOL ATHLETIC FACILIT | 3,299,866.43 |
| A10'22 CAMPUS IMPROVE PLAN     | 767,044.05   |
| A10'22 REPLACE ENGINE #4       | 625,130.00   |
| A10'22 REPAIR F ST BULKHEAD    | 344,150.82   |
| A10'20 INFRA 6FG&WAITT         | 261,471.31   |
| A11/2016 FIRE STATION          | 131,101.92   |
| A10/'19 6FG AREA IMPROVEMENTS  | 126,871.09   |
| A10'23 NPS ROOF REPLACEMENT    | 120,000.00   |
| A10'23 NPS BUILDING IMPROVEMEN | 75,166.80    |
| A14'22 NOBAD FIELDHOUSE SPPLMN | 75,100.47    |
| A10'22 GRNDWATER PFAS FIND&FIX | 56,662.25    |
| A10'22 LORAN SEWER CONNECTION  | 53,960.00    |
| A10'22 COBBLESTONE IMPROVE/MAI | 42,500.00    |
| A10'22 SIDEWALK IMPROVEMENT PR | 28,000.00    |

# Financing Activity

*How much do we owe?*

## The Town's Credit Rating

- External credit ratings have a direct influence on the Town's ability to:
  - Minimize borrowing costs
  - Successfully borrow funds to complete the improvement and construction of long-term assets and the Town's infrastructure
- In October 2018, Moody's affirmed the Town's rating of AAA the highest rating on the municipal credit rating scale - and reaffirmed a positive outlook.
- In October 2016, Standard & Poor's initiated coverage on the Town of Nantucket's general obligation debt in a report establishing a AA rating. There has been no new rating since this initial report.

| Type of Bond Issued | Moody's Rating | Standard & Poor's Rating |
|---------------------|----------------|--------------------------|
| General Obligation  | AAA            | AA                       |

# *Investment Report*

*How safe is our money?*

## **Equity Markets - Review**

In the final quarter of the Fiscal Year, U.S. Equity markets continued an impressive run higher.

Recent market momentum was based off additional economic stimulus and the expectation for economic recovery.

During the quarter, GDP, unemployment and corporate earnings data showed the recovery had arrived.

Overall for the quarter the S&P 500 returned 8.4%. The 21 Legal List stocks returned 3.1%.

## **Fixed Income - Review**

During this recovery, one ongoing area of concern for investors has been the risk of rising inflation, which increased significantly throughout the quarter.

The Fed has acknowledged recent inflationary data and is continuing to adjust their outlook for future interest rate policy.

Ironically, while short-term interest rates have risen, the longer-term 10 Year Treasury rate has actually fallen since March.

The 10 Year Treasury ended the fiscal year at 1.44% as of June 30<sup>th</sup>.

## **Strategy Outlook**

As we've seen throughout the Fiscal Year, portfolios with an allocation to Equities benefited from the continued economic recovery. We continue to favor making allocations to Legal List equities for Long Term funds.

Although we saw the 10 Year Treasury rate fall throughout the final quarter, our expectation is for rates to resume their trend higher driven by continued economic improvement, inflationary pressure and eventual changes in the Fed's interest rate outlook.

## **Advisory Fees - 4/1/2021 – 6/30/2021**

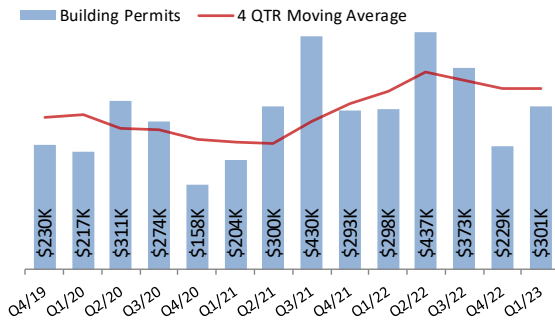
- Pooled Trust: \$7,589.08
- OPEB: \$3,104.14
- Airport Stab: \$109.13

# Outlook

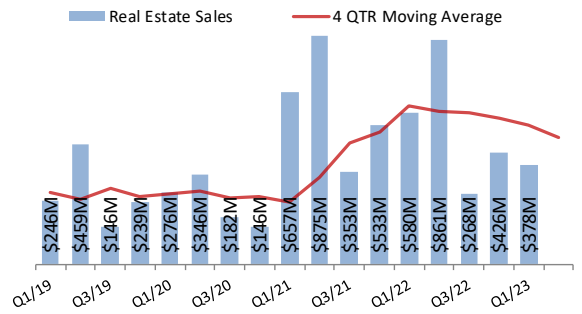
The Muni Watch as of September 30, 2022

| Local Receipts              | Periods based on fiscal calendar <sup>(1)</sup> |         |          |       | Trend <sup>(2)</sup> |             | Details                                                                                                                                                  |
|-----------------------------|-------------------------------------------------|---------|----------|-------|----------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             | Last Qtr                                        | Qtr/Qtr | LTM      | Yr/Yr | 3-Mo                 | LTM         |                                                                                                                                                          |
| Building Permits            | \$301,344                                       | 1%      | \$1.3M   | 1%    | <div></div>          | <div></div> | <i>For Local Receipts categories:</i><br>- Green if trend is 5% or above<br>- Yellow if trend is between +5% and -10%<br>- Red if trend is below -10%    |
| Rooms Tax                   | \$6,746,736                                     | 25%     | \$13.8M  | 3%    | <div></div>          | <div></div> |                                                                                                                                                          |
| Meals Tax                   | \$652,605                                       | 8%      | \$1.5M   | 27%   | <div></div>          | <div></div> |                                                                                                                                                          |
| Motor Excise Tax            | \$430,372                                       | (32%)   | \$4.0M   | 12%   | <div></div>          | <div></div> |                                                                                                                                                          |
| <b>Local Indicators (3)</b> |                                                 |         |          |       |                      |             |                                                                                                                                                          |
| Real Estate - Sales (\$M)   | \$378M                                          | (35%)   | \$1,934M | (17%) | <div></div>          | <div></div> | <i>Real Estate categories:</i> - Green if trend ≥ 0%, Yellow if between 0% and -10%, Red if trend is < 10%                                               |
| Real Estate - Transactions  | 92                                              | (47%)   | 528      | (35%) | <div></div>          | <div></div> |                                                                                                                                                          |
| SSA Freight Revenue (\$M)   | \$11.4M                                         | 2%      | \$38M    | 6%    | <div></div>          | <div></div> | <i>SSA categories:</i> - Green if trend ≥ 0%, Yellow if between 0% and -3%, Red if trend is < 3%<br>Green if trend ≥ 5%, Yellow if 0% to 5%, Red if < 0% |
| SSA Nantucket Passengers    | 153,992                                         | 11%     | 546,824  | 22%   | <div></div>          | <div></div> |                                                                                                                                                          |
|                             |                                                 |         |          |       |                      |             |                                                                                                                                                          |
| Nat'l Leading Indicators    | Current                                         | 3-Mo    | 12-Mo    |       | 3-Mo                 | LTM         |                                                                                                                                                          |
| LIBOR T-Bill Yield Spread   | 0.01                                            | 0.14    | 0.08%    |       | <div></div>          | <div></div> | - Difference between 3mth LIBOR & 3 mth treasury bill (< 0.5% signals stability).                                                                        |
| Sr Loan Officer Survey      | 24.20                                           | -1.50   | -32.40%  |       | <div></div>          | <div></div> | - Fed Reserve: % of loan officers seeing loan standards tightening for med/large firms (< 10% is positive).                                              |
| S&P 500 Performance         | 3,586                                           | 3,785   | 4,307    |       | <div></div>          | <div></div> | - S&P 500 index as proxy of performance of risky equity assets. Level > 1950 is positive.                                                                |
| Weekly Initial Claims       | 206,500                                         | 232,750 | 344,750  |       | <div></div>          | <div></div> | - 4-wk average of unemployment insurance initial claims, < 300,000 is positive.                                                                          |

