

## SELECT BOARD

Minutes of the Meeting of April 17, 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, Kristie Ferrantella and Rita Higgins. Dawn Hill Holdgate was absent.

### I. CALL TO ORDER

Vice Chair Higgins called the meeting to order at 6:00 PM.

### 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 reviewed the 2019 committee/board/commission vacancies. Timeline is posted on Town of Nantucket website.
3. Ms. Gibson announced that the commercial scale at Solid Waste/Recycling Facility will be closed Monday, April 22, 2019 and Tuesday, April 23, 2019 for scale replacement; prior to closure the scale house will be open with extended hours until 3:00 PM on Saturday, April 20 and open on Easter Sunday, April 21 from 8:00 AM to Noon.
4. Ms. Gibson noted that pursuant to the Board's action at its April 10, 2019 meeting, the stop signs that were the subject of a citizen article at the 2019 Annual Town Meeting have been installed on Surfside Road at Bartlett Road. A public hearing has been scheduled for the June 5, 2019 Select Board meeting to determine if they will stay in place.
5. DPW Director Rob McNeil reviewed the April 26<sup>th</sup> HDC meeting that he attended to seek review and recommendation for reconstruction of the sidewalk from Coffin Street to Salem Street. He noted the HDC consented to the project and thanked John Hedden of PLUS and GIS Coordinator Nathan Porter for their assistance with the application process and materials for review.

### IV. PUBLIC COMMENT

None.

### V. NEW BUSINESS

None.

### VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Payroll Warrants for Week of April 14, 2019. Mr. Bridges moved to approve payroll warrants for the week of April 14, 2019; seconded by Mr. Fee. So voted 4-0.
2. Approval of Treasury Warrants for April 17, 2019. Mr. Bridges moved to approve treasury warrants for April 17, 2019; seconded by Mr. Fee. So voted 4-0.

3. Approval of Pending Contracts for April 17, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Bridges moved to approve pending contracts for April 17, 2019; Ms. Ferrantella seconded. So voted 4-0.

## VII. CONSENT ITEMS

1. Request for Approval of Application for New Officers/Directors for Annual All-Alcoholic Beverages Club License for Sankaty Head Golf Club, Inc. d/b/a Sankaty Head Golf Club Located at 100 Sankaty Road. Mr. Bridges moved to approve the request; Mr. Fee seconded. So voted 4-0.

2. Request for Approval of Application for New Officers/Directors for Seasonal All-Alcoholic Beverages Club License for Sankaty Head Beach Club, Inc. d/b/a Sankaty Head Beach Club Located at 18 Hoicks Hollow Road. Mr. Bridges moved to approve the request; Mr. Fee seconded. So voted 4-0.

3. Request for Approval of Change of Manager of Annual All-Alcoholic Beverages Innholder License for ACKKL, LLC d/b/a Hotel Pippa from Jill Hollen Viselli, Manager to Asta King, Manager, for Premises Located at 5 Chestnut Street/33 Center Street. Mr. Bridges moved to approve the request; Mr. Fee seconded. So voted 4-0.

4. Request for Approval of Change of Manager of Seasonal Wine and Malt Beverages Restaurant License for Nantucket Rotary, LLC d/b/a Lola Burger from Clare Aoife O'Ceallaigh, Manager to Clovett Miller, Manager, for Premises Located at 1 Sparks Avenue. Mr. Bridges moved to approve the request; Mr. Fee seconded. So voted 4-0.

## VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Energy Office: Update on Vineyard Wind Off-shore Wind Project Proposed Memorandum of Agreement for Mitigation of Adverse Visual Impacts on Nantucket as National Historic Landmark District; Potential Action by Select Board. Lauren Sinatra, Town of Nantucket Energy Coordinator with the assistance of Holly Backus representing Nantucket Planning and Economic Development Commission (NPEDC), and Stephen Welch, Nantucket Historic District Commission (HDC) associate member, provided a PowerPoint presentation outlining three updates. First, the Town of Nantucket submitted an Impact Statement to Vineyard Wind outlining deficiencies in direct relation to the impact to Nantucket as a National Historic Landmark with tourism and fishing-based industries. Second, Ms. Sinatra attended the Bureau of Ocean Energy Management (BOEM), 106 Consultation Meeting in Hyannis on April 2, 2019 about the potential effect on the Martha's Vineyard Gay Head Lighthouse and National Historic Landmark of Nantucket and the BOEM finding that the construction and operations of Vineyard Wind will have an "indirect adverse impact". Lauren explained the Town's comments include higher standards for nighttime lighting, visual impact on the Island as a National Historic Landmark, failure to assess the impact to tourism on Nantucket, inadequate visual simulations, impact on commercial and recreational fishing and the need for best practices and guidelines. At the meeting, only the viewshed portion was complete leaving terrestrial and marine archaeology unresolved. Lastly, resolution for all parties will be included in a Memorandum of Agreement (MOA) currently in draft with Counsel. Mr. Fee questioned who determines the extent of the effects. Ms. Sinatra stated BOEM is responsible for that; and, that this particular permit has been expedited, out of order of the normal review process. She explained that the Town must respond with a mitigation proposal package in a formal letter to BOEM; possibly, establish a trust, funded annually to benefit the preservation in a transparent way. Mr. Fee questioned if Town Counsel has the expertise to write this letter; and, whether or not the Town has sufficient expertise in this area. Stephen Welch suggested the possibility of

retaining expert legal counsel to assist with this process. Mr. Bridges moved to accept the letter as put forward by Ms. Sinatra; seconded by Ms. Ferrantella. So voted 4-0.

Pete Kaiser spoke of a visit he recently made to the Point Judith Coast Guard Station where there is an off-shore wind farm approximately the same distance off-shore there as Vineyard Wind would be from Nantucket. He reviewed his observations and stated his belief that Vineyard Wind will be clearly visible from Nantucket. He suggested mitigation and an artificial reef project to attract bait fish and other wildlife. Mr. Kaiser questioned whether all the other lease areas will also go through this same permitting process; and noted a concern that Vineyard Wind will set the precedent with the other companies. He stated that it is imperative we do our due diligence with regard to safety, preservation and maximizing benefits to Nantucket. Tobias Glidden spoke on the need for wind farms for environmental reasons.

2. Bartlett Tree Experts: Request for Waiver of Town Noise Bylaw from 5:00 AM to 8:00 AM from April 15 to September 15, 2019 for Multiple Locations. Ms. Gibson noted this is an annual request without any problems in the past. Motion for approval by Mr. Fee, seconded by Mr. Bridges. So voted 4-0.

3. Cisco Brewery/Nantucket Film Festival: Request to Hold Film Festival Party at Cisco Brewery on Thursday, June 20, 2019 from 7:30 PM to 10:00 PM to Include Food and Entertainment (Extension of Entertainment License Hours). Licensing Administrator Amy Baxter outlined the event, which has occurred in prior years and noted there have been no complaints in the past. Mr. Bridges moved approval, seconded by Ms. Ferrantella. So voted 4-0.

4. Nantucket Island Safe Harbor for Animals: Request for Waiver of Town Noise Bylaw from 10:00 PM to 11:00 PM for 2019 Summer Event to be held Friday, August 2, 2019 Under a Tent at Bartlett's Farm, 33 Bartlett Farm Road. Ms. Baxter informed the Board this event is a non-profit group which has held the event for years without issue. Mr. Fee moved approval, seconded by Ms. Ferrantella. So voted 4-0.

5. Nantucket Cottage Hospital: Request for Waiver of Town Noise Bylaw from 10:00 PM to 11:00 PM for 2019 Boston Pops to be held Saturday, August 10, 2019 at Jetties Beach. Ms. Baxter confirmed this is a traditional request. Mr. Fee moved approval, seconded by Ms. Ferrantella. So voted 4-0.

