

SELECT BOARD

Minutes of the meeting of September 15, 2025. The meeting took place by remote participation via Zoom Webinar. Select Board Members present were Dawn E. Hill, Tom Dixon and Dr. Malcolm MacNab. Matt Fee and Brooke Mohr joined later as noted. Also present were Operations Administrator Erika Mooney, Licensing Administrator Amy Baxter and Cultural Affairs and Special Events Coordinator Deana Weatherly.

I. CALL TO ORDER

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

II. ANNOUNCEMENTS

There were no announcements.

III. LICENSING AND PETITIONS – DEPARTMENTAL REQUESTS

1. Culture and Tourism: Review of Special Event Permit Report. Ms. Weatherly provided an end of summer season report, noting there have been 273 special event permit applications this year, with 170 applications processed this summer and 66 in August alone.

Ms. Mohr joined the meeting at 11:02 AM. Mr. Fee joined the meeting at 11:03 AM.

2. Licensing: Compliance Report. None.

IV. LICENSING – COMPLIANCE HEARINGS

2. Hearing to Address Multiple Noise Complaints Filed with Nantucket Police Department for Entertainment Licenses held by Queequeg's LLC, Carolyn Montgomery, Manager, for Premises Located at 6 Oak Street/4 East Chestnut Street and Ventuno, LLC dba Ventuno, LLC, Taylor Oliver, Manager, for Premises Located at 21 Federal Street. Ms. Baxter reviewed various noise complaints received this summer for Queequeg's/Town as well as a history of complaints at the location. She said that she asked Taylor Oliver of Ventuno to attend the hearing as both premises contribute to the noise levels and complaints. Ms. Baxter said that Licensing has identified an "uneven application" of conditions for entertainment licenses in the downtown core district especially as it relates to outdoor music, and asked the Board how it wanted to handle the complaints logged this summer against Queequeg's/Town if they are found in violation of the Town Noise Bylaw. She suggested a 10:00 PM shut-off time for outdoor entertainment/speakers and asked that this apply to the Ventuno license as well, as neither of the licenses are specific on exterior noise limits unlike all other licenses. She said a long-term solution would be to review all entertainment licenses and create a consistent set of conditions and shut-off times for exterior premises and speakers. Mr. Fee asked what direction for enforcement is given to the police, now. He added that he expects staff to provide a concise recommendation which has not been provided. Mr. Oliver said that Ventuno's name keeps being mentioned but it hasn't received an official complaint since 2022. He added that standardizing entertainment licenses for all establishments won't work as each establishment is different. Attorney Jim Merberg, representing Queequeg's/Town, said he doesn't feel any changes should be made to the licenses for 2025. He added that his clients are open to purchasing equipment to limit noise with a maximum noise level. Ms. Baxter said she is asking if the Board feels the Town Noise Bylaw extends to entertainment licenses. She added that she could no longer "continue to ignore complaints". Ms. Mohr expressed concern about different noise allowances, saying she is more in favor of across-the-board sound level restrictions and equipment to limit noise, bass, etc. Mr. Merberg said he would be fine with across-the-board sound level restrictions, but said entertainment license times for locations could differ. Mr. Fee said a staff recommendation for the Board, today, is still unclear. Dr. MacNab said the Board is not going to come to a conclusion today and that staff

needs to prepare a proposal. Ms. Mooney said staff in Town Administration assumed that entertainment licenses were essentially exemptions from the Noise Bylaw, pursuant to whatever restrictions the Board sets for a license. Mr. Oliver reiterated that he is not in favor of standardized license time restrictions, and they should instead be location specific. Ms. Mohr suggested that Ms. Baxter bring a recommendation to the Board, which includes: standardizing volumes; allowing different volumes for interiors and exteriors; Licensing finding out if an entertainment license is considered an exemption of the Town Noise Bylaw; Licensing getting a full list of entertainment licenses with times and locations on a map for the Select Board to review; making entertainment licenses consistent by location, business type, etc.; making the determination to whether establishments that are close to each other should have the same entertainment license restrictions. Ms. Mohr suggested taking no action today and addressing policy changes with the annual renewals, including adding technology to monitor/limit sound which will require less judgement of an establishment's staff and the police. Chair Hill said this matter will be continued for now.

1. Hearing to Address Multiple Violations for Seasonal All-Alcoholic Beverages Restaurant License for The Fat Noodle, LLC dba Misogi Noodle Bar, Felino Samson, Manager, for Premises Located at 9 South Water Street. This matter was held for representation until later in the meeting as no one from the establishment was present.

