

SELECT BOARD

Minutes of the Meeting of February 20, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Jason Bridges, Matt Fee, Rita Higgins and James R. Kelly. Dawn Hill Holdgate was absent.

I. CALL TO ORDER

Chair Bridges called the meeting to order at 6:01 PM following a meeting of the County Commission.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

1. Town Manager C. Elizabeth Gibson announced that the Select Board meeting is being video/audio recorded in accordance with the Open Meeting Law.

2. Ms. Gibson announced that there is no Select Board meeting on Wednesday, February 27, 2019.

IV. PUBLIC COMMENT

1. Director of Culture and Tourism Janet Schulte announced the 2019 "One Book One Island" program with associated events and activities.

2. Jason Graziadei of Nantucket Cottage Hospital announced the new hospital opened as of 6:00 AM today. He thanked the Select Board, Town Administration and the various Town departments which helped with the project. He reviewed the new entrances to the hospital, noting there is a valet service currently at the Emergency Room entrance.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of January 30, 2019 at 6:00 PM. Mr. Kelly moved to approve the minutes of January 30, 2019 at 6:00 PM; Mr. Fee seconded, noting a change to the minutes on something more accurately reflecting what he said. So voted 4-0 as amended.

2. Approval of Payroll Warrants for Week of February 17, 2019. Mr. Kelly moved to approve payroll warrants for the week of February 17, 2019; Mr. Fee seconded. So voted 4-0.

3. Approval of Treasury Warrants for February 20, 2019. Mr. Kelly moved to approve treasury warrants for February 20, 2019; Mr. Fee seconded. So voted 4-0.

4. Approval of Pending Contracts for February 20, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Kelly moved to approve pending contracts for February 20, 2019; Ms. Higgins seconded. So voted 4-0.

VII. CONSENT ITEMS

1. Request for Approval of Application for Change of Beneficial Interest for Annual All-Alcoholic Beverages Package Store License for Murray's Beverage Store, Inc. d/b/a Murray's Beverage Store Located at 23

Main Street, Nantucket. Mr. Kelly moved to approve the change of beneficial interest application for Murray's Beverage Store as presented; Ms. Higgins seconded. So voted 3-0. Mr. Fee abstained.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Request for Approval of Change of Manager and Change of Ownership Interest of Seasonal All-Alcoholic Beverages Restaurant License for Ventuno LLC d/b/a Ventuno from Scott Fraley, Manager to Taylor Oliver, Manager, for Premises Located at 21 Federal Street, Nantucket. Ms. Higgins moved to approve the change of manager and change of ownership interest application for Ventuno as presented; Mr. Kelly seconded. So voted 4-0.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider the Taking of Portions of Lincoln Avenue Shown as Parcels 1 – 6 on Plan of Land Entitles "Acquisition Plan for Portion of Record Location of Lincoln Avenue, Clifton Springs – Nantucket, MA. Pursuant to Article 81 – Annual Town Meeting 2018," Dated June 29, 2019, Prepared by Earle & Sullivan, Inc. and Filed with Nantucket County Registry of Deeds as Plan No. 2018-72, recorded at Nantucket County Registry of Deeds, as Authorized by MGL Chapter 79 and Article 81 of 2018 Annual Town Meeting, for Public Access, Open Space, Recreational Use Purposes and/or General Municipal Purposes (Request to be Continued). Chair Bridges opened the public hearing. Mr. Kelly moved to continue the public hearing to March 27, 2019; Ms. Higgins seconded. So voted 4-0.

2. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #26674609 to Install New Hand Hole (hh12)) and 38' of 2-4" Conduit Encased in Concrete Across Center Street to Transformer Pad #12-1 for Upgraded Service to Jared Coffin House. Chair Bridges opened the public hearing. Jim Huxley of National Grid spoke in favor of the petition, noting the work has already been completed. Operations Administrator Erika Mooney noted that the contractor who performed the work received a plan from a representative of the Jared Coffin House and didn't realize the petition had not been approved, and that changes have been made in the process to hopefully stop this from happening in the future. Chair Bridges closed the public hearing. Ms. Higgins moved to approve the National Grid petition for plan # 26674609 as presented; Mr. Kelly seconded. So voted 4-0.

