

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Thomas M. Dixon
Matt Fee
Malcolm W. MacNab
Brooke Mohr



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Nantucket, Massachusetts 02554

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C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD MARCH 11, 2024 - 11:00 AM REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK FOR VIEWING ONLY:
<https://youtube.com/live/i76MXfLRP0E>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_-w2pdyPRmGKI6J2PNyeCw

I. CALL TO ORDER

II. LICENSING AND PETITIONS - LICENSE HOLDER REQUESTS

1. Request for Renewal of Pedicab License for NanTukTuk, Michael Gormley, Manager as Based on 2023 Season.

III. LICENSING AND PETITIONS - DEPARTMENTAL REQUESTS

1. Request for Renewal of Seasonal Liquor Licenses.
2. Nantucket Island Chamber of Commerce:
 - a) Request for Approval and Execution of Massachusetts Department of Transportation (MassDOT) Event Notification Form for Daffodil Parade and Sconset Tailgate Picnic to be Held Saturday, April 27, 2024.
 - b) Annual Request for Waiver of Chapter 54(1)(c) (Alcoholic Beverages) of the Code of the Town of Nantucket for Daffodil Festival Tailgate Picnic in Sconset.

IV. LICENSING AND PETITIONS - PUBLIC HEARINGS

1. Public Hearing to Consider Application for Transfer of Seasonal All Alcoholic Beverages Package Store License from A.C.D.C. Promotions, LLC, dba Epernay, Jennifer L. Benzie, Manager to E&B Holdings, Inc. dba Epernay, Elizabeth Pereira, Manager, for Premises Located at 1 North Beach Street.
2. Public Hearing to Consider Application for New Seasonal All-Alcoholic Beverages General-On-Premises License for The Theatre Workshop, Inc. dba Theatre Workshop of Nantucket, Bethany Oliver, Manager, for Premises Located at 62

Centre Street; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.

3. Public Hearing to Consider Application for Multiple Amendments for Annual Wine and Malt Beverages General-On-Premises License for NANTACO ACK, LLC, dba Nantaco, Cynthia Milazzo, Manager, for Premises Located at 21 South Water Street. Including Change of Classification from Annual to Seasonal, Wine and Malt Beverages to All-Alcoholic Beverages, Additional Sidewalk Seating and Extension of Service Hours from 8:00 PM to 10:00 PM; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.

V. ADJOURNMENT



Agenda Item Summary

Agenda Item #	II. 1
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator

Subject

Pedicab License Renewal

Executive Summary

Request for the Select Board to renew Pedicab license granted to NanTukTuk on a trial basis for 2023.

Staff Recommendation

Per Chapter 316: *No person shall engage in the business of transporting persons for hire in a vehicle without first having obtained a license from the Nantucket Select Board (hereinafter "Board") authorizing him/her to engage in such business. The Select Board shall set the number of pedicab owner licenses available in any calendar year at will.*

Staff requests renewal vote on the license per Chapter 316 Terms and Conditions on a permanent basis requiring Annual renewal.

Background/Discussion

NanTukTuk and its Owner/Operator, Michael Gormley, was issued a temporary Pedicab permit for a trial period in 2023.

He is currently seeking a renewal of the License and has further requested an extension of the Pedicab service area and to be allowed to service special events, weddings, etc. at various locations outside the approved service area.

Regulation amendments:

Mr. Gormley's proposal is scheduled to be heard by the Nantucket Planning and Economic Development Commission (NP&EDC) after receiving support and a recommendation from the Bicycle and Pedestrian Advisory Committee (BPAC). If endorsed by the NP&EDC, the proposal and recommended amendments would be required to come before the Select Board for review and consideration at a Public Hearing. The Traffic Safety work Group also reviewed the expansion proposal and will have a recommendation to put forth.



The request for the March 11th meeting is to renew the Pedicab license under current regulations, conditions and approved Service Area only per Chapter 316 (adopted 7-1-2011).

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

N/A

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

Chapter 316, Pedicabs; Pedicab Service Area Map; NanTukTuk Renewal Application



Select Language ▼

Town of Nantucket, MA
Monday, February 27, 2023

Chapter 316. Pedicabs

[HISTORY: Adopted by the Board of Selectmen (now Select Board) of the Town of Nantucket 7-1-2011. Amendments noted where applicable.^[1]]

TOWN REGULATIONS REFERENCES

Traffic — See Ch. 375.

ATTACHMENTS

Attachment 1 - Pedicab Service Area Map

[1] *Editor's Note: The Select Board approved the codification of its regulations, as revised, 4-13-2022.*

§ 316-1. Definitions.

As used in these regulations, the following terms shall have the meanings indicated:

PEDICAB

A bicycle with three or more wheels, which is designed to transport passengers on seats attached to the vehicle, which is operated by one person, which is powered solely by human power, and which is used for transporting passengers for hire.

§ 316-2. Pedicab owners.

- A. No person shall engage in the business of transporting persons for hire in a vehicle without first having obtained a license from the Nantucket Select Board (hereinafter "Board") authorizing him/her to engage in such business. The Select Board shall set the number of pedicab owner licenses available in any calendar year at will.
- B. Pedicabs must be registered to a residential address in the Town of Nantucket.
- C. The applicant must have already had the pedicab inspected by the Nantucket Police Department in advance of receiving a license each year and submit a form completed by the Police Department to the Board upon filing an application.
- D. No pedicab license shall be issued by the Board until the applicant has presented proof of the vehicle's insurance, that the insurance policy covers no more than four passengers, including the driver, riding in the vehicle, and the applicant provides a certificate of vehicle insurance naming the Town as an additional insured.
- E. An applicant shall set forth under oath all information that the Board may require, including, but not limited to:
 - (1) The full name, address and phone number of the owner;
 - (2) The name and address of all legal and registered owners of the pedicab;
 - (3) A description of the pedicab, including trade name, if any, serial number, and body style; and
 - (4) The Physical address of pedicab storage.

- F. When a pedicab owner changes his/her address or the place at which a pedicab owned by him/her is kept, the owner shall notify the Board within three days of such change.
- G. All pedicabs shall have the business name and the business telephone number posted on rear of the cab in letters no less than three inches high and one-half inch wide. All lettering must be in the form of painted or self-adhesive contrasting lettering. (Magnetic or other removable signs are not permitted.)
- H. Hours of operation shall not exceed the hours of 6:00 a.m. to 2:00 a.m. daily. Hours of operation for applicants less than 18 years of age will not extend past 10:00 p.m. daily.
- I. Pedicab licenses shall be valid only during the calendar year for which they are issued.
- J. A license issued for any pedicab is not transferable.
- K. No placards, banners, or advertisements of any description will be permitted upon the outside of any pedicab without the approval of the Board.
- L. All pedicab operators shall maintain a neat and clean pedicab while on duty.
- M. The pedicab license fee shall be set from time to time by the Select Board.
- N. The Nantucket Police Department, under supervision of the Chief of Police, is hereby designated as the enforcement agency of these regulations and shall notify the Board of any violation thereof. Pedicab owners/operators shall comply with all regulations. Any violation of the Board's regulations or any state or local laws or bylaws may result in a suspension or revocation of the license.
- O. Pedicab owners shall notify the Board when operators leave the company.
- P. Owners/Operators shall charge no fare for pedicab service; operators shall be paid through voluntary payments or tips from passengers only.
- Q. No smoking is allowed in pedicabs at any time.
- R. The operating company will provide a shift supervisor during the hours of 6:00 p.m. to 2:00 a.m. and proof of radio contact upon request for juvenile-manned shifts.

§ 316-3. Pedicab operators.

Pedicab operator licenses are issued by the Nantucket Police Department and applications shall be filed with the Police Department, 4 Fairgrounds Road, Nantucket.

- A. The applicant must be 18 years of age or older, or 16 years of age with written parental/guardian permission.
- B. The applicant must have a valid state driver's license and/or internationally approved driver's license, and present a copy to the Board upon filing an application.
- C. A certificate of physical fitness issued by a practicing physician shall be mandatory to accompany all new applications for a pedicab operator's license.
- D. Pedicab operator's licenses shall be valid only during the calendar year for which issued.
- E. When a pedicab operator changes his/her address, the operator shall notify the Board within three days of such change.
- F. A neat and clean appearance is expected of all pedicab operators while on duty.
- G. The pedicab operator fee shall be set from time to time by the Select Board.
- H. Pedicab operators shall not, when otherwise available for hire, refuse to transport anyone requesting a ride except under the following circumstances:

- (1) The transportation requested is such that the operator may not legally accept such passenger.
- (2) The proposed passenger is disorderly, engaged in the commission of any crime, or is otherwise unfit to be transported as a passenger.

§ 316-4. Operating regulations.

A. It shall be unlawful for any person:

- (1) To operate a pedicab while under the influence of alcoholic beverages or controlled substances other than medication prescribed by a physician. No operator shall operate a pedicab within four hours of having consumed any alcoholic beverage.
- (2) To operate a pedicab in any manner that impedes or blocks the normal or reasonable movement of pedestrian or vehicular traffic unless such operation is necessary for safe operation or in compliance with law.
- (3) To operate, or cause to be operated, any pedicab upon or along any route unless the Select Board first approves such route. The Board shall approve a map designating a Pedicab Service Area which shall apply to this requirement. The Board may alter the map as it deems necessary.^[1]

[1] *Editor's Note: The Pedicab Service Area Map is included as an attachment to this chapter.*

- (4) To operate or cause to be operated at night a pedicab without using headlights and taillights.

B. There shall be no more than four passengers, including the operator, in a pedicab at any one time. Passengers being transported shall remain seated throughout the ride.

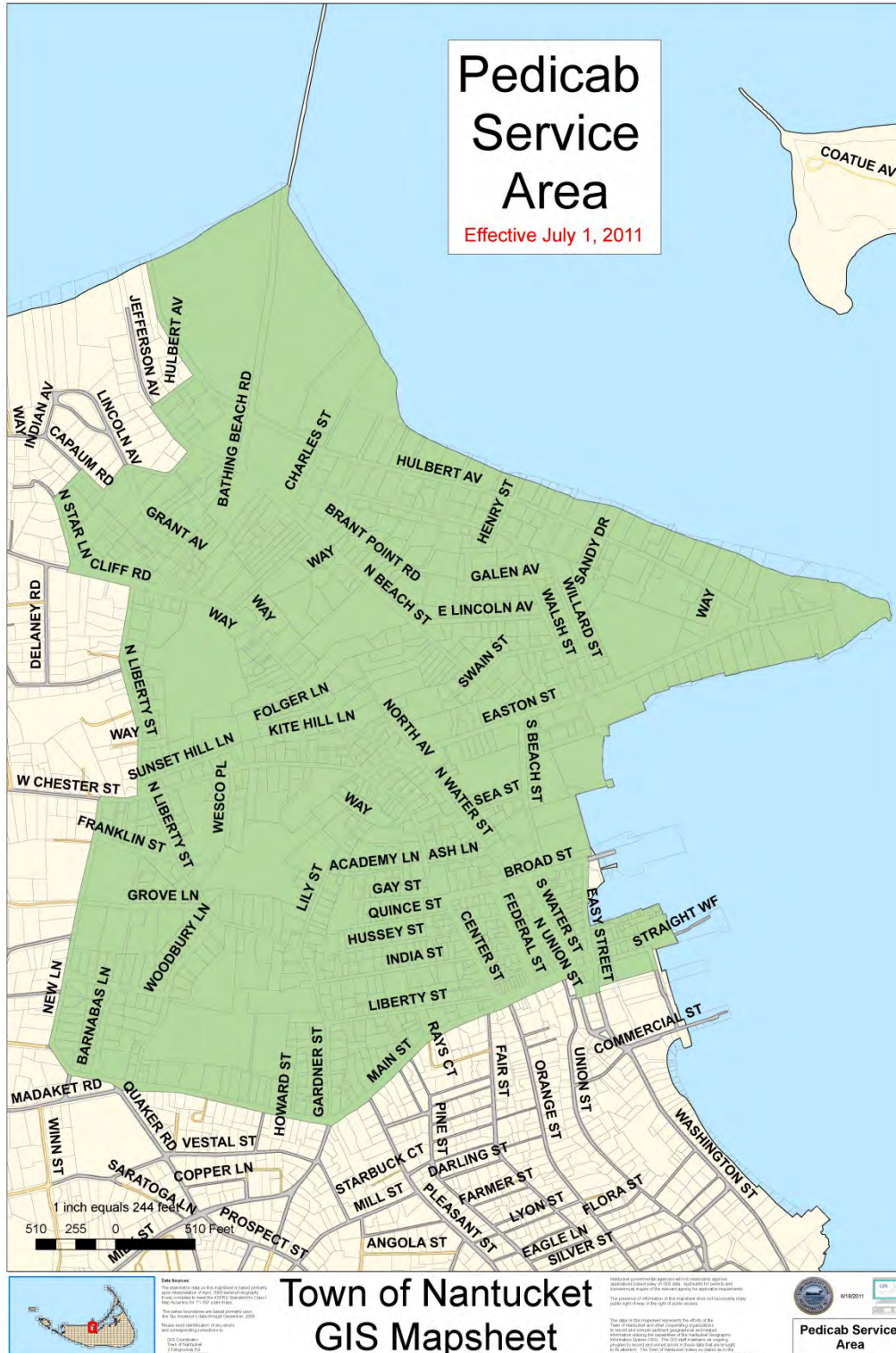
§ 316-5. Revocation of licenses.

The Board may suspend or revoke any pedicab license or operator's license for failure to comply with these regulations, state law or local bylaw. The Board shall provide notice and an opportunity for a hearing to licensees prior to taking any such action. The Board may suspend or revoke any pedicab license or operator's license immediately at the Board's discretion for public safety reasons.

PEDICABS

316 Attachment 1

Town of Nantucket



Baxter, Amy

From: Licensing
Sent: Thursday, March 7, 2024 3:47 PM
To: Baxter, Amy; Ciarmataro, Ann
Subject: FW: Online Form Submittal: PEDICAB RENEWAL

From: noreply@civicplus.com
Sent: Thursday, March 7, 2024 3:47:51 PM (UTC-05:00) Eastern Time (US & Canada)
To: Licensing
Subject: Online Form Submittal: PEDICAB RENEWAL

[EXTERNAL EMAIL]: Please do not click links or open attachments if you don't recognize the sender.

PEDICAB RENEWAL

LICENSING & PERMITS
PSF, 4 Fairgrounds Road, M-F 8am-4pm
508-325-4100, x5917 x5832
licensing@police.nantucket-ma.gov

PEDICAB LICENSE RENEWAL APPLICATION

Pedicab Licenses are issued under the conditions of Chapter 316 of Town of Nantucket Regulations. [Chapter 316 Pedicabs](#)

Driver Permits are issued separately after a Business License has been approved and all conditions have been met.