6. Nantucket Cottage Hospital: Request for Waiver of Chapter 54 (Alcoholic Beverages) § (1)(c) (Open Container on Public Property) of the Code of the Town of Nantucket for 2019 Boston Pops at Jetties Beach. Ms. Baxter stated open containers of alcohol are not permitted on public beaches and this waiver would allow guests attending the Pops concert to have open containers. Mr. Bridges moved approval, seconded by Ms. Ferrantella. So voted 4-0.

7. Nantucket Boys and Girls Club: Request for Waiver of Town Noise Bylaw from 10:00 PM to 11:00 PM for Tim Russert Summer Groove to be held Saturday, August 17, 2019 at Nantucket Boys and Girls Club, 61 Sparks Avenue. Mr. Bridges moved approval, seconded by Ms. Ferrantella. So voted 4-0.

## IX. PUBLIC HEARINGS

1. Public Hearing to Consider Application for New Seasonal All-Alcoholic Beverages General On-Premises License for PPX, LLC d/b/a PPX Events, Lindsay Daley, Manager, for Premises Located at 7 South Water 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. Vice Chair Higgins opened the public hearing. Ms. Baxter explained the proposal to license the premises as a catering

kitchen for on and off-site events and seasonal private dining events serving alcohol only at in-house events. Attorney Bryan Swain, representing the applicant, further explained that the existing structure allows for a commercial kitchen, dining room and ancillary storage to provide a private space for rent. He provided a preliminary seating /floor layout for family style seating to determine occupancy on behalf of PPX. This is a private setting without a stage, sound or lighting systems. Mr. Fee voiced concern to losing public establishments to private event space. Vice Chair Higgins closed the public hearing. Motion for approval was made by Mr. Bridges; seconded by Ms. Ferrantella. So voted 4-0.

2.Public Hearing to Consider Application for New Entertainment License for PPX, LLC d/b/a PPX Events, Lindsay Daley, Manager, for Premises Located at 7 South Water Street. Vice Chair Higgins opened the hearing. Vice Chair Higgins opened the public hearing. Ms. Baxter noted the application is for acoustic and piped-in unamplified, background music. Mr. Bridges noted that many questions need to be addressed and clarified prior to issuing a license until implementation of an Entertainment Policy is in place. Vice Chair Higgins closed the public hearing. Motion for approval was made by Mr. Fee; seconded by Mr. Bridges. So voted 4-0.

3.Public Hearing to Consider Application for New Common Victualler with Annual Wine and Malt Beverages Restaurant License for Keeping the Beet LLC d/b/a The Beet, Felino Samson, Manager, for Premises Located at 9 South Water 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. Vice Chair Higgins opened the public hearing. Ms. Baxter said that The Beet will operate as a take-out with limited seating, approximately 30, with wine and malt only in the sit-down dining area. Applicant Felino Samson spoke to his plan to serve breakfast, lunch and dinner, year-round. Mr. Bridges noted the volume of licenses granted, with a concentration in the downtown area. Vice Chair Higgins closed the public hearing. Motion for approval was made by Mr. Bridges; seconded by Ms. Ferrantella. So voted 4-0. The motion was amended by Mr. Bridges and as determined by the Select Board, the license issued to The Beet is not detrimental to the spiritual activities of St. Mary's Roman Catholic Church; seconded by Mr. Fee. So voted 4-0.

4.Public Hearing to Consider Application for New Common Victualler License with Closing Time of 2:00 AM for Bug and Birdcage, LLC d/b/a Town Pool, Sean Dew, Manager, for Premises Located at 31 Easy Street. Vice Chair Higgins opened the public hearing. Discussion followed as to the application. Attorney Swain, representing the applicant, noted the history of this location having a Common Victualler license; this will be a family-friendly restaurant not serving alcohol. Ms. Baxter noted past noise complaints. Hopefully, the staff would be respectful of the requested conditions. Letter read by abutter representative, son of owners at 29 Easy Street, Carolyn and Richard Judson, opposing the 2:00AM closing citing increased noise, cigarette butts and public urination. Vice Chair Higgins closed the public hearing. Mr. Fee supported the 2:00 AM closing but can revisit if noise complaints are made. Motion for approval was made by Mr. Fee; seconded by Mr. Bridges. So voted 4-0.

