**City of Newburyport License Commission**

**Remote Meeting Minutes via Zoom**

**December 7, 2022**

The meeting was called to order at 7:00 P.M.

A quorum was present.

1. **Roll Call**

In attendance: Bruce Bergwall, Ted Waldron, Craig Holt

Absent: Marcia Foley, Gregg Ogden

**1. One Day Licenses**

* 1. Toledo Music LLC is requesting a one-day beer and wine license. Event will be on 12/18/22

Fred Habib appeared for one day beer & wine licenses for the Belleville Toledo Music event.The event will be designated in the performance space in the main chapel indicated on the diagram submitted. Bar service will also be in the chapel as included in diagram includes two people checking ID’s and those of age will receive a stamp a hand stamp. Two volunteers will ensure beer and wine stay in performance space. This will be the first time the bar will be held in the main church. They are expecting people in mid-20’s and parents since this is a local band who grew up in Newburyport. The space’s maximum is 500 pp, but they assure there will not be more than 450 people at the event.

Motion to approve the one-day beer & wine licenses by Bruce Berwall, seconded by

Ted Waldron. So, voted on a unanimous roll call vote

* 1. Newburyport Art Assoc. Community Service Donor Recognition Event. One Day Beer & Wine, Jan 26,2023

Maria Katzounus events coordinator appeared for the one-day beer and wine license for their 1/26/23 event at the hours of 5:00 pm to 9:00 pm. This event is a donor recognition event to thank the supporters of community service of Newburyport organization. The event will take place on the first floor, the second floor will be open to view the art. They expect 50 people to attend.

The event will take place at 65 Water St, Sargent Gallery, this is a non-profit event, fee has been waived.

Motion to approve the one-day beer & wine licenses and fee waiver by Bruce Bergwall, seconded by Ted Waldron. So voted on a unanimous roll call vote.

* 1. Newburyport Art Assoc. Community Service Donor Recognition Event. One Day Beer & Wine,

Jan. 28, 2023

Maria Katzounus appeared for the one-day beer and wine license for their 1/28/23 event at the hours of 3:30 pm to 6:00 pm. This event is to celebrate their members and their artwork in the Winter Juried Show. They expect 85 people to attend. The event will be on the first floor with second floor open to view art.

The event will take place at 65 Water St, Sargent Gallery, this is a non-profit event fee has been waived.

Motion to approve the one-day beer & wine licenses and fee waiver by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

1. **Hearing, Con’t: New On Premises All Alcohol License**
   1. Red Ashes, Inc., 10 Center Street

Mark Janos represents the Port Vida Mexican Cantina company seeking an all-full alcohol license to operate a family style Mexican restaurant. Letters were sent to the abutters and the public has been notified. They will be utilizing both floors and outside patio for outdoor seating, weather permitting as indicated in their diagram. Hours of operation will be 11am -11pm weekdays. Weekends 8:30am-11pm, (no alcohol served until 10am on Sundays). Elie Ata is listing manager will be on site a few hours a day. Paula Cosme de le Fuents will be the onsite day to day operational manager. Once the ABCC approves for a new license they will submit a change of management from Elie Ata to Paula Cosme de le Fuents.

Motion to approve all alcohol license by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

Common Victualler License

New on premise all alcohol license and The Common Victualler license for Port Vida Mexican Cantina is missing the building department, health department and Fire department’s signature. Motion to approve is subject to receiving the signatures.

Motion to approve Common Victualler license by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

Entertainment license for Port Vida Mexican Cantina: Hours of operation for entertainment will be Friday-Sunday 4:00pm -10:00pm with acoustic, 12 TV’s, No coin operated machine. They are seeking to have entertainment acoustic band, mariachi band which will play on stage on the second floor. Music will only be on the second floor. Tables will be set up in that area and no dance floor will be added. Back ground music will be played throughout the restaurant.

They are requesting for 12 TV sets and 2 speakers which are on the first floor, both speakers and TVs were left from previous owner.

Motion to approve Entertainment license by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

Joining the Zoom meeting Yetti Frankel and Zach and Ashley Comtois, abutters are very concerned about the hours on weekdays closing at 11pm. Concerns regarding the noise from restaurant and the acoustic music. Neighbors are requesting the hours to close on Sunday and weeknights to be changed from 11pm to 9pm. Neighbors feel strongly the Licensing Board are not listening to their concerns, since they went through this with Brick and Ash already. Craig Holt licensing chair, reminded neighbors that their concerns with Brick and Ash were addressed right away and were invited to participate and air their grievances at the following licensing meeting and had an open meeting with owner of Brick and Ash scheduled, but the business elected to close. The meeting was cancelled. Craig Holt stated the licensing board demonstrated we took you seriously and we acted.

