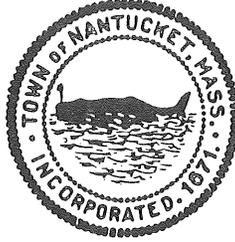


Town and County of Nantucket
Board of Selectmen • County Commissioners

James R. Kelly, Chairman
Rick Atherton
Robert R. DeCosta
Matt Fee
Dawn E. Hill Holdgate



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

**AGENDA FOR THE MEETING OF THE
BOARD OF SELECTMEN
JUNE 15, 2016 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS**

- I. CALL TO ORDER**
- II. BOARD ACCEPTANCE OF AGENDA**
- III. ANNOUNCEMENTS**
 1. The Board of Selectmen Meeting is Being Video/Audio Recorded.
- IV. PUBLIC COMMENT***
- V. NEW BUSINESS***
- VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS**
 1. Approval of Minutes of May 18, 2016 at 6:00 PM.
 2. Approval of Payroll Warrants for Weeks Ending June 5, 2016; June 12, 2016.
 3. Approval of Treasury Warrants for June 8, 2016; June 15, 2016.
 4. Approval of Pending Contracts for June 15, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.
- VII. CONSENT ITEMS**
 1. Resignation Acceptance: Agricultural Commission.
 2. Gift Acceptance: Town of Nantucket Scholarship Fund.
- VIII. CITIZEN/DEPARTMENTAL REQUESTS**
 1. The Jetties: Request for Extension of Entertainment License Hours from 10:00 PM to 10:45 PM for Nantucket Conservation Foundation Race for Open Space Event to be Held Saturday, July 9, 2016.
 2. Finance Department: Request for Approval of Sale of \$35,501,726 General Obligation Bond Anticipation Notes for Airport, Our Island Home,

Wannacomet Water Company, Sewer and General Fund (General Fund includes School and Fire Station).

3. Finance Department: Request for Approval of Sale of \$1,188,709 General Obligation Bond to Executive Office of Energy and Environmental Affairs for Easy Street Bulkhead Project.
4. National Grid: Overview of Candle Street and Bunker Road Facility Upgrade Projects.
5. Citizen Request for Waiver of Sewer Connection Fees for Two Covenant Lots on Newtown Court (off Newtown Road).

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 20895306 to Install 2-4" Conduits from Pole 21-50 East Across Surfside Road to New Intermediate School at 30 Surfside Road.
2. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 21485138 to Install Direct Buried Primary Cable w/3" Spare Conduit from Pole 3 Newtown Road Along Side of Road Northwest to New Subdivision Called Newtown Court.
3. Public Hearing to Consider Application for New (Third) Mobile Food Unit License for Hither Creek, LLC d/b/a Millie's.
4. Public Hearing to Consider Application for New Common Victualler License for Nantucket Candy Company, Inc. d/b/a Sundae Shoppe, Alyssa Stone, Manager, for Premises Located at 48 Centre Street.
5. Public Hearing to Consider Application for New Entertainment License for Amelia Drive, LLC d/b/a The ACKtors Table, Cliff Blake, Manager, for Premises Located at 5 Amelia Lane.
6. Public Hearing to Consider Application for New Seasonal Wine/Malt Beverages Section 12 General On Premises License for Nantucket Golf Management, Inc. d/b/a Siasconset Golf Course, Joan Casey, Manager, for Premises Located at 260 Milestone Road.
7. Public Hearing to Consider Increasing the Fee per Ton for Mixed Excavation Waste, Currently Set at \$30/Ton.

X. TOWN MANAGER'S REPORT

1. Update Regarding Upcoming Improvements to Portion of First Way.

XI. SELECTMEN'S REPORTS/COMMENT

1. Committee Reports.

XII. ADJOURNMENT

**** Identified on Agenda Protocol Sheet***

Board of Selectmen Agenda Protocol:

- **Roberts Rules:** *The Board of Selectmen follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Board of Selectmen. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*

Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation:** *The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Selectmen may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.*
- **Selectmen Report and Comment:** *Individual Selectmen may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Selectmen will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Selectmen Comment.*

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY BOARD OF SELECTMEN
June 15, 2016

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding
Amendment to Supply Agreement	DPW	Highway Safety	Additional \$150.00 for total value of \$12,150 over one year	Supply of road paint	DPW Budget
Grant Agreement	Town Admin	Commonwealth of Mass/MEMA	(\$8,002.78)	Reimbursement for building damage in Winter Storm Juno	(n/a)
Professional Services Agreement	Our Island Home	Harmony Healthcare Int'l	Not to exceed \$126,000 over three years	Medicare consulting services	OIH Operating Budget
Amendment to Service Agreement	DPW	Victor Brandon Corp.	Adds \$175,000 to current contract of \$700,000 for total of \$875,000	Paving projects for end of FY16	DPW Budget
Service Agreement	Finance	Questmark	\$48,463.50 over three years	Tax bill printing services	Finance Budget
Professional Services Agreement	Finance	RDM Software Consulting, Inc.	Not to exceed \$24,999 over three years	Technical assistance for Munis billing	Finance
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	A Safe Place	\$50,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Alliance for Substance Abuse Prevention	\$16,750	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Elder Services of Cape Cod	\$16,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Health Imperatives	\$24,960	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340

Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Martha's Vineyard Community Services	\$12,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Legal Services of Cape Cod and Islands	\$4,250	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Rental Assistance Program	\$25,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Emergency Food Pantry	\$35,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	Nantucket Cottage Hospital Social Services	\$65,380	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340
Town Contracts for Health & Human Services	Town Admin/Council for Human Services	MY Nantucket	\$20,000	Allocation as approved per 2016 Annual Town Meeting	Article 9, 2016 ATM \$389,340

Erika Mooney

From: Michelle Whelan [michelle@sustainablenantucket.org]
Sent: Friday, June 03, 2016 1:36 PM
To: Libby Gibson
Cc: Erika Mooney; John Kuszpa (Google Drive)
Subject: Ag Commission resignation

Dear Libby and the Board of Selectmen,

This email is to inform you that I wish to resign from my position on the Nantucket Agricultural Commission, effective immediately.

I believe- with my resignation, that now leaves 3 seats open on the Commission.

Thank you and all best,

Michelle

JUN 3 2016 PM12:35



Agricultural Commission

Richard Arnold		2016
VACANT		2016
John Kuszpa	Chairman	2017
Campbell Sutton	Secretary	2017
VACANT		2017
Tracey Pattenden		2018
Michelle Whelan	Vice Chairman	2018



NANTUCKET TRIATHLON, LLC
4 Thirty Acres Lane
Nantucket, MA 02554

June 6, 2016

VIA HAND DELIVERY

Town of Nantucket Scholarship Fund
via Nantucket Board of Selectmen
c/o Erika Mooney
Town of Nantucket
16 Broad Street
Nantucket, MA 02554

RE: 2016 Donation to Town of Nantucket Scholarship Fund from the Nantucket
Triathlon

Dear Ms. Mooney:

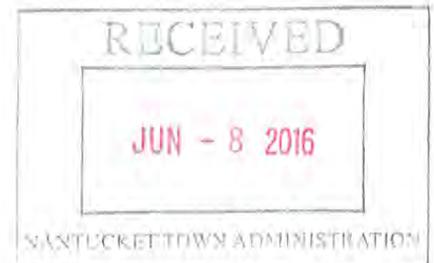
Enclosed please find a check in the amount of \$25,000.00 for the Nantucket Triathlon's
2016 contribution to the Town of Nantucket Scholarship Fund.

With this donation, the Nantucket Triathlon will now have donated \$155,000.00 to the
Town of Nantucket Scholarship Fund in the last five (5) years. The Nantucket Triathlon
is scheduled for Saturday, July 16, 2016, and is nearly sold out to capacity.

I am proud of the success of the Nantucket Triathlon and I am hopeful that the event can
continue to bring much-needed moneys to the Town Scholarship Fund for many years to
come.

Sincerely,

Jamie Ranney
Race Director – Manager
Nantucket Triathlon, LLC



Nantucket Triathlon, LLC
4 Thirty Acres Lane
Nantucket, MA 02554



P.O. BOX 10
ORLEANS, MA 02653

53-7107/2113

1

JUNE 6, 16

PAY TO THE
ORDER OF

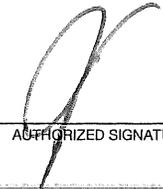
TOWN OF NANTUCKET SCHOLARSHIP FUND \$ 25,000.00

TWENTY FIVE THOUSAND DOLLARS

DOLLARS

FD Security Features Details on back

MEMO 2016 DONATION



AUTHORIZED SIGNATURE

⑈008042⑈ ⑆211371078⑆ 86 7004194⑈

Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

Date: June 7, 2016

Re: BOS Public Hearing 6-15-16: Jetties Beach Noise Waiver Request:
Nantucket Conservation

On July 9, 2016, The Nantucket Conservation Foundation will be hosting their Race for Open Space Cocktail Reception at Jetties Beach for 300 people. They are requesting to extend the Entertainment until 10:45 pm. The current Jetties Beach Entertainment License is attached.

LICENSE FEE: \$100.00

THE LICENSING BOARD *for the*
TOWN OF NANTUCKET, MASSACHUSETTS
HEREBY GRANTS AN
ENTERTAINMENT LICENSE

▶ **SEVEN DAYS** ◀

BUSINESS: Jetties Beach, Inc.
DBA: THE JETTIES
PREMISES: 4 Bathing Beach Rd.
Nantucket, MA 02554
MANAGER: J. Marshall Thompson

LICENSED PREMISES DESCRIBED AS:

The Concession Building, Bathhouse and Tent Function Area; Beginning at corner of Concession Building Deck closest to Parking Lot and walking approximately 180' perpendicular toward Ocean, turning West parallel to Ocean, walking 100', then turning South walking approximately 180' to corner of Bathhouse.

Occupancy/1st Floor: 40
Occupancy/Deck: 220

Approved Entertainment:

- AMPLIFIED INSTRUMENTAL MUSIC
- AMPLIFIED VOCAL MUSIC
- DISC JOCKEY
- RADIO; CD PLAYER; IPOD
- DANCING

Conditions of License:

- **HOURS: 7:30 am to 10:00 pm; 7 Days**
- All Entertainment must end by 10:00 pm.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of Section 183A, Chapter 140 of the Massachusetts General Laws, and any rules or regulations made thereunder by the licensing authorities.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed his official signature on this 16th day of December 2015.



Robert De Costa
Chairman, Board of Selectmen

THIS LICENSE WILL EXPIRE DECEMBER 31, 2016

**Unless earlier suspended, cancelled, or revoked*

This License Shall Be Displayed On the Premises in a Conspicuous Place Where it May Be Easily Seen.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Nantucket, Massachusetts, certify that at a meeting of the board held June 15, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$35,501,726 General Obligation Bond Anticipation Notes (the "Notes") of the Town dated June 23, 2016, payable November 10, 2016, at par and accrued interest plus the premiums, and to the Purchasers, indicated as follows:

<u>Number</u>	<u>Denomination</u>	<u>Interest Rate</u>	<u>Premium</u>	<u>Purchaser</u>
R-1	\$28,001,726	1.50%	\$103,046.35	Morgan Stanley & Co. LLC
R-2	\$7,500,000	2.00%	\$42,600.00	J.P. Morgan Securities LLC

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 2, 2016, and a final Official Statement dated June 9, 2016, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the

municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: June 15, 2016

Clerk of the Board of Selectmen

AM 58124746.1

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Nantucket, Massachusetts, certify that at a meeting of the board held June 15, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the sale of the \$1,188,709 General Obligation Bond of the Town dated June 22, 2016, to the Executive Office of Energy and Environmental Affairs (the "Agency") is hereby approved and the Town Treasurer, or any other Town official, are each authorized to execute on behalf of the Town a Contract, Loan Agreement and a Finance Assistance Agreement, and any other document with the Agency with respect to the bond. The bond shall be payable at the rate of 2% per annum, in semiannual installments as set forth below:

<u>Payment Date</u>	<u>Amount</u>	<u>Payment Date</u>	<u>Amount</u>
December 23, 2016	\$35,542.45	December 24, 2026	\$36,202.84
June 22, 2017	36,202.84	June 23, 2027	36,202.84
December 23, 2017	36,202.84	December 24, 2027	36,202.84
June 23, 2018	36,202.84	June 22, 2028	36,202.84
December 24, 2018	36,202.84	December 23, 2028	36,202.84
June 23, 2019	36,202.84	June 22, 2029	36,202.84
December 24, 2019	36,202.84	December 23, 2029	36,202.84
June 22, 2020	36,202.84	June 23, 2030	36,202.84
December 23, 2020	36,202.84	December 24, 2030	36,202.84
June 22, 2021	36,202.84	June 23, 2031	36,202.84
December 23, 2021	36,202.84	December 24, 2031	36,202.84
June 23, 2022	36,202.84	June 22, 2032	36,202.84
December 24, 2022	36,202.84	December 23, 2032	36,202.84
June 23, 2023	36,202.84	June 22, 2033	36,202.84
December 24, 2023	36,202.84	December 23, 2033	36,202.84
June 22, 2024	36,202.84	June 23, 2034	36,202.84
December 23, 2024	36,202.84	December 24, 2034	36,202.84
June 22, 2025	36,202.84	June 23, 2035	36,202.84
December 23, 2025	36,202.84	December 24, 2035	36,202.84
June 23, 2026	36,202.84	June 22, 2036	36,202.84

Further Voted: that each member of the Board of Selectmen, the Town Clerk, the Town Treasurer, and any other Town official be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the bond were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: June 15, 2016

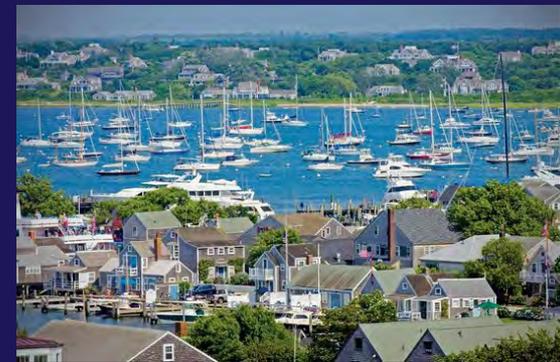
Clerk of the Board of Selectmen

AM 58118846.1

nationalgrid

HERE WITH YOU. HERE FOR YOU.

Upgrading Nantucket's Electric Grid



Meeting Nantucket's demand for electricity, today and tomorrow.



Serving Nantucket

nationalgrid

HERE WITH YOU. HERE FOR YOU.

- Currently two undersea cables deliver electricity to the island
- Nantucket continues to experience very rapid growth and significantly increasing demand for electricity
- Therefore, a third cable is forecasted to be needed in about 15 years
- In an attempt to delay the need for the third cable, measures are currently being implemented through energy efficiency initiatives



Non-wires Alternative Pilot

- Seven-year effort to pilot new methods in reducing peak load:
 - Already underway: Enhanced energy efficiency initiatives approved through the MA statewide 2015-2018 plans and currently being deployed
 - To begin soon: Demand response, energy storage and other initiatives planned to start ASAP in 2016, pending separate approval from MA DPU
- If successful as planned, the pilot will reduce peak load 8.5MW by summer 2022
- Based on current load forecast, pilot success would defer the need for the third cable by seven years
- For more information on current initiatives, visit ngrid.com/nantucket or contact Kim Horyn at 508-332-2407 or Lauren Sinatra at 508-325-5379

Bunker Road Generation Project

nationalgrid

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- The existing generation is intended to serve as a back-up source of electricity in the event a problem occurs with one of the submarine cables that interrupts service to the island
- Currently, one of the undersea cables and generators would be able to provide electricity to most, but not all customers on Nantucket during the peak summer months
- In the event of a lengthy service interruption, National Grid would bring large mobile, roll-on generators to the island to serve customers. It could take several days to import and connect the generators
- This project will increase on-island generation capacity and reduce reliance of roll-on generation during an emergency

Phase 1: Upgrade Diesel Generation

- Replace the two existing 3MW diesel generators with a new 10MW diesel generator
- New generator would improve National Grid's ability to serve customers if the island experiences a cable-related service interruption

Phase 1 Timeline:

June 2016: National Grid issues request for proposal for bidders to supply/install generators

September 2016: Deadline for responses to RFP

December 2016: Final Design/
Construction Start

Phase 1: Upgrade Diesel Generation

nationalgrid

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Phase 2: Install Battery Storage or Second Diesel Generator

- National Grid proposes to install a Battery Electric Storage System (BESS)
- Researching and evaluating whether battery storage is cost-effective and technically viable solution
- The BESS, along with the energy efficiency initiatives would assist in the deferral of the third cable by seven years
- If battery is not feasible, National Grid will install a second 10MW diesel generator
- If battery is chosen, it would be the first of its kind at National Grid

Phase 2 Timeline:

May 2016: National Grid issues request for information (RFI)

June 2016: Deadline for responses to the RFI

August 2016: National Grid to review proposals and determine which project will move forward

Phase 2: Install Battery Storage or Second Diesel Generator

nationalgrid

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Example of Battery Electric Storage System (BESS)

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Candle Street Flood Mitigation

- National Grid has undertaken a company-wide effort to protect major equipment from floods using FEMA's base flood elevation calculations; Candle Street Substation identified as needing flood mitigation measures
- National Grid has developed the following proposal:
 - **Phase 1 (Short Term)**
 - Improve Sandbag Systems currently protecting the switchgear
 - Seal conduits at designated manholes and riser locations
 - **Phase 2 (Long Term)**
 - Permanently Raise Equipment
 - Switchgear
 - Transformer Panels

Existing Protections

nationalgrid

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- Sandbag Protection at Switchgear



Candle Street Flood Mitigation

nationalgrid

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- National Grid has received approval from the Nantucket Conservation Historical Commissions to proceed with Phase 1 of the project

Timeline:

May 2016: Project engineering team reviewing and reassessing the overall design

October 2016: construction start
Phase 1

Spring 2017: construction start
Phase 2

- National Grid is committed to open, ongoing dialogue with local officials, residents, businesses and community groups about the projects through public meetings, site visits and direct mailings.
- Upcoming Events:
 - **July 2016:** Informational Open House highlighting the Bunker Road and Candle Street projects
 - **August/September 2016:**
 - Site visit with Town officials to be scheduled if we proceed with battery option
 - Informational Open House to present solution identified for Bunker Road Phase Two (battery or generator)

QUESTIONS?

Newtown Court Sewer Fee Waivers

Sewer Connections

\$2,000 x 2 connections = \$4,000

Dear Board of Sectmen,

Recently my wife and I purchased a 1/2 acre lot in a new town Road. We have spent the last six months doing a subdivision which I have attached the plan and special permits. This subdivision by design allows for four homes each on separate lots. What is unique is that two of the lots are a little over 4000 ft. And are covenant lots. These lots will be sold or developed with the covenant program restrictions and sold within the accorded restrictions to assure they remain for year round housing. The process required the design and construction of a 120 foot with drainage, sewer and water and other Underground utilities. We believe the use of the primary and secondary lot concept in the development of the covenant lots are part of the long-term solution for year round housing. We are doing this without subsidiary or funding from any outside groups. We ask that you consider our request for a waiver for the two sewer connection fees for the covenant homes. Thank you for your consideration.

Sincerely,

David and Laura Fredericks

Sent from my iPad

Sent from my iPad



CURRENT ZONING CLASSIFICATION:
Residential 10 (R-10)

MINIMUM LOT SIZE: 10,000 S.F.
MINIMUM FRONTAGE: 75 FT.
FRONT YARD SETBACK: 20 FT. (15 FT)
REAR/SIDE SETBACK: 10 FT. (5 FT)
GROUND COVER % : 25%

138-B(a);

MINIMUM SECONDARY LOT SIZE: 4000 S.F.
MINIMUM PRIMARY LOT SIZE: 6000 S.F.

55-200
N/F
KARSTEN L. & MATHEW K. REINEMO
DEED: 1280/044

55-199
N/F
WEATHEREND TRUST
DEED: 1376/169

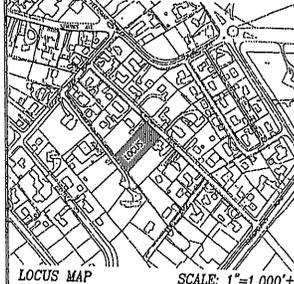
2015 00000020
Bk: Pg: 0 Page: 0
Doc: PLAN 03/30/2016 09:54 AM

NANTUCKET REGISTRY OF DEEDS

Date: March 30, 2016
Time: 9:54 AM
Plan No: 2016-28
Attest: Leo C. Asadorian
Register

SHEET 1 OF 1

RESERVED FOR REGISTRY USE



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Leo C. Asadorian 3/19/16
PROFESSIONAL LAND SURVEYOR DATE

□ DENOTES CONCRETE BOUND TO BE SET.

GENERAL NOTES:

- 1) COVENANT LOTS PREPARED USING SECTION 139-8C OF THE NANTUCKET ZONING BY-LAWS
- 2) WAIVERS ALLOWED FOR THE CREATION OF INDIVIDUAL DRIVEWAYS FOR EACH LOT UNDER SEC. 139-8C(h) AND FROM SETBACK REQUIREMENT BETWEEN INTERNAL LOT LINES PURSUANT TO SECTION 139-8.C(2)(f).
- 3) REFERENCE IS MADE TO APPROVAL REQUIRED PLAN, RECORDED AT THE NANTUCKET COUNTY REGISTRY OF DEEDS: Plan No.: 2016-18.
- 4) REFERENCE IS MADE TO SP FILE #56-15, APPROVAL OF A SPECIAL PERMIT - SECONDARY RESIDENTIAL LOS; DATED: DECEMBER 14, 2015.

NOTE:

LOT(S) A-1A-2-C-1-C-2-D DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

OWNER INFORMATION
DAVID FREDERICKS
DEED BK.: 1503 PG.: 203 (Lot 23)
PLAN No. 15, Pg. 123 & 2016-18.
ASSESSOR'S MAP 55, PARCEL 212
#7 NEWTOWN ROAD

BLACKWELL & ASSOCIATES, Inc.
PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS
20 TEASDALE CIRCLE
NANTUCKET, MASSACHUSETTS 02554
(508) 228-9026
www.blackwellsurvey.com



SECONDARY RESIDENTIAL COVENANT LOTS DIVISION PLAN
in Nantucket, MA
Prepared for
DAVID FREDERICKS
Scale: 1"=30'
Date: NOVEMBER 16, 2015
Design/Drawn by: LCA & DF
Approved by: LCA & DF
SHEET 1 OF 1 B-8126

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JAN 29 2016 PM 1:45



Bk: 1530 Pg: 108 Page: 1 of 5
Doc: APPRVL 03/30/2016 09:54



Town Clerk
Town & County Building
16 Broad St
Nantucket, MA 02554

Nantucket Planning Board

APPROVAL OF A DEFINITIVE SUBDIVISION PLAN (AR)

NEWTOWN COURT SUBDIVISION

Planning Board File #7904

Owner/Applicant: David Fredericks

7 Newtown Road
Nantucket Tax Assessors Map 55 Parcel 212 (portion)
Residential 10 (R-10) zoning district

Lot 23 (portion) upon Plan Book 15, Page 123
(also shown as "Lot B" upon ANR Plan - PB File# 7877)
Book 1503, Page 203 recorded with the Nantucket Registry of Deeds

December 14, 2015

The Nantucket Planning Board at its December 14, 2015 meeting voted 4-0 to approve an application for a Definitive Subdivision Plan (AR) for property located at a portion of Assessors Map 55 Parcel 212 at 7 Newtown Road, shown as Lot B upon ANR Plan approved as PB File # 7877 by the Planning Board at the October 15, 2015 meeting. The applicant, David Fredericks, proposes to subdivide the 15,397 square foot (.353 acre) parcel into two (2) lots (1 buildable and a Roadway). The one (1) buildable lot will be accessed via a dead-end roadway, running southwesterly approximately 174 feet from Newtown Road, a public way.

The layout for the roadway, named "Newtown Court", is twenty (20) feet in width, consisting of a sixteen (16) foot wide crushed shell travelled way and containing an apron at the intersection with Newtown Road. The lot meets minimum lot area requirements for the Residential 10 (R-10) zoning district. The site is located within Town Sewer and Public Wellhead Recharge Districts. Municipal water and sewer services are proposed for the new lot. The site is entirely upland having no known wetland areas within one hundred (100) feet of the proposed roadway.