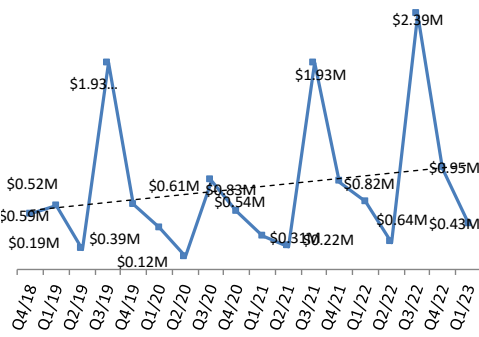
Building Permits - Historicals and Moving Average



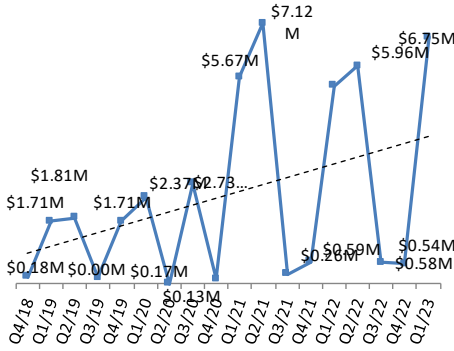
Real Estate Sales - Historicals and Moving Average



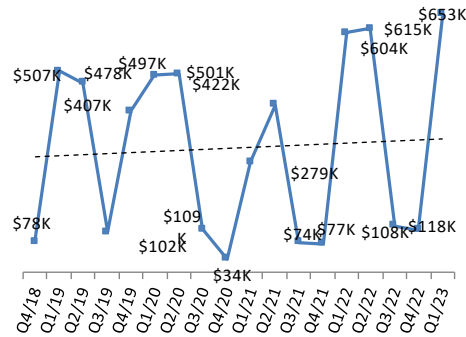
Motor Excise Tax (in millions)



Rooms Tax (in millions)



Meals Tax (in thousands)





# **Our Island Home Enterprise Fund**

*Quarterly Financial Report  
First Fiscal Quarter Ended  
September 30, 2022*



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# *Our Island Home Financial Highlights*

## *Our Island Home Revenues*

Total revenue for the first quarter of FY2023 was \$2,428,675, representing a \$1,364,979 (+128%) increase over the first quarter of last year. The main driver behind this significant increase is Prior Year CPE Receipts received in August for the amount of \$1,523,766. If we don't take into consideration the Prior Year CPE Receipts the revenue was down \$158,787 (-15%) over Q1/FY2022. We can attribute the decline in collected revenue to decreased census and decreased Medicare admissions/patient revenue. The Revenue collected ended the quarter at 79% of the estimated budgeted revenue for the year.

## *Our Island Home Expenses*

Expenses for the first quarter of FY2023 were up 19% (+\$253K) compared to the same quarter last fiscal year and represent 16% of annual budgeted expenses. Professional services increased significantly with \$271,223 over the same period last year. Medical supplies were up as well with \$12,320 (+55%). Salary expenses decreased over Q1/FY22 by \$87,595 (-10%). There were some unfilled positions in Our Island Home during the first quarter.

# Our Island Home Summary

**TOWN OF NANTUCKET**  
**OUR ISLAND HOME - ENTERPRISE FUND**  
**Operating Revenue and Expenditures for Three Months Ended Sep 30, 2022**

|                                                                     | Budget         | Three Months Ended Sep 30 |         |                |
|---------------------------------------------------------------------|----------------|---------------------------|---------|----------------|
|                                                                     | FY2023         | FY2023                    | Actuals | FY2022 Actuals |
| Revenue                                                             | \$ 3,060,403   | \$ 2,428,675              |         | \$ 1,063,695   |
| Expenses                                                            | 9,722,517      | 1,550,676                 |         | 1,298,047      |
| Net Earnings                                                        | (6,662,114)    | 877,999                   |         | (234,352)      |
| Transfer from Retained Earnings                                     | 1,216,191      | 1,216,191                 |         |                |
| NET EARNINGS                                                        | \$ (5,445,923) | \$ 2,094,190              |         | \$ (234,352)   |
| Retained Earnings                                                   |                |                           |         |                |
| OTHER SOURCES/USES:                                                 |                |                           |         |                |
| General Fund Subsidy                                                | \$ 5,125,000   | \$ 5,125,000              |         | \$ 5,000,000   |
| Encumbrance Carryforwards                                           | 320,923        | 60,650                    |         | 15,646         |
| FinCom GF Reserve Fund Transfer                                     | -              | -                         |         | -              |
| Surplus(Deficit) Including Debt Service and Other Financing Sources | \$ (0)         | \$ 7,279,840              |         | \$ 4,781,294   |

|                                                               |                      |
|---------------------------------------------------------------|----------------------|
| <b>Certified Retained Earnings as of July 01, 2021</b>        | <b>\$ 6,188,036</b>  |
| Plus: Current Surplus as of Sep 30, 2022                      | 7,279,840            |
| Less: Amount allocated at May 2, 2022 ATM, A21                | (1,216,191)          |
| Less: Amount allocated at May 2, 2022 ATM, A22                | (145,000)            |
| Less: Amount allocated at May 2, 2022 ATM, A23                | (750,000)            |
| <b>Projected Balance as of Sep 30, 2022 <sup>(1)(2)</sup></b> | <b>\$ 11,356,685</b> |

(1) Revenues remain a projection, until certified by the the Department of Revenue, therefore this is only a projection as of this point in time, until Retained Earnings go through the Certification process.