3. Public Hearing to Consider Application for New Annual All-Alcoholic Beverages Restaurant License for Coal Alley LLC d/b/a The Gaslight, Clinton Terry, Manager, for Premises Located at 3 North Union Street, Nantucket; 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. Chair Bridges opened the public hearing. Licensing Administrator Amy Baxter reviewed the application and licensing recommendation for a new liquor license. She answered questions from Board members regarding floor plans, sprinkler system and bathrooms. There was no public comment. Applicant Liam Mackay answered questions from Board members on the layout and occupancy. Chair Bridges closed the public hearing. Mr. Kelly moved to approve the application as presented; Ms. Higgins seconded. So voted 4-0. Mr. Fee moved to determine that The Gaslight license is not detrimental to the spiritual activities of a church with 500 feet of the establishment; Ms. Higgins seconded. So voted 4-0.

4. Public Hearing to Consider Application for New Entertainment License for Coal Alley LLC d/b/a The Gaslight, Clinton Terry, Manager, for Premises Located at 3 North Union Street, Nantucket. Chair Bridges opened the public hearing. Ms. Baxter reviewed the application and licensing recommendation for a new entertainment license, noting the applicant is proposing a classification of a nightclub like the Chicken Box, The Muse and the Rose and Crown. Mr. Mackay reviewed the sound and noise suppression systems either

currently in place or which will be installed. Applicant Caleb Cressman noted the stage will be in the space where the movie theater was, which already has sound mitigation in the walls. Ms. Baxter noted the occupancy will be determined by the Building Commissioner. Mr. Kelly said the occupancy numbers are important for him and noted there seems to be a discrepancy between what Mr. Mackay stated and what is listed in the application. Discussion followed regarding occupancy and lifesaving requirements. Mr. Fee said he feels a night club venue might need a separate license in the future, adding he feels like many restaurants on island are becoming nightclubs. Discussion followed on how the sound will be mitigated. There was no public comment. Ms. Mooney noted that there was an informal agreement between the previous license holder and St. Mary's Church so as not to disturb church services. Mr. Kelly and Mr. Fee spoke against loud music occurring during church services. Mr. Mackay said they are willing to work with any "reasonable" request from neighbors. Ms. Higgins spoke in favor of giving the applicants a year to figure out their business before setting restrictions. Applicant Callie Keever said her group doesn't want to be "boxed into a corner" by agreeing to conditions on the license. She added they've made a substantial investment to create a live music venue inside the building and have sound mitigation plans in place. Chair Bridges closed the public hearing. Mr. Kelly moved to condition the issuance of an entertainment license on no amplified music outside during church services; Mr. Fee seconded. Ms. Higgins said she is not concerned about outdoor noise. On the motion, so voted 1-3. Chair Bridges, Ms. Higgins and Mr. Fee were opposed. Ms. Higgins moved to approve the application for an entertainment license for The Gaslight with the conditions of Police and Fire as listed in the licensing recommendation; Mr. Fee seconded. So voted 4-0. Mr. Fee encouraged the applicants to communicate with their neighbors and to be careful with patron queuing and keeping the streets and sidewalks clean surrounding the establishment.

5. Public Hearing to Consider Application for New Annual Wine and Malt Beverages with Cordials/Liqueurs Restaurant License for Pizza Gemelle, LLC d/b/a Pizzeria Gemelle, Andrea Solimeo, Manager, for Premises Located at 2 East Chestnut Street, Nantucket; 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. Chair Bridges opened the public hearing. Ms. Baxter reviewed the application, noting the prior license was for wine and malt and this one is a new class – wine and malt with cordials. She said if the new class is approved a new fee will need to be set for the license. Applicant Andrea Solimeo reviewed what cordials are. Some discussion followed on sharing the back patio with Ventuno; it was noted that alcohol from Pizzeria Gemelle cannot leave the premises and cannot be brought to the patio at Ventuno. There was no public comment. Chair Bridges closed the public hearing. Ms. Higgins moved to approve the application for a liquor license for Pizzeria Gemelle as presented and to determine that the license is not detrimental to the spiritual activities of a church within 500 feet of the establishment; Mr. Fee seconded. So voted 4-0.

6. Public Hearing to Consider Application for New Entertainment License for Pizza Gemelle, LLC d/b/a Pizzeria Gemelle, Andrea Solimeo, Manager, for Premises Located at 2 East Chestnut Street, Nantucket. Chair Bridges opened the public hearing. Ms. Baxter reviewed the application for a new entertainment license for low-level background music. There was no public comment. Chair Bridges closed the public hearing. Mr. Fee moved to approve the application for an entertainment license for Pizzeria Gemelle as presented; Ms. Higgins seconded. So voted 4-0.

