

SELECT BOARD

Minutes of the meeting of December 9, 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 was Operations Administrator Erika Mooney.

I. CALL TO ORDER

Chair Mohr called the meeting to order at 11:02 AM and called roll.

II. ANNOUNCEMENTS

1. Introduction of Cultural Affairs and Special Events Coordinator in Culture and Tourism Department. Licensing Administrator Amy Baxter introduced Deana-Rae Weatherly as the new Cultural Affairs and Special Events Coordinator.

2. Update on Alcoholic Beverages Control Commission (ABCC) Advisories. Ms. Baxter reviewed three ABCC advisories included in the Board's agenda packet.

III. LICENSING AND PETITIONS – LICENSE HOLDER REQUESTS

1. Request for Approval of Change of Officers Application for Annual All-Alcoholic Beverages Club License for The Sankaty Head Golf Club, Inc. dba Sankaty Head Golf Club for Premises Located at 100 Sankaty Road. Ms. Baxter reviewed the request, noting this is an annual request. Mr. Fee moved approval; 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.

IV. LICENSING AND PETITIONS – DEPARTMENTAL REQUESTS

1. Request for Renewal of Annual Licensing Categories Including Common Victualler, Local Entertainment, Rental Car Agencies, Motor Vehicle Sales Class I, II and III, Mobile Food Units, Automatic Amusement Devices and Local Flower/Produce Vendors. Ms. Baxter reviewed the renewal process. Mr. Fee moved to renew all annual licenses as listed in the Board's agenda packet; 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.

2. Request for Renewal of Annual Liquor Licenses; Review of Renewal Process and 2024 License Compliance Report. Ms. Baxter reviewed the annual liquor license renewal process, noting that if the Board wishes to not approve any establishment, that will require a separate meeting. She added that there is one non-renewal for White Heron Theatre. Mr. Fee moved to approve all liquor licenses as listed in the Board's agenda packet with the exception of the White Heron Theatre; 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.

3. Request for Determination of Seasonal Population Increase Pursuant to M.G.L. Ch. 138, s17, as Amended; Review of Current Off-Premise License Quota. Ms. Baxter reviewed the request, noting the recommended seasonal population number of 45,000 with a seasonal quota of no more than nine licenses. Mr. Dixon said that the information in the packet from the Nantucket Data Platform is from 2017 and 2021; he asked when a new update will be occurring. Ms. Baxter said the Board can request that work be done on an update. Mr. Fee moved to set the seasonal population at 45,000; 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.

V. LICENSING AND PETITIONS - PUBLIC HEARINGS

1. Public Hearing to Consider Application for New Common Victualler with Annual Farmer-Brewer Pouring License for Brew Pub, LLC, Jack Piuggi, Manager, for Premises Located at One Cherry Street. Chair Mohr opened the hearing. Mr. Fee recused from this matter. Ms. Baxter reviewed the request, explaining that it is a new license at a new location which is commercially zoned, so this use is allowed. She added that the applicant is applying for a farmer brewer liquor license from the state, which is separate from the request before the Board, which is for on-premise service. Ms. Baxter reviewed the ABCC accepted findings. Applicant Jack Piuggi reviewed his plan for a brew pub, noting he just moved here year-round after being a summer resident, and explained his vision for the establishment. He said it is more of a “project” and he hopes to give back to the community. He added that there will be no service of food beyond pre-packaged snacks. Attorney Bryan Swain, representing the applicant, reviewed the technical components of the application. He said parking would be limited but compliant per the Building Commissioner per the zoning bylaw. Mr. Swain said this business would be no more impactful than the former coffee shop at this location. Some discussion followed on the rumors of what was supposedly planned for the space by the owner of the property. Ms. Holdgate spoke against a liquor license at this location. Chair Mohr said the comparison to the former coffee shop “rings untrue” and said parking may be compliant but could be setting up the area for a “bottleneck” of traffic. Chair Mohr invited public comment.

Abutter Patsy Wright spoke against the application.

Abutter Ellen Judd spoke against the application and asked about proposed hours of operation. Ms. Baxter said they would be allowed by state statute to serve alcohol until 11:00 PM, with an opening of 8:00 AM.

Abutter Kristen Mortensen noted none of the residents in the Cherry Street/William Street area were notified of the application and found about it from a social media article. She spoke against the application and said the property owner told her the building would become a juice bar and be part of the athletic club on the adjacent property.

Abutter Paul Mortensen spoke against the application and expressed concerns that the applicant “dipping his toe into the water” will become much larger and impact the area.

