

SELECT BOARD

Minutes of the meeting of June 10, 2024. The meeting took place by remote participation via Zoom Webinar. Select Board Members present were Brooke Mohr, Tom Dixon, Matt Fee, Dawn Holdgate and Dr. Malcolm MacNab. Also present were Licensing Administrator Amy Baxter and Operations Administrator Erika Mooney.

I. CALL TO ORDER

Chair Mohr called the meeting to order at 11:00 AM.

II. LICENSING AND PETITIONS - PUBLIC HEARINGS

1. Public Hearing to Consider New Liquor License Fee for a \$19H Farmer Series Pouring Permit. Chair Mohr opened the hearing. Ms. Baxter reviewed the matter, suggesting a fee of \$3,250 for this new license category, which would be for all-alcoholic beverages licenses, annual and seasonal, which would allow for Cisco Brewers to co-mingle their Brewery, Winery and Distillery operations. Some discussion followed on the need for another license and the fee amount.

As there was no public comment, Dr. MacNab moved to close the hearing; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Ms. Holdgate moved approval; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted. Mr. Fee stated he didn't understand the Board was voting on setting the license fee and said he feels the amount is too high as Cisco Brewers, who this would apply to, all ready pays for three licenses. Ms. Baxter explained that this is a separate license. Dr. MacNab agreed that the fee seems "excessive". Ms. Holdgate said with the new ability to co-mingle the three operations, Cisco Brewers has the ability to increase its revenues; in light of that, the fee is minimal. Mr. Fee and Dr. MacNab agreed to let their concerns go.

2. Public Hearing to Consider Application for New \$19H Farmer Series Pouring Permit for Cisco Brewers, Inc. dba Cisco Brewers, Jason Harman, Manager, for Premises Located at 5 Bartlett Farm Road. Chair Mohr opened the hearing. Ms. Baxter reviewed the application and read the description of the licensed premises, as found in the Board's agenda packet.

As there was no public comment, Mr. Dixon moved to close the hearing; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Mr. Fee moved approval; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

3. Public Hearing to Consider Application for Alteration of Premises Amendment to Annual Farmer-Brewer Pouring License for Cisco Brewers, Inc. dba Cisco Brewers, Randolph Hudson, Manager, for Premises Located at 5 Bartlett Farm Road. Chair Mohr opened the hearing. Ms. Baxter reviewed the application and read the description of the licensed premises, as found in the Board's agenda packet.

As there was no public comment, Mr. Dixon moved to close the hearing; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Mr. Fee moved approval; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

4. Public Hearing to Consider Application for Alteration of Premises Amendment to Annual Farmer-Distiller Pouring License for Triple Eight Distillery, LLC dba Triple Eight Distillery, Dean Long, Manager, for Premises Located at 5 Bartlett Farm Road. Chair Mohr opened the hearing. Ms. Baxter reviewed the application and read the description of the licensed premises, as found in the Board's agenda packet.

As there was no public comment, Mr. Fee moved to close the hearing; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Mr. Fee moved approval; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

5. Public Hearing to Consider Application for Alteration of Premises Amendment to Annual Farmer-Winery Pouring License for Nantucket Vineyard, LLC dba Nantucket Vineyard, Dean Long, Manager, for Premises Located at 5 Bartlett Farm Road. Chair Mohr opened the hearing. Ms. Baxter reviewed the application and read the description of the licensed premises, as found in the Board's agenda packet. She noted that the applicant is adding a retail space with additional costs.

As there was no public comment, Ms. Holdgate moved to close the hearing; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Mr. Fee moved approval; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

6. Public Hearing to Consider Application for Alteration of Premises Amendment to Seasonal All-Alcoholic Beverages Restaurant License for Ethos Nantucket, LLC, dba Ethos Nantucket, Emily Dusseau, Manager, for Premises Located at 18 Broad Street. Chair Mohr opened the hearing. Mr. Fee recused himself from this matter as well as items 7 and 8, and left the meeting at 11:25 AM.

Ms. Baxter reviewed the application, noting that the applicant has applied for a 12-seat caterers liquor license which requires a separate storage space for liquor from the restaurant, resulting in an alteration of premises. Ms. Baxter answered questions from Select Board members.