Approval of the subdivision was based on the following documents:

- Form B Application for Approval of a Definitive Subdivision Plan (AR) dated November 16, 2015;
- A list of waivers from the *Rules and Regulations Governing the Subdivision of Land* dated November 16, 2015;
- A plan entitled "Definitive Subdivision Plan; Newtown Court, in, Nantucket, MA.; Prepared for David Fredericks", consisting of 1 sheet scale 'as noted', dated November 16, 2015, and prepared by Blackwell & Associates, Inc.;

- Site Analysis Report entitled, "Newtown Court, Subdivision, Nantucket, MA.", dated November 16, 2015, and prepared by Blackwell & Associates, Inc.;
- Drainage Report Relative to a Proposed AR Subdivision at 7 Newtown Road, Nantucket, Massachusetts, with USDA Custom Soil Resource Report, dated November 16, 2015, and prepared by Christopher L. Maury Design & Construction and Blackwell & Associates, Inc.;
- Representation and testimony received in connection with the public hearing held on December 14, 2015. Minutes of this meeting are on file with the Planning Board; and
- Other assorted documents that are on file with the Planning Board.

The Planning Board closed the public hearing on December 14, 2015.

Approval of the subdivision is granted conditionally upon the aforementioned documents, compliance with the Planning Board's *Rules and Regulations Governing the Subdivision of Land* (as amended through December 20, 1999), and on the following additional requirements and agreements:

1. Requested waivers from the *Rules and Regulations Governing the Subdivision of Land*:
Due to the small scale of this subdivision and the fact that the interior roadway is serving only one lot, significant waivers are granted from the Subdivision Rules & Regulations. The Planning Board finds that the use of this interior roadway will be consistent with a driveway, and therefore significant infrastructure improvements are not necessary.

AS LISTED IN:

"ITEMIZED LIST OF IMPROVEMENTS TO BE WAIVED OR MODIFIED",
ATTACHED HEREWITH AS "EXHIBIT A"

2. That recorded copies of all legal documents (Homeowners Association documents, Statement of Conditions, Grant of Right of Enforcement, Grant of Easements for Utilities, Drainage, and Covenant) shall be presented to the Planning Board prior to the release of the lot from the Covenant and within six (6) months from the date of this decision (January 28, 2016). The Planning Board may grant extensions of this deadline without holding a public hearing;
3. That the roadway shall be constructed and maintained, as shown on the referenced definitive subdivision plans;
4. That the applicant agreed to work with the direct abutter to the Roadway at 5 Newtown Road to incorporate a shared Easement and to determine cost apportioning relative to the installation and maintenance of the proposed Roadway;
5. That all lots shall be connected to the municipal sewer and water system;
6. That all lots shall be prohibited from further subdivision. Minor lot line adjustments which do not result in the creation of any additional buildable lots shall be permitted through the Approval Not Required (ANR) process;
7. That duplexes shall be a prohibited use upon any lot within the subdivision;

SIGNATURE PAGE TO FOLLOW

On December 14, 2015 the Planning Board voted 4-0 to APPROVE the Newtown Court Approval Required (AR) Subdivision and to endorse this decision.

[Signature]
Barry G. Rector APPROVED

[Signature]
Linda F. Williams APPROVED

[Signature]
John McLaughlin APPROVED

[Signature]
Nathaniel Lowell APPROVED

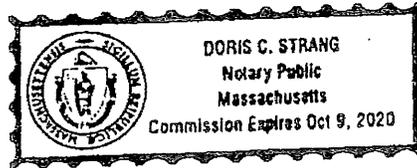
COMMONWEALTH OF MASSACHUSETTS

Nantucket, SS

January 28, 2016

On the 28th day of January, 2016, before me, the undersigned notary public, personally appeared Linda F. Williams, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

[Signature]
Notary Public



October 9, 2020
My Commission Expires

I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

[Signature] TOWN CLERK

MAR 2 2016

ATTEST: A TRUE COPY

[Signature]
NANTUCKET TOWN CLERK

November 16, 2015

B8126
David Fredericks, Owner

Planning Board Rules as amended through December 20, 1999

Exhibit A

Itemized List of Improvements to be Waived or Modified:

The land on the Accompanying Plan for Newtown Court shall comply with the Rules and Regulations of the Nantucket Planning Board which were in effect on December 20, 1999, except for the following enumerated regulations which the Planning Board agrees to Waive or Alter in the Manner Specified:

- (2.06A)(11) Storm Drainage Calculations – Enclosed
- (3.02) Public Open Spaces – Waive
- (3.03) Protection of Wetlands – N/A
- (3.04) Flood Prone Areas – None
- (3.05) Protection of Natural Features - See Plans
- (3.06) One Dwelling Per Lot – Applicant will be filing special permit to allow lot(s) to become secondary residential covenant lots.
- (3.07) Further Subdivision – N/A (See 3.06)
- (3.08) Hazards – N/A
- (3.09) Reverse Lot Frontage - N/A
- (3.10) Street System – See Plans
- (3.10A) Conform to Master Plan – Connection to Newtown Road (Proposed)
- (3.10B) Continuous Alignment with Existing Streets – See Plans
- (3.10C) Projection of Streets into Adjoiners – See Plans
- (4.02) Monuments – See Plans (Proposed for Monumenting Street System)
- (4.03) Streets – See Plans
- (4.03A) 1. Minor Streets 16' wide – See Plans
2. Major or Secondary Streets 22' Wide – N/A
- (4.03B) Street Intersections Not Less Than 60° - N/A
- (4.03D) Sight Distances 300' Minimum – See Plans

- (4.03 E) Design Standards 20' Width , 16 Width Foot Paving 200 & 300 Minimum Radius, Maximum Center Line Grade 4.25%, Minimum Curb Radius 17' and 25' – See Plans
- (4.04) Dead End Streets – A. 172.46'
- (4.05) Street Construction Shall be one of 10 types specified in section 5.08 - Grave Spec w/ Shelled Surface, with Paved Apron from Newtown Road
- (4.06) Storm Drainage – See Plans (All Leaching Facilities) (See 2.06A) (11)
- (4.06A) Subdrains – Less than 4' Above Water Table or Swampy Areas – N/A
- (4.06B) Storm Drains – See Plans and Drainage Analysis
 - 1. Catchbasins Pairs 500' Maximum – See Plans
 - 2. Manholes 500', Changes of Direction Horizontal or Vertical – N/A
 - 3. Leaching Basins Where Possible – See Plans
 - 4. Roadway Drainline Specs – See Plans
- (4.06 C) Open Drainage Systems – N/A
- (4.07) Easements 20' Water, Sewer and Drains; 10' Electric, Telephone, CATV 15', Bike and Pedestrian, Possible Scenic Easements, Watercourse Easements – See Plans (10 Utility, Access and Drainage Easement)
- (4.08) Adequate Access to Site – See Plans
- (4.09) Shoulders – See Plans
- (4.10) Guard Rails and Posts - Waive
- (4.11) Street Signs – One Proposed at Entrance to Morey Lane
- (4.12) Water Pipes and Related Equipment – See Plans
- (4.13) Dry Sewer Lines – See Plans (Sewer will become active once accepted by Town of Nantucket)
- (4.14) Power Lines – See Plans
- (4.15) Telephone Lines – See Plans
- (4.16) Shade Trees – See Plans
- (4.17) Fire Alarm Systems and Emergency Water Supply – Hydrant and Fire Alarm System to be Waived
- (4.18) Sidewalks – Waive
- (4.19) Bicycle Paths – Waive
- (4.20) Street Lights – Waive
- (4.21) Bridges – Waive
- (4.22) Curbing and Bearms – Waive
- (4.23) Soils Survey – Waive

NANTUCKET COUNTY Received & Entered
 Attest: Jennifer H. Ferrillora Registrar of Deeds

JAN 29 2016 PM 1:46



Bk: 1530 Pg: 103 Page: 1 of 5
Doc: SP 03/30/2016 09:54 AM



Town Clerk
Town & County Building
16 Broad St
Nantucket, MA 02554

Nantucket Planning Board

APPROVAL OF A SPECIAL PERMIT SECONDARY RESIDENTIAL LOT

Planning Board File #56-15

Owner/Applicant: David Fredericks

7 Newtown Road
Nantucket Tax Assessors Map 55 Parcel 212
Residential 10 (R-10) zoning district

Lot 23 upon Plan Book 15, Page 123
Book 1503, Page 203 recorded with the Nantucket Registry of Deeds

December 14, 2015

Description of the Proposed Project:

The Applicant is requesting the issuance of a special permit pursuant to Nantucket Zoning By-law Section 139-8.C in order to divide the site into four (4) buildable lots (two primary and two secondary lots). The purpose of this subdivision is to create two market-rate lots and two affordable lots for year-round residents on Nantucket who earn at or below 150% of the Nantucket County median household income. The Applicant is further requesting waivers from the setback requirement between internal lot lines pursuant to Section 139-8.C(2)(f) and from the shared driveway requirement pursuant to Section 139-8.C(h).

The site has a total lot area of approximately 25,430 square feet in the Residential 10 (R-10) zoning district which requires a minimum lot size of 10,000 square feet and the maximum allowable ground cover ratio is 25%. *

* N.B.:

At the hearing on October 15, 2015, the Planning Board endorsed an Approval Not Required ("ANR") plan in File # 7877. The ANR plan, entitled "Subdivision Plan of Land; in Nantucket, MA.; Prepared for David Fredericks", dated October 5, 2015 and drawn by Blackwell & Associates, Inc., divided land shown on Plan Book 15, Page 123 as Lot 23, containing a total of 25,430 square feet of lot area, into two dimensionally compliant lots as follows:

- Lot A – with 80.07 feet of frontage on Newtown Road – contains 10,033± square feet of lot area and one dwelling (to be relocated); and
- Lot B – a vacant lot with twenty (20) feet of frontage on Newtown Road – contains 15,395± square feet of lot area.

Lot A has adequate frontage to meet the requirement of seventy-five (75) feet in the R-10 zoning district. Lot B does not have adequate frontage to be considered a buildable lot until such time as it is further subdivided under the Approval Required process.

At a subsequent hearing on December 14, 2015, the Planning Board endorsed an Approval Required ("AR") plan in File # 7904. The AR plan, entitled "Definitive Subdivision Plan; Newtown Court, in, Nantucket, MA.; Prepared for David Fredericks", dated November 16, 2015, and prepared by Blackwell & Associates, Inc., divided the above-referenced Lot B into two lots as follows:

- Lot C – a buildable vacant lot with adequate curving frontage on proposed subdivision Roadway named "Newtown Court" – contains 11,648± square feet of lot area; and
- Lot D – an unbuildable vacant "Road" lot to be known as "Newtown Court" and providing frontage for buildable Lot C – contains 3,749± square feet of lot area.

The applicant is seeking a special permit to create two secondary residential lots for year-round residents by subdividing the two conforming buildable lots shown on the above-referenced ANR and AR Plans (PB File #7887 and #7904, respectively) into two primary and two secondary lots as follows:

- Lot A
 - Lot A-1 – PRIMARY LOT – fronting on Newtown Road and Newtown Court – contains 6,013± square feet of lot area and one structure (to be relocated); and
 - Lot A-2 – SECONDARY LOT – vacant lot fronting on Newtown Court – contains 4,020± square feet of lot area.
- Lot C
 - Lot C-1 – SECONDARY LOT – vacant lot fronting on Newtown Court – contains 4,092± square feet of lot area; and
 - Lot C-2 – PRIMARY LOT – vacant lot fronting on Newtown Court – contains 7,556± square feet of lot area.

Pursuant to Section 139-8.C(2)(e), the minimum area for the original lot, primary lot, and secondary lot shall be:

MINIMUM LOT SIZE for R-10 Zoning District

Original Lot	Primary Lot	Secondary Lot
10,000 sq. ft.	6,000 sq. ft.	4,000 sq. ft.

Both proposed primary and secondary lots meet the minimum lot sizes under the Zoning District and the Covenant Program and will be compliant with the provisions of By-law Section 139-8.C(2)(g).

The proposed roadway, shown as Lot D on the above-referenced AR Plan, is proposed to be surfaced with shell and to contain a sub-surface drainage system, sewer and water connections.