7. Public Hearing to Consider Application for Change of Class from Seasonal to Annual Wine and Malt Beverages Package Store License for Bartlett's Ocean View Farm, Inc. d/b/a Bartlett's Farm, John W. Bartlett, Manager, for Premises Located at 33 Bartlett Farm Road, Nantucket. Chair Bridges opened the public hearing. Mr. Fee recused himself from this matter. Ms. Baxter reviewed the application to change the

liquor license from seasonal to annual. Applicant John Bartlett spoke in favor of the application. There was no public comment. Chair Bridges closed the public hearing. Mr. Kelly moved to approve the application to change the liquor license class for Bartlett's Farm from seasonal to annual as presented; Ms. Higgins seconded. So voted 4-0.

Ms. Higgins left the meeting at 7:07 PM.

8. Board of Sewer Commissioners: Public Hearing to Consider Amendments to the Nantucket Town and Siasconset Sewer Districts Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 68, 69 and 70 of the 2019 Annual Town Meeting. Chair Bridges opened the public hearing. Ms. Gibson reviewed Section 10 of the Nantucket Sewer Act which allows for sewer districts to be amended after a public hearing conducted by the Board of Sewer Commissioners (Select Board) and town meeting approval. She noted if the Select Board does not recommend inclusion of the properties into the sewer districts, the town meeting vote would be a required two-thirds vote. Ms. Gibson added that the articles have been reviewed by the Sewer, Planning and Health Directors who recommend inclusion of the properties into the sewer districts, and that Town Administration is in agreement. There was no public comment. Chair Bridges closed the public hearing. Mr. Kelly moved to approve amending the sewer districts pursuant to the provisions of the Nantucket Sewer Act and Articles 68, 69 and 70 of the 2019 Annual Town Meeting; Mr. Fee seconded. So voted 3-0.

Ms. Higgins returned to the meeting at 7:09 PM.

X. TOWN MANAGER'S REPORT

1. Review of Upcoming Meeting Agendas. Ms. Gibson reviewed upcoming agenda items over the next few weeks, noting the approval of the Hazard Mitigation Plan is scheduled for March 6, 2019. Mr. Fee asked for a Board discussion on the Historic District Commission (HDC) or Nantucket Historical Commission's role in sensitive projects such as Main Street sidewalk reconstruction.

Mr. Kelly left the meeting at 7:12 PM.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Review of Proposed Comments on Draft Environmental Impact Statement to Federal Bureau of Ocean Energy Management (BOEM) Regarding Construction & Operations Plan for Proposed Vineyard Wind Project. Energy Coordinator Lauren Sinatra gave a general offshore wind projects update, noting offshore wind project applications have accelerated in the last six months. She said that on December 13-14, 2018, BOEM conducted an auction for three offshore lease parcels and had record-setting bids of \$135 million each which sold to Vineyard Wind, Mayflower Wind and Equinor. Ms. Sinatra said she has established a line of communication with each leaseholder and that Vineyard Wind, representatives of which are in the audience, is the furthest along in its permitting process. Ms. Sinatra reported that on February 11, 2019, BOEM held a public open house at the Atheneum to accept comments on Vineyard Wind's Draft Environmental Impact Statement (DEIS) and said that public comment is being accepted by BOEM until February 22, 2019.

Ms. Sinatra noted that Vineyard Wind appeared before the Conservation Commission tonight to get approval for a Notice of Intent (NOI) for an undersea export cable through Nantucket waters to the mainland. A representative for Vineyard Wind said that they expect to go through one more meeting before the NOI is approved.

Ms. Sinatra recommended that the Board approve the draft comments in the Board's packet to BOEM on the Vineyard Wind Draft Environmental Impact Statement (DEIS), noting this will help set a precedent with the other off-shore wind companies who will be coming forward. She also recommended that the Board appoint a primary point of contact for the Town and establish a formal advisory work group to represent the best interests of the island to wind developers seeking to build windfarms offshore of Nantucket.

Mr. Kelly returned to the meeting at 7:16 PM.

Ms. Sinatra answered questions from Board members. Ms. Higgins noted that Ms. Sinatra and she have been meeting with wind developers for the past year regarding the lease sites coming up to bid and said that the Town needs support from the Select Board to advocate supporting renewable energy projects while acknowledging certain communities like Nantucket will be impacted physically and visually by the projects and advocating for the maximum benefit to the impacted community. Some discussion followed on community benefit agreements (CBA) with wind developers. Ms. Sinatra noted that one local example is that the Town of Barnstable has a CBA with Vineyard Wind worth approximately \$15 million to benefit Barnstable. She added that there is flexibility and it is up to the Town to assert what is of most important interest to the island. Mr. Fee said he supports this concept if the work group is made up of individuals with expertise in this area to ensure that the Town is negotiating from a position of strength. Following discussion among Board members, Mr. Kelly moved to designate the Energy Coordinator as the Town's point of contact and recommends appointment of a Town Administration work group and to approve the draft comments on the DEIS; Ms. Higgins seconded. So voted 4-0.