1. APPLICANT INFORMATION

Type of Application	Owner, Renewal Application
---------------------	----------------------------

Business Name (ex. Nantucket Company, LLC)	Nan Tuk Tuk LLC
--	-----------------

Doing Business As (D/B/A) (ex. Nantucket Cafe)	<i>Field not completed.</i>
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Name of Applicant	Michael Gormley
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Primary Phone of Applicant	6038128394
Email of Applicant	michael@nantuktuk.org
Mailing Address	58 Fairgrounds Rd. Nantucket, MA 02554
2. OPERATIONS	
Physical Address of Business (Location Pedicabs Stored)	54 Union St. Nantucket, MA 02554
Dispatch Phone for Operations	(508) 257-1443
Business Website	https://nantuktuk.org/
2024 Season Opening Date	4/26/2024
Day and Hours of Operation	8am- 2am, 7 days a weeks
Description of Operations	Emission-free transportation provided for events and for hire within the established service area.
3. VEHICLES	
Make	Mainstreet Pedicab
Model	Broadway
Year	2020
Serial Number	<i>Field not completed.</i>
# of Passengers Pedicab can safely carry	4 including operator
Make	Mainstreet Pedicab
Model	Broadway
Year	2020
Serial Number	<i>Field not completed.</i>
# of Passengers Pedicab can safely carry	4 including operator

3. Upload ACORD
Certificate

[2324 - Town of Nantucket.pdf](#)

Upload Photos of Pedicab

[IMG_9215-1.jpeg](#)

X

SIGNATURE OF
APPLICANT

Michael Gormley

Email not displaying correctly? [View it in your browser.](#)



NANTLLC-01

HGRANADOS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/14/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Commonwealth Ins. Partners, LLC 2 Heritage Drive Suite 301 North Quincy, MA 02171	CONTACT NAME:	
	PHONE (A/C, No, Ext): (617) 847-0005	FAX (A/C, No): (617) 847-0006
	E-MAIL ADDRESS: cwmail@cwipllc.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Nantuktuk LLC 30 N Beach Street Nantucket, MA 02554	INSURER A : Penn-America Insurance Co.	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY	X		PAV0424417	7/14/2023	7/14/2024	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	☒ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG \$ Included
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$
	DED ☐ RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Town of Nantucket is included as Additional Insured.

CERTIFICATE HOLDER

CANCELLATION

Town of Nantucket 16 Broad St. Nantucket, MA 02554	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE







Agenda Item Summary

Agenda Item #	III. 1.
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator

Subject

License Renewals – Seasonal Liquor

Executive Summary

Acting as the Licensing Authority for the Town of Nantucket, the Select Board must vote to renew existing Liquor Licenses on an Annual Basis – December for Annual Liquor Licenses and March for Seasonal Liquor Licenses. Renewal of existing Licenses allows for the process to begin for Issuing Licenses to operate. A renewal does not automatically issue the License. Each Licensee must take the required steps to comply with State and Local regulations to be issued a 2024 License.

Non-renewals for 2024:

1. LH Manager Northeast, LLC, 12 Federal Street: License Surrendered at 2-12-24 Select Board Meeting. New License applied for on 2-12-24. In final review by ABCC.

Additional Notes on Renewals:

1. Foggy Nantucket, Formerly located at 157 Orange Street with a Seasonal Package Store License, no longer has a legal right to occupy the licensed premises and is looking to relocate the business. Therefore they would need to apply for an Amendment to their license to change location to retain a Package Store License as there are no NEW Licenses available. They have 6 months to apply before the Select Board can consider a cancellation of the license, which would require a Public Hearing. In the meantime, they have to renew to keep the license active while locating and applying for a new location.
2. Epernay at One Beach Street is renewing the existing license so it remains active while the Transfer application is considered by the Select Board on 3-11-24 and ultimately the ABCC is approved by the Select Board.

Staff Recommendation

Renewal of all Seasonal Liquor Licenses on the condition that the full renewal process is completed and approved by Licensing; Health; Building; Fire and all required Town and State requirements are met and fees paid. If any Licensee fails to complete the renewal process and is subject to suspension or revocation of license will be scheduled for a Public Hearing before the Select Board.



Background/Discussion

1. Click or tap here to enter text. **Alcohol licenses** are entitled to be “automatically renewed” if they are for the same type of license and location. In order to deny renewal for some reason at renewal time, the licensing board cannot simply vote not to renew but needs to provide notice and a hearing. The same rule should apply to add any restrictions that were not on the license this year. In addition, please note that there is a special rule for reducing the hours, i.e., imposing an earlier closing time, for an on-premises pouring license. The statute requires that an on-premises licensee be allowed to serve until 11:00 p.m., but the local licensing authority has discretion to allow it to be open until 2:00 a.m. or sometime between 11 – 2. The licensing authority may impose an earlier closing time, but it must provide a hearing and determine that there is a “public need” for it. The statute specifically states:
 - a. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.

Impact: Environmental ☐ Fiscal ☒ Community ☒ Other ☐

Board/Commission Recommendation

N/A

Public Outreach

N/A

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

N/A

Attachments

Seasonal Liquor License List for 2024 Renewals; ABCC Seasonal Certification Form for Signatures; Copy of Sample Renewal Package for Licensees.



SEASONAL RENEWAL CERTIFICATION FOR THE YEAR

CITY/TOWN:

A. SEASONAL LICENSEES WHO FAILED TO RENEW FOR THE UPCOMING YEAR:

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

B. SEASONAL LICENSEES DISAPPROVED BY THE CITY/TOWN FOR THE UPCOMING YEAR

LICENSE #:

LICENSEE CORPORATE NAME AND ADDRESS:

We hereby certify that the premises described in the year renewal applications for the above mentioned municipality are now occupied, used, or controlled by the licensee and will be on April 1, . The renewal applications have been approved by the Local Licensing Authorities and forwarded to the ABCC.

The Local Licensing Authorities

APPLICATIONS FOR 2024 SEASONAL LIQUOR LICENSE RENEWAL

DBA	PREMISES ADDRESS	TYPE	CATEGORY	MANAGER
167 Raw	167 Hummock Pond Road	Package Store	Wine & Malt Beverages	Jesse Sandole; Ashley Mulvey
American Seasons	80 Centre Street	Restaurant	All Alcohol	Neil Ferguson
Bar Yoshi	Old South Wharf	Restaurant	All Alcohol	Terrance Noyes
Beachside at Nantucket	30 N. Beach Street	Innholder	All Alcohol	MarcAnthony Crimi
Brant Point Grill	50 Easton Street	Restaurant	All Alcohol	Bernhard Johannes Duermeler
Brix	1A Windy Way	Package Store	All Alcohol	Klaudia Mally; Emily Genevich
Chanticleer	9 New Street, Siasconset	Restaurant	All Alcohol	Susan E. Handy
Cliffside Beach Club	46 Jefferson Avenue	Innholder	All Alcohol	David Silva
Company of the Cauldron	5 India Street	Restaurant	Wine & Malt Beverages	Joseph Keller
CRU	49 Straight Wharf	Restaurant	All Alcohol	Jane Stoddard
Current Vintage	4 Easy Street	Package Store	Wine & Malt Beverages	Margaret English
Epernay	14 Federal Street	Package Store	All Alcohol	Jennifer L. Benzie
Ethos Nantucket	18 Broad Street Sidewalk Permit	Restaurant	All Alcohol	Emily Dusseau; Gracie Schadt
Flying Minnow	14 Airport Road	General On Premises	Wine & Malt Beverages	Rebecca Chapa

APPLICATIONS FOR 2024 SEASONAL LIQUOR LICENSE RENEWAL

DBA	PREMISES ADDRESS	TYPE	CATEGORY	MANAGER
Foggy Nantucket	New Location Pending Application for License Amendment	Package Store	Wine & Malt Beverages	Shaun Riley; Mandy Riley
Galley Beach	54 Jefferson Avenue	Restaurant	All Alcohol	David C. Silva; Tim Smiles
Great Harbor Swim and Tennis	23 Nobadeer Farm Road	Club	Wine & Malt Beverages	John Luyrink; Stephen Creese
Harpoon Liquors/Fresh	3 Salem Street	Package Store	All Alcohol	Charlie Merritt
Jared Coffin House	29 Broad Street	Innholder	All Alcohol	Jason Curtis
Le Languedoc	24 Broad Street	Innholder	All Alcohol	Neil Christopher Grennan; Alan Cunha
Lemon Press	41 Main Street	Restaurant	All Alcohol	Rachel M. Afshari; Darya Afshari
Lobster Trap	23 Washington Street	Restaurant	All Alcohol	Drew Whelden; Liz Rocks
Millies	326 Madaket Road	Restaurant	All Alcohol	Chris Cochran
Millies Market	1 Miller's Way	Package Store	All Alcohol	Charles Banks
Oran Mor Bistro	2 South Beach Street	Restaurant	All Alcohol	Edwin M. Claflin
PPX Events	7 South Water Street	General On Premises	All Alcohol	Lindsay Daley
Rose and Crown	23 South Water Street Sidewalk Permit	Restaurant	All Alcohol	Debba Pitcock
Sandbar at Jetties	4 Bathing Beach Road	Restaurant	All Alcohol	George Kelly; Nick Nass

APPLICATIONS FOR 2024 SEASONAL LIQUOR LICENSE RENEWAL

DBA	PREMISES ADDRESS	TYPE	CATEGORY	MANAGER
Sankaty Head Beach Club	18 Hoicks Hollow Road	Club	All Alcohol	Lori Snell
Sconset Bookstore	8 Main Street, Siasconset 02564	Package Store	All Alcohol	Rolf M. Nelson
Ships Inn	13 Fair Street	Restaurant	All Alcohol	Mark H. Gottwald
Siasconset Golf Course	260 Milestone Road	General On Premises	Wine & Malt Beverages	Sean Oberly
Slip 14	14 Old South Wharf	Restaurant	All Alcohol	Timothy Farley
Straight Wharf Fish Market	Harbor Square	Restaurant	All Alcohol	Kevin Bureleson
Straight Wharf Restaurant	6 Harbor Square	Restaurant	All Alcohol	Gabriel Frasca
Summer House	17 Ocean Ave/1 Magnolia	Restaurant	All Alcohol	Sergio Jimenez
Summer House Beachside Bistro	16 Ocean Avenue	Restaurant	All Alcohol	Sergio Jimenez
Surfside	2 Broad Street	Restaurant	All Alcohol	Jared Smith; Dunadel Daryoush
The Brant	6 & 8 North Beach Street	Innholder	All Alcohol	David Bowd
The Green Market	4 India Street	Package Store	Wine & Malt Beverages	Jenny Bence
The Proprietors	9 India Street	Restaurant	All Alcohol	Orla Murphy Lascola; Anna Worgess
The Tavern Restaurant and Gazebo	28 Harbor Square	Restaurant	All Alcohol	Luke Tedeschi

APPLICATIONS FOR 2024 SEASONAL LIQUOR LICENSE RENEWAL

DBA	PREMISES ADDRESS	TYPE	CATEGORY	MANAGER
Ventuno	21 Federal Street	Restaurant	All Alcohol	Taylor Oliver
Wauwinet	120 Wauwinet Road	Restaurant	All Alcohol	Jennifer Mandell Hudson
Westmoor Club	10 Westmoor Lane	Club	All Alcohol	John Cowden Jr.
White Elephant Residences	19 South Beach Street	Innholder	All Alcohol	Bernhard Johannes Duerrmeir

SEASONAL LICENSING || RENEWAL CHECKLIST

STEP 1:

REQUIRED WITH RENEWAL BY MARCH 31, 2024:

- ✓ SIGNED ABCC RENEWAL FORM
- ✓ SIGNED BLANK ABCC RENEWAL FORM WITH CORRECTIONS (only if your printed ABCC form has errors or incorrect information)
- ✓ ALL LICENSE FEES – SEE ATTACHED LICENSING CONTACT PAGE FOR FEES (Made Payable to Town of Nantucket)
- ✓ LIQUOR LIABILITY INSURANCE CERTIFICATE (On-Premise Licenses Only)
- ✓ DELIVER ALL OF THE ABOVE TO:

Licensing and Permits Office, 4 Fairgrounds Road, 02554, M-F, 8am-4pm,
licensing@police.nantucket-ma.gov

STEP 2:

REQUIRED TO ISSUE FINAL LICENSES BEGINNING APRIL 1:

- ✓ *COPY OF HEALTH PERMIT (For Food Service Licenses)
- ✓ *COPY OF CURRENT CERTIFICATE OF INSPECTION SIGNED BY FIRE AND BUILDING (On-Premise Licenses Only)
- ✓ DELIVER ALL OF THE ABOVE AND PICK-UP LICENSES AT:

Licensing and Permits Office, 4 Fairgrounds Road, 02554, M-F, 8am-4pm,
licensing@police.nantucket-ma.gov

*ALL INSPECTION FORMS AND INFORMATION INCLUDED IN THIS PACKET.

All Current Licenses and Permits must be displayed on the premises in a conspicuous place where they may be easily seen.

THE COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL COMMISSION

95 Fourth Street, Suite 3
Chelsea, MA 02150-2358

Retail License Renewal

Please use this form to make corrections to any incorrect info on your original ABCC renewal form. This is for previously approved changes that are not reflected in the ABCC form. Sign both forms. (New changes to Managers or License conditions require a new application.)

Renewal For (Year) **2024**

License Number

Municipality

Nantucket

License Name

License Class

Seasonal

DBA

License Type

Premises Address

License Category

Manager Name

INFORMATION ONLY

I hereby certify and under penalties of perjury that:

- 1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;**
- 2. The renewed license is of the same class, type and category as listed above;**
- 3. The licensee has complied with all laws of the Commonwealth relating to taxes; and**
- 4. The premises are now open for business (if not, explain below).**

Signature of Authorized Party

March

Date

Printed Name of Signer

Title

Email Address

Please sign this form only in the month of **March** and return to the Permits Office, 4 Fairgrounds Road, Nantucket, MA 02554.

Additional Information / Corrections

This is your entry in the Licensing Database. It includes contact info, fees, conditions, etc. Please make sure it's accurate. Notify licensing@police.nantucket-ma.gov with any new contacts.

Licensing and Permits

LIC #

12345678-RS-0762

COMPANY NAME

Nantucket Licensing, Inc.

PREMISES ADDRESS

4 Fairgrounds Road

MGR/CONTACTS

Amy Baxter; Ann Ciarmataro

@ EMAIL

licensing@police.nantucket-ma.gov

PHONE

508-325-4100

CLASS

Seasonal

TYPE

Club

Category

All Alcohol

FEES

\$3900.00 LIQ

\$100.00 ENT

\$50.00 CV

\$2500 SideWalk

Licenses

Liquor

CV

LIVE-ENT

Nightclub

Sidewalk Dining

LOCATION CODE

MID-ISLAND-CORE

LIQ-PREMISES DE...

The Island of Nantucket.

URL

Empty

ENT - TYPE

Nightclub

LIVE

Dancing

Amplifiers

ENT - CONDITIONS

All Day, Every Day. Inside, Outside, Outerspace.

Is the contact info correct???

Fees Due March 31, 2024.
Make check payable to
Town of Nantucket.