Basis of the Findings:

The Board's findings and decision were based on the following documents:

- An application to the Planning Board for a Special Permit received November 16, 2015;
- Plan entitled "Secondary Residential Covenant Lot; Division Plan in Nantucket, MA.; Prepared for David Fredericks", dated November 16, 2015, and drawn by Blackwell & Associates, Inc.;
- Representation and testimony received in connection with the public hearing held on December 14, 2015; and
- Other assorted documents that are on file with the Planning Board.

The Planning Board closed the public hearing on December 14, 2015.

Findings:

The Planning Board, at its December 14, 2015 meeting, found that the proposal was in keeping with section 139-8.C of the Nantucket Zoning By-law. The Planning Board also found that granting simultaneous approval for the creation of two secondary residential lots maximized the potential for affordable housing on the locus and further advances the purpose and intent of the Nantucket Housing Needs Program.

Decision and Vote:

On December 14, 2015, a motion was made and duly seconded to **CLOSE** the Public Hearing and to **APPROVE** the requested Special Permit to create two secondary residential lots subject to the following:

1. That the secondary lots shall be subject to an NHNC-Ownership Form (Nantucket Housing Needs Covenant), which shall provide, without limitation, that the owners and any occupants of any dwelling erected thereon, shall earn at or below 150% of the Nantucket County median
2. That each lot shall comply with the ground cover ratio, front and rear setbacks, and frontage requirements of the underlying zoning district, or as otherwise specified in 139-8.C;
3. That the lots shall be granted a waiver from the side yard setback requirements as they pertain solely to internal setback lines between each primary and secondary lot, pursuant to Section 139-8.C(2)(f);
4. That each lot shall have a separate driveway access as shown on the subdivision plan, thus granting the lots waivers from the shared a driveway requirement pursuant to Section 139-8.C(h) by virtue of a finding that separate driveway access would not have a significant and adverse effect on the scenic and historic integrity of the neighborhood and is not contrary to sound traffic or safety considerations; and
5. That an Approval Not Required (ANR) plan to establish each lot is a necessary step to implement this permit.

SIGNATURE PAGE TO FOLLOW

Record of Vote:

On December 14, 2015 the Planning Board voted 5-0 to APPROVE this application, and to ENDORSE this decision.

[Signature]
Barry Rector APPROVED

[Signature]
John McLaughlin APPROVED

[Signature]
Linda Williams APPROVED

[Signature]
Nathaniel Lowell APPROVED

[Signature]
John Trudel, III APPROVED

COMMONWEALTH OF MASSACHUSETTS

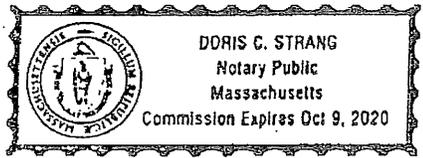
Nantucket, SS

January 28, 2016

On the 28th day of January, 2016, before me, the undersigned notary public, personally appeared Linda Williams, one of the above-named members of the Planning Board of Nantucket, Massachusetts, personally known to me to be the person whose name is signed on the preceding document, and acknowledged that he/she signed the foregoing instrument voluntarily for the purposes therein expressed.

[Signature]
Notary Public

October 9, 2020
My Commission Expires



I CERTIFY THAT 20 DAYS HAVE ELAPSED AFTER THE DECISION WAS FILED IN THE OFFICE OF THE TOWN CLERK, AND THAT NO APPEAL HAS BEEN FILED, PURSUANT TO GENERAL LAWS 40A, SECTION 11

[Signature] TOWN CLERK

ATTEST: A TRUE COPY

[Signature]
NANTUCKET TOWN CLERK

NOV 27 2016

SEARCH RESULTS

MASSACHUSETTS , Nantucket

Recorded Land Name Search

Search Time: 4/4/2016 1:02:43 PM

Business/Last Name: claris prop

Type	Name/Corporation	Book	Page	Type Desc.	Rec. Date	Street #	Property Descr	Town	Doc.#
GR	CLARIS PROPERTIES LLC	01435	279	CERTIFICATE	5/23/2014			NANTUCKET	1343
GR	CLARIS PROPERTIES LLC	01435	280	MORTGAGE	5/23/2014	3 JOY ST	LOT A & B PLAN 2014-45	NANTUCKET	1344
GR	CLARIS PROPERTIES LLC	01435	300	ASSIGNMENT LEASES & RENTS	5/23/2014	3 JOY ST	LOT A & B PLAN 2014-45	NANTUCKET	1345
GR	CLARIS PROPERTIES LLC	01460	215	CERTIFICATE	11/18/2014			NANTUCKET	3349
GR	CLARIS PROPERTIES LLC	01460	216	DEED	11/18/2014			NANTUCKET	3350
GR	CLARIS PROPERTIES LLC	01496	244	AFFIDAVIT	8/20/2015			NANTUCKET	2336
GR	CLARIS PROPERTIES LLC	01521	247	EASEMENT	1/27/2016	5 JOY LANE	LOT B PLNO 2014-45	NANTUCKET	303

Timalyne Frazier

From: Dave Fredericks <ackfredericks@yahoo.com>
Sent: Friday, April 01, 2016 1:52 PM
To: Whitney Gifford
Cc: Timalyne Frazier

I had dropped off the recorded copy of the ANR approval and special permit a few weeks back which had gotten recorded,
Can you send me a copy for my file thx

David Fredericks
4 White Street
Nantucket MA 02554
ackfredericks@yahoo.com
508.916.1576

*emailed 4/4/16
TLF*

Board of Selectmen – June 16, 2016
Town Administration Public Hearing Checklist

Summary:

Hearings 1-6 are in order (application-wise); however:

- Hearing 5 is something out of the ordinary

- Hearing 6 is in order and has no staff identified issues; however, it is a new license in a category we have not utilized before

Hearing 7 requires some explanation.

Detail:

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 20895306 to Install 2-4" Conduits from Pole 21-50 East Across Surfside Road to New Intermediate School at 30 Surfside Road.

Staff Review: Documents in order, no issues, relates to a Town project, recommend approval.

2. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 21485138 to Install Direct Buried Primary Cable w/3" Spare Conduit from Pole 3 Newtown Road Along Side of Road Northwest to New Subdivision Called Newtown Court.

Staff Review: Documents in order, no issues, recommend approval.

3. Public Hearing to Consider Application for New Mobile Food Unit License for Hither Creek, LLC d/b/a Millie's.

Staff Review: Documents in order, no issues, recommend approval.

4. Public Hearing to Consider Application for New Common Victualler License for Nantucket Candy Company, Inc. d/b/a Sundae Shoppe, Alyssa Stone, Manager, for Premises Located at 48 Centre Street.

Staff Review: Documents in order, no issues, recommend approval contingent upon compliance with any and all zoning, building or other requirements.

5. Public Hearing to Consider Application for New Entertainment License for Amelia Drive, LLC d/b/a The ACKtors Table, Cliff Blake, Manager, for Premises Located at 5 Amelia Lane.

Staff Review: Application is in order; no specific staff issues; noteworthy that this is an unusual type of entertainment and "set-up".

6. Public Hearing to Consider Application for New Seasonal Wine/Malt Beverages Section 12 General On Premises License for Nantucket Golf Management, Inc. d/b/a Siasconset Golf Course, Joan Casey, Manager, for Premises Located at 260 Milestone Road.

Staff Review: Application is in order; no specific staff issues; noteworthy that (other than the Theatre Workshop/Bennett Hall application) this is the only other application for a license in this category that has come before the Board.

7. Public Hearing to Consider Increasing the Fee per Ton for Mixed Excavation Waste, Currently Set at \$30/Ton.

Staff will review at meeting.

UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: National Grid
TYPE: Manhole and Duct Locations
SITE ADDRESS: Surfside Road
HEARING DATE: June 15, 2016

COMMENTS

NPD: The NPD does not have any concerns about this petition. The applicant will need to discuss roadway and pedestrian pathway safety measure that will need to be implemented with the Police Department as well as schedule appropriate details before the work is done. -Chief Pittman

FIRE: NFD has no concerns or comments. -Chief Rhude

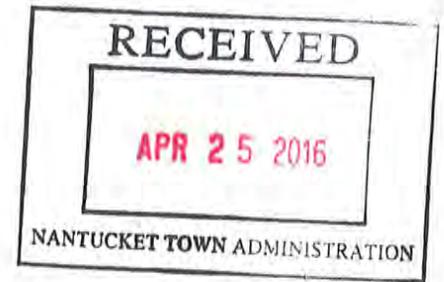
PLANNING: If the bike path is damaged, it needs to be adequately repaired following the conduit installation. -Leslie Snell

DPW: If possible these conduits should be directionally drilled. If open cut is required, the road may only be blocked for construction one lane at a time. Traffic must be maintained at all times. The trench must be backfilled with flowable fill and plated for no more than 48 hours. The cut may not be made between June 30th and September 6th 2016. -Kara Buzanoski

WWCo: Wannacomet Water has no objections to this petition. -Bob Gardner

D. FREDERICKS: No Comments

nationalgrid



April 11, 2016

Town of Nantucket
Board of Selectmen
16 Broad Street
Nantucket, MA 02554

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

Arlene Wright: (781) 907 – 3553

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Angela Birch; 280 Melrose Street; Providence, RI

Very truly yours,

A handwritten signature in cursive script that reads "Chris Raymond" followed by a stylized monogram "CR".

Chris Raymond, Engineering
Supervisor, Distribution Design

Enclosures

PETITION FOR MANHOLE AND DUCT LOCATIONS

Town Copy

Nantucket, MA 02554

April 11, 2016

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along the following public way:

Surfside Road

**NGRID request to install 2-4" conduits from
p21-50 East across Surfside Road to new
school at 30 Surfside Road.**

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked:--

NANTUCKET ELECTRIC COMPANY

Plan No. **20895306** Dated: **04/08/2016**

NANTUCKET ELECTRIC COMPANY

By: *Chris Raymond*
Manager of Distribution Design

ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

April 11, 2016

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that **NANTUCKET ELECTRIC COMPANY** be and they are hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition of said Company dated the **11th day of April, 2016**

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY

Plan No. **20895306** Dated: **04/08/2016**

The following are the public ways or parts of ways along which the underground electric conduits above referred to may be laid--

Surfside Road

**NGRID request to install 2-4" conduits from
p21-50 East across Surfside Road to new
school at 30 Surfside Road.**

Also, there shall be a reservation of one (1) underground conduit for the fire, police, telephone, internet and telegraph signal wires belonging to and used by the municipality for any municipal purpose.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Nantucket, Massachusetts held on the _____ day of _____ 2016

Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts

Book: _____ Page: _____

Attest: _____
Town Clerk

I hereby certify that on _____, 20____, at ____ o'clock, ____ M.,
at _____ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

Selectmen of the Town of

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the _____ day of _____ 2016 and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
Town Clerk

Pole & UG Petition/Permit Request Form

City
Town of Nantucket WR # 20895306
(circle one)

Install _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Remove _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Relocate _____ SO
(quantity) (circle one) JO Poles on _____
(street name)

Beginning at a point approximately 140' feet North **of the centerline**
(distance) (compass heading)

of the intersection of Bartlett Rd
(street name)

and continuing approximately 65' feet in a easterly **direction.**
(distance) (compass heading)

Install underground facilities:

Street(s) Surfside Rd

Description of Work:

Install 2-4" conduits from pole 21-50 East across Surfside Rd to serve new school at 30 Surfside Rd.

ENGINEER S.Breton

DATE 4/8/16



NEW NANTUCKET
INTERMEDIATE SCHOOL
30 SURFSIDE RD

2-4" conduits

SURFSIDE RD

65' +/-

140' +/-

pole 21-50

41
SURFSIDE RD

LARRABEE LN

2
LARRABEE LN

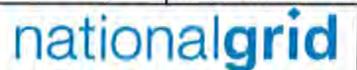
BARTLETT RD

LEGEND

-  Existing jointly owned pole
-  Proposed 2-4" conduits

Surfside Rd Nantucket
Petition Sketch

Date: 04/05/16
Designer: S.Breton
Work Request: 20895306



Christopher M. & Linda M. Roberts
P.O. Box 445
Nantucket, MA 02554

Chris' cell: 508-221-1958
Linda's cell 508-228-8284

June 3, 2016

Town of Nantucket
Board of Selectmen
Mr. James Kelly, Chairman
16 Broad Street
Nantucket, MA 02554

Re: Nantucket Electric Company Petition - Public Hearing Scheduled for Wednesday, June 15, 2016 at 6 PM
and the impact to our home at 41 Surfside Road

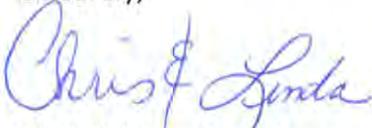
Dear Mr. Kelly & Members of the Board of Selectmen:

We are in receipt of the letter notifying us of the public hearing for Nantucket Electric Company to install 2-4" conduits from P21-50 East across Surfside Road (in our front yard) to the school at 30 Surfside Road.