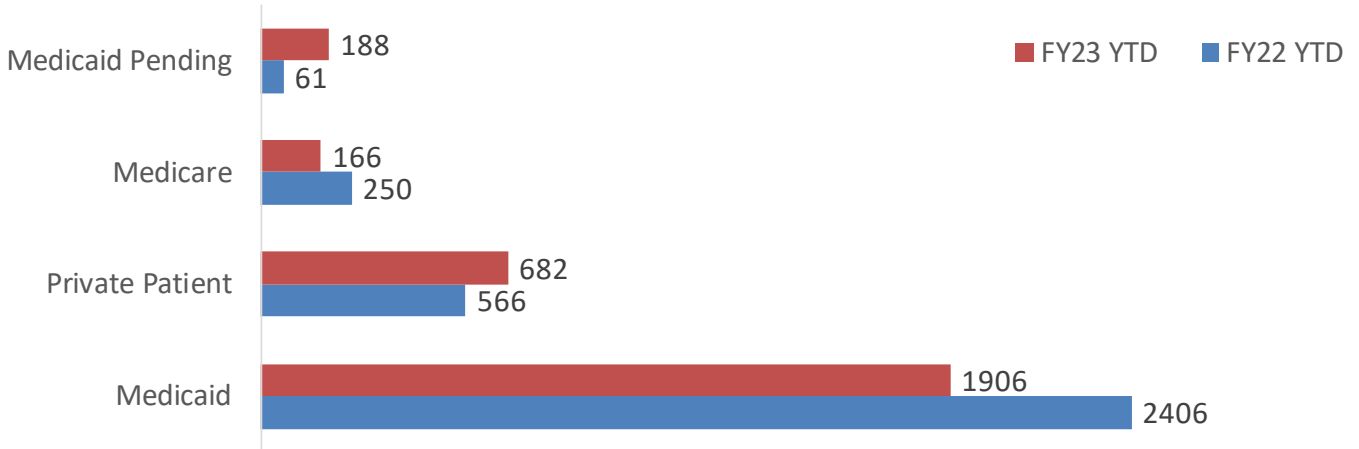
(2) Actual balance will be lower due to encumbrances that are carried forward

# Our Island Home Revenues

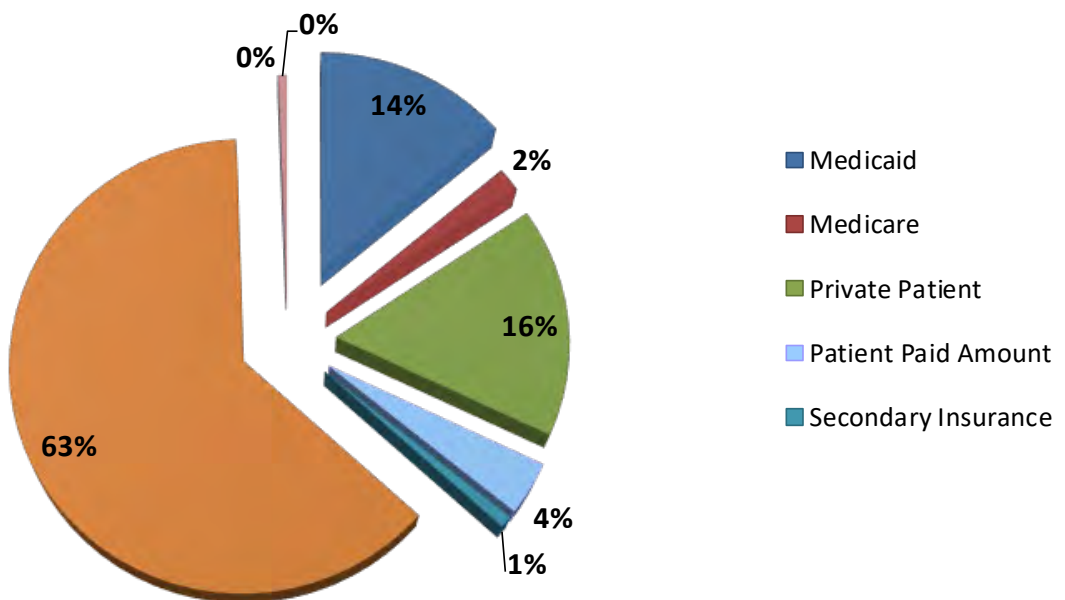
*Where does the money come from?*

## Census Data Per Payor Source

YTD/YTD



## FY2023 Revenue Breakdown - YTD Actuals





# Our Island Home Revenues

## Results for most recent quarter

### OIH Revenue for Quarter Ended Sep 30, 2022

| REVENUE                                               | Quarter Ended Sep 30 |                | QTR/QTR  |              | FY2023 Budget |
|-------------------------------------------------------|----------------------|----------------|----------|--------------|---------------|
|                                                       | FY2023 Actuals       | FY2022 Actuals | % Change | \$ Change    | Quarter       |
| Medicaid Patient Revenue                              | \$ 337,812           | \$ 401,284     | (16%)    | \$ (63,473)  | \$ 273,214    |
| Medicare Revenue                                      | 41,663               | 150,183        | (72%)    | (108,520)    | 112,140       |
| Private Patient Income                                | 398,672              | 348,758        | 14%      | 49,913       | 242,115       |
| Patient Paid Amount                                   | 92,039               | 134,191        | (31%)    | (42,152)     | 125,036       |
| Secondary Insurance                                   | 20,637               | 22,128         | (7%)     | (1,491)      | 12,596        |
| Rental Fees                                           | -                    | 7,151          | (100%)   | (7,151)      | -             |
| Direct Care Staff Payments                            | 14,087               | -              | na       | 14,087       | -             |
| Prior Year CPE Receipts                               | 1,523,766            | -              | na       | 1,523,766    | -             |
| Bounced Checks                                        | -                    | -              | na       | -            | -             |
| Interest Earned                                       | -                    | -              | na       | -            | -             |
| Total Revenue*                                        | \$ 2,428,675         | \$ 1,063,695   | 128%     | \$ 1,364,979 | \$ 765,101    |
|                                                       |                      |                |          |              |               |
| OTHER FINANCING SOURCES                               | FY2023 Actuals       | FY2022 Actuals | % Change | \$ Change    | QTR Budget    |
| General Fund Subsidy                                  | \$ 5,125,000         | \$ 5,000,000   | 2%       | 125,000      | -             |
| Voted Use of Certified Retained Earnings - Operations | -                    | -              | na       | -            | -             |
| FinCom Transfer                                       | -                    | -              | na       | -            | -             |
| FY2022 Encumbrance Carryforward                       | 60,650               | 15,646         | 288%     | 45,004       | -             |
| Total Other Financing Sources                         | \$ 5,185,650         | \$ 5,015,646   | 3%       | \$ 170,004   | \$ -          |
|                                                       |                      |                |          |              |               |
| TOTAL REVENUE AND OTHER FINANCIAL SOURCES             | \$ 7,614,325         | \$ 6,079,341   | 25%      | \$ 1,534,984 | \$ 765,101    |



# Our Island Home Revenues

## Results for 3 Months Ended September 30, 2022

### OIH Revenue for Three Months Ended Sep 30, 2022

| REVENUE                    | Three Months Ended Sep 30 |                     | YTD/YTD     |                     | FY2023 Budget       |  | % of Budget Used |
|----------------------------|---------------------------|---------------------|-------------|---------------------|---------------------|--|------------------|
|                            | FY2023 Actuals            | FY2022 Actuals      | % Change    | \$ Change           | Annual w/ Carryfwd  |  |                  |
| Medicaid Patient Revenue   | \$ 337,812                | \$ 401,284          | (16%)       | \$ (63,473)         | \$ 1,092,854        |  | 31%              |
| Medicare Revenue           | 41,663                    | 150,183             | (72%)       | (108,520)           | 448,561             |  | 9%               |
| Private Patient Income     | 398,672                   | 348,758             | 14%         | 49,913              | 968,460             |  | 41%              |
| Patient Paid Amount        | 92,039                    | 134,191             | (31%)       | (42,152)            | 500,143             |  | 18%              |
| Secondary Insurance        | 20,637                    | 22,128              | (7%)        | (1,491)             | 50,385              |  | 41%              |
| Rental Fees                | -                         | 7,151               | (100%)      | (7,151)             | -                   |  | na               |
| Direct Care Staff Payments | 14,087                    | -                   | na          | 14,087              | -                   |  | na               |
| Prior Year CPE Receipts    | 1,523,766                 | -                   | na          | 1,523,766           | -                   |  | na               |
| Bounced Checks             | -                         | -                   | na          | -                   | -                   |  | na               |
| Interest Earned            | -                         | -                   | na          | -                   | -                   |  | na               |
| <b>Total Revenue*</b>      | <b>\$ 2,428,675</b>       | <b>\$ 1,063,695</b> | <b>128%</b> | <b>\$ 1,364,979</b> | <b>\$ 3,060,403</b> |  | <b>79%</b>       |