V. PETITIONS – PUBLIC HEARINGS

1. Public Hearing to Consider Utility Petition from Verizon New England, Inc. and Nantucket Electric Company/National Grid, Plan #4A0UL7X ROW Revised, to Relocate Pole 75-10 Approximately 10' Northwest from Current Location in Front of 22 Pleasant Street (Continued from July 14, 2025; Petition Withdrawn). Ms. Mooney explained that this petition has been withdrawn and a new petition will be filed.

2. Public Hearing to Consider Utility Petition from Verizon New England, Inc. and Massachusetts Electric Company/National Grid, Plan # 4A0XY3BROW Petition1595251, to Relocate Pole 51-5 Approximately 10' West in Front of 14 Hussey Street (Continued from July 14, 2025). Chair Hill reopened the hearing. Ms. Mooney explained that following the July 14th hearing, staff reached out to the Historic District Commission to see if a hardscaping plan had been filed; it had not, and a violation notice was sent to the property owner for the site work done without approval in anticipation of the pole being moved. Ms. Mooney also noted that at the August Traffic Safety meeting, staff reviewed a request from 15 Hussey Street for an accessible parking space, which was recommended. As a result, if the pole was moved, the owner of 14 Hussey Street could not request no parking across from their driveway. Additionally, Ms. Mooney explained that the Fire Chief expressed concern that moving the pole would bring it in close proximity to a tree across the street which would interfere with fire apparatus being able to traverse the road.

Mr. Fee moved to close the public hearing, and expressed concerns with yards turning into parking lots and the Town not valuing parking; the motion was seconded by Dr. MacNab. Mr. Dixon agreed with Mr. Fee, stating he doesn't feel it would be a public benefit to approve the petition. Ms. Mohr spoke in favor of closing the public hearing and letting the HDC deal with the homeowners, adding she doesn't want to reward property owners who don't follow Town rules and regulations. On the motion, by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Dr. MacNab moved to deny the petition; seconded by Ms. Mohr; by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

3. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31128848, to Install Two Handholes and Approximately 60' of Conduit from Pole 6 on Bank Street to 7 North Gully Road. Chair Hill opened the public hearing. Timothy Lyford of National Grid reviewed the petition. Ms. Mooney noted that there is an abutter letter in the packet. Diane Downing, the abutter who wrote the letter, noted prior issues with water run off entering her property and requested that any utility work in the road is properly repaired so there are no future issues with water run off.

Mr. Fee moved to close the public hearing; seconded by Ms. Mohr; by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Mr. Fee moved to approve the petition, pursuant to departmental comments and Ms. Downing's concerns; seconded by Ms. Mohr; by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

4. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31131730, to Install a Handhole and Approximately 20' of Conduit from Handhole 5-1 at Pole 5 at 10 Hulbert Avenue. Chair Hill opened the public hearing. Timothy Lyford of National Grid reviewed the petition. There was no public comment.

Mr. Fee moved to close the public hearing; seconded by Ms. Mohr; by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr moved to approve the petition, pursuant to departmental comments; seconded by Mr. Fee; by roll call vote: Chair Hill – Yes; Mr. Dixon - Yes; Mr. Fee – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Chair Hill left the meeting at 11:55 AM; Vice Chair Fee took over chairing the meeting.

5. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31118144, to Install Approximately 60' of Conduit from Existing Multitap onto 75 Pocomo Road. Vice Chair Fee opened the public hearing. Timothy Lyford of National Grid reviewed the petition. There was no public comment.

Ms. Mohr moved to close the public hearing; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr moved to approve the petition, pursuant to departmental comments; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

6. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 30875037, to Install Approximately 320' of Conduit from Existing Transformer 3-1 on Sherburne Turnpike to Proposed Junction Box at Corner of 1 Kimball Avenue. Vice Chair Fee opened the public hearing. Timothy Lyford of National Grid reviewed the petition. Ms. Mooney noted that Attorney Sarah Alger had reached out to National Grid for assurance that the roadway will be returned to its previous condition following any disturbance to the road; Mr. Lyford responded affirmatively.

Ms. Mohr moved to close the public hearing; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr moved to approve the petition, pursuant to departmental comments and Ms. Alger's request; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

7. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31029451, to Install a Multitap Junction Box and Underground Conduit in Front of 24 Ticcoma Way. Vice Chair Fee opened the public hearing. Ms. Mooney noted that when she reviewed the petition last week, she realized that the portion of Ticcoma Way that this work is proposed for is private. She explained that she reached out to Town Counsel who explained that National Grid does not need the Select Board's approval for work in a private road, and the Select Board would not have solid ground to deny the petition. Timothy Lyford of National Grid reviewed the petition. Ms. Mooney explained that an abutter expressed concerns that the proposed multitap is being installed in front of their property instead of the property that this work is for. Dr. MacNab and Ms. Mohr both encouraged National Grid to work with the abutter.