We are concerned as the last time utility work was done on our property for Verizon and National Grid in the nineties, our fence and rose bushes were tossed, the in ground irrigation and underground dog fence was damaged and they installed a large green utility box inside our front yard inside our property line and no one would take responsibility.

No one has contacted us regarding the proposed work and we don't want a repeat of what happened before. We are also concerned about the pole in the middle of McLean Lane which has been hit on several occasions and is leaning. If at all possible that pole should be moved. We have asked in the past and were told it was essential and could not be moved. We also have heard that this work is going to be done prior to the public hearing. If you can provide us with someone to contact prior to the work being done we would appreciate that.

Sincerely,



Chris & Linda Roberts

Email: jkelly@nantucket-ma.gov
dhillholdgate@nantucket-ma.gov
ratherton@nantucket-ma.gov
bdecosta@nantucket-ma.gov
mfee@nantucket-ma.gov
lgibson@nantucket-ma.gov
emooney@nantucket-ma.gov

UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: National Grid
TYPE: Manhole and Duct Locations
SITE ADDRESS: Newtown Road
HEARING DATE: June 15, 2016

COMMENTS

NPD: The NPD does not have any issues with this petition.
-Chief Pittman

FIRE: NFD has no comments or concerns.
-Chief Rhude

PLANNING: Recommend – installing underground utilities was part of the subdivision approval.
-Leslie Snell

DPW: The 15kv #2 wire should be installed in conduit, not direct buried. Open cut is allowable as no public right of way pavement will be cut for this work.
-Kara Buzanoski

WWCo: Wannacomet has no objections to this petition. -Bob Gardner

D. FREDERICKS: No Response

nationalgrid

April 11, 2016

Town of Nantucket
Board of Selectmen
16 Broad Street
Nantucket, MA 02554



To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

Arlene Wright: (781) 907 – 3553

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Angela Birch; 280 Melrose Street; Providence, RI

Very truly yours,

Chris Raymond, Engineering
Supervisor, Distribution Design

Enclosures

Town Copy

PETITION FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

April 11, 2016

To the Board of Selectmen
of the Town of Nantucket, Massachusetts

NANTUCKET ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along the following public way:

Newton Road

NGRID propose install direct buried primary cable w/3" spare conduit from P3 Newton Rd along the side of road northwest to new subdivision called Newtown Court.

Wherefore it prays that after due notice and hearing as provided by law, it may be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked:--

NANTUCKET ELECTRIC COMPANY

Plan No. **21485138** Dated: **04/08/2016**

NANTUCKET ELECTRIC COMPANY

By: Chris Raymond *CR*
Manager of Distribution Design

ORDER FOR MANHOLE AND DUCT LOCATIONS

Nantucket, MA 02554

April 11, 2016

By the Board of Selectmen
of the Town of Nantucket, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that **NANTUCKET ELECTRIC COMPANY** be and they are hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition of said Company dated the **11th day of April, 2016**

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked--

NANTUCKET ELECTRIC COMPANY

Plan No. **21485138** Dated: **04/08/2016**

The following are the public ways or parts of ways along which the underground electric conduits above referred to may be laid--

Newton Road

NGRID propose install direct buried primary cable w/3" spare conduit from P3 Newton Rd along the side of road northwest to new subdivision called Newtown Court.

Also, there shall be a reservation of one (1) underground conduit for the fire, police, telephone, internet and telegraph signal wires belonging to and used by the municipality for any municipal purpose.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Nantucket, Massachusetts held on the _____ day of _____ 2016

Clerk of Selectmen

Received and entered in the records of location orders of the Town of Nantucket, Massachusetts

Book: _____ Page: _____

Attest: _____
Town Clerk

I hereby certify that on _____, 20_____, at _____ o'clock, _____ M.,
at _____ a public hearing was held on the petition of

NANTUCKET ELECTRIC COMPANY

for permission to excavate the public highways and to run and maintain underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires and fixtures under said order. And that hereupon said order was duly adopted.

Selectmen of the Town of

Nantucket, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Nantucket, Massachusetts, on the _____ day of _____ 2016 and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
Town Clerk

Pole & UG Petition/Permit Request Form

City
Town of Nantucket WR # 21485138
(circle one)

Install _____ SO
(quantity) JO Poles on _____
(circle one) (street name)

Remove _____ SO
(quantity) JO Poles on _____
(circle one) (street name)

Relocate _____ SO
(quantity) JO Poles on _____
(circle one) (street name)

Beginning at a point approximately 530' feet Southeast of the centerline
(distance) (compass heading)

of the intersection of Hooper Farm Rd
(street name)

and continuing approximately 65' feet in a Northwest direction.
(distance) (compass heading)

Install underground facilities:

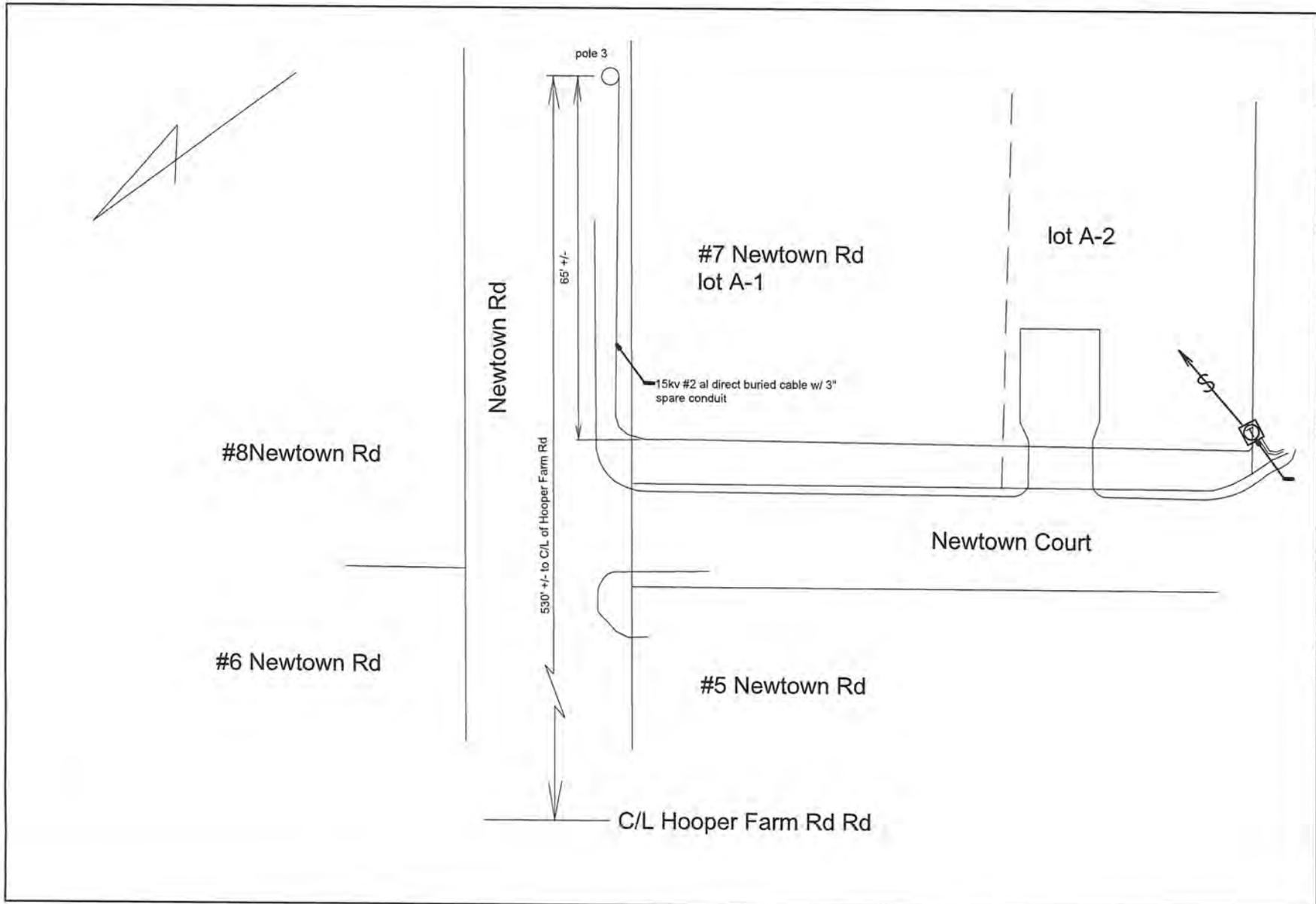
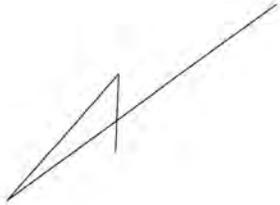
Street(s) Newtown Rd

Description of Work:

Install direct buried primary cable w/3"spare conduit from pole 3 Newtown Rd along the side of road Northwest to new subdivision called Newtown Court.

ENGINEER S.Breton

DATE 4/8/16



DATE 05/24/16	NEWTON COURT URD	nationalgrid
DESIGNER: S. BIRLEN	NANTUCKET	
WORK REQUEST: 21465138		
LEGEND		
Transformer		
handhole		
Underground electric service		

Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

Date: June 7, 2016

Re: BOS Public Hearing 6-15-16: Millie's, Mobile Food Unit License

Please note:

1. Fingerprint Results for were received and approved.
2. The current application for Millie's is for private catering only and is a duplicate to the current food cart approved for catering private functions.
3. A final Health Inspection is required before a License is issued.

APPLICATION FOR MOBILE FOOD UNIT LICENSE
(No Alcoholic Beverages Permitted)

Business Name: Hither Creek LLC

d/b/a: Millie's

Applicant Name: Robert Blair

Applicant Address: 326 Madaket Rd, Nantucket, MA 02554 Mailing Address: 3227 45th St, NW, Wash. D.C. 20016

Email Address: BoBlairDC@gmail.com Telephone: _____ Cell Phone: 202-255-5855

Proposed public property location(s)/route for Mobile Food Unit: Private Events Only

Description of Foods/Beverages to be offered: Taco's/Quesadillas/Sandwiches
Same Menu Offerings as Existing Cart

Proposed operating season including days/hours of operation for each location on the route:
May 15 - October 1; 10:00 am - 12:00 am (Based on Event times)

I will ensure that all of the locations around my mobile food unit are free of rubbish before leaving each parking location on a daily basis.

Applicant Signature: Robert Blair Date 6-1-16

Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

Date: [Date]

Re: BOS Public Hearing 6-15-16: Sundae Shoppe Common Victualler License

Please find the attached documents for your review:

1. Cover Letter
2. Common Victualler License Application for Sundae Shoppe, 48 Centre Street
3. Common Victualler Pre-Approval Form
4. Legal Notice for Inquirer Mirror, June 2 & 9, 2016

Paul F. Giorgio
17 Davis Road
Millbury, MA 01527

May 26, 2016

Board of Selectman
Town of Nantucket
4 Fairgrounds Road
Nantucket, MA 02554

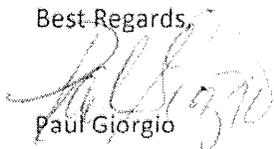
RE: Common Victualler License Application for 48 Centre Street, Nantucket, MA

Dear Board Members,

Enclosed is Victualler License Application for the Sundae Shoppe, a new business that I intend to operate at 48 Centre Street, Nantucket MA. The seasonal business will operate 7 days a week during the peak summer season and on weekends during the off-peak times. The business will serve ice cream (purchased from a supplier) through a take-out window. We will scoop and serve the ice cream in cones and cups as well as produce milkshakes and sundaes.

Please do not hesitate to contact me if you have any questions regarding this application.

