

At that time, Amy Johnson continued, the Town requested an initial test from Absolute Resources, a mold specialist, and samples were collected at the ReMax building site for Baudoinia Compniacensis, the scientific name for whisky fungus. The test came back negative.

At that time, a microscopy test, conducted by Dr. Johnson of the University of Maine, Machias, produced an inconsistent report claiming that vapors released by the distillery were linked to Baudoinia staining on adjacent buildings.

Amy Johnson continued. At that time, in another study, an expert, Dr. Thomas Scott of the University of Toronto, was asked how many barrels would support a Baudoinia outbreak, and the answer was 20,000 to 30,000 barrels.

Tonight, Amy Johnson said there are new DNA molecular sequencing results from additional testing conducted by microbial ecologist Dr. Serita Frey of the University of New Hampshire. Her findings were that no Baudoinia was present in any of the samples collected from the same locations surrounding the Wiggly Bridge Distillery that Dr. Thomas Johnson of the University of Toronto evaluated in the inconsistent University of Maine report.

Civil Engineer Amy Johnson noted that the Code Enforcement Office reports no violations.

She argued that there is no sufficient basis to continue linking the distillery's operations to any active concerns regarding Baudoinia. Therefore, there is insufficient basis to continue restricting the distillery's proposed operations in the storage building on Lot 10-C.

- Motion: Wayne Boardman moved to accept the application for the site plan amendment for Wiggly Bridge Distillery, 441 and 445 U.S. Route 1, Map 0054, Lots 10-B and 10-C, as complete for review. Crystal Tenney seconded. Without further discussion, the motion passed 5-0.
- Motion: Wayne Boardman moved to open the public hearing on the site plan amendment for Wiggly Bridge Distillery, 441 and 445 U.S. Route 1, Map 0054, Lots 10-B and 10-C. Steve Friedman seconded. Without further discussion, the motion passed 5-0.

David Razzaboni, an abutter at 21 Mallard Drive, said that in the original decision, the Town of York funded an independent party to conduct testing. He said that the Woods funded the scientific study presented tonight. He stated that the Town should have selected an independent party for this phase of the application rather than the Woods.

Ken McAuliffe, 4 Woodcock Lane, stated that the original approval required the subject rickhouse to be used for storage, with no whisky aging. Removing the restriction would override the Planning Board's original decision and allow aging to proceed.

Matt Howell of Howell Equity Holdings at 439 U.S. Route 1 is the direct abutter to the south. He gave enthusiastic support to the Woods family and the Wiggly Bridge enterprise.

Peter Smith closed the public hearing.

Attorney Lisa Gilbreath of Pierce Atwood argued that Baudoinia cannot be identified through a microscope.

Serita Frey, a professor of Microbial Ecology at the University of New Hampshire, is a fungal ecologist. She has been sampling Baudoinia at multiple distilleries worldwide. She uses the gold standard for detecting fungi in the environment, DNA sampling. Baudoinia has been found only at distilleries storing more than 50,000 barrels. When it was found at a site storing 100,000 barrels, Dr. Frey stated that it was present in only 3% of the samples. Facilities below 20,000 barrels pose no concern. “Testing confirms that there is no whisky fungus in York, nor would I ever expect there to be, given the size of Wiggly Bridge.”

Attorney Lisa Gilbreath stated into the record that she objected to alternate Mark Cartier’s participation in the discussion. “My objection is I believe abutters are presented with an issue of conflict and bias, and I object to his participation.”

Dylan Smith had previously met with Fire Chief Apgar to review the plan revisions. In a 2024 email that Dylan read aloud tonight (May 7), the Chief stated there was no concern about the owners’ reduction of the number of buildings from two to one. The York Fire Department’s fire safety requirements remained unchanged.

Code Officer Aaron Beauregard said his office received one formal complaint on July 2, 2025, citing a vinegar-like odor. The office conducted numerous site visits during mashing and cooking, but detected no odor. The complaint was closed, and there are no outstanding violations.

Town Attorney Mary Costigan instructed Planning Board members not to conduct their own research outside the record, especially on matters outside their expertise.

The Board held a question-and-answer session with Mary Costigan, Serita Frey, Dylan Smith, and Aaron Beauregard.

- Motion: Crystal Tenney moved to approve Wiggly Bridge Distillery—Amendment to an Approved Plan, Map 0054, Lots 10-B and 10-C, owned by Wiggly Bridge Distillery, LLC, as presented. Gail Billet seconded.

During the discussion, Wayne Boardman said the board has done its best to review this matter and that it has not been taken lightly.

Pete Smith called the vote. The motion passed 3-2, with Crystal Tenney, Wayne Boardman, and Pete Smith voting yes and Gail Billet and Steve Friedman voting no.

5. Other Business

- A. The Selectboard would like the charter for the Future Land Use & Ordinance Subcommittee formalized.

- Motion: Crystal Tenney moved to authorize the Chair to sign the Findings of Fact for the 3 Groundnut Hill Lot Line Adjustment, Map/Lot 0096-0122-R, as amended. Gail Billet seconded. Without further discussion, the motion passed 5-0.
 - Motion: Crystal Tenney moved to authorize the Chair to sign the Findings of Fact for 7 Tree Tops Lane, Map/Lot 0001-0002-B, as amended. Wayne Boardman seconded. Without further discussion, the motion passed unanimously, 5-0.
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6. Minutes

- Motion: Wayne Boardman moved to approve the minutes of April 23, 2026, as amended. Steve Friedman seconded. Without further discussion, the motion passed 5-0.
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7. Adjourn

8:46 P.M.

The next Planning Board meeting is scheduled for May 21, 2026.