

License Commission Meeting Minutes
December 5, 2012

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

1. Roll Call

In attendance: Joseph Devlin, Brad Duffin, Richard Sharp, Donald Zabriskie
1 vacant position.

2. Minutes

October 3, 2012, motion to approve Joseph Devlin, second Donald Zabriskie. So voted.
November 7, 2012 motion to approve Joseph Devlin, second Donald Zabriskie. So voted.

3. Entertainment License & Change of Hours

1) Brown Sugar by the Sea, 75 Water Street, Caroline Joliffe

Caroline Joliffe spoke to the acoustic entertainment they have provisionally provided and that they would like to continue with piano and guitar as background music for dining.

She also requested a change in hours to close at 9pm on Sundays and at 12am midnight on Fridays. The commissioners asked if there have been any noise complaints. The only complaints were regarding the fan noise during the day and they have addressed that issue.

Donald Zabriskie made a motion to approve the Entertainment license and the Change of hours in one motion, seconded by Richard Sharp.

Votes Cast:

Joseph Devlin: approve
Richard Sharp: approve
Donald Zabriskie: approve
Brad Duffin: approve

4. Change of Manager

1) 10 Center Street Restaurant, Jasmine Lewan, 10 Center Street

Bethany Raffa, attorney with the Law Office of Mark L. Janos, P.C., representing 10 Center Street Restaurant presented Jasmine Lewan as the new manager for the restaurant. The application was complete and there were no questions.

Donald Zabriskie made a motion to approve the Change of Manager, seconded by Richard Sharp.

Votes Cast:

Joseph Devlin: approve
Richard Sharp: approve
Donald Zabriskie: approve
Brad Duffin: approve

5. Common Victualler's

1) Taffy's Restaurant, Jill B. Passen, new ownership

Jill Passen has been running Buttercream Baking Company out of her home. She met the owner of Taffy's and they started conversing about a change in ownership. She has now taken over and is planning to increase the hours by being open on Mondays. The new hours are Monday to Saturday 7am to 2 pm and

Sunday 7am to 12pm Noon.

Joseph Devlin made a motion to approve the Common Victualler's license, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: approve

Richard Sharp: approve

Donald Zabriskie: approve

Brad Duffin: approve

6. Hearing

1) 7:15pm – River Walk Brewery, Steve Sanderson, 3 Graf Road, Retail Pouring License

Steve explained that they are a small craft brewer, originally in business in Amesbury, working out of an existing brewery. They have their Federal Brewer's License, and the Massachusetts' state Farmer/Brewer license. Their license allows them to pour up to 2 oz. samples for customers. Commissioner Devlin stated that under their existing license they could do tastings, and with a pouring license they would be selling. Mr. Sanderson explained that they have no intention of selling anything to drink on the premises, nor of providing entertainment, nor a bar. Their primary purpose is to manufacture. They have kegs now and shortly will have bottles available in liquor stores. Their secondary practice would be to sell retail. They have no plans to be a brew pub or bar room. The commissioners clarified that a pouring license is not necessary if they are only doing tastings and not selling for consumption on the premises. They do not need to get a pouring license through the local licensing authority and the ABCC.

Peter Lombardi, Director of Policy and Administration, had been working with Mr. Sanderson with making sure all of the correct departments and commissions were involved with this new business in the industrial park and any licenses or permits were applied for. Mr. Sanderson asked if this board requires them to serve food with the tasting. Commissioner Devlin clarified that if you have a Sec. 12 on premises license in Newburyport you must serve food.

7. Miscellaneous Business

a). Pro-rating of license fees

Jim Rogers of Andiamo restaurant stated that he received his liquor license in September 2012 and opened for business October 2, 2012 and now he is being asked to pay full fees again (for the annual renewal). Discussion ensued regarding prorating fees, creating a new policy, and determining how many new licenses would be impacted from 2012. Research into whether the City Council must approve any fee changes will be done. The commissioners will put this on the agenda for January 2, 2012 for further review.

b.) License Fee Schedule

The current fee schedule covered 2009 through 2013. Commissioners will review the fee schedule beginning in January. Peter Lombardi, Director of Policy and Administration, stated that the Mayor has started a review of all fees in the City.

c.) License Renewals

Licenses were signed. Pick up of licenses is Dec. 12th from 5:30 to 7pm in the City Council Chamber.

d.) Miscellaneous correspondence - none

Motion to adjourn at 9:10pm, So voted.