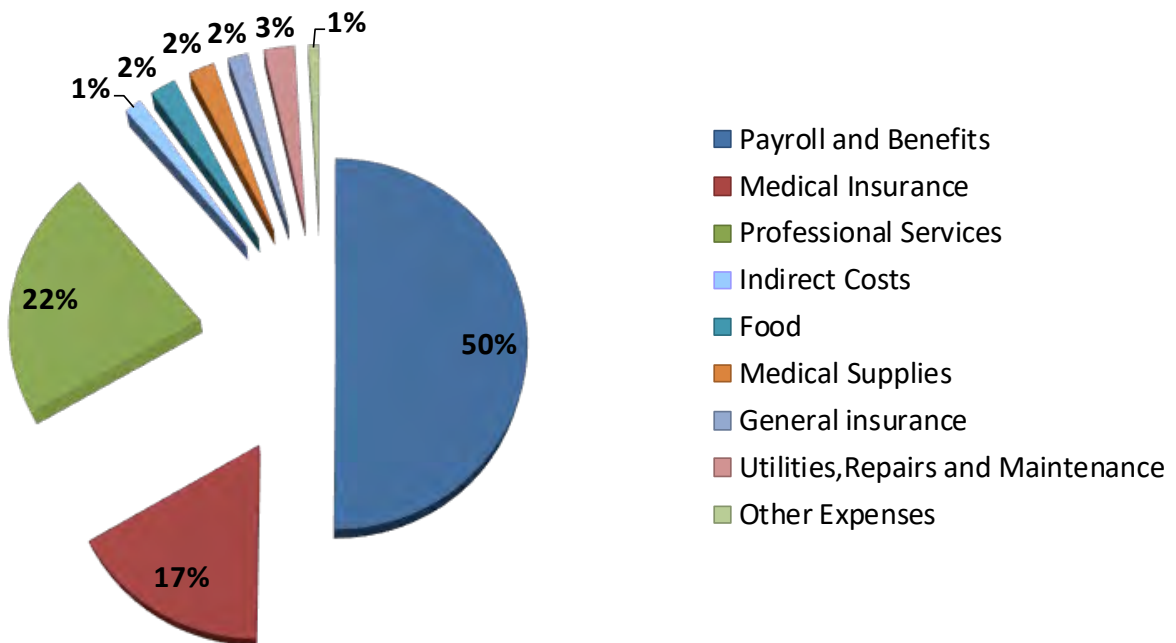
| OTHER FINANCING SOURCES                               | FY2023 Actuals      | FY2022 Actuals      | % Change  | \$ Change         | Annual Budget       | Budget Used |
|-------------------------------------------------------|---------------------|---------------------|-----------|-------------------|---------------------|-------------|
| General Fund Subsidy                                  | \$ 5,125,000        | \$ 5,000,000        | 2%        | \$ 125,000        | \$ 5,125,000        | 100%        |
| Voted Use of Certified Retained Earnings - Operations | -                   | -                   | na        | -                 | -                   | na          |
| FinCom Transfer                                       | -                   | -                   | na        | -                 | -                   | na          |
| FY2022 Encumbrance Carryforward                       | 60,650              | 15,646              | 288%      | 45,004            | 320,923             | 19%         |
| <b>Total Other Financing Sources</b>                  | <b>\$ 5,185,650</b> | <b>\$ 5,015,646</b> | <b>3%</b> | <b>\$ 170,004</b> | <b>\$ 5,445,923</b> | <b>95%</b>  |

|                                                  |                     |                     |            |                     |                     |            |
|--------------------------------------------------|---------------------|---------------------|------------|---------------------|---------------------|------------|
| <b>TOTAL REVENUE AND OTHER FINANCIAL SOURCES</b> | <b>\$ 7,614,325</b> | <b>\$ 6,079,341</b> | <b>25%</b> | <b>\$ 1,534,984</b> | <b>\$ 8,506,326</b> | <b>90%</b> |
|--------------------------------------------------|---------------------|---------------------|------------|---------------------|---------------------|------------|

# Our Island Home Expenses

*Where does the money go?*

## FY2023 Expenses Breakdown - YTD Actuals





# Our Island Home Expenses

## Results for most recent quarter

### OIH Operating Expenses for Quarter Ended Sep 30, 2022

| OPERATING EXPENSES WITHOUT DEBT                    | Quarter Ended Sep 30 |                     | QTR/QTR    |                   | FY2023 Budget       |
|----------------------------------------------------|----------------------|---------------------|------------|-------------------|---------------------|
|                                                    | FY2023 Actuals       | FY2022 Actuals      | % Change   | \$ Change         | Quarter             |
| Payroll - Salary                                   | \$ 767,349           | \$ 854,944          | (10%)      | \$ (87,595)       | \$ 1,263,807        |
| Medicare P/R Tax Expense                           | 10,642               | 11,913              | (11%)      | (1,271)           | 16,107              |
| Medical Insurance                                  | 255,765              | 209,365             | 22%        | 46,400            | 349,712             |
| Barnstable County Retirement                       | -                    | -                   | na         | -                 | 173,580             |
| Contractual Obligations                            | -                    | -                   | na         | -                 | 72,472              |
| Utilities                                          | 33,309               | 33,866              | (2%)       | (557)             | 41,948              |
| Repairs & Maintenance                              | 8,204                | 7,672               | 7%         | 532               | 16,390              |
| Food                                               | 34,601               | 28,120              | 23%        | 6,480             | 36,563              |
| Professional Services                              | 341,558              | 70,335              | 386%       | 271,223           | 279,828             |
| Medical Supplies                                   | 34,825               | 22,505              | 55%        | 12,320            | 39,466              |
| General Insurance                                  | 27,005               | 24,056              | 12%        | 2,950             | 53,899              |
| Other Supplies                                     | 11,962               | 8,990               | 33%        | 2,972             | 17,718              |
| Indirect Costs                                     | 23,075               | 23,075              | 0%         | 0                 | 23,075              |
| Other                                              | 2,381                | 3,206               | (26%)      | (825)             | 46,065              |
| <b>Total Expenditures - Excluding Debt Service</b> | <b>\$ 1,550,676</b>  | <b>\$ 1,298,047</b> | <b>19%</b> | <b>\$ 252,629</b> | <b>\$ 2,430,629</b> |
| DEBT SERVICE                                       | FY2023 Actuals       | FY2022 Actuals      | % Change   | \$ Change         | QTR Budget          |
| Principal                                          | \$ -                 | \$ -                | na         | -                 | \$ -                |
| Interest                                           | -                    | -                   | na         | -                 | -                   |
| Issuance Costs                                     | -                    | -                   | na         | -                 | -                   |
| BAN Costs, Principal, Interest                     | -                    | -                   | na         | -                 | -                   |
| Other                                              | -                    | -                   | na         | -                 | -                   |
| <b>Total Debt Service</b>                          | <b>\$ -</b>          | <b>\$ -</b>         | <b>na</b>  | <b>\$ -</b>       | <b>\$ -</b>         |
| <b>TOTAL OPERATING EXPENSES AND DEBT SERVICE</b>   | <b>\$ 1,550,676</b>  | <b>\$ 1,298,047</b> | <b>19%</b> | <b>\$ 252,629</b> | <b>\$ 2,430,629</b> |