INFORMATION ONLY

Print and submit form with \$50 payment to Fire Dept.and include required reports listed below.



NANTUCKET FIRE DEPARTMENT

4 Fairgrounds Road
Nantucket, MA 02554
508-228-2324



SEASONAL INSPECTION

(Inspections available March 1st through May 31st, 2024)

Date:	Inspection Fee: \$50.00
Occupancy Name:	
Occupancy Address:	
Owner:	
Owner Address:	
Mailing Address:	
1 st Contact Name:	
Phone Number:	Cell:
Email Address:	
2 nd Contact Name:	
Phone Number:	Cell:
Email Address:	
Person completing this form:	

Please submit the following documents, if appropriate. All documents must be in PDF format, no photos, embedded images or other file formats accepted. All reports must be free of failures or deficiencies.

☐	Fire alarm and/or fire sprinkler system reports, completed within last 12 months
☐	Fire extinguisher report or photographs of current tags, completed within last 12 months
☐	Cooking equipment, hood suppression and exhaust hood cleaning reports, last two reports
☐	Crowd Manager List, valid certification for each manager at the time of submission
☐	Copy of Elevator Inspection Certificate, if applicable
☐	Emergency Action Plan, if previously submitted, only submit again if updates have been made Record of monthly drills must be kept at location and shown to FPO on request

Building will contact you 30 days from expiration of the current COI. Print and return App with \$75 fee to Building Dept.

TOWN OF NANTUCKET BUILDING DEPARTMENT

APPLICATION FOR CERTIFICATE OF INSPECTION

FOR OFFICIAL USE

DATE PAID _____

INSPECTION DATE _____ TIME _____

Business Name:

Business Street Address:

Business Phone:

Business Map:

Business Parcel:

Certificate Type:

Certificate Name:

Certificate Mailing Address:

Certificate City:

State:

Zip Code:

Certificate Number:

Certificate Issue Date:

License Expiration Date:

Fee Amt: \$ 75.00

Use Group Class:

Annual or Seasonal:

Building Owner:

Phone:

Email:

Owner Address:

Owner City:

Owner State:

Owner Zip:

Total Number of Occupants: Basement _____ First Floor _____ Second Floor _____ Third Floor _____ Other _____

NOTES:

FOR OFFICIAL USE

Submitted By: _____ Date: _____ Email Address: _____

Please make corrections and / or additions as appropriate and return to: Nantucket Building Dept., 2 Fairgrounds Rd. Nantucket, MA 02554

Health Permit Application

CLICK FOR
ONLINE FORM

Food Establishment Permit Renewal Application

Save Progress

Establishment's Information

Establishment Name (dba):*

Establishment Tel. #:*

Establishment Address:*

Mailing Address:*

Email Address:*

Applicant's Information

Name and Title:*

Address:*

Tel. #:*

Owner's Information

Name and Title (if different from applicant):

Address:

Food Permits (check all that apply)*

- ☐ Food Service Establishment
☐ Retail Food
☐ Catering
☐ Mobile Food Unit
☐ Other

24 Hour Emergency Contact-Person in Charge

Name and Title:*

Address:*

Tel. #:*

24 Hour Emergency #:*

Email Address:*

Food Establishment Information

Days and hours of Operation:*

of Seats:*

Name of Person in Charge Certified in Food Protection Management:*

Person Trained in Food Allergen Awareness:*

Person Trained in Anti-Choking Procedures (if 25 or more seats):*

In Accordance with 105 CMR
590.003 (A) 590.009 and 590.003
(B)

Please attach Current Food
Protection Manager certification

Please attach current
MA Allergen Awareness
Certificate



Agenda Item Summary

Agenda Item #	III. 2a & 2b
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator; Marina Dzvonik, Events Coordinator

Subject

2024 Daffodil Festival on Saturday, April 27, 2024.

Executive Summary

The Nantucket Island Chamber of Commerce's Daffodil Festival as celebration of springtime awakening on Nantucket Island has been held annually since 1978. Daffodil Festival activities include Daffodil Antique Car Parade followed by a tailgate picnic in Siasconset Village, and family friendly activities at Children's Beach (Children's Bike Parade, Daffy Hat Parade, and the Daffodil Dog Parade). Daffodil Festival Activities attract over a thousand of visitors and residents to take part in celebration and encourage more economic activity in the shoulder season.

NICC submitted the following requests that need to be reviewed and approved to continue with public assembly permitting:

- Approval and Execution of MassDOT Event Notification Form for Daffodil Parade and Sconset Tailgate Picnic to be Held Saturday, April 27, 2024 required in order to apply for MassDOT Permit to Access State Highway (Milestone Road known as Auto Route M)
- Annual Request for Waiver of Chapter 54(1)(c) of the Code of the Town of Nantucket for Daffodil Festival Tailgate Picnic in Sconset.

Staff Recommendation

Staff recommendation is to approve the above requests and set the following conditions for Public

Assembly Permits for Daffodil Festival Antique Car Parade and Sconset Tailgate Picnic:

- The number of vehicles participating in the parade must be limited to 110 as approved in previous years.
- Adequate emergency medical personnel in attendance, as determined by the Fire Chief, shall be provided at applicant's expense;
- Emergency Action Plan for an outdoor events must be submitted for Fire Department Review;
- Adequate Police Details shall be provided at applicant's expense, parking plan for the parade must be reviewed by NPD;
- Neighborhood / Public communication is required prior to the event to mitigate issues, minimize impacts, and ensure affected neighbors and businesses are aware of the permitted event.

Additional Conditions applied to Sconset Tailgate Picnic:

- The number of Event Staff & Volunteers needs to be increased to improve overall management of the event. Designated Staff should be available to the Town / Public Safety personal at all times during the event;



- Develop volunteer coordination plan – identify volunteers’ roles and responsibilities to be performed during the event. Monitor the event volunteers to ensure that the necessary work is being completed;
- Be clear about the role of the Police Department and enhance communication throughout the event;
- A sufficient number of lavatories, including handicap-accessible lavatories, for persons reasonably expected to attend, as determined by the Health Inspector, shall be provided at applicant’s expense;
- All debris and litter remaining from the proposed event shall be removed by the event organizers and the area left clean, waste management plan is required;
- In accordance with Section 97-1(A) of the Town bylaws, commercial sale of merchandise, food, drinks, and other items on Public streets and sidewalks is prohibited;
- Public Outreach informing that NO alcohol sponsorships and NO bars open to the public allowed to be set up by Sconset Picnic hosts.

Background/Discussion

N / A

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

N / A

Board/Commission Recommendation

N / A

Public Outreach

N / A

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

N / A

Attachments

MassDOT Event Notification and 2024 Daffodil Parade Route; NICC Letter addressed to SB requesting one-day waiver of Chapter 54 Section 1C; Maps for Downtown and Sconset Street Closures; Daffodil 2024 Event Description



EVENT NOTIFICATION FORM

Date: 2/9/2024

Mary-Joe Perry, District Five Highway Director



MassDOT, Highway Division

1000 County Street, Taunton, MA 02780



Dear Sir:

Please be advised that the Grantee(s) of this Event Nantucket Chamber of Commerce has notified the Board of Selectmen/City Council, Local Police Department, Local Fire Department and if applicable the State Police of its intention to conduct road work/parade/race/ride or other events impacting State Highways on Route(s) Milestone Road/ Auto Route M in or through the City/Town(s) of Nantucket, MA benefiting Nantucket Island Chamber of Commerce

The Grantee(s) of this Event understands that it must give the Police and Fire Departments at least 48 hours notice before the commencement of the proposed event.

The Grantee(s) must supply a Traffic Management Plan when the roadway is occupied and for all detours associated with said events to this Department and to all officials listed below. The Grantee(s) must notify the local and/or state police to set up a detour of this area with appropriate signs and barricades. The local Fire Department must be notified of the detour to ensure that measures will be taken to minimize disruption to the Fire Department's emergency service during the event. The Grantee(s) must also notify local media (newspapers, radio) of this proposed event.

The following signatures are required prior to the issuance of the Permit.

LOCAL POLICE DEPARTMENT

Signed: August L. Manton

Title: Lieutenant

City/Town: Nantucket

FIRE DEPARTMENT

Signed: Matthew C.

Title: FIRE CHIEF

City/Town: NANTUCKET

BOARD OF SELECTMEN/CITY COUNCIL

Signed: _____

Title: _____

City/Town: _____

STATE POLICE DEPARTMENT

Signed: Sgt. Peter J. Peter #2764

Title: STATION COMMANDER, D-6

City/Town: SP NANTUCKET



Select Board
16 Broad Street
Nantucket, MA 02554

February 12, 2024

2024 Daffodil Tailgate Picnic

The Nantucket Island Chamber of Commerce is applying for a Public Assembly Permit and requests a one-day waiver of Chapter 54 Section 1C for our Annual Daffodil Tailgate Picnic, as we have done since 2010.

The Daffodil Tailgate Picnic is a free event that will take place on Saturday, April 27, 2024 from 12:30pm to 3:00pm in Siasconset, MA. We expect up to 1,000 people to be in attendance. To monitor the area we will have a minimum of two Chamber of Commerce staff and eight volunteer organizers that will be present from 11:00am to 4:00pm. Along with eight to ten State and Local Police Officers to help monitor the area.

We know that a waiver has always been a part of the Public Assembly Permit, but we are still requesting to obtain permission from the Select Board to allow attendees to have an open container or be able to drink an alcoholic beverage on public land (closed off for this event from New Street to the Rotary in 'Sconset). While the Nantucket Island Chamber of Commerce maintains the position that it is generally illegal for alcohol to be consumed on a public roadway, we understand that alcohol is consumed during this particular festive Spring event, and it is our wish that attendees could partake in their celebrations without any worrisome ramifications. A suitable number of volunteers and Police Officers (State and Local) will be on duty in 'Sconset to monitor the crowd control. We fully intend to follow those same procedures this year.

Series of events as follows, the antique cars leave downtown Nantucket by following a Police motorcycle escort to the village of 'Sconset. Upon arriving in 'Sconset the cars are then instructed by Chamber staff to park on the right side of Milestone Road in the grass (vehicle's tailgates facing the road). Once the vehicles are parked, attendees set up their picnics to be judged in our Annual Tailgate Picnic Contest. This event runs until 3:00pm. However, the street remains closed until 4:00pm to give the participants ample time to clean-up and leave without being rushed by staff or volunteers.

Clean-up for this event will take place immediately following the event by the Chamber of Commerce staff and volunteers. We will continue our policy of giving out biodegradable trash bags, provided by ReMain, for people to separate their trash and recyclables.

Thank you,

Bianca M. Brown
Events Manager
bianca@nantucketchamber.org

48th Nantucket Daffodil Festival Event Description and Layout Draft

The Nantucket Daffodil Festival celebrates springtime on Nantucket! It highlights community togetherness and the value of tradition. The events include our Antique Car Show & Parade, Daffodil Hat Pageant, Daffodil Dog Parade with NiSHA, Children's Bike Parade, and the famous 'Sconset Tailgate Picnic. Below is a rough layout of how each event will commence.

Antique Car Show & Parade

7:00 am – 1:30pm: Main Street is closed from the former Wagner Fountain area to Pacific Club and from the top of Federal St. to India St. Barricades will be needed at Main Street ext., Orange Street, Union Street, Centre Street, Federal Street, and the intersection of Main and South Water Street.

7:30 am – 8:15 am: Barricades placed, Chamber Team, sound team and Don Allen Ford arrive with flatbed "stage" to set up event.

8:15 am – 9:30 am: Cars & Motorcycles line up on South Water Street and Broad Street in preparation for antique/ classic vehicle staging.

9:30 am – 10:30 am: Cars and Motorcycles are presented to judges/community and park on Main Street in 5 parallel rows. Volunteer help guide cars accordingly.

10:30 am – 11:40 am: Judges deliberate and award Antique Car Show ribbons and trophy to winners.

11:40 am – 12:00 pm: Patrons return to their vehicles and Cars & Motorcycles prepare to head to Tailgate Picnic in 'Sconset.

12:00 pm: Parade to 'Sconset begins (Centre St., Broad St., S. Water St., Washington St., Union St., Orange St., James Coffin Memorial Rotary, Milestone Rd., Main St., Siasconset).

12:30 pm – 1:30 pm: Main Street cleaned and reopened to traffic.

Siasconset Tailgate Picnic

7:00 am – 4:00 pm Main St. Siasconset Closed from New Street to ‘Sconset Rotary. No Parking tape and stakes installed on New Street the day before.

- Morey Lane Closed at Lily Street.
- McKinley Ave closed at Cottage Ave.
- No thru traffic and parking on one side (Bunker Hill Rd., School St., Chapel St.)
- Changes: **Lily St. will be 2-Way**

8:00 am – 12: 00 pm: Volunteers and staff arrive to set up and monitor parking and picnickers.

8:00 am – 12:00 pm: Portable restrooms, dumpsters, trash and recycling barrels (amount determined by Health Department) set up throughout the length of Main St., Siasconset.

12:00 pm – 12:30 pm: Parade procession arrives in Siasconset.

12:30 pm – 1:00 pm Cars & Motorcycles set up on Main Street from Morey Lane to ‘Sconset Rotary, Bunker Hill Rd. (used for any overflow)

1:00 pm – 3:00 pm ‘Sconset Tailgate Picnic begins

3:00 pm – 4:00 pm Picnic ends, Chamber staff and volunteers clean ‘Sconset.

Children’s Beach Events

8:00am – 2:30pm Children’s Beach is transformed into a family friendly Daffodil themed event space, complete with performances, contests, and giveaways.

8:00 am – 10:00 am Staff and volunteers set up event at Children's Beach. Portable restrooms delivered.

10:00 am – 1:30 pm: Children’s Beach activities begin

- 10:00 am – 10:35 am: Daffodil Hat Pageant
- 10:35 am – 11:00 am: Daffodil Children’s Bike Parade

- 11:00 am – 11:30 am: Visit with Barnaby Bear/ Giveaways (TBA)
- 11:30 am – 12:00 pm: NanPuppets Performance (TBA)
- 12:30 pm – 1:30 pm: Dog Parade with NiSHA
- Other Activities TBA

1:30 pm – 2:30 pm: Event ends, Chamber staff and volunteers clean Children's Beach.

Expected Needs:

10 – 15 staff and volunteers for Main Street Antique Car Show and Parade set-up in addition to 5 Judges and 1-2 MC's

5- 10 staff and volunteers for Children's Beach Events and 3 judges per event (Hat Pageant, Dog Parade (NiSHA handles their judges) and an MC for event.

10 – 15 staff and volunteers for 'Sconset Tailgate Picnic and 3 judges for Best Tailgate and Traditional Picnic.

Dzvonik, Marina

From: noreply@civicplus.com
Sent: Friday, February 9, 2024 12:03 AM
To: Dzvonik, Marina
Subject: Online Form Submittal: 2024 Special Event Permit Application

[EXTERNAL EMAIL]: Please do not click links or open attachments if you don't recognize the sender.