Abutter Margaret Geldart expressed concerns about noise, trash and traffic. She said she was disappointed that the neighbors were not approached about the proposal.

Abutter Anne MacLennan Perkins said the island has high rates of alcoholism and there are already enough places to go to drink.

Mike Zarcone spoke in opposition to the application.

Mr. Swain said he is aware of and appreciated the concerns expressed, and that his client plans to mitigate any issues. He said the use is allowed by right and there will be no exterior music, only interior background music.

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.

Mr. Dixon said as the listening authority, they cannot rely on rumor or innuendo. He said he has concerns on four of the five criteria for consideration: 1) he doesn't feel this is an appropriate location in proximity to a residential area; 2) the number of existing dispensaries in town; 3) the views of the neighbors; and 4) this would be a new liquor license location with traffic and parking concerns. Chair Mohr clarified that the only thing the Board can determine is if the applicant can pour and service alcohol on the premises.

Dr. MacNab moved to deny the application based on the criteria outlined by Mr. Dixon; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Ms. Holdgate – Yes; Dr. MacNab - Yes; so voted.

2. Public Hearing to Consider Application for New Non-Live Entertainment License for Brew Pub, LLC, Jack Piuggi, Manager, for Premises Located at One Cherry Street. Ms. Baxter said that since the prior application was not approved, this application is moot.

3. Public Hearing to Consider Application for New Public Assembly Special Event Permit for The Nantucket Wine & Food Festival, May 14 – 18, 2025, Bartlett's Farm, 33 Bartlett Farm Road. Chair Mohr opened the hearing. Ms. Baxter reviewed the request, noting Bartlett's Farm is a new location. Applicant Nancy Bean spoke in favor of the application. Mr. Dixon said the Board's agenda packet references events at private homes, and he sees one for 150 people. Ms. Baxter said one-day pouring permits are issued for private homes and larger events are required to have police detail. Ms. Bean said the event with 150 people has changed and is now occurring at the Nantucket Hotel. Patsy Wright spoke in favor of the event being at Bartlett's Farm.

Ms. Holdgate moved to close the hearing; 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 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 Utility Petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., Plan #30824935 to Relocate Pole 1 on Milestone Road to Polpis Road and Relocate Primary Underground from Pole 64 to Manhole 1 on Milestone Road (Continued from November 18, 2024). Chair Mohr opened the hearing. Operations Administrator Erika Mooney noted that this work is part of MassDOT's intersection and bike path project on Milestone Road and Polpis Road.

As there was no public comment, Dr. MacNab 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 based on departmental comments; 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 Utility Petition from Nantucket Electric Company/National Grid, Plan # 31029334 to Install a New Handhole (HH 6-1) and Approximately 90' of 2-3" Conduit Across and Along Morey Lane from Pole 6 for Service to 15 Morey Lane. Chair Mohr opened the hearing. Ms. Mooney noted there are no issues with the petition.

Mr. Fee 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. Dixon moved approval based on departmental comments; 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.

VI. ADJOURNMENT

Ms. Holdgate moved to adjourn at 12:32 PM; 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.

Approved the 18th day of December 2024.

**SELECT BOARD
DECEMBER 9, 2024 – 11:00 AM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- II. 2. ABCC Advisory - outdoor alcoholic beverage table service areas; ABCC Advisory - retail license managers; ABCC Advisory - compliance issues during the holiday season
- III. 1. AIS re: Sankaty Head Golf Club; Licensing Authority Certification; Sankaty Head Golf Club 2024 liquor license; ABCC Application for Change of Officers
- IV. 1. AIS re: Annual Business License Renewals; Common Victualler licenses; Entertainment licenses; Car Rental Agency licenses; Motor Vehicle Sales licenses; Mobile Food Unit licenses; Local Flower/Produce licenses
- IV. 2. AIS re: Annual Liquor License Renewals; Renewal Certification Form 2025; Annual Liquor License licenses
- IV. 3. AIS re: Seasonal Population; Seasonal Population Increase Estimation Form; Liquor License Quotas; Nantucket Data Platform Population Report
- V. 1 & 2. AIS re: Brew Pub Liquor and Entertainment Applications; Licensing Authority Certification; ABCC Application for liquor license; Site plans; Town Application for liquor, CV & entertainment; abutter letters
- V. 3. AIS re: Wine & Food Festival; Festival Information; Site plans; Public Assembly Permit application
- V. 4. AIS re: NGrid petition - Milestone Rd at Polpis Rd; Departmental Comments; Petition; Plans
- V. 5. AIS re: NGrid petition - Morey Ln; Departmental Comments; Petition; Plan