



**SELECTBOARD
TOWN OF WESTHAMPTON
TOWN HALL
1 SOUTH ROAD
WESTHAMPTON, MASSACHUSETTS 01027**

Public Hearing continuation
Outlook Farm pouring license
April 6, 2017

The hearing opened at 7:00 p.m.

Present from the Selectboard were Phil Dowling and Art Pichette. Also present were Cheryl Provost, Dave White.

The hearing was opened at 7:05 p.m. by Selectboard Chair, Phil Dowling. A mix of approximately 13 town officials and residents were in attendance, including Brad and Jeff Morse. Phil announced the hearing was being recorded.

Phil reviewed the written responses to questions submitted to the Selectboard (copies were provided to those in attendance and submitted with minutes). Discussion was held until all questions reviewed.

The hearing was opened to the floor for questions/comments, speakers were asked to identify themselves.

-Nickey Nevins, 63 South Road, stated for the record that her name was misspelled on previous hearing minutes; noted.

-Peter Cleary, 130 Main Road asked the following questions:

1. Will Outlook Farm be willing to block off parking on gravel side of corner of driveway at intersection on Southampton Road? Brad Morse replied yes, the corner can be blocked from parking.
2. Is renewal of the license automatic? Licenses shall be automatically renewed for the next annual license period upon application by the holder provided that said license is of the same type as the expiring license and covers the same licensed premises. (Chapter 138, section 16A of Mass General Laws, renewals)
3. Regarding outdoor permit, does Outlook Farm's license cover them for what they're now doing? How does outdoor permit work? The ABCC guidelines for a farm brewery and farm winery were reviewed. Samples can be sold within the area defined by the ABCC on the map submitted to them for the application.

-Richard Tracy, 1 South Road asked for clarification of what is the farm's premises and permissions. Jeff Morse explained, the application for a farm winery and brewery were submitted to the ABCC, the premises were defined on the map and includes the slaughter house. Tastings can occur anywhere; inside or outside, within the defined premises under the licenses from the ABCC. The premises and

permit from the ABCC were described at the 2016 town meeting when it was proposed to seek a pour permit to be served in a separate area than food; generally in the taste room or during outdoor functions.

Additional information was provided noting that the state law has changed since the town meeting, allowing products to be made for the farm under the farms label. The law provides for restrictions of hours but states no restrictions shall be made between the hours of 11:00 a.m. through 11:00 p.m.

-Peter Cleary asked if the time could be restricted more. The Selectboard will seek clarification from counsel on the restrictions.

-Nickey Nevins spoke of the time restrictions and inquired if there will come a point when Outlook will extend their hours just because they can.

The Selectboard's expectation is for 10:00 p.m. to be closing time. There was general discussion of concern over the flexibility that Outlook Farm could have if granted a license, based on current understanding of the law.

Jeff Morse replied that their proposal is more restrictive than the state laws and has no problem working with this.

-Mary Cleary, 130 Main Road proposed daily licensing, to be more restrictive.

-Questions regarding Zoning Bylaws were answered that this does not require a variance under Right to Farm.

-Bill Mangrone inquired of the licensing fee.

The Selectboard will determine a fee during a posted open Selectboard meeting. It was noted that the farm has not formerly submitted an application at this time. Once they do the board will comply with the timelines and hearing procedures before any licensing may be issued.

It was clarified that any farm could follow the same procedures to apply for a license, requiring a special act of legislation. It does not change the dry status of the town.

-Nickey Nevans expressed that the success of Outlook Farm is good for the town.

-Richard Tracy noted that town meeting authorized the Selectboard to solicit legislation. The townspeople supported the farm using its own products to make the agriculture enterprise. He believed the general intent was to use the license during outdoor events and tastings. He entrusts the Selectboard to keep the intent in mind, to outdoor festivities promoting the farm.

Adjourned hearing at 8:05p.m.

Approve: _____
Philip Dowling, Chair

Arthur Pichette