Ms. Mohr moved to close the public hearing; seconded by Dr. MacNab; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Mr. Dixon moved to take no action on the petition since the road is private and the Select Board has no jurisdiction; seconded by Ms. Mohr; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

8. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31141799, to Install Approximately 150' of Conduit from Existing Pole 51 Along and Across Tom Nevers Road to Proposed Handhole in Front of 109 Tom Nevers Road. Vice Chair Fee opened the public hearing. Timothy Lyford of National Grid reviewed the petition. There was no public comment.

Mr. Dixon moved to close the public hearing; seconded by Ms. Mohr; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Mr. Dixon moved to approve the petition, pursuant to departmental comments; seconded by Ms. Mohr; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

9. Public Hearing to Consider Utility Petition from Nantucket Electric Company/National Grid, Plan # 31033104, to Install Approximately 1,030' of Conduit, Four Handholes, Two Transformers and One Junction Enclosure While Removing Approximately Nine Utility Poles Along a Portion of Willard Street and Hulbert Avenue. Vice Chair Fee opened the public hearing. Timothy Lyford of National Grid reviewed the petition. There was no public comment. Vice Chair Fee applauded the neighborhood for coming together to bury the wires to get rid of utility poles and overhead wires.

Ms. Mohr moved to close the public hearing; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr moved to approve the petition, pursuant to departmental comments; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

IV. LICENSING – COMPLIANCE HEARINGS

1. Hearing to Address Multiple Violations for Seasonal All-Alcoholic Beverages Restaurant License for The Fat Noodle, LLC dba Misogi Noodle Bar, Felino Samson, Manager, for Premises Located at 9 South Water Street. Ms. Baxter said she was unsuccessful in contacting the representatives for Misogi Noodle Bar. She explained that her office has already issued a cease and desist letter for sidewalk dining as they had been having outside dining without a valid permit. Ms. Mohr asked if the representatives were notified of the hearing; Ms. Baxter answered affirmatively. Ms. Mohr moved to reaffirm the cease and desist order for outdoor dining; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted. Ms. Mohr expressed her concern that the license holder was a “no-show” to this hearing but she wants to give them the benefit of the doubt. Ms. Mohr moved to table this matter to the Board’s October 20, 2025 meeting; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

VI. ADJOURNMENT

Ms. Mohr moved to adjourn at 12:12 PM; seconded by Mr. Dixon; by roll call vote: Vice Chair Fee – Yes; Mr. Dixon - Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Approved the 1st day of October 2025.

SELECT BOARD
SEPTEMBER 15, 2025 – 11:00 AM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- IV. 1. AIS re: Misogi Noodle Bar; Hearing notice; Cease & desist notice; Liquor License Disciplinary Hearing Procedure; Chapter 207 - Alcoholic Beverage Licensing & Regulations; 2025 Revocable License Agreement for Outdoor Seating License; 2025 Liquor License; 2025 Entertainment License
- IV. 2. AIS re: Queequeg's & Ventuno; Notice of Hearing; Calls for Service Summary - Queequeg's; Queequeg's 2025 entertainment license; Ventuno 2025 entertainment license; Loudness comparison chart; Chapter 101 - Noise Bylaw; KP Law eUpdate re: Entertainment Licensing; MGL Ch. 140, s. 183A; 9/7/2012 noise complaint - Queequeg's; 4/14/2017 notice of hearing - Queequeg's; Summary of complaints - Queequeg's; Police reports
- V. 1. Letter to withdraw petition re: 22 Pleasant St
- V. 2. AIS re: Verizon/NGrid petition re: 14 Hussey St; Departmental comments; Petition - 14 Hussey St; 2019 GIS street views; 8/22/2025 HDC compliance letter; HDC violation notice; HDC Inspection worksheet; Current photos; HDC Building Inventory form; PIN report; 1998 HDC application for fence
- V. 3. AIS re: NGrid petition - Bank St; Departmental comments; NGrid petition; Abutter letter
- V. 4. AIS re: NGrid petition re: Hulbert Ave; Departmental comments; NGrid petition
- V. 5. AIS re: NGrid petition re: Pocomo Rd; Departmental comments; NGrid petition
- V. 6. AIS re: NGrid petition - Sherburne Tpk & Kimball Ave; Departmental comments; NGrid petition
- V. 7. AIS re: NGrid petition re: Ticcoma Way; Departmental comments; NGrid petition; Email with Town Counsel re: road ownership
- V. 8. AIS re: NGrid petition - Tom Nevers Rd; Departmental comments; NGrid petition
- V. 9. AIS re: NGrid petition - Willard St & Hulbert Ave; Departmental comments; NGrid petition