2024 Special Event Permit Application

This form is not a permit. Please read this application in full. Completion of this application does not constitute an automatic approval and does not guarantee that a permit will be issued. Event organizers are encouraged not to issue any press releases, advertise, sell tickets, etc. until the necessary approvals and/or permits have been issued. Event organizers are encouraged to include maps, plans and any pertinent supporting documentation with this application. Any event permitting questions can be directed to the Town's Events Coordinator at 508-325-4166.

APPLICANT INFORMATION - REQUIRED

First Name of Primary Contact	Bianca
-------------------------------	--------

Last Name of Primary Contact	Brown
------------------------------	-------

Address of Primary Contact	Zero Main Street, 2nd Floor
----------------------------	-----------------------------

Company/Organization of Primary Contact (If Applicable)	Nantucket Island Chamber of Commerce
---	--------------------------------------

Town/City	Nantucket
-----------	-----------

State	MA
-------	----

Zip	02554
-----	-------

Email Address	bianca@nantucketchamber.org
---------------	-----------------------------

Phone Number	5082281700
--------------	------------

Cell Phone	774-236-0257
------------	--------------

On-site Contact	Bianca Brown
-----------------	--------------

Cell Phone for On-site Contact	774-236-0257
Host Organization (If Different from Above)	<i>Field not completed.</i>
Host Type	Non-Profit
Please Attach 501(c)(3) Documentation	501c6.pdf
EVENT OVERVIEW - REQUIRED	
Event Name	48th Nantucket Daffodil Festival Siasconset Tailgate Picnic
Requested Location of Event (please specify INDOOR or OUTDOOR)	Main St., Siasconset from New St. to Siasconset Rotary (OUTDOOR)
Is this Event open to the public?	Yes
Is there an admission / registration fee?	No
Date of Event	4/27/2024
Start Time	12:00 PM
End Time	4:00 PM
Rain Date	<i>Field not completed.</i>
All events must comply with the 10:00 pm Noise Ordinance. Requests for extension past 10:00 pm must be approved by the Select Board	
Set-up Date & Time	4/27/2024 12:00 PM
Tear-Down Date & Time	4/27/2024 4:00 PM
MULTIPLE DATE EVENTS	<i>Field not completed.</i>
Full Schedule of Events	48th Nantucket Daffodil Festival Event Layout .docx
Est. # of Participants	1000
Est. # of Staff	10 - 15 including volunteers
Important Notice - Events Over 250 <i>Any event anticipating over 250 participants requires a Public Hearing at a regularly-scheduled Select Board meeting. Public Hearings must be noticed in the</i>	

Inquirer and Mirror for two consecutive weeks prior to the hearing (at Applicant's expense). Public Hearings may be waived for recurring events. Events anticipating under 250 participants may require a Public Hearing at Town Administration's discretion.

Have You Held This Event On-Island Before?	Yes
If Yes, Where And When?	Over 46 Years, Since 1978 in Siasconset
Description of Event (Attach additional documents below)	The Antique Car Parade will be heading from Main St., Nantucket to Main St., Siasconset. There, vehicles can open their tailgates and enjoy a community wide picnic (traditional picnics on opposite side of road). Awards given for the best tailgate and best traditional picnics.
Event Description (optional)	<i>Field not completed.</i>
Course Map	48th Daffodil Festival Siasconset Picnic Map.pdf
Event Layout/Diagram	<i>Field not completed.</i>

EVENT LAYOUT / DIAGRAM: Required for Events with Tents/Temporary Structures and/or Events on Public Property. A detailed site plan is required - applications will not be processed without it. Attach separate document(s) that clearly show the location of the event, fencing, entry /exit points, tents (include dimensions), stages, generators, bars, tables / chairs, portable restrooms, trash cans, dumpsters, signs, etc.

STEP 1: LOCATION - BEACH EVENTS ONLY

Details regarding allowable activities can be found here	Click for Beach Allowable Activity List
Select Town of Nantucket Beach	<i>Field not completed.</i>
Click Here For Beach Ownership Contacts for all Public Beaches	Beach and Ownership Listing
Beach Event Structures	<i>Field not completed.</i>
Beach and Endangered Species Protection <i>Safety of endangered species habitat and beach maintenance are prime concerns for any beach-related activity on the island. Nesting birds, erosion and endangered</i>	

plants exist throughout the island. Natural Resource approval is required to make sure protection laws are not being violated and proper precautions are being taken.

STEP 2: ALCOHOL

Will Alcohol Be Served? No

Click Here For [Temporary Pouring Permit Regulations for the State of Massachusetts:](#)

Alcohol To Be Served *Field not completed.*

Only Non-Profit Organizations are permitted to serve ALL Alcoholic Beverages. For Profit Organizations are only permitted to serve Beer and Wine.

Source of Alcohol/Approved Distributor(s) N/A

CLICK HERE FOR LIST OF AUTHORIZED SOURCES TO PURCHASE ALCOHOL: [AUTHORIZED SOURCES \(in PDF\)](#)

STEP 3: ENTERTAINMENT

Will There Be Entertainment? No

Will The Entertainment Be Amplified? No

Will The Entertainment Be Outside? No

Description of Entertainment N/A

All events must comply with the 10:00 pm Noise Ordinance. Requests for extension past 10:00 pm must be approved by the Select Board.

STEP 4: STREET AND/OR SIDEWALK BLOCKING

Will Event Require Any Road Or Sidewalk To Be Blocked Or Closed?	Street, Full Blocking
Address Of Blocking	Main St., Siasconset from New St. to Siasconset Rotary
Purpose Of Blocking:	Tailgating and Picnics
Street Blocking	Application for blocking of street / sidewalk

STEP 5: TENTS / TEMPORARY STRUCTURES / STAGES / GENERATORS

Will There Be A Tent Or Other Temporary Structure Erected?	No
Date Tent/Structure To Be Installed	<i>Field not completed.</i>
Describe Size/Type of Tent/Structure / Stage	N/A
Tent Company	N/A
Will this event utilize a generator(s)?	No
Will you be using any lighting?	No
Tent Permit and Checklist	Party Tent Permit Application & Checklist

STEP 6: FOOD

Will Food Be Served?	No
Name of Caterer/Food Service Provider	N/A
Attach Town of Nantucket Catering License (Optional)	<i>Field not completed.</i>

Food service providers must have a current license Issued by the Town Of Nantucket Health Department. If they are not licensed on Nantucket, they must be approved by the Health Department at least 14 days prior to the event. Any event with more than One (1) caterer / food service provider is required to apply for Temporary Food Permits for each food service provider regardless of license.

TEMPORARY FOOD PERMIT INFO:

[General Information regarding Temporary Food Permit Events](#)

[Temporary Food Permit Checklist](#)

[Temporary Food Event Permit Application](#)

Events with 10 or more food vendors are required to submit the below form at least **30 days prior to the event**.

[Temporary Food Event Coordinator Application](#)

Should you have any questions about temporary food permits, please contact the Nantucket Health Department health@nantucket-ma.gov, 508-228-7200 or visit at 131 Pleasant Street, Nantucket, MA

STEP 7: RESTROOM FACILITIES

Describe the number of restrooms available at the event site and if you plan to order portable restrooms. You may be required to provide portable toilets and hand washing stations, unless you can substantiate the sufficient availability of both Americans with Disabilities Act (ADA) and non-accessible facilities in the immediate area of the event site which will be available during your event.

Portable Toilets at public events: For single user portable toilets clustered at a single location, at least 5% but not less than one accessible toilet unit shall be installed at each cluster

# of Restrooms/Portable Toilets Provided	5 Portable Restrooms including 1 ADA accessible and public restrooms across the street from 'Sconset Market
--	---

Name of Restroom / Portable Toilet Provider	Nantucket Septic per NICC and Town of Nantucket
---	---

STEP 8: PARKING PLAN

Event Parking	Main St., New St., Bunker Hill Rd., W. Sankaty Rd., Chapel St., and along Milestone Rd.
---------------	---

STEP 9: WASTE MANAGEMENT

Effective June 1, 2020, Nantucket's Single-Use Plastics Ban prohibits these single-use petroleum based plastic products from being commercially used, sold or distributed at special events: straws and drink stirrers, six-pack can and bottle flexible yokes, drinking cups and lids, non-compostable plates and eating utensils,

drinking water in polyethylene terephthalate (PET or PETE) containers of 1 liter (34 ounces) or less, non-recyclable coffee pods.

Please note,
biodegradable packaging
is already required under
Nantucket's 1990
Biodegradable Packaging
Bylaw.

[Biodegradable Packaging Bylaw\(\\$ 125-2.1\)](#)

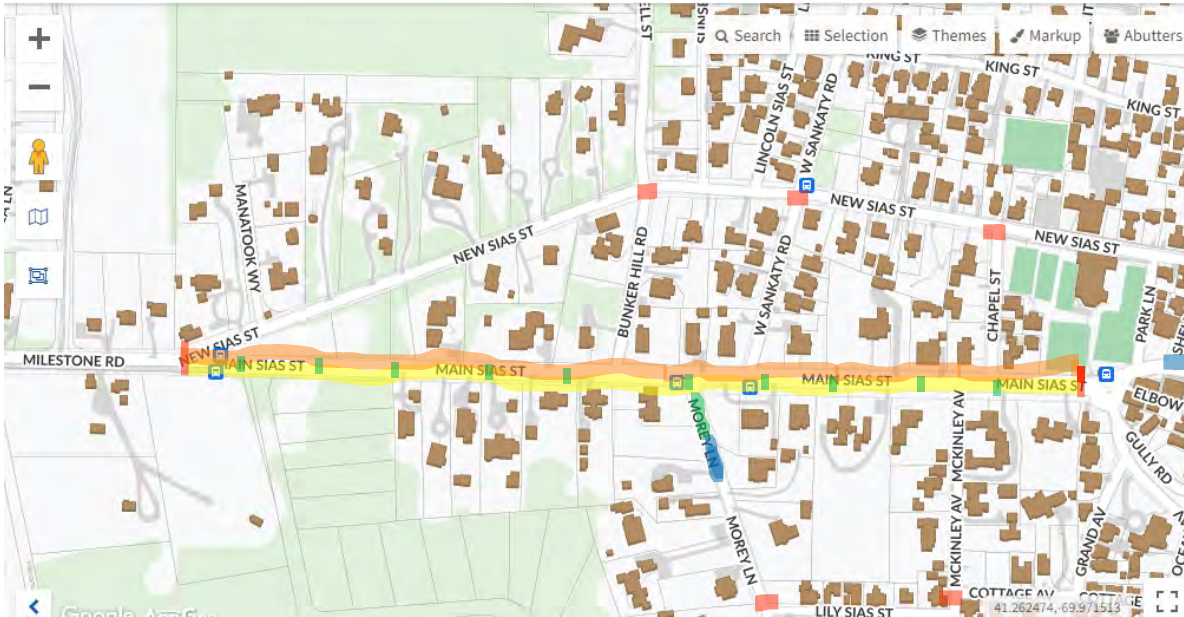
HOLD HARMLESS AGREEMENT

In consideration of permission to use the public property, facility or services described herein, the Applicant agrees to save and hold the Town of Nantucket, its agents, servants, and employees harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's guests, employees, subcontractors, and/or other persons. The Applicant acknowledges that the permission to utilize the facilities is limited to the portion of the premises herein described (if applicable), and that the permission is valid only for the activity herein described. Notwithstanding the foregoing, this Hold Harmless Agreement shall be applicable to any claim asserted against the Town of Nantucket, its agents, servants, and employees, and for any loss incurred arising out of the Applicant's activity whether or not such claim or loss extends beyond the permitted type or locale of activity or occurs on a different date than specified. Commercial General Liability is required in the amount of \$1,000,000 CSL (combined single limit) with the Town and County of Nantucket added as an additional insured.

**SIGNATURE OF
APPLICANT**

Bianca M. Brown

Email not displaying correctly? [View it in your browser.](#)



48th Nantucket Daffodil Festival Siasconset Picnic Map

Map I: This map shows where cars, motorcycles and traditional picnics will be set up along Main St., Siasconset. This map includes barricades, portable restrooms, and trash/recycling containers.

Traditional Picnic – Tailgate Picnic

Portable / Reg. Restrooms - Barricades

Dumpster/ Trash/ Recycling Containers

The following streets are to be closed 8am – 4pm:

- More Ln. closed at Lily St.
- McKinley Ave. closed at Cottage Ave.
- Bunker Hill Rd., W. Sankaty Rd., Chapel St. (No thru traffic/ parking on one side only)
- Main St. closed from New St. to Siasconset Rotary

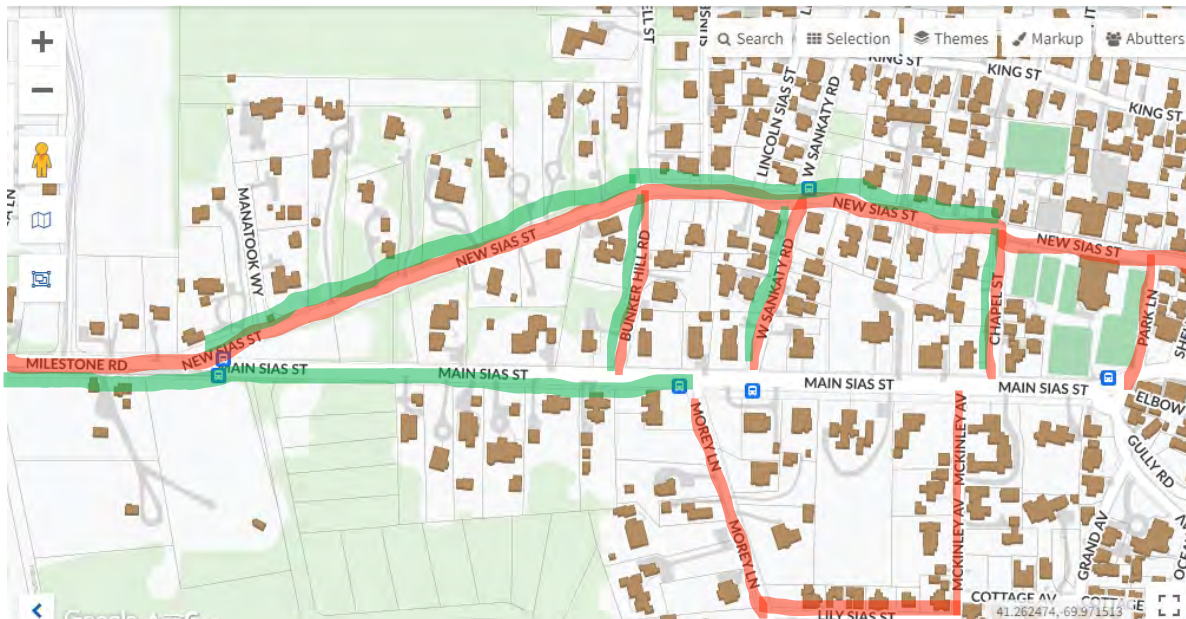
Map II: This map shows Emergency Access and Parking.