Diane Hanley also joined the meeting stating other Port Vida Mexican Cantina locations in Haverhill and North Andover close earlier than 11pm on Sunday and week nights. Elie Ata stated we will have the liquor license until 12 but we will change hours of operations accordingly. He stated they would like the flexibility on certain events including holidays and seasonal changes. In their other locations the restaurants are located, are in mix use neighborhoods and they have experience with working with neighbors.

Paula Cosme de le Fuents the other manager stated we want to be good neighbors and we don’t want conflict, we want to get involved in the community. Remaining open until 11pm is just a plan for now.

Craig Holt stated, I am comfortable to see what happens and if the neighbors have any concerns we will step in to make sure everyone are being good neighbors, if not we will come back and talk about any necessary changes in their hours.

Neighbors will be reaching out to new business and meet them at their grand opening. Lynn Varney has neighbors contact information and will forward that to Mark Janos.

1. **Change of Officers**

a. Neptune Veteran’s Fireman’s Assoc.

Kevin Parseghian presenting his application for change of office. Neptune Veteran’s Fireman’s Assoc. Is a member orientation club with four officers and 5 members of directors which is constant they have 5 every year. Club has approximately 250 members and have been reorganizing member list and creating an app for current members, life members, and members in good standing. This is a private club,

Motion to approve Change of Officers license by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

1. **Renewal liquor license** 
   1. The 20 restaurants over 50 people full liquor license includes: Agave Mexican Bistro, Bar 25,

Black Cow, Brown Sugar by the Sea, Giuseppe's, Grog Restaurant, Jewel in the Crown, Loretta, Michael’s Harborside, Mission Oak Grill, Oregano Pizza and Ristorante, Park Lunch, Port Tavern, Sea Level, Starboard Gallery, The Poynt, Vera Pizzeria, Port Tavern, Metzy's Taqueria and Cantina, Tuscan Kitchen,

Joy Nest

Motion to approve renewal full liquor license for 50 or more people by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

* 1. The 6 restaurants less than 50 people full liquor license includes: Brine Oysters, Mandarava, The Thirsty Whale, Paddle Inn, Carmine, Cozy Kimchi

Motion to approve renewal full liquor license with 50 or less people by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

* 1. The 1 restaurant with 50 or more people Wine and Malt license includes: Angie's

Motion to approve renewal Wine and Malt license with 50 or more people by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

The 5 restaurants with less than 50 people Wine and Malt license: Anchor Stone Deck Pizza, Garrison Inn, Hana Japan, Lexie's on State, Mr. India

Motion to approve renewal Wine and Malt license for 50 or less people by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

Clubs total of 5 which includes: North End Boat Club, Neptune Veteran Firemen's Assoc., The Dalton Club, Elks

Motion to approve renewal for clubs by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

Farm and Brewery 3 total includes: House Bear Brewing, Newburyport Brewing Co., Riverwalk Brewing

Motion to approve renewal Farm and Brewery by Bruce Bergwall, seconded by Ted Waldron. So, voted on a unanimous roll call vote.

Wine and Malt stores 5 total includes: Grand Trunk, Richdale, Black Duck Market and Deli, Storey Ave Shell, Joppa Fine foods.

Motion to approve renewal for Wine and Malt stores by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

All Alcohol 4 stores includes: NE Wine & Spirits, Leary's, Heally's Wine & Spirits,Port Wine & Spirits

Motion to approve renewal for all alcohol stores by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

1. **Other Correspondence**

Firehouse Civic had function last weekend and did not apply for a one-day Wine and Malt license. They were not selling the wine and malt but had a sign that read “Suggested $5.00 donation” by the bar area. We will reach out to them and explain they need a one-day license moving forward.

1. **Next year dates for meeting**

Meeting first Wednesday of each month January 4th, February. 1st, March 1st, April 5th, May 3rd, June 7th, due to the Fourth of July holiday meeting will be July 12, second Wednesday of month. First Wednesday of month for the rest of 2023, August 2nd, September 6th, October 4th, November 1st and December 6th.

1. **Adjourn at 8:40pm**

Motion to adjourn by Ted Waldron, seconded by Bruce Bergwall. So, voted on a unanimous roll call vote.

Respectfully submitted by Diane Rizza