

**Selectboard
Meeting Minutes
October 23, 2019
Town Offices
Open Session
5:00 p.m.**

The open session of the Selectboard of the Town of Whately was called to order on October 23, 2019 at 5:00 p.m. by the Vice-chair, Frederick Orloski. Also present was Selectboard Member Jonathan Edwards and Town Administrator Brian Domina.

To discuss and vote to appoint Allison Bell to the Open Space Committee

The Board voted to appoint Allison Bell to the Open Space Committee.

To discuss the proposed re-opening of Club Castaways and review the licensee's progress towards meeting the conditions of the alcohol license, entertainment license and variance

Nick Spagnola (Castaways Managing Partner) provided the Board with an update on the happenings with Club Castaways. Nick told the Board that Whately Investments, LLC purchased the business and property in August and since that time has been getting quotes for renovations and preparing to open the business. Nick told the Board that they plan to do a more significant renovation of the establishment in January. Nick told the Board that it was his hope to re-open the establishment on October 29, 2019.

In reference to the license conditions, Nick told the Board that the exterior lights have been upgraded to provide better lighting in the parking lot and that interior cameras are in the process of being installed to record 24/7 with 90 days of storage. Nick indicated that getting the 8' fence constructed is a challenge and he requested that he be allowed to construct a 6' fence instead because it's a standard height. Nick also requested that the Board allow the establishment to open without having completed the required masonry wall around the break area if the establishment only allowed 2 people in the rear break area at a time.

Nick informed the Board that he has contracted with a private security firm that specializes in event security to meet the unique needs of the establishment (i.e. the need for female security personnel).

Chief Sevigne informed the Board that he is satisfied with the security plan and that detail officers have been scheduled for opening night and the remainder of that week. Chief Sevigne reminded the Board that the role of the detail officers is to observe and report.

Fred questioned how many quotes the establishment received for the fence construction. Nick replied that they received a number of quotes, but no one could do an 8' fence without it being a custom order and taking time.

Jonathan questioned Nick as to the lack of communication between the establishment and the Police Department, pointing out that the Police Chief learned of the proposed re-opening by a sign on the door of the establishment. Jonathan also questioned as to why no permits have been

pulled for the construction of the stockade fence and masonry wall. Jonathan further questioned why these improvements had not been completed when they knew they had sixty-days to complete them. Nick indicated that they were working hard at getting the establishment ready to open and that they received a number of inflated quotes for construction.

Fred questioned Brian as to when the Town learned of the re-opening. Brian stated that it was approximately two weeks ago, around the same time the Police Chief learned of the opening.

Brian informed the Board that it was the opinion of Town Counsel that the Board cannot modify any license conditions without holding a public hearing. The most the Board could do at this meeting is to grant an extension of the time to meet the conditions.

Jonathan suggested to Nick that the 8' fence needs to be installed prior to opening. Fred agreed with Jonathan on the stockade fence needing to be installed.

As to the masonry wall needing to be installed prior to opening, Jonathan asked Nick if any plans had been prepared for the wall. Nick replied no, but they would be easy to create. Jonathan asked whether they had consulted with a wetlands consultant. Nick said they could get a wetlands consultant there tomorrow if needed. Jonathan expressed his displeasure that the fence and wall had not been completed yet per the terms of the licenses.

Jonathan and Fred agreed to not take any action on the request to open without the stockade fence being installed. This means the 8' high stockade fence must be installed prior to opening.

The Board voted 2- 0 to extend the time period for the masonry wall to be completed for thirty days from today on the condition that no person be allowed to use the break area until the wall is constructed.

Adjourn

A motion was made to adjourn at 7:37 p.m. Motion was seconded. All in favor.

Next Meeting Dates: October 30, 2019 and November 14, 2019.

Respectfully submitted,

Brian Domina, Town Administrator

Document List on File in the Selectboard Office

Memorandum dated July 25, 2018 from James A. Sevigne, Jr (Police Chief) to the Selectboard

Memorandum dated October 23, 2019 from Brian Domina (Town Administrator) to the Selectboard

Copy of Alcohol License – Club Castaways

Copy of Entertainment License – Club Castaways

Copy of Notice of Decision – Variance from Adult Entertainment Bylaw