# Our Island Home Expenses

## Results for 3 Months Ended September 30, 2022

### OIH Operating Expenses for Three Months Ended Sep 30, 2022

| OPERATING EXPENSES WITHOUT DEBT                    | Three Months Ended Sep 30 |                     | YTD/YTD    |                   | FY2023 Budget       |  | % of Budget Used |
|----------------------------------------------------|---------------------------|---------------------|------------|-------------------|---------------------|--|------------------|
|                                                    | FY2023 Actuals            | FY2022 Actuals      | % Change   | \$ Change         | Annual w/ Carryfwd  |  |                  |
| Payroll - Salary \$                                | 767,349                   | \$ 854,944          | (10%)      | \$ (87,595)       | \$ 5,055,227        |  | 15%              |
| Medicare P/R Tax Expense                           | 10,642                    | 11,913              | (11%)      | (1,271)           | 64,429              |  | 17%              |
| Medical Insurance                                  | 255,765                   | 209,365             | 22%        | 46,400            | 1,398,847           |  | 18%              |
| Barnstable County Retirement                       | -                         | -                   | na         | -                 | 694,322             |  | 0%               |
| Contractual Obligations                            | -                         | -                   | na         | -                 | 289,886             |  | 0%               |
| Utilities                                          | 33,309                    | 33,866              | (2%)       | (557)             | 167,790             |  | 20%              |
| Repairs & Maintenance                              | 8,204                     | 7,672               | 7%         | 532               | 65,561              |  | 13%              |
| Food                                               | 34,601                    | 28,120              | 23%        | 6,480             | 146,250             |  | 24%              |
| Professional Services                              | 341,558                   | 70,335              | 386%       | 271,223           | 1,119,313           |  | 31%              |
| Medical Supplies                                   | 34,825                    | 22,505              | 55%        | 12,320            | 157,866             |  | 22%              |
| General Insurance                                  | 27,005                    | 24,056              | 12%        | 2,950             | 215,594             |  | 13%              |
| Other Supplies                                     | 11,962                    | 8,990               | 33%        | 2,972             | 70,872              |  | 17%              |
| Indirect Costs                                     | 23,075                    | 23,075              | 0%         | 0                 | 92,300              |  | 25%              |
| Other                                              | 2,381                     | 3,206               | (26%)      | (825)             | 184,260             |  | 1%               |
| <b>Total Expenditures - Excluding Debt Service</b> | <b>\$ 1,550,676</b>       | <b>\$ 1,298,047</b> | <b>19%</b> | <b>\$ 252,629</b> | <b>\$ 9,722,517</b> |  | <b>16%</b>       |
| DEBT SERVICE                                       |                           |                     |            |                   |                     |  |                  |
|                                                    | FY2023 Actuals            | FY2022 Actuals      | % Change   | \$ Change         | Annual Budget       |  | Budget Used      |
| Principal \$                                       | -                         | \$ -                | na         | \$ -              | \$ -                |  | na               |
| Interest                                           | -                         | -                   | na         | -                 | -                   |  | na               |
| Issuance Costs                                     | -                         | -                   | na         | -                 | -                   |  | na               |
| BAN Costs, Principal, Interest                     | -                         | -                   | na         | -                 | -                   |  | na               |
| Other                                              | -                         | -                   | na         | -                 | -                   |  | na               |
| <b>Total Debt Service</b>                          | <b>\$ -</b>               | <b>\$ -</b>         | <b>na</b>  | <b>\$ -</b>       | <b>\$ -</b>         |  | <b>na</b>        |
| <b>TOTAL OPERATING EXPENSES AND DEBT SERVICE</b>   | <b>\$ 1,550,676</b>       | <b>\$ 1,298,047</b> | <b>19%</b> | <b>\$ 252,629</b> | <b>\$ 9,722,517</b> |  | <b>16%</b>       |



# **Solid Waste Enterprise Fund**

*Quarterly Financial Report  
First Fiscal Quarter Ended  
September 30, 2022*



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# *Solid Waste Financial Highlights*

## *Solid Waste Revenues*

The revenue for the first quarter of FY2023 was up 12% (+\$105K) from the same quarter last year and represented 22% of the projected revenue budget excluding General Fund Subsidy and Encumbrance Carryforwards. Tipping fees were up 8% (+\$63K) due to higher volumes processed at the landfill. The income from Landfill fees collected almost tripled over Q1/FY2022 receiving a total of \$111,980, an increase of \$82,293.

## *Solid Waste Expenses*

The total Expenditures, excluding Debt Service, for the first quarter of FY2023 were higher compared to Q1/FY22, representing an increase of \$925,627 (+50%). The main drivers behind the increase are C&D Professional services and Freight with \$418,546 and \$458,607, respectively. Professional Services for Recycle & MRF decreased with 9% (-\$36K). Overall, the SWEF Expenses including Debt Service ended the quarter at 21% of the Annual Budget.

# Solid Waste Summary

**TOWN OF NANTUCKET  
SOLID WASTE ENTERPRISE FUND  
Operating Revenue and Expenses for Three Months Ended Sep 30, 2022**

|                                                        | Budget              | Three Months Ended Sep 30 |              |
|--------------------------------------------------------|---------------------|---------------------------|--------------|
|                                                        | FY2023              | FY2023                    | FY2022       |
| Revenue                                                | \$ 4,515,540        | \$ 1,002,088              | \$ 896,688   |
| Expenses                                               | 13,294,862          | 2,786,360                 | 1,855,483    |
| Gross Earnings                                         | (8,779,322)         | (1,784,272)               | (958,794)    |
| Transfer from Retained Earnings                        | 722,202             | 722,202                   | 932,198      |
| Net Earnings                                           | \$ (8,057,120)      | \$ (1,062,070)            | \$ (26,596)  |
| Retained Earnings                                      |                     |                           |              |
| Net Sources (Uses)                                     |                     |                           |              |
| General Fund Subsidy - Override                        | -                   | -                         | -            |
| General Fund Subsidy - Tax Levy                        | -                   |                           |              |
| General Fund Subsidy                                   | 8,046,306           | 8,046,306                 | 6,502,995    |
| General Fund Subsidy - A23'22 Budget Transfer          |                     | -                         | 500,000      |
| Encumbrance Carryforwards                              | 10,814              | 3,548                     | -            |
| FinCom GF Reserve Fund Transfer/33B                    |                     | -                         | \$ 1,300,188 |
| Surplus (Deficit)                                      | \$ 0                | \$ 6,987,784              | \$ 8,276,587 |
| <b>Certified Retained Earnings as of July 01, 2021</b> | <b>\$ 722,202</b>   |                           |              |
| Plus: Current Surplus as of Sep 30, 2022               | \$ 6,987,784        |                           |              |
| Less: Amount allocated at May 2, 2022 ATM, A21         | \$ (722,202)        |                           |              |
| <b>Projected Balance as of Sep 30, 2022 (1)(2)</b>     | <b>\$ 6,987,784</b> |                           |              |