Emergency Access:

(New St., Bunker Hill Rd., W. Sankaty Ln., Chapel St., Park Lane, More Ln. McKinley Ave., Lily St.)

Parking:

(Main St., New St., Bunker Hill Rd., W. Sankaty Rd., Chapel St. *All parking on one side of the street*)



48th Nantucket Daffodil Festival Antique Car Show & Parade Map

Map I: This map shows where cars and motorcycles will be lining up on Main St. for the Antique Car Show & Parade.

We'd like to close the street from the top of Main St. (Pacific National Bank) to Wagner Fountain (Union/Main St. intersection) and the Main St./ Federal St. intersection to the Federal St./ India St. intersection.

Map II: This map shows parking and emergency access for rescue vehicles. We also list accessible restrooms.

Emergency Access:

(Washington St., Candle St., Federal St., Union St., Orange St., Centre St., Fair St., Main St. ext.)

Parking:

- Harborview Stop & Shop Lot
- Town Parking Lot
- Surrounding side streets (Fair St., Center St., Union St., etc.)

Restrooms:

- Straight Wharf
- Harborview Stop & Shop
- Nantucket Chamber Office
- Visitor's Services



2024 Daffodil Festival Parade Route

Directions from 61 Main St,
Nantucket, MA 02554, USA to
Main Street Rotary, Sconset,
Siasconset, MA 02564, USA



61 Main St, Nantucket, MA
02554, USA



Main Street Rotary, Sconset,
Siasconset, MA 02564, USA

Route:
Top of Main Street, right turn
on Centre Street, right turn on
Broad Street, right turn on
South Water Street, right turn
Up Main Street, left turn on
Orange Street to J.C. Memorial
Rotary, onto Milestone Road
then to Main Street
Siasconset at the Siasconset
Rotary.





Agenda Item Summary

Agenda Item #	IV. 1.
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator

Subject

Transfer Package Store Application – Transfer from A.C.D.C. Promotions to E&B Holdings, Inc, dba Epernay, One North Beach Street, Elizabeth Pereira, Manager.

Executive Summary

The Applicant seeks to Transfer the Seasonal All Alcoholic Beverages Package Store License for the operation of Epernay at One North Beach Street.

Staff Recommendation

Comments and Consideration:

- 1) Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, decisions of the Local Licensing Authority must be based on reasonable grounds;
- 2) ABCC and courts prefer findings be based on the following:

The appropriateness of a liquor license at a particular location

- Epernay is within walking distance of the downtown Historic District and majority of restaurants, shops and transportation for the island.

The number of existing dispensaries in Town

This is an existing license and location for over 10 years.

The views of the inhabitants of the locality in which a license is sought

- No public comments were received by Licensing as of 3-5-24.

Traffic, noise, size (typically applies to a new location)

- The application before the Select Board seeks the same license and conditions applied to the former operator.
- No complaints on record with NPD in past 5 years.

The sort of operation that carries the license and reputation of the applicant

- The applicant is working very closely with former operator to properly transfer the business and continue operations.



Background/Discussion

The applicant is requesting the same type of license that existed with the previous operator. There will be no alteration to the premises or any conditions of the licenses.

Please note that the Town of Nantucket has reached its maximum number of package stores per the Quota – see attached summary report. The only transaction available is a Transfer as there are no NEW Licenses available.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

N/A

Board/Commission Recommendation

N/A

Public Outreach

Advertise in local paper

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

N/A

Attachments

Transfer Liquor License ABCC Application and Floor Plans; ABCC Summary Form; Draft Liquor License. Quota summary.





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Nantucket

City /Town

00178-PK-0762

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee	E & B Holdings, Inc.	DBA	Epernay
Street Address	One North Beach Street		Zip Code 02554
Manager	Elizabeth Pereira		
\$15 Package Store (i.e. restaurant, package store)	Seasonal Class (Annual or Seasonal)	All Alcoholic Beverages Category (i.e. Wines and Malts / All Alcohol)	
		Granted under Special Legislation? Yes ☐ No ☐ If Yes, Chapter of the Acts of (year)	

DESCRIPTION OF PREMISES

Complete description of the licensed premises

One single room, 800 Sq. Ft (+/-) on First Floor of Retail Space. One public entrance/exit in front facing North Beach Street. Entrance/Exit in rear for employees and deliveries to parking lot. 120 Sq. Ft. at rear of store to be used for storage

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA:	Date	02/16/2024	Time		
Advertised	Yes ☒ No ☐	Date Published	02/29/24	Publication	Inquirer and Mirror
Abutters Notified:	Yes ☒ No ☐	Date of Notice	02/29/24		
Date APPROVED by LLA	03/11/2024	Decision of the LLA	Approves this Application		
Additional remarks or conditions (E.g. Days and hours)					
For Transfers ONLY:					
Seller License Number:	00178-PK-0762	Seller Name:	A.C.D.C. Promotions, LLC		

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

PUBLIC HEARING NOTICE

The Select Board will hold a public hearing on Monday, March 11, 2024 at 11:00 AM to hear the application for a Transfer of a Seasonal Package Store All Alcoholic Beverages Liquor License from A.C.D.C. Promotions, LLC, dba Epernay, Jennifer L. Benzie, Manager to E&B Holdings, Inc. dba Epernay, Elizabeth Pereira, Manager, located at One North Beach Street, Nantucket, MA 02554. The hearing will be held remotely via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email licensing@police.nantucket-ma.gov.

LICENSE #: 00**TBD**-PK-0762

LICENSE FEE: **\$3,150.00**

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

TO BE CONSUMED OFF THE PREMISES

BUSINESS: **E&B Holdings, Inc**

DBA: **EPERNAY**

PREMISES: **One North Beach Street**
Nantucket, MA 02554

MANAGER: **Elizabeth Pereira**

PREMISES DESCRIBED AS:

One single room, 800 Sq. Ft (+/-) on First Floor of Retail Space. One public entrance/exit in front facing North Beach Street. Entrance/Exit in rear for employees and deliveries to parking lot. 120 Sq. Ft. at rear of store to be used for storage.

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 after 11:00PM**, including Sundays, or after 11:30PM on the day immediately before a legal holiday. **Sunday sales shall not begin until 10:00 AM**. Package stores shall not sell or deliver alcoholic beverages on Thanksgiving Day or Christmas Day. Package stores may not sell alcoholic beverages until 12:00 noon on Memorial Day. Any restrictions apply as are on file by 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 their official signature on this xxth day of xxx.

Chair, Select Board

THIS LICENSE IS VALID APRIL 1, 20xx – JANUARY 15, 20xx

**Unless earlier suspended, cancelled, or revoked*

February 2, 2024

To the members of the Nantucket Select Board,

I am seeking approval of a retail liquor license transfer from A.C.D.C. Promotions LLC to E & B Holdings, Inc.

I am a home owner on Nantucket since 2021 and am relocating here year round in order to pursue this business venture.

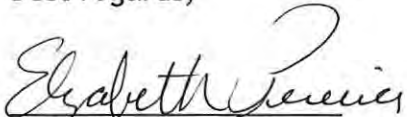
The store will be operated as it has been in the past by the previous owners. I will be the manager on the license and of the store. Returning staff and seasonal hires will be part of the support team of the business.

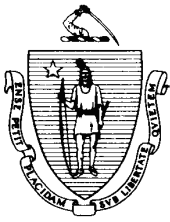
I have been diligently working with Jenny Benzie, and she, along with Kirk Baker, have agreed to continue to work with me for a smooth transition. Their expertise and history of running a successful business will be relied on as needed.

I am committed to being a part of the Nantucket community. I look forward to the operation and transfer of the license.

Thank you for your consideration on this matter.

Best regards,


Elizabeth Pereira
Manager



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

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- ☒ Transfer of License
☐ Alteration of Premises
☐ Change of Location
☐ Management/Operating Agreement
- ☐ Pledge of Inventory
☐ Pledge of License
☐ Pledge of Stock
☐ Other
- ☐ Change of Class
☐ Change of Category
☐ Change of License Type
(\$12 ONLY, e.g. "club" to "restaurant")

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.

Applicant proposes to purchase a Package Store business, including license, from A.C.D.C. Promotions LLC

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
Off-Premises-15	\$15 Package Store	All Alcoholic Beverages	Seasonal

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number

FEIN

Entity Name

DBA

Manager of Record

Street Address

Phone

Email

Add'l Phone

Website

4. 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. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

One single room, 800 Sq. Ft (+/-) on First Floor of Retail Space. One public entrance/exit in front facing North Beach Street. Entrance/Exit in rear for employees and deliveries to parking lot. 120 Sq. Ft at rear of store to be used for storage.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name By what means is the license being transferred? ☒

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
JENNIFER L. BENZIE	SHAREHOLDER & PRESIDENT	100%

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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, LLC Members, 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	Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
ELIZABETH PEREIRA				PRESIDENT/TREASURER	100	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No
						☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
						☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
						☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No

APPLICATION FOR A TRANSFER OF LICENSE

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. CORPORATE STRUCTURE

Entity Legal Structure

Corporation

Date of Incorporation

02-12-24

State of Incorporation

Massachusetts

Is the Corporation publicly traded? ☐ Yes ☒ No

8. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

ONE NORTH BEACH, LLC

Landlord Phone

508.228.2266

Landlord Email

greg@greatpointproperties.com

Landlord Address

1 N BEACH STREET, NANTUCKET, MA 02554

Lease Beginning Date

Upon transfer of license

Rent per Month

\$

Lease Ending Date

5 years after start date

Rent per Year

\$

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

☐ Yes ☒ No

9. APPLICATION CONTACT

The application contact is the person who the licensing authorities should contact regarding this application.

Name:

ELIZABETH PEREIRA

Phone:

(617)

Title:

PRESIDENT

Email:

Elizabeth_ebp@yahoo.com

12. MANAGER APPLICATION

A. MANAGER INFORMATION

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

Proposed Manager Name	ELIZABETH PEREIRA	Date of Birth		SSN	
Residential Address					
Email	elizabeth_ebp@yahoo.com	Phone	(617)		
Please indicate how many hours per week you intend to be on the licensed premises			40		

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
9/2002	current	Sr. Investigator/Auditor	U.S. Department of Labor	Stephen Phillips

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 Elizabeth Pereira Date 02-14-24

APPLICANT'S STATEMENT

I, ELIZABETH PEREIRA the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory
of E & B Holdings, 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:

Elizabeth Pereira

Date:

2-14-24

Title:

President / Treasurer

**E & B HOLDINGS, INC.
CORPORATE OFFICER CERTIFICATE**

I, Elizabeth Pereira, as President and Treasurer of E&B Holdings, Inc certify that:

1. I am the duly appointed President & Treasurer of E&B Holdings, Inc.
2. E&B Holdings, Inc is an existing corporation organized and authorized to do business in Massachusetts.
3. As President & Treasurer of E&B Holdings, Inc, I have been directed by and duly authorized, to execute and deliver on behalf of E&B Holdings, Inc, and its assigns, any and all documents and instruments necessary for the purchase of some of the business assets of AC.DC Promotions LLC and for the transfer of and application for the liquor license and all related food, health, fire and/or safety and entertainment licenses along with any and all documents and instruments necessary for the purchase of the liquor license and those related assets from AC.DC Promotions LLC, located at 1 North Beach Nantucket, Massachusetts 02554.

By: **E&B HOLDINGS, INC**

By: Elizabeth Pereira
Elizabeth Pereira, its President/Treasurer

STATE OF RHODE ISLAND/ COMMONWEALTH OF MASSACHUSETTS

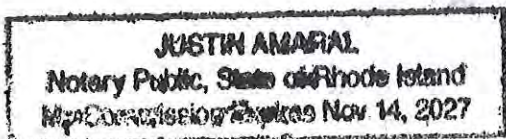
providence, s.s.

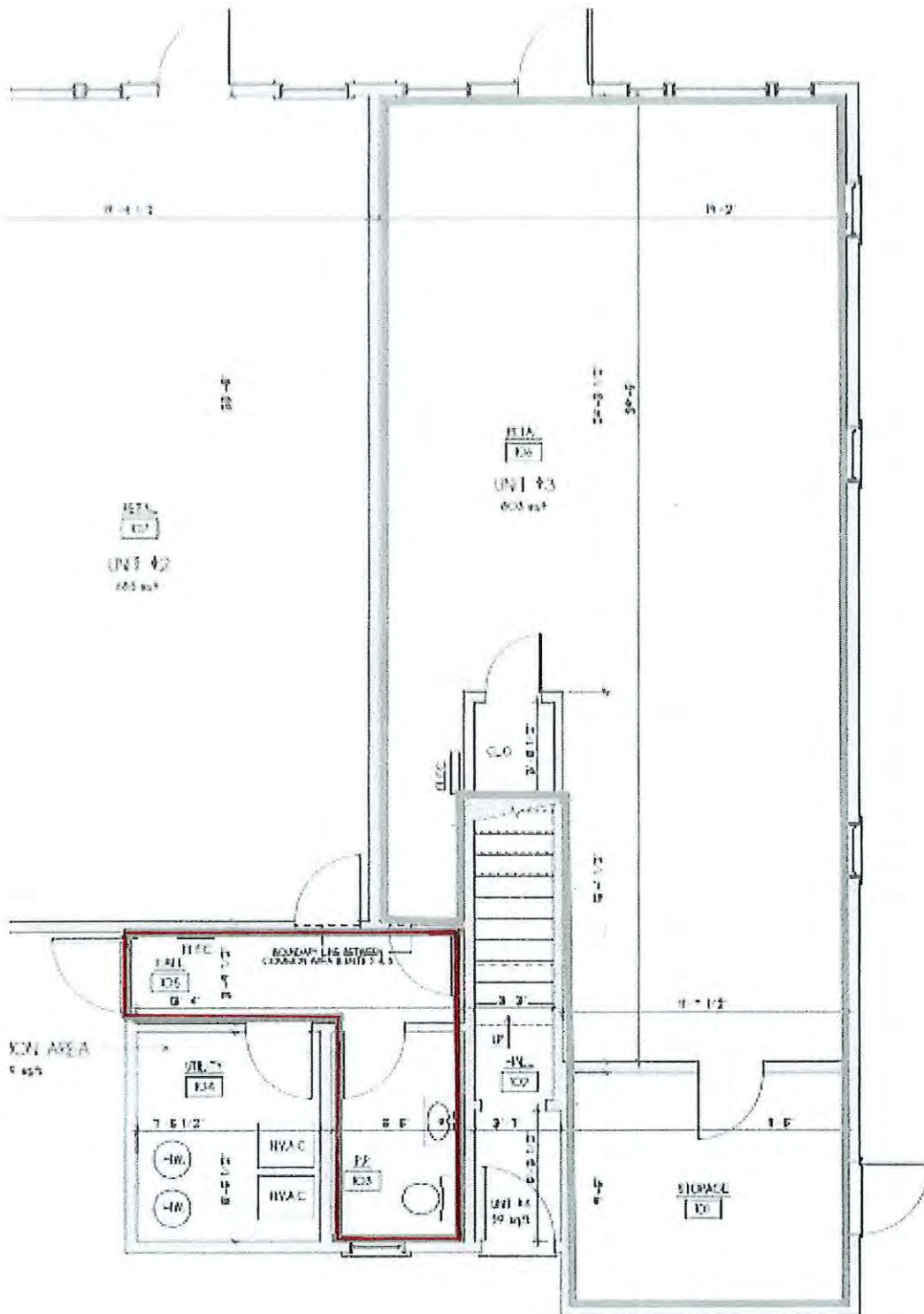
On this 4th day of February, 2024, before me, the undersigned notary public, personally appeared Elizabeth Pereira, as President & Treasurer of E&B Holdings, Inc., proved to me through satisfactory evidence of identification, which was driver license, to be the person whose name is signed on this document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Just Am
Notary Public:

My Commission Expires:

11/17/27





Common areas - outlined in red

Exhibit A - outlined in green

TOWN OF NANTUCKET

LIQUOR LICENSE

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

PROPERTY OWNER... One North Beach, LLC
MAILING ADDRESS... 1 North Beach St. Nantucket, MA 02554
PROPERTY LOCATION... 1 North Beach St. Nantucket, MA 02554
ASSESSORS MAP/PARCEL... 42 41 88
SUBMITTED BY... Elizabeth Pereira

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.