Best Regards,



Paul Giorgio

TOWN OF NANTUCET

2016 COMMON VICTUALLER (CV)

NEW OR TRANSFERRED LICENSE APPLICATION

Business Name of Applicant: Sundae Shoppe

D/B/A: Sundae Shoppe

Business Owner's Name: Paul Giorgio Cell: 508-612-2060

Business Manager's Name: Alyssa Stone Cell: 508-221-6881

Business Street Address: 48 Centre Street

Business Mailing Address: 48 Centre Street

Business Telephone: 508-228-0667

Email Address: (Please use an email address that will be monitored year-round by Owner or Manager): alyssa@nantucketcandy.com @diana@nantucketcandy.com

Federal Tax I.D. # of Business: 81-2767298

Opening Date: TBD (Summer 2016) Days/Hours of Operation: 11Am-11pm

Type of Business: take out ice cream

Signature of Applicant: [Signature] Date: 5/19/16

Check Payable to Town of Nantucket: \$20.00 Application Fee: Ck #: 1467

Check Payable to Town of Nantucket: \$50.00 Yearly Licenses Fee: Ck #: 1468

Check Payable to Inquirer and Mirror: \$266.90 Legal Notice Fee: Ck #: 1466

Note: Nantucket Town Bylaw requires holders of certain categories of licenses and permits to be current on payment of various municipal charges. If a license or permit applicant has neglected to pay any "local taxes, fees, assessments, betterments or other municipal charges", such licenses or permits are subject to non-renewal or revocation by the Board of Selectmen. Please contact the Tax Collector office (508-228-7200 x7047 or x7048) to determine your current payment status before picking up your new/transferred CV license.

Approved: _____ Date: _____



SECTION II

DEPARTMENTAL PRE-APPROVAL FORM (4 INSPECTION DEPARTMENTS)

THIS FORM MUST BE SIGNED BY THE FOLLOWING DEPARTMENTS AND RETURNED TO LICENSING AT LEAST 1 WEEK (7 DAYS) PRIOR TO THE SCHEDULED PUBLIC HEARING. THESE SIGNATURES INDICATE ONLY THAT A CV LICENSE MAY OPERATE AT THAT SPECIFIC LOCATION.

ADDITIONAL FINAL INSPECTION DOCUMENTS ARE REQUIRED BEFORE RELEASE OF LICENSE:

1) A COPY OF THE APPLICANT'S "CERTIFICATE OF INSPECTION" (COI) SIGNED BY BUILDING AND FIRE DEPARTMENTS (EXPIRED COI'S WILL NOT BE ACCEPTED).

2) A COPY OF THE APPLICANTS "HEALTH CERTIFICATE" SIGNED BY THE HEALTH DEPARTMENT. NO LICENSES WILL BE RELEASED UNTIL THESE VALID CERTIFICATES HAVE BEEN FILED WITH THE LICENSING OFFICE AT 4 FAIRGROUNDS ROAD.

BUSINESS NAME OF APPLICANT: Sundae Shoppe

-> BUSINESS D/B/A (Doing Business As): Ice Cream Shop

STREET ADDRESS OF BUSINESS: 48 Centre St.

EMAIL ADDRESS OF BUSINESS: alyssa@mixitcandy.com BUSINESS TELEPHONE: 508-228-0667

MANAGER'S NAME: Alyssa Stone CELL PHONE: 508-221-6881

HEALTH DEPARTMENT: 3 E. Chestnut Street: Approved: Not Approved:

COMMENTS: Plan Review Received

SIGNATURE: K. Lufvare DATE: _____

BUILDING DEPARTMENT: 2 Fairgrounds Road: Approved: Not Approved:

COMMENTS: Building PERMIT FOR SPACE HAS NOT BEEN ISSUED PERMIT REQUIRED

SIGNATURE: [Signature] DATE: 5/27/16

ZONING ENFORCEMENT: 2 Fairgrounds Road: Approved: Not Approved:

COMMENTS: CDT - Takeout allowed by right

SIGNATURE: [Signature] DATE: 5/27/16

FIRE DEPARTMENT: 131 Pleasant Street: Approved: Not Approved:

COMMENTS: _____

SIGNATURE: [Signature] DATE: 5/27/16

The General Laws of Massachusetts

Search the Laws

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XX. PUBLIC SAFETY AND GOOD ORDER

Go To:
Next Section
Previous Section
Chapter Table of Contents
MGL Search Page
General Court Home
Mass.gov

CHAPTER 140. LICENSES

THEATRICAL EXHIBITIONS, PUBLIC AMUSEMENTS, ETC.

Chapter 140: Section 181. Theatrical exhibitions, etc.; licenses; fees; applications; suspension or revocation; workers' compensation coverage

Section 181. The mayor or selectmen may, except as provided in section one hundred and five of chapter one hundred and forty-nine, grant and set the fee for, upon such terms and conditions as are described hereinafter, a license for theatrical exhibitions, public shows, public amusements and exhibitions of every description, to be held upon weekdays only, to which admission is obtained upon payment of money or upon the delivery of any valuable thing, or in which, after free admission, amusement is furnished upon a deposit of money in a coin controlled apparatus, but in no event shall any such fee be greater than one hundred dollars. Notwithstanding the limitations of this paragraph, a license granted to a movie theater, including any drive-in theater, for the exhibition of motion pictures shall permit such exhibition seven days per week. The fee for such license shall not exceed the total amounts paid by a licensee for licenses issued in 1997 under this section and section 4 of chapter 136 then in effect; provided, however, that the fee for such license shall not be greater than \$500.

The application for such a license shall be in writing and shall fully and specifically describe the conditions of the proposed exhibition, show, or amusement and the premises upon which the proposed exhibition, show, or amusement is to take place, to the extent that such conditions or premises would affect the public safety, health or order. Upon written request of the mayor or selectmen, the applicant shall in addition furnish reasonable information concerning the conditions of the premises and actions to be taken in order to prevent danger to the public safety, health, or order. Within thirty days following receipt of such application, the mayor or selectmen shall grant a license or shall order a hearing preceded by at least ten days written notice to the applicant. Within forty-five days next following the close of such hearing, the mayor or selectmen shall grant such license or shall deny such license upon a finding that issuance of such a license would lead to the creation of a nuisance or would endanger the public health, safety or order by:

if denying must use this criteria

- (a) unreasonably increasing pedestrian traffic in the area in which the premises are located or
- (b) increasing the incidence of disruptive conduct in the area in which the premises are located or
- (c) unreasonably increasing the level of noise in the area in which the premises are located.

Notice of such a denial shall be delivered to the applicant in writing and shall be accompanied by a statement of the reasons therefor. No application shall be denied if the anticipated harm is not significant or if the likelihood of its occurrence is remote. The mayor or selectmen may impose conditions upon a license but said conditions may only relate to compliance with applicable laws or ordinances, or to public safety, health or order, or to steps required to be taken to guard against creation of a nuisance or

to insure adequate safety and security for patrons or the affected public.

No applicant having been denied a license as aforesaid shall submit the same or a similar application within one year of said denial without including in said new application facts showing that the circumstances upon which the original denial was based have substantially changed.

The mayor or selectman may revoke or suspend a license granted pursuant to the provisions of this section upon finding, after a hearing preceded by ten days written notice to the licensee, that conditions exist which would have justified denial of the original application for such license provided, that the mayor or selectmen may petition the superior court department of the trial court to enjoin any violation of this section.

No license shall issue, however, for a traveling carnival, circus or other such traveling amusement which does not have its principal place of business within the commonwealth unless the licensee certifies that he has provided by insurance for the payment of compensation and the furnishing of other benefits under chapter one hundred and fifty-two to all persons to be employed by said licensee and that such insurance shall continue in full force and effect during the term of the license; and the licensee further certifies that he has obtained a policy of public liability insurance in the amount of at least twenty-five thousand dollars to pay any claims or judgments rendered against the licensee in favor of patrons or others to recover damages resulting from the negligence of the licensee. The amount of insurance of the policy hereinbefore required or in effect shall not limit or impair any right of recovery to which any plaintiff may be entitled in excess of such amount.

Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

Date: June 7, 2016

Re: BOS Public Hearing 6-15-16: ACKtors Theater, Entertainment License

Please find the attached documents for your review:

1. Cover Letter
2. Entertainment License Application for ACKtors Theater, 5 Amelia Drive
3. Department Comments from Police; Fire; Building; Health, Zoning
4. Legal Notice for Inquirer Mirror, June 2 & June 9
5. 2015 Fog Island Grille Entertainment License

5/11/2016

Dear Board of Selectman:

We do not always stop and think about it, but Nantucket is abundantly blessed,

With beauty, with heart, with community. and in the height of summer, with wealth.

Because of these abundant blessings, we are super-empowered to give back.

The owners of 5 Amelia Drive – myself, Cliff Blake, a former advertising entrepreneur and now theater actor, writer, and producer, along with my sister, Anne Dawson and her husband Mark – will contribute our talents to create events for islanders and summer visitors that raise money for various causes.

The ACKtors Table will serve up a unique spread of theater, food and philanthropy. And everyone will give:

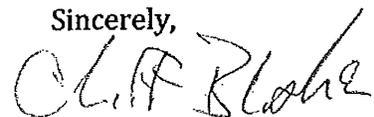
- Professional theater artists from New York and Boston will be invited to give their Artistic talents to showcase a particular play or work (akin to the Actors Studio in New York);
- Chefs will be invited to give their culinary talents to design and execute a menu tailored to each play;
- Nantucket islanders and visitors will be invited to give donations to the featured philanthropic organization of each event. A different philanthropic recipient, who may include a local (e.g., Small Friends) or worldwide cause (e.g., International refugees, poverty in Africa) will be featured for each event.

The events would take place various evenings throughout the summer (tapas @ 7:00 PM, performances 7:30 -9:30 PM, evenings ending by 10 PM) at 5 Amelia Drive. In 2016, we would aim for three different events over the summer months (One June, One July, One August), possibly 2-6 evening performances per event, depending on public demand and actor schedules.

The events would accommodate 50 guests per night, with 10-15 talent (actors, technical crew, stage hands, chefs, and servers). Performances would be staged at 5 Amelia Drive under the enclosed patio and the inside restaurant rooms would showcase the featured culinary menu of the evening.

In hopes that you'll give license to let the GIVING begin! Thank you for the chance to submit our request for an Entertainment License.

Sincerely,



Cliff Blake
Owner, 5 Amelia Drive

TOWN AND COUNTY OF NANTUCKET
NEW ENTERTAINMENT LICENSE APPLICATION
APPLICATION FOR LIVE AND NON-LIVE ENTERTAINMENT LICENSE
Please complete this application, sign, date and return with all requested documents to
LICENSING OFFICE, 4 FAIRGROUNDS ROAD, NANTUCKET MA 02554
Office hours: Monday-Friday 8:00AM – 4:00PM
508-325-4137
amcandrew@police.nantucket-ma.gov

1. Describe specifically where on the premises you wish to have Entertainment (Indoors? Outdoors?)

Outdoors under the covered and enclosed patio of 5 Amelia Drive

2. Telephone number for business establishment: 508-221-0302

Please check below: Categories of Entertainment for which you are applying:

3. Instrumental Music Types of Instruments: _____
Total Number of Instruments? _____

4. Vocal Music Number of Vocalists? _____

5. Disc Jockey Karaoke 6. Dancing by Patrons Describe Size/Location of
Dance Floor on premises: _____

Hours of Dancing by Patrons: _____

7. Exhibition or Trade Show Describe _____

8. Movie Theatre Number of Screens? _____

9. Stage Plays Number of Stages? _____

10. Radio DMX CD Player i-Pod Other Music on Restaurant system

11. Number of Widescreen TV's and Locations ? _____

12. Floor Shows Describe Type/Hours (i.e. Comedian, etc.) _____

13. Will Entertainment be **AMPLIFIED** via speakers, sound system, other? Yes No

If **YES**, please explain details Music will be played on the speaker sound system through total show.

Occasional sound effects (e.g.. doorbells, phone rings) may be used on speakers too.