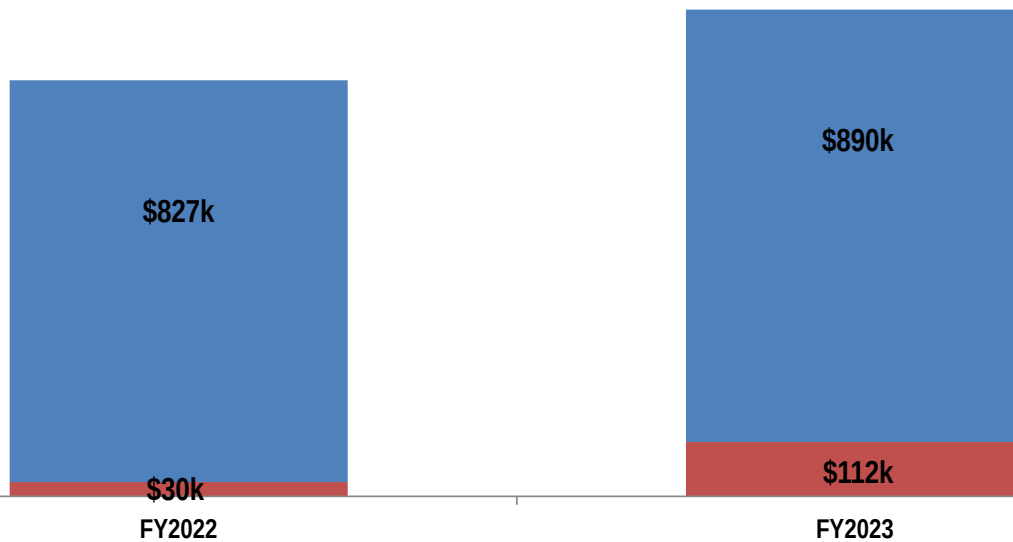
(1) Revenues remain a projection, until certified by the the Department of Revenue. Therefore this is only a projection as of this