February 5, 2024
DATE

Mary L.
Haley

Digitally signed by
Mary L. Haley
Date: 2024.02.05
13:21:24 -05'00'

ASSESSOR'S OFFICE
TOWN OF NANTUCKET

Abutters Listing

MBLU	Lot	Lot Cut	Name Line 1	Name Line 2	Address Line 1	City	State	Zip	Location
4241	90		ANCHOR DOWN NANTUCKET LLC		3554 LENOX RD	BIRMINGHAM	AL	35213	3 N BEACH ST

Count: 1



LIQUOR LICENSING || ANNUAL §15 QUOTAS

ANNUAL PACKAGE STORE LICENSE QUOTAS (Section 15 – Off-Premise)

The Annual Package Store Quota is based on Federal Census Population and determined every 10 years. The current Quota outlined below was set in 2020 with a Nantucket population of 14,255 as set by the Secretary of the Commonwealth. The previous population for 2010-2020 was 10,172.

M.G.L. c. 138, §15: Each city or town may issue one Annual off-premises (Section 15) all-alcoholic beverages license for each unit of 5,000 persons (or fraction thereof) with a minimum of 2. One wine and malt license may be granted for each unit of 5,000 persons (or fraction thereof) with a minimum of 5. If a community has one or more licenses over the stated figures authorized, such licenses can continue. However, if such licenses are surrendered, rescinded, cancelled or revoked, they cannot be replaced by new applicants.

ANNUAL ALL ALCOHOL PACKAGE STORE LICENSES

Quota: 3 Licenses

Total Licenses in 2023: 5 (Once Surrendered, this type of License can NOT be reissued)

- Hatch's 133 Orange Street
- The Islander 15 Old South Road
- Murray's 23 Main Street
- Nantucket Wine and Spirits 31 Sparke Avenue
- Old South Liquors 2 Lovers Lane

ANNUAL WINE AND MALT PACKAGE STORE LICENSES

Quota: 5 Licenses

Total Licenses in 2023: 5 Licenses

Available: 0

- Pip and Anchor 14 Amelia Drive
- Nantucket Trading Post 12 Nobadeer Farm Road
- Bartlett's 33 Bartlett Farm Road
- Nantucket Meat and Fish Market 21 Old South Road
- Born & Bread 35 Center Street



Town & County of
NANTUCKET, MA

LICENSING & PERMITTING OFFICE
PSF, 4 Fairgrounds Road, M-F 8am-4pm
508-325-4100 · licensing@police.nantucket-ma.gov

LIQUOR LICENSING || SEASONAL §15 QUOTAS

SEASONAL PACKAGE STORE LICENSE QUOTAS (Section 15 – Off-Premise)

Seasonal Package Store Licenses - Quota is based on Projected Population as of July 10th. The Select Board must approve the Seasonal Population increase every year. The 2024 Population Estimate is recommended to be 45,000, which allows for a total of **9 Seasonal Package Stores**.

M.G.L. c. 138, §15: The LLA may issue a limited number of seasonal off-premises alcoholic beverages licenses based on an estimate of the temporary increase in resident population for the upcoming season as of July 10th. The LLA must set the estimate and submit the estimate to the Commission.

The LLA may issue off-premises seasonal licenses based on that estimate at the rate of one license for each 5,000 persons (or fraction thereof) and can be issued effective April 1st to November 30th until January 15th, or any portion thereof, as set by the LLA.

SEASONAL PACKAGE STORE LICENSES

ESTIMATED POPULATION of 45,000

Quota:	9 Licenses
Total Licenses in 2023:	9 Licenses
Available Licenses in 2024:	0

- | | |
|-------------------------|-----------------------|
| • 167 Raw | 167 Hummock Pond Road |
| • BRIX | 1 A Windy Way |
| • Current Vintage | 4 Easy Street |
| • Epernay | 1 North Beach Street |
| • Harpoon Liquors/Fresh | 3 Salem Street |
| • Millie's Market | 1 Miller's Way |
| • 'Sconset Bookstore | 100 Sankaty Avenue |
| • The Green Market | 4 India Street |
| • Foggy Nantucket | 147 Orange Street |



Agenda Item Summary

Agenda Item #	IV. 2.
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator

Subject

New Seasonal General-On-Premises All Alcoholic Beverages Liquor License Application – Theatre Workshop, Inc, dba Theatre Workshop of Nantucket, 62 Centre Street, Bethany Oliver Manager.

Executive Summary

The Applicant seeks a NEW Seasonal Liquor License for the operation of The Theatre Workshop of Nantucket at Bennett Hall, 62 Centre Street.

The Theatre Workshop currently has only an Entertainment License issued through the Select Board and applies for temporary one-day liquor pouring permits throughout the season. This is a new location for a full-time Liquor License.

Staff Recommendation

Comments and Consideration:

- 1) Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, decisions of the Local Licensing Authority must be based on reasonable grounds;
- 2) ABCC and courts prefer findings be based on the following:

The appropriateness of a liquor license at a particular location

- The Theatre Workshop of Nantucket is located in Bennett Hall on the property of The First Congregational Church. As property owner, the Church and its Board has approved the application for a permanent Liquor License.
- The location is in a residential area near the CORE Downtown District.
- There has never been a Full Permanent Liquor License issued to this location.

The number of existing dispensaries in Town

Annual Package Stores – Wine & Malt:	5
Annual Package Stores – All Alcohol:	5
Seasonal Package Stores – Wine & Malt:	5
Seasonal Package Stores – All Alcohol:	4
Annual On Premise Licenses:	45
Seasonal On-Premise Licenses:	42

The views of the inhabitants of the locality in which a license is sought

- No public comments were received by Licensing as of 3-7-24.



Traffic, noise, size (typically applies to a new location)

- In previous Hearings on Entertainment and Licensing at the location, noise from the outdoor area was cited as a concern. This application only seeks to serve liquor in the interior seating and performance area. No outdoor service requested.
- No noise complaints on record with NPD in past 5 years.

The sort of operation that carries the license and reputation of the applicant

- The Applicant has been a non-profit Arts organization on Nantucket for over 65 years.

Background/Discussion

Over the years Theatre Workshop of Nantucket has applied for temporary one day pouring permits to service individual performances and events. See below for guidance around one day permits. Due to the limitations around one-day permits and the lead time needed for approval, it became increasingly difficult for the Theatre to provide the service when needed and especially for last minute events. The cost and administration was prohibitive. The Theatre is also facing competition from other locations in the Arts and Entertainment space with full liquor licenses.

As it is an Event Facility, the Theatre Workshop is applying for A General On Premises License which does not require a Common Victualler. Any Food Service provided for events will require separate Health permits.

The other General On Premise Locations Licensed on Nantucket are:

White Heron Theatre

The Dreamland Theatre

The Chicken Box

PPX

Nantaco (required to have GOP due to lack of public restroom)

ONE DAY Pouring Guidelines

Local Licensing Authorities may issue special licenses for the sale of wines and/or malt beverages to any enterprise however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations only. The license is to be utilized for a single day.

The Local Licensing Authorities cannot grant special licenses to: any person for more than a total of 30 days per calendar year and Special licensees CANNOT purchase alcoholic beverages from a package store – only authorized distributors.

Per Town of Nantucket Chapter 207:

Frequency. One-day licenses are to be issued primarily to applicants sponsoring functions that are not held more than once annually. Except for applicants that are in the business of catering or accommodating individual functions, one-day licenses are not intended as an alternative to a seasonal or annual liquor license.



Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

N/A

Board/Commission Recommendation

N/A

Public Outreach

Advertise in local paper

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

N/A

Attachments

New Liquor License ABCC Application and Floor Plans; ABCC Summary Form; Determination Letter; Draft Liquor License; Copy of Current Entertainment License.





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Nantucket

City /Town

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee	The Theatre Workshop, Inc	DBA	Theatre Workshop of Nantucket
Street Address	Bennett Hall, 62 Centre Street, Nantucket, MA		Zip Code 02554
Manager	Bethany Oliver		Granted under Special Legislation? Yes ☐ No ☐
\$12 Tavern (No Sundays)	Seasonal	All Alcoholic Beverages	
Type (i.e. restaurant, package store)	Class (Annual or Seasonal)	Category (i.e. Wines and Malts / All Alcohol)	
		If Yes, Chapter of the Acts of (year)	

DESCRIPTION OF PREMISES

Complete description of the licensed premises

Single story structure with partial basement. It consists of a small lobby two bathrooms, a 130 seat house, stage, and backstage greenroom space. Bathrooms in basement level. The bar is located in the back of the seating area. Locked liquor storage in lobby closet.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA:	Date	02/16/2024	Time		
Advertised	Yes ☒ No ☐	Date Published	02/29/24	Publication	Inquirer and Mirror
Abutters Notified:	Yes ☒ No ☐	Date of Notice	03/01/24		
Date APPROVED by LLA	03/11/2024	Decision of the LLA	Approves this Application		
Additional remarks or conditions (E.g. Days and hours)					
For Transfers ONLY:					
Seller License Number:		Seller Name:			

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



First Congregational Church

NANTUCKET

First Congregational Church
P.O. Box 866
62 Centre St
Nantucket
MA, 02554

Select Board
Town of Nantucket
16 Broad Street
Nantucket
MA, 02554

February 2, 2024

RE: Theater Workshop of Nantucket Pouring Permit Request

Dear Select Board:

This letter is to confirm the approval of First Congregational Church (FCC) for Theatre Workshop of Nantucket (TWN) to apply for a seasonal liquor license for their theatre performances in Bennett Hall on FCC church property at 62 Centre Street, Nantucket.

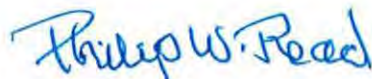
Under the terms of FCC's lease with Theatre Workshop, with proper pouring permits from the Town of Nantucket, TWN may serve alcohol only to patrons and audience members before theatrical performances begin and during the intermission of such performances, but not after a performance concludes.

Under the lease, alcoholic beverages of any kind are not permitted outside Bennett Hall or on the FCC church premises.

If there are any questions, please contact FCC.

Sincerely,


Pastor Jodi Fondell
Senior Minister


Philip Read
Church Moderator



**Town & County of
NANTUCKET, MA**

LICENSING AND PERMITS
PSF, 4 Fairgrounds Road, M-F 8am-4pm
508-325-4100 · licensing@police.nantucket-ma.gov

**TOWN OF NANTUCKET SELECT BOARD/LICENSING AUTHORITY
NOTICE OF LIQUOR LICENSING PUBLIC HEARING**

Dear Abutter:

In accordance with MGL Chapter 138, Section 15A you are hereby notified that a Liquor License Public Hearing will be held as noticed below. For more information or to provide written comments, please email licensing@police.nantucket-ma.gov.

NOTICE OF PUBLIC HEARING

Description of Proposed Premises:

Additional Application Information:

REMOTE PARTICIPATION ONLY:

You Tube Link For Viewing Only: <https://youtu.be/g4QzY4grksk>

Zoom Webinar Registration Link to Virtually Attend Meeting:
https://us06web.zoom.us/webinar/register/WN_IdpZTZo4RkyaEy3fhTszww

PUBLIC HEARING NOTICE

The Select Board will hold a public hearing on Monday, March 11, 2024 at 11:00 AM to hear the application for a New Seasonal All Alcoholic Beverages General-On-Premises Liquor License for The Theatre Workshop, Inc., dba The Theatre Workshop of Nantucket, located at 62 Centre Street, Nantucket, MA 02554, Bethany Oliver, Manager. The hearing will be held remotely via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email licensing@police.nantucket-ma.gov.

LICENSE #: 0TBD-GP-0762

LICENSE FEE: \$3,900.00

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

TO BE CONSUMED ON THE PREMISES

BUSINESS: The Theatre Workshop, Inc.
DBA: The Theatre Workshop of Nantucket
PREMISES: Bennett Hall, 62 Centre Street
Nantucket, MA 02554
MANAGER: Bethany Oliver

ON PREMISES DESCRIBED AS:

Single story structure with partial basement. It consists of a small lobby two bathrooms, a 130 seat house, stage, and backstage greenroom space. Bathrooms in basement level. The bar is located in the back of the seating area. Locked liquor storage in lobby closet.

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 their official signature on this xxst Day of xx.

Chair, Select Board

THIS LICENSE WILL EXPIRE DECEMBER 31, 202x

**Unless earlier suspended, cancelled, or revoked*

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

LICENSE FEE: **\$100.00**

THE LICENSING BOARD *for the*
TOWN OF NANTUCKET, MASSACHUSETTS

HEREBY GRANTS AN
ENTERTAINMENT LICENSE

▶ **SEVEN DAYS** ◀

BUSINESS: Theatre Workshop of Nantucket, Inc.

DBA: Theatre Workshop of Nantucket

PREMISES: Bennett Hall, 62 Centre Street
Nantucket, MA 02554

MANAGER: Bethany Oliver

LICENSED PREMISES DESCRIBED AS:
130 Seat Theatre.

Approved Entertainment:

- INSTRUMENTAL/VOCAL MUSIC
- STREAMING MUSIC
- SOUND EFFECTS
- STAGE PLAYS (1) STAGE
- MOVIE THEATRE (1) SCREEN
- AMPLIFIERS (INDOORS ONLY)

INDOORS: Conditions of License:

- **HOURS: 12:00 pm to 10:00 pm; 7 Days**
- Entertainment Permitted Indoors only

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of Section 181, Chapter 140 of the Massachusetts General Laws, and any rules or regulations made thereunder by the licensing authorities.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this 11th day of December 2023.