14. If athletic event(s) are to be held, please describe _____

15. Will an Admission/Cover fee be charged? Yes No

If YES, describe types of Entertainment and \$ Amount of Cover Charge: A suggested Donation
will be recommended...that will go to aide well deserved Non Profits :)

15. Hours during which Entertainment will be offered (A.M. and P.M.)?

Monday	From <u>6:00</u>	To <u>10:00</u>
Tuesday	From <u>6:00</u>	To <u>10:00</u>
Wednesday	From <u>6:00</u>	To <u>10:00</u>
Thursday	From <u>6:00</u>	To <u>10:00</u>
Friday	From <u>6:00</u>	To <u>10:00</u>
Saturday	From <u>6:00</u>	To <u>10:00</u>
Sunday	From _____	To _____

16. Please list all other business licenses associated with the premises (Liquor, CV, Sunday Entertainment License from State, etc.):

LICENSE MANAGER OF RECORD

1. Proposed Manager of Record Cliff Blake Email: fogisland@comcast.net

2. Home Address P.O. Box 2397 Nantucket, Ma. 02584

3. Telephone/Cell Phone 508-221-0302 / _____ SSN [REDACTED]

4. Date of Birth [REDACTED] Place of Birth [REDACTED]

5. Mother's Maiden Name [REDACTED]

WITHIN THE PAST SEVEN (7) YEARS, HAS THE PROPOSED MANAGER BEEN CONVICTED OF A FELONY OR A VIOLATION OF A STATE OR FEDERAL NARCOTICS LAW?

Yes: (Please explain) _____

No:

OPERATIONS

- 1) Proposed capacity of premises: 50 Patrons
- 2) Number of Restrooms 2 Number of Egresses 4
- 3) Days/Hours of Operation for Liquor License? _____
- 4) Days/Hours of Operation for CV License? _____
- 5) a. Number of employees on premises during peak hours? 10-15
- b. Number of employees on premises at any given time? 10-15
- c. Number of Managers or designated person in charge at any given time? 1

BUSINESS ORGANIZATION

Please check the applicable section:

1. The business for which this application is being filed is a:

Sole Proprietorship (Please state owner's name) _____
 DBA _____

Partnership (List Partner names) _____
 DBA _____

Corporation, LLC (If the applicant is a corporation, give the name and home address of each Officer, Director and Shareholder and the % of stock held by each person) Amelia Drive LLC
Cliff Blake P.O. Box 2397 Nantucket, Ma.02584 99%, Anne Dawson.1%
 DBA The ACKtors Table

2. Employer EIN/FID: 04-248-2592

3. If new ownership, please indicate previous d/b/a, owner and date you assumed ownership _____

4. Was there an approved transfer of an Alcoholic Beverages or CV license within the past 12 months?

Y N If YES, when? _____

5. Do you have any financial or corporate relationship with the prior owner? N
If YES, please describe: _____

6. Does any person who holds direct or indirect interest in this premises hold direct or indirect Interest in any other premises which has an Entertainment license in the Town of Nantucket?
 N If YES, please describe: _____

7. Has any person who holds direct or indirect interest in the premises ever been denied an Entertainment license or had an Entertainment license suspended, revoked, or voluntarily surrendered an Entertainment license in any jurisdiction? N If **YES**, please attach an explanation on a separate page with dates and the name of the person with the aforementioned interest.
8. Has the applicant, or officer of the applicant: (If **YES**, please attach an explanation.)
- a. Been convicted of a felony in the past seven (7) years? N
 - b. Held any interest in an Alcoholic Beverage or CV license which has been suspended or revoked or voluntarily surrendered? N
 - c. Have any knowledge of illegal activity by its principals which may effect this license or the licensed premises? N

STATEMENT OF APPLICANT

Under the pains and penalties of perjury, I affirm that the preceding answers are true to the best of my knowledge and belief, and that there are no other indirect interests in this license other than those indicated in this application.

Signature of Applicant: _____ Date: 05/12/2016

Print Applicant's Full Name: Cliff Blake

Applicant's Relationship to Business Entiy: Owner

TOWN OF NANTUCKET BOARD OF SELECTMEN

Approved: YES NO Date: _____

Town Manager Signature: _____

Licensing Board Conditions/Restrictions/Comments: _____



ENTERTAINMENT APPLICATION COMMENTS

Applicant: ACKtors Theatre
Location of Premises: 5 Amelia Drive
BOS Review Date: June 15, 2016

Police Department:

The NPD does not have any issues with this application.

Fire Department:

The fire departments only concern remains the emergency lighting and exit signage. No other current concerns.

Building Department:

I have reviewed the patio on site with Mark Dawson. He told me the patio will be used in conjunction with the restaurant not as a separate "event" space. He will provide me with a seating plan that will show a lower occupancy number than the seating allowed when the permit was issued for Cinco. There were a couple of minor things he is going to correct when that completed I will have no issues or concerns.

Health Department:

5 Amelia drive does have a current permit, and an inspection on file for this year. We will inspect before their first event to ensure proper compliance.

**THE LICENSING BOARD FOR
THE TOWN OF NANTUCKET, MASSACHUSETTS
HEREBY GRANTS A
2015**

**ENTERTAINMENT LICENSE
{Seven Days}**

TO:

***FOG MANAGEMENT LLC d/b/a
FOG ISLAND GRILLE
5 Amelia Drive
Nantucket, MA 02554***

INSIDE BAR, DINING ROOM AND PATIO:

Hours: 7:00AM-10:00PM

Seven (7) Days/Week

**Amplified Instrumental Music: String Instruments,
Acoustic Guitar, Keyboard (2-3 Instruments)**

Amplified Vocal Music: 2-3 Vocalists

Radio

Dancing by Patrons on Patio only (20'x20')

**Note Town Bylaw Chapter 101, Section B - Noise: Restrictions on noise
levels between the hours of 10:00PM and 7:00AM (10:00PM and
7:30AM between June 15 and September 15).**

EXPIRES DECEMBER 31, 2015

This license must be displayed in a conspicuous place.

Witness our hands, this 17th day of December 2014.

Chairman, Board of Selectmen

License Fee: \$100.00

Extracts from Section 183A of Chapter 140 of the General Laws

No innholder, common victualler, keeper of a tavern, or person owning, managing, or controlling any club, restaurant or other establishment required to be licensed under Section Twelve of Chapter One Hundred and Thirty-Eight or under Section Two, Twenty-one A or Twenty-one E of Chapter One Hundred and Forty, and no Persons owning, managing, or controlling any concert, dance, exhibition, cabaret or public show of any description to be conducted on any premises required to be licensed under the sections described above, shall, as a part of its usual business, offer to view, set up, set on foot, maintain or carry on concert, dance, exhibition, cabaret or public show of any description, unless and until a license therefor has been issued by the licensing authorities.

Gary A. Beller
3 Willard Street
Nantucket, MA 02554

The Board of Selectmen
16 Broad Street
Nantucket MA 02554

Re: Item G11 at June 15,2016 hearing
Entertainment License Application
For Amelia Drive LLC

Dear Members of the Board,
If not for medical reasons which prevent me from being on Island on the 15th I am using this letter to discuss what I would have testified to at the meeting. Although my home is in Brant Point, I own property (through August Pointe LLC, a small family entity) on both sides (North and South) of Amelia Drive including 7 Amelia Drive, the property immediately adjacent to the applicant's property. I am on Amelia Drive often, and it's probably no secret to anyone on the Island that the street is a disaster for automobile traffic. I even testified last fall at the planning board meeting that their approval of a new food Market at the corner of South Road and Amelia Drive WITH the only entrance to the property for delivery trucks (think semis) and customers being on Amelia Drive would be a recipe for trouble and public inconvenience. By the way, most members of the board at that hearing said they agreed with me but that decision had occurred at an earlier meeting at which I was not present and couldn't then be changed. Add to that the New Artists building and studio at the end of Amelia Drive and add to that a new Health Club which is being erected at 19 Amelia Drive as we sit here, and think about all of the additional automobile traffic which will surely occur (not even to say much about the construction vehicles of the food market occurring now). So, when I

see an application for an entertainment license coming before you I am concerned about where the customers are going to park and what it might do to exacerbate the problem.

A week or so following the Planning Board meeting I had a meeting with Andrew Vorce, the head of Planning and Land Use Services, who told me that he agreed with me completely that Amelia Drive being only 24 feet wide was inadequate and that it should be 28 feet wide as are other Town Roads but Amelia Drive was still not a Town Road, but that he thought it likely that it would be taken over by the Town in the near future and widened properly but could give me no timetable for when that was likely to occur. (In fact, when the food market at South Road and Amelia Drive was approved, one of the conditions to the approval was that they put up an escrow fund of, I think \$10,000), to study what the changes to Amelia Dr. would require. So far I've not heard that the study was done and nothing I've seen on that condition of their approval might have been even started- and they are building anyway.)

I have delayed my plans for construction of anything on my property at 7 Amelia Drive because of my concern about the street and hoping for clarification.

With the valuable assistance of Erika Mooney I was able to obtain the packet of materials submitted in connection with the License application. I did receive a certified letter mailed June 2nd notifying me as an abutter of the public hearing on the 15th but the letter was not signed by the applicant, as required, since it was signed by Mark Dawson, who according to the filing owns no percentage of the applicant Amelia Drive LLC. Nevertheless, even assuming the notification was adequate I was surprised to see that in this mixed commercial (during the day) and residential (during the evenings) neighborhood the plan calls for amplified speaker performances on an outside patio, potentially every day of the week (except Sunday) from 6PM to 10PM. I don't know if the residents of the apartments will have

a problem with this but I'll leave it to them to express any concerns that they may have.

What does concern me is the number of employees who will be on the premises at any given time –according to the application- 10 to 15 individuals , and the possibility as noted on the application of as many as 50 patrons attending events. Where, I ask are they going to park their vehicles ? How is that part of the street going to be able to deal with the comings and goings of individuals when the street is already a well known traffic dilemma (read disaster).

I have no objection to the idea presented by this proposal. Nantucket has many shoulder season and in season theatrical initiatives, witness the many non-movie events at Dreamland, the Theatre Workshop of Nantucket, the opening of the new White Heron Performance programs and the numerous special entertainment festivals such as Comedy week, etc. I think they help make Nantucket even more attractive as a draw for folks who may wish to obtain homes on Island or merely visit for varying periods of time. So, I think Cliff Blake's ideas are good ones – but trying to fit them in to Amelia Drive now is surely something that needs to be dealt with as soon as practicable.

I know that you as members of the BOS don't normally deal with concerns such as this and I am copying Andrew Vorce whose Planning Board may be already thinking about these issues, but I thought you ought to have all the facts when the matter comes before you on Wednesday, June 15,2016.

Thank you for taking the time to consider my thoughts.

Sincerely

Gary A. Beller

August Pointe LLC

President June 9, 2016

CC: Andrew Vorce

Memo

To: Board of Selectmen

From: Amy Baxter, Business License Inspector

cc: Libby Gibson, Town Manager; William Pittman, Chief of Police

Date: June 7, 2016

Re: BOS Public Hearing 6-15-16: Siasconset Golf General On Premises Liquor License application

Please find the attached documents for your review:

1. Cover Letter
2. General On Premises Liquor License Application for Siasconset Golf
3. Department Comments from Police; Fire; Building; Zoning, Health
4. Legal Notice for Inquirer Mirror, June 2 & June 9

Please Note:

On April 20, 2016, the Nantucket Board of Selectmen conducted a public hearing on Nantucket Golf Management, Inc.'s application for a seasonal, wine-malt alcoholic beverages club license for Siasconset Golf Course located at 260 Milestone Road, Nantucket MA. Following the hearing, the Board voted 4-0 to deny the license application for the following reasons:

- 1) Insufficient food service for the sale of alcohol;
- 2) Opposition to alcohol service at this location due to lack of need.

Pursuant to Massachusetts General Laws Chapter 138 §67, the applicant may appeal this decision to the Alcoholic Beverages Control Commission within five (5) days of receipt of this decision. Siasconset Golf has filed an appeal with the ABCC to be heard in September. If this new license request is approved, they will rescind the appeal.



LIQUOR LICENSE APPLICATION COMMENTS

Applicant: Siasconset Golf Course
Location of Premises: 260 Milestone Road
Type of Liquor License: Seasonal, General On Premises
BOS Review Date: June 15, 2016

Police Department:

The NPD has no concerns about the technical aspects of this application at this time.

Fire Department:

The Fire Department has no objections/concerns at this time.

Building Department:

This club was renovated in with addition of this service in mind. No issues or concerns if this license is granted – we will be adding them to the annual inspection list.

Health:

Food service is not required with a General On Premises License. Should that change the applicant needs to contact the Health Department and fill out a Plan Review Form.