5.Public Hearing to Consider Increasing Town of Nantucket Ambulance Rates. Vice Chair Higgins opened the public hearing to consider raising the Nantucket ambulance rates. Fire Chief Stephen Murphy recommended an increased rate of 10% over the current charges. He highlighted the increases due to ferry charges, increased payroll accompanying on the boat and at the station. Chief Murphy suggested revisiting the fees every three years to adjust as necessary. Mr. Fee questioned if the costs are billable and commented that a Cost of Living adjustment should be included annually. Vice Chair Higgins closed the public hearing. Mr. Bridges moved approval: Ms. Ferrantella seconded. So voted 4-0.

## X. TOWN MANAGER'S REPORT

1. Update Regarding Advanced Life Support Ambulance Service Program. Ms. Gibson quoted a portion of an email from the trainer of the program who indicated how impressed he has been with the professionalism of the Nantucket group. Ms. Gibson expressed appreciation to Chief Murphy for his leadership and his staff for their dedication to the program. Chief Murphy updated the progress of staff and their licensing requirements.

2. Information Technology Department Update. IT Chief Technology Officer Karen McGonigle presented an update for several IT projects, including upgrade of the MUNIS finance software system to the 2018 version; EnerGov e-permitting, LasherFiche and electronic records.

3. Monthly Town Management Activity Report. Ms. Gibson reviewed the monthly Town management report, covering items including but not limited to the 2019 Annual Town Meeting and Election; FY 2020 budget development; strategic planning; upcoming meeting with Affordable Housing Trust; 2018 staffing study follow-up; PLUS operational review; marijuana dispensaries; real estate matters; and various other projects and on-going matters.

## XI. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Vice Chair Higgins reviewed a Sustainable Communities Conference she recently attended in Cambridge; she participated in the recent "Litter Derby" on Nantucket and noted that her group picked up about 18 cubic yards of various plastics, glass, paper and bulky items from the roadside.

## XII. ADJOURNMENT.

The meeting was unanimously adjourned at 7:44 PM.

Approved the 10<sup>th</sup> day of July, 2019.

**SELECT BOARD**  
**APRIL 17, 2019 – 6:00 PM**  
**PUBLIC SAFETY FACILITY COMMUNITY ROOM**  
**4 FAIRGROUNDS ROAD**  
**NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. Committee appointments 2019 timeline; committee openings information
- III. 3. Commercial Scale House closure ad
- VI. 4. Pending contracts for April 17, 2019
- VII. 1. Sankaty Head Golf Club - change of directors ABCC application
- VII. 2. Sankaty Head Beach Club - change of directors ABCC application
- VII. 3. Hotel Pippa - change of manager ABCC application
- VII. 4. Lola Burger - change of manager ABCC application
- VIII. 1. Finding of Adverse Effect for Vineyard Wind Construction and Operation Plan; Town comments on Vineyard Wind DEIS; wind map
- VIII. 2. Bartlett Tree Experts Noise Bylaw waiver request
- VIII. 3. Cisco Brewery/Nantucket Film Festival – request for extension of entertainment license hours
- VIII. 4. NiSHA Noise Bylaw waiver request
- VIII. 5. Nantucket Cottage Hospital – Boston Pops Noise Bylaw waiver request
- VIII. 6. Nantucket Cottage Hospital – Boston Pops open container request
- VIII. 7. Nantucket Boys and Girls Club – Summer Groove Noise Bylaw waiver request
- IX. 1. Licensing recommendations for PPX for new liquor license; PPX ABCC application
- IX. 2. Licensing recommendations for PPX for new entertainment license; entertainment license application
- IX. 3. Licensing recommendations for The Beet for new liquor license; The Beet ABCC application
- IX. 4. Licensing recommendations for Town Pool for new Common Victualler license; Town Pool Common Victualler application
- IX. 5. Memo from Fire Chief Stephen Murphy, re: proposed Ambulance Fee increase
- X. 2. IT Department PowerPoint presentation; IT Department update
- X. 3. Town Management Activity Report