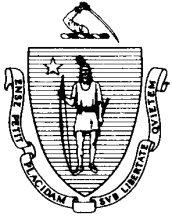
Chair, Select Board

THIS LICENSE WILL EXPIRE DECEMBER 31, 2024

**Unless earlier suspended, cancelled, or revoked*

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

A Current Certificate of Inspection with Approved Occupancy Must Always be Posted with this License.



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

APPLICATION FOR A NEW LICENSE

Municipality

Nantucket

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES

On-Premises-12

TYPE

\$12 General On-Premises

CATEGORY

All Alcoholic Beverages

CLASS

Seasonal

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.

Theatre Workshop of Nantucket is a small professional theatre located in Bennett Hall which we rent from the First Congregational Church of Nantucket. We have 130 seats, we operate from May to December producing four to five live theatre productions per year. We average 90 performance days per year. We are applying for a seasonal license to be able to serve our patrons during performances.

Is this license application pursuant to special legislation?



Yes



No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name

The Theatre Workshop, Inc.

FEIN

04-2303908

DBA

Theatre Workshop of Nantucket

Manager of Record

Bethany Oliver

Street Address

62 Centre Street, Nantucket, MA 02554

Phone

508-228-4305

Email

boliver@theatrenantucket.org

Alternative Phone

Website

theatrenantucket.org

3. 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.

Bennett Hall is a single story structure with partial basement. It consists of a small lobby with two bathrooms, a 130 seat house, stage, and backstage/greenroom space. Bathrooms in basement level are accessible from the greenroom. The bar is located in the back of the seating area, marked on the floor plan and the locked liquor storage is in a closet in the lobby located on the floorplan.

Total Square Footage:

2520

Number of Entrances:

1

Seating Capacity:

130

Number of Floors

1

Number of Exits:

4

Occupancy Number:

155

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:

Bethany Oliver

Phone:

508-228-4305

Title:

Executive Director

Email:

boliver@theatrenantucket.org

5. CORPORATE STRUCTURE

Entity Legal Structure	Non-Profit Association	Date of Incorporation	05/08/1957
State of Incorporation	Massachusetts	Is the Corporation publicly traded?	☐ Yes ☒ No

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ No

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		☐ Yes ☐ No	☐ Yes ☐ 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

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. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name First Congregational Church of Nantucket

Landlord Phone 508-228-0950

Landlord Email office@nantucketfcc.org

Landlord Address 62 Centre Street, Nantucket MA

Lease Beginning Date July 1, 2019

Rent per Month \$5,240

Lease Ending Date December 31, 2028

Rent per Year \$62,880

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

☐ Yes ☒ No

A. MANAGER INFORMATION

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

Proposed Manager Name

Email

Phone

Please indicate how many hours per week you intend to be on the licensed premises

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
2019	present	Executive Director	Theatre Workshop of Nantucket	Board President, Susan Lucier
2017	2019	Director of Adult Education	Artists Association of Nantucket	Lori Garrabrandt
2010	2012	Managing Director	Nantucket Community Music Center	Mollie Glazier
2004	2009	Executive Director	Small Friends of Nantucket	various board presidents

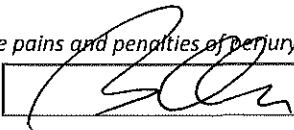
D. PRIOR DISCIPLINARY ACTION

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

11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 11A, 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

11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 11A, 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

11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D 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

11F. 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:

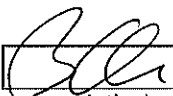
Date:

Management Agreement Entity Officer/LLC Manager

Signature:

Title:

Date:

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

of **Theatre Workshop of Nantucket**

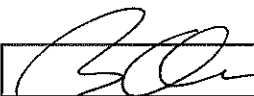
Name of the Entity/Corporation

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:



Date:

2/16/2024

Title:

Executive Director

ENTITY VOTE

The Board of Directors or LLC Managers of Theatre Workshop of Nantucket
Entity Name
duly voted to apply to the Licensing Authority of Nantucket and the
City/Town
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 02/16/2024
Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize Bethany Oliver
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 Bethany Oliver
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,

Helene Patterson
Corporation Clerk's Signature

Helene Patterson
(Print Name)

RECEIVED

MAY 8 1957

CORPORATION DIVISION
SECRETARY'S OFFICE

THE COMMONWEALTH OF MASSACHUSETTS

WRITE NOTHING BELOW

CORPORATIONS FOR CHARITABLE AND CERTAIN OTHER PURPOSES

Theatre Workshop, Inc., The

ARTICLES OF ORGANIZATION

GENERAL LAWS, CHAPTER 180, SECTION 7

Filed in the office of the Secretary of the Commonwealth
and Certificate of Incorporation issued

as of May 8, 1957

I hereby certify that, upon an examination of the
within-written articles of organization, the agreement
of association, and the record of the first meeting of
the incorporators, including the by-laws, duly sub-
mitted to me, it appears that the provisions of the
General Laws relative to the organization of corpora-
tions have been complied with, and I hereby approve
said articles

this 8th day of May, 1957

Commissioner of Corporations and Taxation

DEPARTMENT OF

MAY 8 1957

CORPORATIONS AND TAXATION

CERTIFICATE
RECEIVED

JUN 26 1957

BY SECRETARY'S OFFICE
FROM DEPARTMENT OF CORPORATIONS
AND TAXATION

CHARTER TO BE SENT TO

Grace M. Henry
Main Street
Nantucket, Mass.

NOTIFICATION SENT TO

Nantucket n/a 6-27-57

A TRUE COPY ATTEST

William Francis Galvin

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

DATE 9-7-2017 CLERK

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORPORATIONS AND TAXATION

315 STATE HOUSE, BOSTON

ARTICLES OF ORGANIZATION

We, Everett U. Crosby, President, Barbara W. Nelson, Treasurer,
Grace M. Klingelfuss, Clerk or Secretary, and Everett U. Crosby,
Barbara W. Nelson, Albert E. Whitehill, Marshall T. Miltimore,
and Grace M. Klingelfuss

being a majority of the directors (or officers having the power of directors)

of The Theatre Workshop, Inc.

electd at its first meeting, in compliance with the requirements of General Laws, Chapter 180,
Section 8, hereby certify that the following is a true copy of the agreement of association to form
said corporation, with the names of the subscribers thereto:

We, whose names are hereto subscribed, do, by this agreement, associate ourselves with the
intention of forming a corporation under the provisions of General Laws, Chapter 180.

The name by which the corporation shall be known is The Theatre Workshop, Inc.

The location of the principal office of the corporation in Massachusetts is to be the Town of
Nantucket, Main Street

The purposes for which the corporation is formed are as follows:

to promote the welfare, culture, education and entertainment of
the Town of Nantucket by presenting, producing, managing, con-
ducting at any theatre, hall or place, plays, dramas, comedies,
operas, pantomimes, concerts, musical and other pieces, ballets,
shows, exhibitions, moving pictures, variety and other entertain-
ments; to do everything necessary, suitable, proper, desirable or
incidental thereto; to do all things conducive to or expedient for
the protection or benefit thereof, including buying, selling, hold-
ing, leasing, mortgaging, and disposing of real and personal property of
every nature; to do any thing not contrary to law, to the laws of the
Commonwealth of Massachusetts or the United States of America.

(If seven days' notice is waived, fill in the following waiver.)

We hereby waive all requirements of the General Laws of Massachusetts for notice of the
first meeting for organization, and appoint the 19th day of April, 1957,
at 4 o'clock P.M., at 28 Orange Street, Nantucket
as the time and place for holding such first meeting.

IN WITNESS WHEREOF we hereto sign our names, this 19th day of April, 1957.

(Type or plainly print the names and address of each incorporator in space below.)

NAME	RESIDENCE Give Number and Street, City or Town
✓ Everett U. Crosby	28 Orange Street, Nantucket
✓ Grace M. Klingelfuss	Easton Street, Nantucket
✓ Marshall T. Miltimore	60 Fair Street, Nantucket
Philip Murray	25 West Chester Street, Nantucket
✓ Barbara W. Nelson	Vestal Street, Nantucket
Mary P. Walker	5 Fair Street, Nantucket
Albert E. Whitehill	10 Pine Street, Nantucket

And we further state that the first meeting of the subscribers to said agreement was held on
the 19th day of April in the year 19 57

The name, residence, and post office address of each of the officers of the corporation is as follows:

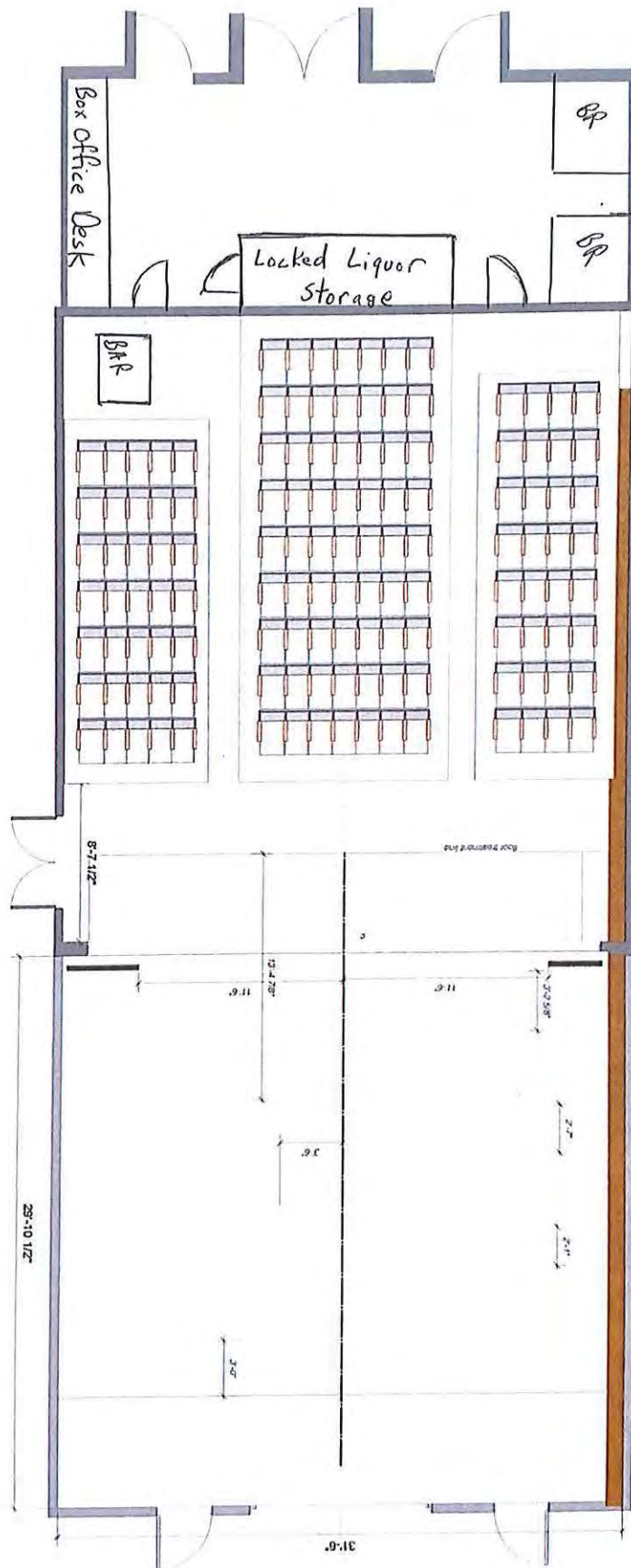
	NAME	DOMICIL Actual place of residence must be given.	POST OFFICE ADDRESS Place of business
President	Everett H. Crosby	28 Orange St.	Nantucket
Treasurer	Barbara W. Nelson	Vestal St.	Nantucket
Clerk	Grace M. Klingelfuss	Easton Street,	Nantucket
Directors	Everett U. Crosby,	28 Orange Street,	Nantucket
	Grace M. Klingelfuss,	Easton Street,	Nantucket
	Marshall T. Miltimore,	60 Fair Street,	Nantucket
	Philip Murray,	25 West Chester Street,	Nantucket
	Barbara W. Nelson,	Vestal Street,	Nantucket
	Mary P. Walker,	5 Fair Street,	Nantucket
	Albert E. Whitehill,	10 Pine Street,	Nantucket

IN WITNESS WHEREOF AND UNDER THE PENALTIES OF PERJURY, we hereunto sign our names

this 19th day of April

1957.

Everett H. Crosby
 Barbara W. Nelson
 Albert E. Whitehill
 Marshall T. Miltimore
 Grace M. Klingelfuss





Agenda Item Summary

Agenda Item #	IV. 3.
Date	3/11/2024

Staff

Amy Baxter, Licensing Administrator

Subject

Liquor License Multiple Amendments Application – ***Nantaco ACK, LLC dba Nantaco, 21 South Water Street, License #07308-RS-0762***

Executive Summary

Nantaco ACK, LLC is applying for Multiple Amendments for an ***Annual General-On-Premises Wine and Malt Beverages*** Liquor License for ***DBA Nantaco*** at ***21 South Water Street***.

The Applicant requests the following amendments:

Change of License Class from Annual to Seasonal.

Change from Wine and Malt Beverages to All-Alcoholic Beverages license

Extension of service hours to 10:00 pm

Sidewalk Dining Permit: Addition of one 4-top table for a total of 5 tables and 20 seats.

Staff Recommendation

Applicant has submitted required documentation as outlined below and is fully in compliance with all requirements of their Liquor and associated Licenses. Nantaco has not been cited for any violation of their Liquor License. Licensing strongly recommends Liquor service by staff only and close monitoring of sidewalk space as the applicant has confirmed they will do.

Requirements for Multiple Amendments as listed above of Liquor License Premises:

- ABCC Multiple Amendments Application
- DUA Certificate of Compliance
- DOR Certificate of Good Standing
- Advertisement and Abutter Notification



Background/Discussion

The applicant is requesting multiple amendments to the Liquor License and Sidewalk Dining Permit issued to Nantaco located at 21 South Water Street.

1. Change of Class from Annual to Seasonal

Nantaco is in a very small space that confines the majority of seats to the tables on the sidewalk. A plan to expand further into the retail clothing space during the off-season was difficult to execute so the location is better served during Seasonal months.

2. Change of Category from Wine and Malt Beverages to All Alcoholic Beverages.

Nantaco would like to offer canned liquor and other served all alcohol beverages such as a margaritas, etc.. In order to better manage the outdoor space and service of liquor they have committed to a dedicated server for the sidewalk tables whenever there is liquor service. All beverages will be brought to the table by a Nantaco server and the area monitored.

3. Extension of Liquor Service to 10:00 pm.

The Change of Hours is an administrative function that is not included on the ABCC application. Nantaco is requesting they be allowed to serve alcohol on the sidewalk until 10:00 pm. The current sidewalk dining agreement and conditions set by the Select Board allow for service until 10:00 pm at all outdoor dining locations. The service time for Nantaco is currently set to end at 8pm daily as a self-imposed shut off offered by Nantaco at the time of initial application in 2022.

Per ABCC FAQ's:

Do LLAs set the hours during which restaurants can serve alcoholic beverages on weekdays?