VAUGHAN, DALE, HUNTER AND BEAUDETTE

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

WHALER'S LANE

P.O. BOX 659

NANTUCKET, MASSACHUSETTS 02554

TEL: (508) 228-4455

FAX: (508) 228-3070

EDWARD FOLEY VAUGHAN

KEVIN F. DALE

RICHARD P. BEAUDETTE

LORI D'ELIA

BRYAN J. SWAIN

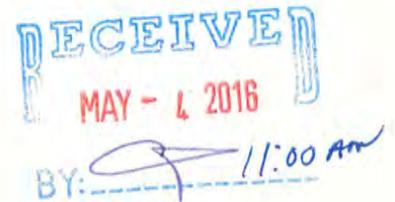
WILLIAM F. HUNTER

OF COUNSEL

May 2, 2016

BY HAND DELIVERY

Jim Kelly, Chairman
Nantucket Board of Selectmen
Town and County Building
16 Broad Street
Nantucket, Massachusetts 02554



Re: *Nantucket Golf Management, Inc.*
d/b/a Siasconset Golf Course
260 Milestone Road
Nantucket, MA 02554

Dear Chairman Kelly:

Our firm represents Nantucket Golf Management, Inc. d/b/a "Siasconset Golf Course," a Massachusetts Corporation. My client hereby applies for a *General On-Premises Seasonal Wines and Malt Beverages Liquor License* for the premises located at 260 Milestone Road, Nantucket, Massachusetts 02554.

Enclosed please find the aforementioned ABCC Application with supporting documentation. Please note I have also enclosed the requisite filing fees including:

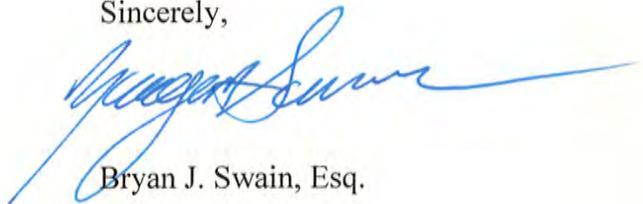
- (1) A \$200.00 check made payable to "Commonwealth of Massachusetts";
- (2) A check in the sum of \$20.00 made payable to the "Town of Nantucket";
- (3) A check in the sum of \$266.90 made payable to the "Inquirer and Mirror".

Jim Kelly, Chairman
Nantucket Board of Selectmen
May 2, 2016
Page 2 of 2

Please advertise notice of your hearing on this application as soon as possible and schedule the hearing for the Board of Selectmen's next available Public Hearing. Please note that on behalf of my client I reserve the right to supplement this application with additional materials at a later time.

Thank you for your help and if you have any question, please do not hesitate to call me at 508-228-4455.

Sincerely,



Bryan J. Swain, Esq.

KFD/BJS

Encls:

cc: Nantucket Golf Management, Inc.



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

ABCC License Number

Nantucket

City/Town

06/15/16

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee EIN of Licensee

D/B/A Manager

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Seasonal Wine & Malt General On Premises Granted under Special Legislation? Yes No

Annual or Seasonal Category: (All Alcohol; Wine & Malt; Wine, Malt & Cordials; Wine; Malt) Type: (Restaurant, Club, Package Store, General On Premises, Etc.) If Yes, Chapter Year

Complete Description of Licensed Premises:

One and a half story building. First floor to be licensed, 4 rooms including: front hall, front room, bar with storage (1902 s.f.), first floor open unfinished porch (117 s.f.) Unfinished basement for storage (1902 s.f.). Total s.f. = 3,921.

Application Filed: Advertisised: Abutters Notified: Yes No

Date & Time Date & Attach Publication

Licensee Contact Person for Transaction Phone:

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Remarks:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

ABCC Remarks:

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Nantucket

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual)

B. Business Name (if different) : C. Manager of Record:

D. ABCC License Number (for existing licenses only) :

E. Address of Licensed Premises City/Town: State: Zip:

F. Business Phone: G. Cell Phone:

H. Email: I. Website:

J. Mailing address (if different from E.): City/Town: State: Zip:

2. TRANSACTION:

New License New Officer/Director Transfer of Stock Issuance of Stock Pledge of Stock
 Transfer of License New Stockholder Management/Operating Agreement Pledge of License

The following transactions must be processed as new licenses:

Seasonal to Annual (6) Day to (7)-Day License Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

\$12 Restaurant \$12 Hotel \$12 Club \$12 Veterans Club \$12 Continuing Care Retirement Community
 \$12 General On-Premises \$12 Tavern (No Sundays) \$15 Package Store

4. LICENSE CATEGORY:

All Alcoholic Beverages Wines & Malt Beverages Wines Malt
 Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

Annual Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME:
ADDRESS:
CITY/TOWN: STATE: ZIP CODE:
CONTACT PHONE NUMBER: FAX NUMBER:
EMAIL:

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises. Please note that this must be identical to the description on the Form 43. Your description MUST include: number of floors, number of rooms on each floor, any outdoor areas to be included in licensed area, and total square footage, i.e.: "Three story building, first floor to be licensed, 3 rooms, 1 entrance 2 exits (3200 sq ft); outdoor patio (1200 sq ft); Basement for storage (1200 sq ft). Total sq ft = 5600."

Total Square Footage: Number of Entrances: Number of Exits:
Occupancy Number: Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises?
The Applicant was hired by the Nantucket Islands Land Bank, the fee simple owner of the Premises, to manage and control the land and buildings contained thereon. See attached management service contract and Deed.

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.
Other:

Landlord is a(n): Other:

Name: Phone:

Address: City/Town: State: Zip:

Initial Lease Term: Beginning Date Ending Date

Renewal Term: Options/Extensions at: Years Each

Rent: Per Year Rent: Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

If Yes, Landlord Entity must be listed in Question # 10 of this application.

If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:

The Applicant is a(n):

Corporation

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

10/22/2008

State of Incorporation/Organization:

Massachusetts

Is the Corporation publicly traded? Yes No

10. INTERESTS IN THIS LICENSE:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (4):

A. All individuals or entities listed below are required to complete a Personal Information Form.

B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form (unless they are a landlord entity)

Name	All Titles and Positions	Specific % Owned	Other Beneficial Interest
Alan Costa	President, Secretary, and Treasurer	0%	N/A
Sean Oberly	Vice President	0%	N/A

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
Nantucket Golf Management, Inc. d/b/a Miacomet Golf	§12 Club	Nantucket Golf Management, Inc. d/b/a Miacomet Golf, 12 W. Miacomet Road, Nantucket, MA 02554.
	Please Select	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation
4/22/2015	Nantucket Golf Management, Inc. 12 W. Miacomet Road, Nantucket, MA	The licensee was shut down for 1 day for serving an individual under the age of 21.

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) For Individual(s), Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Individual(s), Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$0.00
C. Costs of Renovations/Construction:	\$0.00
D. Initial Start-Up Costs:	\$0.00
E. Purchase Price for Inventory:	\$0.00
F. Other: (Specify)	\$0.00
G: TOTAL COST	\$0.00
H. TOTAL CASH	\$0.00
I. TOTAL AMOUNT FINANCED	\$0.00

IMPORTANT ATTACHMENTS (5): Any individual, LLC, corporate entity, etc. providing funds of \$50,000 or greater towards this transaction, must provide proof of the source of said funds. Proof may consist of three consecutive months of bank statements with a minimum balance of the amount described, a letter from your financial institution stating there are sufficient funds to cover the amount described, loan documentation, or other documentation.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

N/A

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.

Name	Dollar Amount	Type of Financing
N/A		

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §17 or §18 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

N/A

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan: 3. Interest Rate: 4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (6): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

21. ANTICIPATED OPENING DATE:

**IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED**



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form, and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee: Business Name (dba):

Address:

City/Town: State: Zip Code:

ABCC License Number: (If existing licensee) Phone Number of Premise:

2. MANAGER INFORMATION:

A. Name: B. Cell Phone Number:

C. List the number of hours per week you will spend on the licensed premises:

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen: Yes No B. Date of Naturalization: C. Court of Naturalization:

(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes No

If yes, please describe:

B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes No

If yes, please describe:

C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes No

If yes, please describe:

D. List your employment for the past ten years (Dates, Position, Employer, Address and Telephone):

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Additional Space

Please note which question you are using this space for.

June 2014 - Present: Manager, Miacomet Golf Club, 12 W. Miacomet Road, Nantucket, MA 02554, 508-325-0333

December 2010 - June 2014: Broker, Randall REALtors, 15 Chesterfield Road, East Lyme, CT 06333, 860-739-1998

June 2001 - December 2010: Broker, Prudential CT Realty, 2 Williams Ave, Mystic, CT 06333, 860-536-4906

This is your Official TIPS® Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention ProcedureS) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,



Adam F. Chafetz
President, HCI

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS, Inc. For assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.



eTIPS On Premise 2.0	SSN:	XXX-XX-XXXX
Issued: 7/8/2014	Expires:	7/8/2017
ID#: 3766587	D.O.B.:	XX/XX/XXXX

Joan M Casey
Miacomet Golf Club
12 W Miacomet Rd
Nantucket, MA 02554-4369

For service visit us online at www.gettips.com

APPLICANT'S STATEMENT

I, the: sole proprietor; partner; corporate principal; LLC/LLP member
Authorized Signatory

of , hereby submit this application for
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature:

Date:

Title:

NANTUCKET GOLF MANAGEMENT, INC.

CORPORATE CERTIFICATE

The undersigned being an authorized signatory of Nantucket Golf Management, Inc., organized under the laws of the Commonwealth of Massachusetts (The "Company") hereby certifies as follows:

1. That the undersigned is an Authorized Signatory of the Company;
2. That as of this date, the Company is in full force and effects and is authorized to transact business in the Commonwealth of Massachusetts;
3. That the undersigned has been directly and duly authorized by the Company to file this Petition for a New General On-Premises Seasonal Wines and Malt Beverages License, appointing Joan Casey as the proposed manager, with the Alcohol Beverages Control Commission for the Commonwealth of Massachusetts (The "ABCC"),
4. That the undersigned has been directed and duly authorized by the Company to execute any and all documents and perform any and all acts to effectuate the foregoing, all upon such terms and provisions as the undersigned deems appropriate.

Executed under seal this 9th day of May, 2016

Nantucket Golf Management, Inc.

By: Alan Costa



Alan Costa, President

Material Analysis - FY16 YTD (As of May 20, 2016)

DPW Customer	Actual Wgt	Total (\$)	%
1. TOSCANA CORP.	19,277	579,272	90%
2. JOHN KEANE PROPERTY MANAGEMENT	1,056	31,691	5%
3. TUCKET TREE CARE	83	2,498	0%
4. ATLANTIC LANDSCAPING	79	2,369	0%
5. VALERO & SONS INC	66	1,977	0%
Total Top Five Customers	20,562	617,806	96%
Total Other Customers	753	22,586	4%
Total All Customers	21,314	640,392	100%

Erika Mooney

From: Libby Gibson
Sent: Sunday, June 05, 2016 7:52 AM
To: Erika Mooney
Subject: FW: First way

Pls put this in the agenda file for 6/15

C. Elizabeth Gibson
Town Manager
Town of Nantucket
(508) 228-7255

-----Original Message-----

From: Kara Buzanoski
Sent: Friday, May 27, 2016 3:58 PM
To: Libby Gibson; Erika Mooney
Cc: Gregg Tivnan
Subject: RE: First way

These are realistic dates, to cut back any timeframes we will need to have Dan Mulloy (Site Design) and Heidi in the discussion also.

Thanks,
Kara

First Way Timeline

Vote road \$750k ATM April 2016 (done)
Vote sewer \$750K ATM April 2016 (done)
Contract with Site Design for plans mid June 2016 (Site Design working on costs now)
Survey done of roads late June 2016 (First Way, Cow Pond & Allen's Way)
Draft plan completed for discussion purposes early July 2016
Draft plans shared with abutters early July 2016
Plans completed late July 2016
Bid sewer August 2016
Bid Roadway August 2016
Bids back late August 2016
Construction starts on sewer late September 2016 (First Way, Cow Pond & Allen's Way)
Sewer construction completed October 2016 (traffic can still use road)
Roadway construction starts mid November 2016 (traffic detoured)
Roadway construction completed end November 2016.

-----Original Message-----

From: Libby Gibson
Sent: Wednesday, May 25, 2016 10:55 AM
To: Erika Mooney
Cc: Kara Buzanoski; Gregg Tivnan
Subject: FW: First way

Fyi

Kara: please prepare a timeline for this by tomorrow before 4pm. Thank you.