(2) Actual balance will be lower due to encumbrances carried forward

# Solid Waste Revenues

*Where does the money come from?*

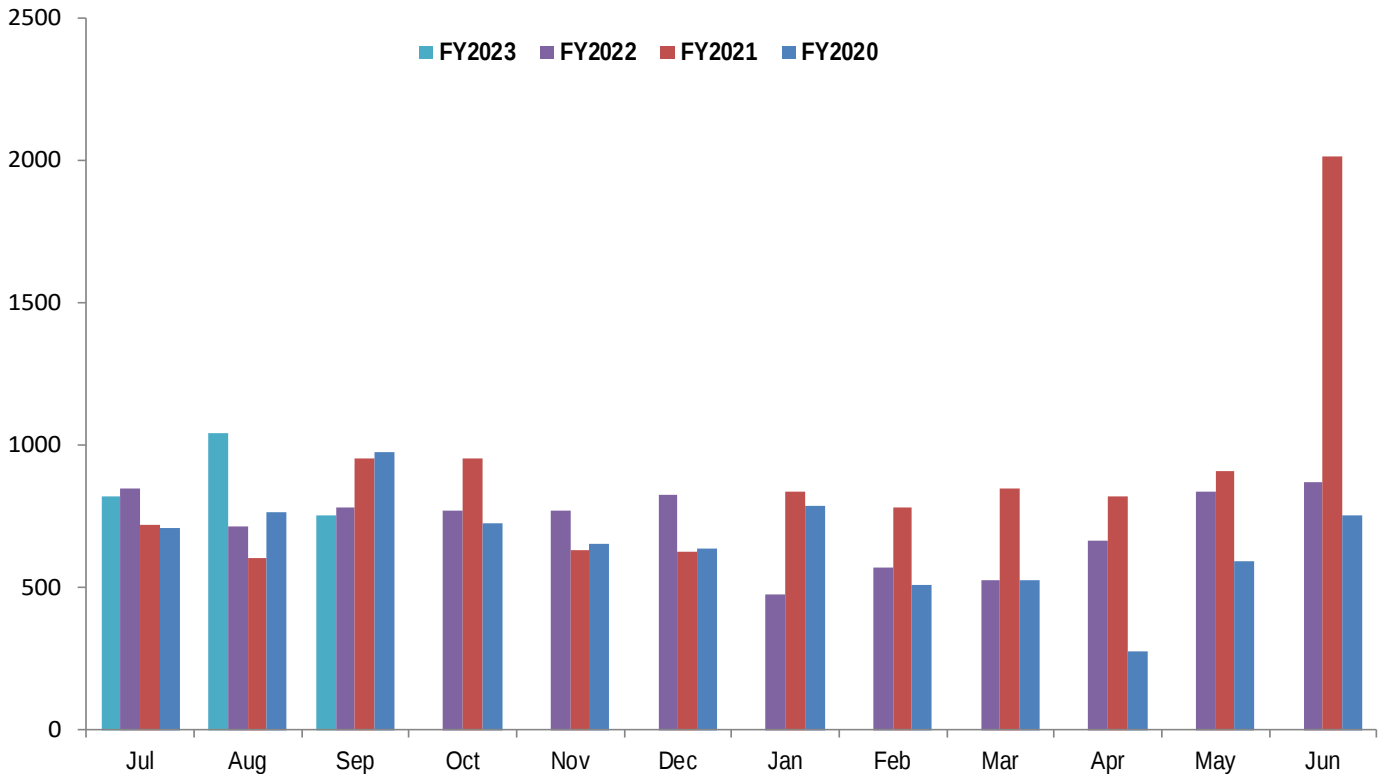
■ Landfill Fees ■ Tipping Fees



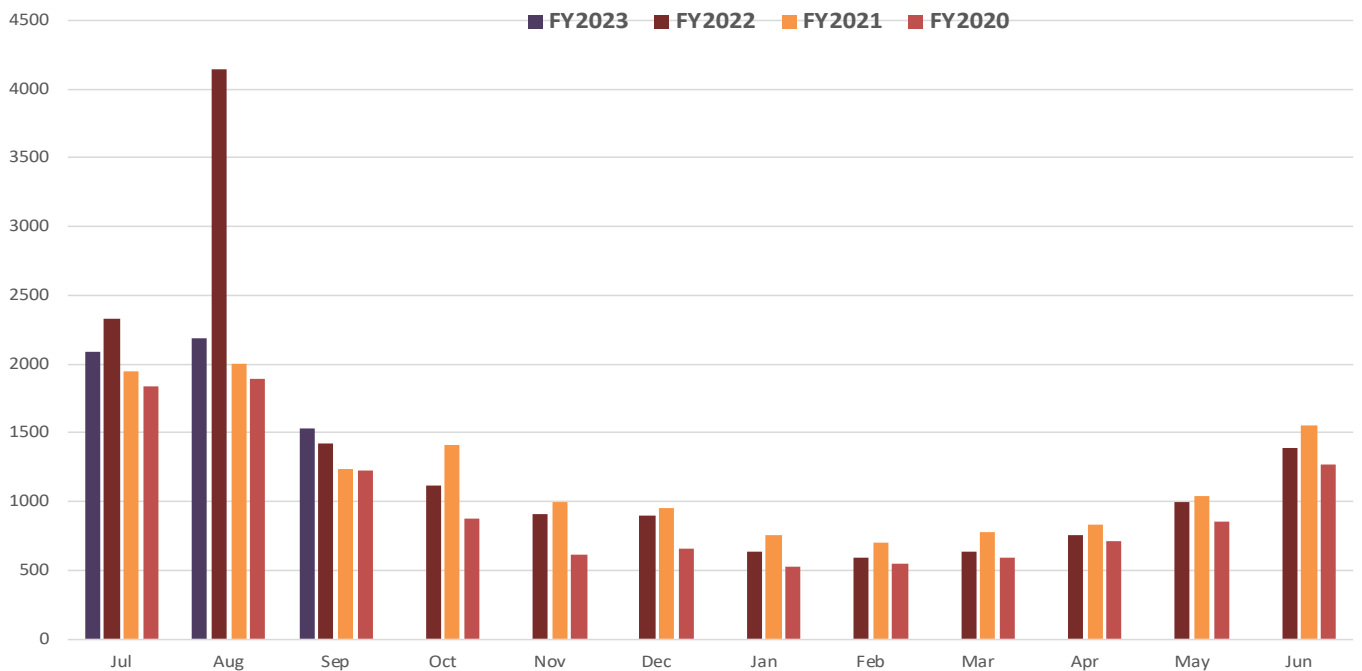
# Solid Waste Revenues

*Where does the money come from?*

Month-Over-Month C&D Volume (in thousands of tons)



Month-Over-Month MSW/Compostable Waste Volume (in thousands of tons)





# Solid Waste Revenues

*Most recent quarter*

## Operating Revenue for Quarter Ended Sep 30, 2022

| REVENUE                | Quarter Ended Sep 30 |                   | QTR/QTR           |            | FY2023 Budget       |
|------------------------|----------------------|-------------------|-------------------|------------|---------------------|
|                        | FY2023               | FY2022            | \$ Change         | % Change   | QUARTER             |
| Landfill Fees          | \$ 111,980           | \$ 29,687         | \$ 82,293         | 277%       | \$ 100,000          |
| Tipping Fees           | 890,105              | 826,999           | 63,106            | 8%         | 1,028,885           |
| Debt Premium           | -                    | -                 | -                 | na         | -                   |
| Miscellaneous Revenues | 3                    | 40,002            | (39,999)          | (100%)     | -                   |
| <b>Total Revenue*</b>  | <b>\$1,002,088</b>   | <b>\$ 896,688</b> | <b>\$ 105,400</b> | <b>12%</b> | <b>\$ 1,128,885</b> |

| OTHER FINANCING SOURCES                               | FY2023             | FY2022             | \$ Change           | % Change   | QUARTER             |
|-------------------------------------------------------|--------------------|--------------------|---------------------|------------|---------------------|
| General Fund Subsidy - Override                       | \$ -               | \$ -               | \$ -                | na         | \$ -                |
| General Fund Subsidy Free Cash                        | -                  | -                  | -                   | na         | -                   |
| General Fund Subsidy/Reserve Fund                     | 8,046,306          | 6,502,995          | 1,543,311           | 24%        | 2,011,577           |
| Capital Projects Subsidy/33B Transfers                | -                  | -                  | -                   | na         | -                   |
| General Fund Subsidy - Shortfall Raised on Recap      | -                  | -                  | -                   | na         | -                   |
| Voted Use of Certified Retained Earnings - Operations | -                  | -                  | -                   | na         | -                   |
| Voted Use of Certified Free Cash - Operations         | -                  | -                  | -                   | na         | -                   |
| Encumbrance Carryforwards                             | 3,548              | -                  | 3,548               | na         | -                   |
| <b>Total Other Financing Sources</b>                  | <b>\$8,049,854</b> | <b>\$6,502,995</b> | <b>\$ 1,546,859</b> | <b>24%</b> | <b>\$ 2,011,577</b> |

|                                                  |                    |                    |                     |            |                     |
|--------------------------------------------------|--------------------|--------------------|---------------------|------------|---------------------|
| <b>Total Revenue and Other Financing Sources</b> | <b>\$9,051,942</b> | <b>\$7,399,683</b> | <b>\$ 1,652,259</b> | <b>22%</b> | <b>\$ 3,140,462</b> |
|--------------------------------------------------|--------------------|--------------------|---------------------|------------|---------------------|



# Solid Waste Revenues

Three months ended September 30, 2022

## Operating Revenue for Three Months Ended Sep 30, 2022

| REVENUE                | Three Months Ended Sep 30 |                   | YTD/YTD           |            | FY2023 Budget       | % of Budget Used |
|------------------------|---------------------------|-------------------|-------------------|------------|---------------------|------------------|
|                        | FY2023                    | FY2022            | \$ Change         | % Change   | Annual w/ Carryfwd  |                  |
| Landfill Fees          | \$ 111,980                | \$ 29,687         | \$ 82,293         | 277%       | \$ 400,000          | 28%              |
| Tipping Fees           | 890,105                   | 826,999           | 63,106            | 8%         | 4,115,540           | 22%              |
| Debt Premium           | -                         | -                 | -                 | na         | -                   | na               |
| Miscellaneous Revenues | 3                         | 40,002            | (39,999)          | (100%)     | -                   | na               |
| <b>Total Revenue*</b>  | <b>\$ 1,002,088</b>       | <b>\$ 896,688</b> | <b>\$ 105,400</b> | <b>12%</b> | <b>\$ 4,515,540</b> | <b>22%</b>       |

| OTHER FINANCING SOURCES                               | FY2023              | FY2022              | \$ Change           | % Change   | Annual w/ Carryfwd  |            |
|-------------------------------------------------------|---------------------|---------------------|---------------------|------------|---------------------|------------|
| General Fund Subsidy - Override                       | \$ -                | \$ -                | \$ -                | na         | \$ -                | na         |
| General Fund Subsidy Free Cash                        | -                   | -                   | \$ -                | na         | -                   | na         |
| General Fund Subsidy/Reserve Fund                     | 8,046,306           | 6,502,995           | 1,543,311           | 24%        | 8,046,306           | 100%       |
| Capital Projects Subsidy/33B Transfers                | -                   | -                   | -                   | na         | -                   | na         |
| General Fund Subsidy - Shortfall Raised on Recap      | -                   | -                   | -                   | na         | -                   | na         |
| Voted Use of Certified Retained Earnings - Operations | -                   | -                   | -                   | na         | 722,202             | 0%         |
| Voted Use of Certified Free Cash - Operations         | -                   | -                   | -                   | na         | -                   | na         |
| Encumbrance Carryforwards                             | 3,548               | -                   | 3,548               | na         | 10,814              | 33%        |
| <b>Total Other Financing Sources</b>                  | <b>\$ 8,049,854</b> | <b>\$ 6,502,995</b> | <b>\$ 1,546,859</b> | <b>24%</b> | <b>\$ 8,779,322</b> | <b>92%</b> |

|                                                  |                     |                     |                     |            |                      |            |
|--------------------------------------------------|---------------------|---------------------|---------------------|------------|----------------------|------------|
| <b>Total Revenue and Other Financing Sources</b> | <b>\$ 9,051,942</b> | <b>\$ 7,399,683</b> | <b>\$ 1,652,259</b> | <b>22%</b> | <b>\$ 13,294,862</b> | <b>68%</b> |
|--------------------------------------------------|---------------------|---------------------|---------------------|------------|----------------------|------------|