To a limit. Massachusetts State Law says that § 12 licensees cannot be barred from serving alcohol between 11:00 a.m.-11:00 p.m. LLAs may grant extended opening hours between 8:00 a.m. and 11:00 a.m. and extended closing hours between 11:00 p.m. and 2:00 a.m. In no event can sales be made between 2:00 a.m. and 8:00 a.m.

4. Addition of 4-top table to Sidewalk Dining area for a total of 5 tables and 20 seats.

Upon initial application in 2022, Nantaco requested five 4-top tables for their sidewalk dining permit. The Select Board was concerned about congestion in the space and compromised on four 4-top tables to see how it operated.

Comments and Consideration:

Pursuant to MGL c. 138, §23 and Ballarin v. Licensing Board of Boston, decisions of the Local Licensing Authority must be based on reasonable grounds; ABCC and courts prefer findings be based on the following:

- The appropriateness of a liquor license at a particular location



- The number of existing dispensaries in Town
- The views of the inhabitants of the locality in which a license is sought
- Traffic, noise, size (typically applies to a new location)
- The sort of operation that carries the license
- The reputation of the applicant

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

N/A

Board/Commission Recommendation

N/A

Public Outreach

Advertise in local paper

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

N/A

Attachments

ABCC Multiple Amendments Application; Draft Liquor License; Sidewalk Dining Agreement and Conditions





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Nantucket

City /Town

07308-GP-0762

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee Nantaco ACK, LLC

DBA Nantucket

Street Address 21 South Water Street, Nantucket, MA

Zip Code 02554

Manager Cynthia Milazzo

Granted under
Special Legislation? Yes ☐ No ☒

\$12 General On-Premises

Seasonal

All Alcoholic Beverages

Type

(i.e. restaurant, package store)

Class

(Annual or Seasonal)

Category

(i.e. Wines and Malts / All Alcohol)

If Yes, Chapter

of the Acts of (year)

DESCRIPTION OF PREMISES

Complete description of the licensed premises

20 Outdoor Seats at 5 tables on 21 South Water Street facing sidewalk April-December as weather permits. Sidewalk Liquor Service until 10:00 pm daily. Take-out food service only after 10:00 pm April – December. First floor 750 sq. ft. indoor space divided into the kitchen and counter area.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date 02/26/2024

Time

Advertised Yes ☒ No ☐ Date Published

02/29/2024

Publication

Inquirer and Mirror

Abutters Notified: Yes ☒ No ☐ Date of Notice

03/01/2024

Date APPROVED by LLA

03/11/2024

Decision of the LLA

Approves this Application

Additional remarks or conditions
(E.g. Days and hours)

Sidewalk service hours extended from 8pm to 10pm.

For Transfers ONLY:

Seller License Number:

Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

LICENSE #: 07308-GP-0762

LICENSE FEE: \$3,250.00

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

TO BE CONSUMED ON THE PREMISES

BUSINESS: NANTACO ACK, LLC

DBA: Nantaco

PREMISES: 21 South Water Street
Nantucket, MA 02554

MANAGER: Cynthia L. Milazzo

ON PREMISES DESCRIBED AS:

~~16 Outdoor Seats~~ 20 Outdoor Seats at 5 tables on 21

South Water Street facing sidewalk April-December as
weather permits. Sidewalk ~~Beer and Wine Liquor~~

Service until ~~8:00 pm~~ 10:00 pm daily. Take-out food
service only after ~~8:00 pm~~ 10:00 pm April – December.

First floor 750 sq. ft. indoor space divided into the
kitchen and counter area. ~~24 Indoor seats December-~~

~~April upon closure of outdoor seating area and retail~~

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 their official signature on this xx Day of xxx.

Chair, Select Board

THIS LICENSE WILL EXPIRE DECEMBER 31, 202x

**Unless earlier suspended, cancelled, or revoked*

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



**Town & County of
NANTUCKET, MA**

LICENSING AND PERMITS
PSF, 4 Fairgrounds Road, M-F 8am-4pm
508-325-4100 · licensing@police.nantucket-ma.gov

**TOWN OF NANTUCKET SELECT BOARD/LICENSING AUTHORITY
NOTICE OF LIQUOR LICENSING PUBLIC HEARING**

Dear Abutter:

In accordance with MGL Chapter 138, Section 15A you are hereby notified that a Liquor License Public Hearing will be held as noticed below. For more information or to provide written comments, please email licensing@police.nantucket-ma.gov.

NOTICE OF PUBLIC HEARING

The Select Board will hold a public hearing on Monday, March 11, 2024 at 11:00 AM to hear the multiple amendments application for NANTACO ACK, LLC, dba Nantaco, located at 21 South Water Street, Nantucket, MA 02554, Cynthia Milazzo, Manager. Amendments include Change of Classifications from Annual to Seasonal, and Wine and Malt Beverages to All Alcohol; Additional sidewalk seating and extension of service hours to 10:00 pm. The hearing will be held remotely via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email licensing@police.nantucket-ma.gov.

Description of Proposed Premises:

20 Outdoor Seats (addition of one 4-top table) at 5 tables on 21 South Water Street facing sidewalk April-December as weather permits. Sidewalk Beer and Wine Liquor Service until 10:00 pm daily. Take-out food service only after 10:00 pm April – December. First floor 750 sq. ft. indoor space divided into the kitchen and counter area.

Additional Application Information:

Extension of alcohol service until 10pm at sidewalk tables.

IN PERSON PARTICIPATION: PSF Community Room, 4 Fairgrounds Road

REMOTE PARTICIPATION:

You Tube Link For Viewing Only: <https://youtu.be/g4QzY4grksk>

Zoom Webinar Registration Link to Virtually Attend Meeting:

https://us06web.zoom.us/webinar/register/WN_IdpZTZo4RkyaEy3fhTszww

PUBLIC HEARING NOTICE

The Select Board will hold a public hearing on Monday, March 11, 2024 at 11:00 AM to hear the multiple amendments application for NANTACO ACK, LLC, dba Nantaco, located at 21 South Water Street, Nantucket, MA 02554, Cynthia Milazzo, Manager. Amendments include Change of Classifications from Annual to Seasonal, and Wine and Malt Beverages to All Alcohol; Additional sidewalk seating and extension of service hours to 10:00 pm. The hearing will be held remotely via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For further information, please email licensing@police.nantucket-ma.gov.



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

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name

Municipality

ABCC License Number

Nantaco ACK, LLC

Nantucket

07308-GP-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.

Requesting a change from Annual to Seasonal Operations and change of Category to All Alcoholic Beverages.

APPLICATION CONTACT

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

Name

Title

Email

Phone

Cynthia Milazzo

License Manager

cindy@samuelowen.com

508-901-5253

2. AMENDMENT-Change of License Classification

☒ **Change of License Category**

All Alcohol, Wine and Malt,
Wine Malt and Cordials

Last-Approved License Category

Wines and Malt Beverages

Requested New License Category

All Alcoholic Beverages

☒ **Change of License Class**

Seasonal or Annual

Last-Approved License Class

Annual

Requested New License Class

Seasonal

☐ **Change of License Type***

i.e. Restaurant to Club

*Certain License Types

CANNOT change once issued*

Last-Approved License Type

Requested New License Type

3. AMENDMENT-Change of Business Entity Information

☐ **Change of Corporate Name**

Last-Approved Corporate Name:

Requested New Corporate Name:

☐ **Change of DBA**

Last-Approved DBA:

Requested New DBA:

☐ **Change of Corporate Structure**

LLC, Corporation, Sole
Proprietor, etc

Last-Approved Corporate Structure

Requested New Corporate Structure

4. AMENDMENT-Pledge Information

☐ **Pledge of License**

To whom is the pledge being made:

☐ **Pledge of Inventory**

☐ **Pledge of Stock**

ENTITY VOTE

The Board of Directors or LLC Managers of

Nantaco ACK, LLC

Entity Name

duly voted to apply to the Licensing Authority of

Nantucket

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

Feb 29, 2024

Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize

Cynthia Milazzo

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."

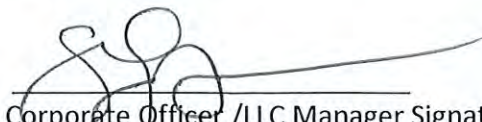
"VOTED: To appoint

Cynthia Milazzo

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
Cynthia Milazzo
(Print Name)

For Corporations ONLY

A true copy attest,

Corporate Clerk's Signature

(Print Name)

APPLICANT'S STATEMENT

I, Cynthia Milazzo the: ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☒ LLC/LLP manager

Authorized Signatory

of Nantaco ACK, LLC

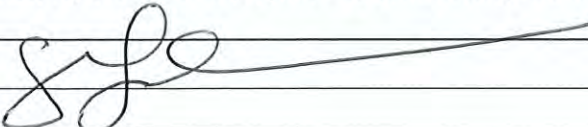
Name of the Entity/Corporation

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:



Date: 03/01/2024

Title:

Manager



2 HOUR
PARKING
8 AM
TO
4 PM
N.E.D.

SILVERADO
N6616





Town & County of NANTUCKET, MA

2024 REVOCABLE LICENSE AGREEMENT FOR OUTDOOR SEATING LICENSE

This confirms the terms of the 2024 Revocable License Agreement between Nantaco ACK, LLC., dba **Nantaco**, located at **21 South Water Street**, Nantucket Massachusetts 02554. (hereafter the “Outdoor Seating Licensee”), and the Town of Nantucket, Broad Street, Nantucket, Massachusetts 02554 (hereafter, the “Town”), as follows:

The Town grants a revocable license to the Outdoor Seating Licensee (the “Revocable License”) to use the portion of Town property described in the Outdoor Seating Licensee’s Application for an Outdoor Seating Common Victualler’s License (“Application”), for the purposes and on the premises set forth in that Application (the “Property”). The purpose of this Revocable License is to facilitate the Outdoor Seating Licensee’s use of Town property for outside seating, service of food and/or alcoholic beverages, and transit by staff and others between portions of the licensed premises, including the outdoor seating area and other portions of the licensed premises.

This Revocable License is subject to the Outdoor Seating Licensee’s compliance with all applicable law and terms of the Outdoor Seating Licensee’s Town and State licenses, including, but not limited to, the Town’s Outdoor Dining Program Terms and Conditions (Exhibit A) Conditions and Guidelines; the Town’s Prepared Food Regulations; in the case of liquor licensees, the ABCC’s “Guidelines for Extension of Premises to Patio and Outside Areas” and the Town’s Regulations Governing the Sales of Alcoholic Beverages; and the Outdoor Seating Licensee’s Common Victualler, Outdoor Seating Common Victualler, Liquor, and Entertainment Licenses.

The hours in which this Revocable License may be exercised are limited to the Town-approved hours of operation under the Outdoor Seating License. This Revocable License is valid from April 1, 2024 until December 31, 2024 unless earlier suspended by the Town.

The Outdoor Seating Licensee certifies that it has, and will maintain during the term of this Revocable License Agreement, all Town- and ABCC-required general liability and liquor liability insurance, and that the Town is named as an additional insured on all such policies. The Outdoor Seating Licensee absolves the Town and its officials, officers, employees, agents and representatives (collectively, the “Town”) from all liability in connection with this Revocable License Agreement and the Outdoor Seating Licensee’s exercise and use of it. To the greatest extent permitted by law, the Outdoor Seating Licensee agrees to defend, indemnify and hold harmless the Town of and from any and all claims, liabilities and actions for damages or other relief, whether sounding in contract, tort, or otherwise, on account of or in any way arising out of and/or relating to the Outdoor Seating License and the Outdoor Seating Licensee’s use of the Property, including but not limited to incidents involving the Town’s negligence.

The duty to defend shall immediately accrue and be owing upon the utterance of such a claim by any person or entity regardless of merit and shall not be dependent upon a finding of negligence or any other finding of fact at trial. The duty to defend shall be absolute and will include and shall not be defeated or in any way undermined by the utterance of claims not covered by this agreement.

The undersigned represent and warrant that they have the right, capacity and all necessary authority to execute and deliver this Revocable License Agreement on behalf of the respective party for whom they have signed.

Town of Nantucket:

Outdoor Seating Licensee:

Town Manager or Designee

License Manager or Designee

Date

Date



EXHIBIT A

SIDEWALK DINING LICENSE CONDITIONS

- ✱ **Hours of Operation:** No outdoor sidewalk seating area shall be in use beyond 8am to 10pm daily. Location specific restrictions may apply.
- ✱ **Entertainment:** No Entertainment allowed on sidewalk seating areas.
- ✱ **Maintenance of Public Right of Way:** Restaurant owners are fully responsible for licensed area as follows:
 - Food service personnel must constantly monitor the dining area for waste paper, garbage and other trash. Placement clips, cup holders and other such devices must be utilized to prevent blowing paper.
 - A minimum of 48" but 60" preferred of sidewalk clearance must be maintained to always ensure ADA accessibility and a clear pedestrian path.
- ✱ **Sidewalk Dining Furniture and Accessories:**
 - Outdoor seating areas must be easy to assemble on site and dismantle for storage or in case of emergency hazard situations.
 - All outdoor furniture, plantings, and amenities will be of a high quality and add to the appearance and vibrancy of the public way. Areas that are determined to be in poor condition or of poor-quality materials that detract from the public way will be asked to upgrade or remove the outdoor dining area.
- ✱ **Proof of Consent by Third Parties:**
 - Restaurants with proposed outdoor sidewalk seating on private property of third parties must submit proof of consent by the third party to for such use, such as a lease or other agreement.
- ✱ **Signage and Advertising Restrictions**
 - While modest enhancement of outdoor seating areas is encouraged (e.g. with flower planters), signs and corporate logos (including that of the restaurant utilizing the outdoor dining space) may not be displayed in the outdoor seating area. No promotional signage or logos shall be allowed on any outdoor dining elements (umbrellas, enclosures, etc.).
- ✱ **Heaters:** Fire Department permit required for any proposed propane heating lamps
- ✱ **Liability:**
 - Restaurants with outdoor seating on public property must provide certificate of liability insurance naming the Town of Nantucket as an additionally insured party in the amount of \$500,000/\$1 million providing coverage during the license period.
 - Restaurants serving alcohol must provide proof that the Licensee's Liquor Liability Insurance policy covers the proposed outdoor seating area and that the Town is listed as additional insured.



At the Select Board meeting held Monday, March 11, 2024 the Board approved the application for Multiple Amendments including Change of Classification from Annual to Seasonal Operations and Wine and Malt Beverages to service of All Alcoholic Beverages for Nantaco ACK, LLC dba Nantaco, located at 21 South Water Street, Nantucket, MA 02554, Cynthia Milazzo, Manger. The Board determined that this liquor license alteration is not detrimental to the spiritual activities of St. Mary's Roman Catholic Church, 3 Federal Street, Nantucket, MA 02554. St. Mary's Roman Catholic Church is located within 500 feet of the licensed premises.

Dawn Hill Holdgate, Chair

Brooke Mohr, Vice Chair

Matt Fee

Thomas M. Dixon

Malcolm W. MacNab