As there was no public comment, Ms. Holdgate moved to close the hearing; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

7. Public Hearing to Consider Application for Multiple Amendments to Seasonal Wine and Malt Beverages Package Store License for The Green Market, LLC, Jenny Bence, Manager for Change of Location from 4 India Street to 5 W. Creek Road and Change of Corporate Name to The Green Gull, LLC. Chair Mohr opened the hearing. Ms. Baxter reviewed the application, noting that the Green Market is no longer in business on India Street. She said the owner also has an operation at 5 West Creek Road and wants to change the location of the liquor license to that premises. Ms. Baxter said this would be considered a new license application and the town is currently at quote for package store licenses. She added that the applicant has stated that a liquor license is needed for the business to survive. She noted past discussions on the high number of package store in the West Creek Road area. Mr. Dixon asked if the Board denies the application, could the applicant appeal the decision to the ABCC (Alcoholic Beverages Control Commission)? Ms. Baxter answered affirmatively. Dr. MacNab said that in looking at the map of package store establishments, there would be no net change because Foggy Nantucket is moving downtown.

As there was no public comment, Dr. MacNab moved to close the hearing; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Dr. MacNab moved approval; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

8. Public Hearing to Consider Application for Change of Location for Seasonal Wine and Malt Beverages Package Store License for Foggy Bottom Kitchen, LLC, Shaun P. Riley, Manager, from 147 Orange Street to 44 Straight Wharf. Chair Mohr opened the hearing. Ms. Baxter reviewed the application, noting the applicant is looking to move into the space formerly occupied by Oath Pizza. She added that she has nothing in writing that the premises landlord, Nantucket Island Resorts, will allow alcohol sales. Applicant Amanda Riley reviewed the business plan to offer charcuterie boards for the Boat Basin and would also like to offer full and half bottles of wine with them. She said it would be limited inventory and it would be an extra convenience to customers. Board members expressed concern about customers possibly bringing purchased wine onto the Hyline which has its own liquor license. Ms. Riley asked what the other downtown package stores are doing to prevent this possibility.

As there was no public comment, Ms. Holdgate moved to close the hearing; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Ms. Holdgate moved approval with signage/notification of the Hyline's no open container policy and to satisfactorily answer questions from the Licensing Administrator; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

~~9. Public Hearing to Consider Application for Modification of Entertainment License for 38 Main, LLC, dba Or The Whale, Emily Berger Kelly, Manager, for Premises Located at 38 Main Street. (Withdrawn)~~

9. Public Hearing to Consider Utility Petition from Verizon New England Inc. and National Grid/Nantucket Electric Company, Plan #MA2024-24 to Relocate JO Pole 5/22 on Easton Street Approximately 40' West of the Current Location to Accommodate a Driveway Redesign on Easton Street (Continued from May 10, 2024). Chair Mohr reopened the hearing. Ms. Mooney noted that it is her understanding that the abutter is still trying to work with the property owner who requested the petition. Attorney Sarah Alger, representing the abutter, said she is still attempting to work with the neighbor. Don Voner, representing Verizon, requested the hearing be continued to July 8, 2024.

Ms. Holdgate moved to continue the hearing to July 8, 2024; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

III. ADJOURNMENT

Ms. Holdgate moved to adjourn at 11:52 PM; seconded by Dr. MacNab; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

Approved the 26th day of June 2024.

SELECT BOARD
JUNE 10, 2024 – 11:00 AM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- II. 2. AIS re: Cisco Brewers new Farmer Series Pouring Permit; ABCC New License Application and Supporting Documents; ABCC 19H Advisory; Draft Cisco Brewers 19H; Farmer Series Pouring Permit
- II. 3. AIS re: Cisco Brewers alteration of premises; ABCC Alteration of Premises Application and Supporting Documents; Cisco Brewers Liquor License
- II. 4. AIS re: Triple Eight Distillery alteration of premises; ABCC Alteration of Premises Application and Supporting Documents; Triple 8 Liquor License
- II. 5. AIS re: Nantucket Vineyard alteration of premises; ABCC Alteration of Premises Application and Supporting Documents; Nantucket Vineyard Pouring License
- II. 6. AIS re: Ethos alteration of premises; ABCC Alteration of Premises Application; Ethos Liquor License
- II. 7. AIS re: The Green liquor license application; New Liquor License ABCC Application; ABCC Summary Form; Public Notice; Quota Report; Map of Package Stores; Select Board Liquor License Public Hearing Process
- II. 8. AIS re: Foggy Bottom change of location for liquor license; Change of Location Liquor License ABCC Application and related documents; Quota Report; Map of Package Stores
- II. 9. AIS re: Easton St utility petition; Departmental comments; utility petition; email from Sarah Alger; email from Verizon