

License Commission Meeting Minutes
4 Green Street, Police Station Conference Room
April 8, 2013
Revised Approved

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

1. Roll Call

In attendance: Joseph Devlin, Donald Zabriskie, Brad Duffin
Absent: Richard Sharp

2. Minutes

March 20, 2013, motion to approve by Joseph Devlin, seconded by Donald Zabriskie. So voted.

3. One Day License

1) *Yankee Homecoming Fork & Cork*

Representative at meeting: Chris Johnston, Michele Norton

Type of License Requested: Beer and Wine

Information discussed about Event: Annual wine tasting, May 18, 2013 from 6:30 to 9pm. Mill River Winery is providing wine and TIPs certified server. Located at the Phoenix Room.

Purpose of Event: Fundraiser for Yankee Homecoming

License Check-list:

- Charitable and/or non-profit organization
- Event to be legally conducted and revenues raised should further goals of organization
- TIPs certified bartender: Yes
- Proof of Liability Insurance
- \$100.00 check
- Other: Fire Department Sign Off

Donald Zabriskie made a motion to approve the 1 Day Beer/Wine License conditional on providing insurance certificate, seconded by Joseph Devlin.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

2) *Yankee Homecoming Brewfest*

Representative at meeting: Libby McNeil

Type of License Requested: Beer and Wine

Information discussed about Event: This is their 4th annual fundraiser at the NRA West Parking Lot. Breweries do 4 oz. sampling. The maximum amount sampled is 3 pints of beer. They have over 40 volunteers and 4 police officers. There will be no glass on site. This is a one night event with set-up starting at 3pm, the event from 5 to 9pm (last call at 8:45pm) and clean up by 10pm. They will have live music.

Purpose of Event: Fundraiser for Yankee Homecoming

License Check-list:

- Charitable and/or non-profit organization
- Event to be legally conducted and revenues raised should further goals of organization
- TIPs certified bartender:
- Proof of Liability Insurance
- \$100.00 check
- Other: Fire Department Sign Off

Joseph Devlin made a motion to approve the 1 Day Beer/Wine license pending TIPs certification from the

Brewery for all servers and insurance certificate, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

3) Old South Church Silent Auction

Representative at meeting: Ella Buckley

Type of License Requested: Beer and Wine

Information discussed about Event: This is the first silent auction fundraiser at the Masonic Lodge, Green Street on May 18, 2013 from 6 to 9pm to raise funds for restoration projects. There is a cash bar and they expect 100 people. They will have a trio of musicians playing. Since this is a first time event the commission expressed concern about crowd control and having an experienced bartender.

Purpose of Event: Fundraiser for the Old South Church

License Check-list:

Charitable and/or non-profit organization

Event to be legally conducted and revenues raised should further goals of organization

TIPs certified bartender:

Proof of Liability Insurance

\$100.00 check

Other: Fire Department Sign Off

Joseph Devlin made a motion to approve the 1 Day Beer/Wine license pending TIPs certifications and insurance certificate, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

4. Common Victualler

1) McDonald's transfer to new ownership --- Rescheduled to May 1, 2013.

5. Change of DBA and resubmittal of Form 43 Corporate Name Change and Outdoor Seating

Upper Crust Pizzeria, 42-44 State Street. Bethany Raffa, attorney with the Law Office of Mark L. Janos, PC represented the owners Mark and Jennifer Tramontana. She noted for the record that per a settlement agreement with Upper Crust, the Doing Business Name had to change by 4/7/2013. They are requesting a name change to Anchor Stone Deck Pizza, still under the corporate name Marty & Mark, Inc. They are able to continue to serve alcohol during this change. They are also resubmitting the Form 43 for the corporate name change and outdoor seating that was applied for in 2012 that the ABCC was waiting for additional information. The ABCC has now requested new Form 43 from the commission.

A motion to approve the Change of DBA and resubmittal of Form 43 was approved by Donald Zabriskie, seconded by Joseph Devlin.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

6. Entertainment License and Resubmittal Form 43 with outdoor seating request

Andiamo, Winter Street. Robert Ciampitti, attorney for James Rogers and Tom Bean, stated that the intent of the original application for Andiamo included outdoor seating, as they described in the legal notice for the original hearing on August 1, 2012 and in the letter to the abutters notifying them of the hearing. It

was an oversight in preparing the application that the description of the facility did not include the outdoor seating. After speaking with the Executive Director of the ABCC, the ABCC will make an internal correction provided the local licensing commission has no objection. Andiamo will also revise the certificate of liability to include the outdoor space. There is currently an application before the City Council for outdoor seating approval. There will be a separate hostess outside. Primary means of access will be through the restaurant. The commission expressed concern on swing of gate and it will be an outside swing.

The commission also recommended signage to indicate that “no drinks beyond this point”, and “emergency exit”, and that a server be dedicated to the area, not going back and forth within the restaurant.

The commission also reiterated that they approve the outdoor acoustical music as long as the crowd is not too large and does not disturb the neighbors.

Motion to approve the amended Form 43 for outdoor seating with the condition the door be for emergency egress only, swing out only outside and that there be dedicated waitstaff for the outdoor space by Joseph Devlin, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

Motion to approve outdoor acoustical music by Joseph Devlin, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

7. Transient Vendor Licenses

1.) New Hotdog Cart, Inn Street, Kristina Fields

Kristina Fields has recently decided to open a hot dog cart on Inn Street. She is in touch with the Board of Health, and is purchasing her cart in Methuen. She has worked at restaurants for the past four years. She will be operating from 10am to 9pm, selling hotdogs and possibly a specialty sandwich, iced tea, lemonade, water and soda. She anticipates opening around May 1, 2013.

Motion to approve the Transient Vendor License subject to Liability Insurance by Joseph Devlin, seconded by Donald Zabriskie.

Votes Cast:

Joseph Devlin: Yes

Donald Zabriskie: Yes

Brad Duffin: Yes

8. Other Business

1. Discussion of additional sign-off from Police Department on One Day License forms.
2. The next regularly scheduled meeting is Wed., May 1, 2013

Motion to adjourn at 8:00pm by Donald Zabriskie, seconded by Joseph Devlin. So voted.