Tobias Glidden said that more conversations need to be had regarding renewable energy with wind developers. Maureen Phillips noted that Nantucket is the closest point to the original Vineyard Wind project and there is a need to maintain a relationship with the developers to protect Nantucket's interests. Pete Kaizer noted concerns with the location of the cable going through Nantucket waters, noting the area is a rich fishing ground, and advocated moving it west toward Muskeget Channel. He said he has also been speaking with Vineyard Wind about establishing an artificial reef off the island's west end to help mitigate the fishing industry. Ms. Sinatra said she will connect with Mr. Kaizer about incorporating his comments into the letter to BOEM. Discussion followed among Board members how to address a cable going through Nantucket municipal waters and the physical impacts of Vineyard Wind's project on Nantucket. Mr. Kelly asked how this issue is being addressed. Ms. Higgins noted the Conservation Commission is addressing this now. Nate Mayo and Rachel Pachter of Vineyard Wind reviewed the permitting process and jurisdictional elements. Ms. Pachter said the cable route going through Muskeget has been in all the Massachusetts Environmental Policy Act (MEPA) office filings since 2017. Mr. Kelly said he doesn't read the filings and feels this has not been a collaborative relationship by Vineyard Wind. Mr. Kaizer said he was just informed last week that the cable would be in Nantucket waters, and he suggested that someone review Vineyard Wind's data and be part of the monitoring program. Mr. Kelly suggested Town Counsel prepare language to incorporate in the comments to BOEM that the Town is not waiving its right to make further comments based on new information just learned. Discussion followed on comments to be made to BOEM and the Conservation Commission.

2. Confirmation of Town's Point of Contact and Work Group for Proposed Off-shore Wind Farms; Discussion Regarding Potential for Community Benefit Agreements and Section 106 (Historic Review) Mitigation for Proposed Off-shore Wind Energy Projects in Connection with Impact(s) to Nantucket. See item XI. 1.

3. Committee Reports. Ms. Higgins reported on the Affordable Housing Trust Fund (AHTF) and its strategic plan development. Mr. Fee reported on the Bicycle and Pedestrian Advisory Committee (BPAC) and its plans for bike paths and signage and hopes the Board will support the initiatives that come forward.

XII. ADJOURNMENT

The meeting was unanimously adjourned at 7:56 PM.

Approved the 13th day of March, 2019.

SELECT BOARD
FEBRUARY 20, 2019 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- VI. 1. Draft minutes of 1/30/2019
- VI. 4. Pending contracts for 2/20/2019
- VII. 1. Murray's Beverage Store ABCC application for change of beneficial interest; copy of current liquor license
- VIII. 1. Ventuno ABCC application for change of manager & change of ownership interest; copy of 2018 liquor license
- IX. 2. National Grid utility petition, re: Center St/Ash Ln; departmental comments
- IX. 3-7. Liquor License Public Hearing Process; MGL, re: entertainment licenses
- IX. 3. The Gaslight licensing recommendation; floor plans; Planning Board Special Permit for premises; ABCC application for new liquor license; copy of 2017 liquor license for Starlight Theatre & Café; spiritual determination letter
- IX. 4. The Gaslight licensing recommendation; entertainment license application
- IX. 5. Pizzeria Gemelle licensing recommendation; ABCC application for new liquor license; copy of 2018 liquor license for Sushi by Yoshi; spiritual determination letter
- IX. 6. Pizzeria Gemelle licensing recommendation; entertainment license application
- IX. 7. Annual package store quotas; seasonal package store quotas; Bartlett's Farm licensing recommendation; ABCC application for change of class; copy of 2018 liquor license
- IX. 8. Sewer Act (Ch. 396 of Acts of 2008); Sewer Review Group recommendations for 2019 ATM sewer articles; criteria checklists; Article 68 of 2019 ATM and map; Article 69 of 2019 ATM and map; Article 70 of 2019 ATM and map
- X. 1. List of upcoming agenda items
- XI. 1 & 2. Memo from Energy Coordinator, re: offshore wind activities; comments to adapt into letter to Bureau of Ocean Energy Management, re: Vineyard Wind draft environmental impact statement; wind map