# Solid Waste Expenses

Most recent quarter

## Operating Expenses for Quarter Ended Sep 30, 2022

| OPERATING EXPENDITURES WITHOUT DEBT            | Quarter Ended Sep 30 |                     | QTR/QTR           |            | FY2023 Budget       |
|------------------------------------------------|----------------------|---------------------|-------------------|------------|---------------------|
|                                                | FY2023               | FY2022              | \$ Change         | % Change   | Quarter             |
| Payroll - Salary                               | \$ 60,518            | 29,874              | \$ 30,644         | 103%       | 94,503              |
| Medicare P/R Tax Expense                       | 847                  | 414                 | 433               | 105%       | 1,370               |
| Medical Insurance                              | 3,517                | -                   | 3,517             | na         | 41,250              |
| Barnstable County Retirement                   | -                    | -                   | -                 | na         | -                   |
| Utilities                                      | 14,651               | 598                 | 14,053            | 2,350%     | 94,626              |
| Repair & Maintenance                           | -                    | -                   | -                 | na         | 22,375              |
| Prof. Services - Collection & Disposal         | 1,643,417            | 1,224,871           | 418,546           | 34%        | 1,958,635           |
| Prof. Services - Recycle / MRF                 | 347,651              | 383,246             | (35,594)          | (9%)       | 218,817             |
| Freight                                        | 645,136              | 186,529             | 458,607           | 246%       | 806,780             |
| General Insurance                              | -                    | -                   | -                 | na         | -                   |
| Indirect Costs                                 | 28,750               | 28,750              | (0)               | (0%)       | 28,750              |
| Other (Contingency)                            | 36,624               | 1,200               | 35,424            | 2,952%     | 46,863              |
| <b>Total Expenses - Excluding Debt Service</b> | <b>\$ 2,781,110</b>  | <b>\$ 1,855,483</b> | <b>\$ 925,627</b> | <b>50%</b> | <b>\$ 3,313,968</b> |
| DEBT SERVICE                                   | FY2023               | FY2022              | \$ Change         | % Change   | Quarter             |
| Principal                                      | \$ 5,000             | \$ -                | \$ 5,000          | na         | \$ 8,250            |
| Interest                                       | 250                  | -                   | 250               | na         | 1,498               |
| Issuance Costs                                 | -                    | -                   | -                 | na         | -                   |
| BAN Costs, Principal, Interest                 | -                    | -                   | -                 | na         | -                   |
| Other                                          | -                    | -                   | -                 | na         | -                   |
| <b>Total Debt Service</b>                      | <b>\$ 5,250</b>      | <b>\$ -</b>         | <b>\$ 5,250</b>   | <b>na</b>  | <b>\$ 9,748</b>     |
| <b>Total Expenses and Debt Service</b>         | <b>\$ 2,786,360</b>  | <b>\$ 1,855,483</b> | <b>\$ 930,877</b> | <b>50%</b> | <b>\$ 3,323,715</b> |



# Solid Waste Expenses

Three months ended September 30, 2022

## Operating Expenses for Three Months Ended Sep 30, 2022

| OPERATING EXPENDITURES WITHOUT DEBT            | Three Months Ended Sep 30 |                     | YTD/YTD           |            | FY2023 Budget        |  | % of Budget |
|------------------------------------------------|---------------------------|---------------------|-------------------|------------|----------------------|--|-------------|
|                                                | FY2023                    | FY2022              | \$ Change         | % Change   | Annual w/ Carryfwd   |  |             |
| Payroll - Salary                               | \$ 60,518                 | \$ 29,874           | \$ 30,644         | 103%       | \$ 378,010           |  | 16%         |
| Medicare P/R Tax Expense                       | 847                       | 414                 | 433               | 105%       | 5,481                |  | 15%         |
| Medical Insurance                              | 3,517                     | -                   | 3,517             | na         | 165,000              |  | 2%          |
| Barnstable County Retirement                   | -                         | -                   | -                 | na         | -                    |  | na          |
| Utilities                                      | 14,651                    | 598                 | 14,053            | 2,350%     | 378,504              |  | 4%          |
| Repair & Maintenance                           | -                         | -                   | -                 | na         | 89,500               |  | 0%          |
| Prof. Services - Collection & Disposal         | 1,643,417                 | 1,224,871           | 418,546           | 34%        | 7,834,538.75         |  | 21%         |
| Prof. Services - Recycle / MRF                 | 347,651                   | 383,246             | (35,594)          | (9%)       | 875,266              |  | 40%         |
| Freight                                        | 645,136                   | 186,529             | 458,607           | 246%       | 3,227,121            |  | 20%         |
| General Insurance                              | -                         | -                   | -                 | na         | -                    |  | na          |
| Indirect Costs                                 | 28,750                    | 28,750              | (0)               | (0%)       | 115,000              |  | 25%         |
| Other (Contingency)                            | 36,624                    | 1,200               | 35,424            | 2,952%     | 187,450              |  | 20%         |
|                                                |                           |                     |                   |            |                      |  | na          |
| <b>Total Expenses - Excluding Debt Service</b> | <b>\$ 2,781,110</b>       | <b>\$ 1,855,483</b> | <b>\$ 925,627</b> | <b>50%</b> | <b>\$ 13,255,871</b> |  | <b>21%</b>  |
|                                                |                           |                     |                   |            |                      |  |             |
| DEBT SERVICE                                   | FY2023                    | FY2022              | \$ Change         | % Change   | Annual w/ Carryfwd   |  |             |
| Principal                                      | \$ 5,000                  | \$ -                | \$ 5,000          | na         | \$ 33,000            |  | 15%         |
| Interest                                       | 250                       | -                   | 250               | na         | 5,991                |  | 4%          |
| Issuance Costs                                 | -                         | -                   | -                 | na         | -                    |  | na          |
| BAN Costs, Principal, Interest                 | -                         | -                   | -                 | na         | -                    |  | na          |
| Other                                          | -                         | -                   | -                 | na         | -                    |  | na          |
| <b>Total Debt Service</b>                      | <b>\$ 5,250</b>           | <b>\$ -</b>         | <b>\$ 5,250</b>   | <b>na</b>  | <b>\$ 38,991</b>     |  | <b>13%</b>  |
|                                                |                           |                     |                   |            |                      |  |             |
| <b>Total Expenses and Debt Service</b>         | <b>\$ 2,786,360</b>       | <b>\$ 1,855,483</b> | <b>\$ 930,877</b> | <b>50%</b> | <b>\$ 13,294,862</b> |  | <b>21%</b>  |