

CITY OF NEWTON

BOARD OF LICENSE COMMISSIONERS

Chair, Dina E. Conlin, Shawn Fitzgibbons & James Cote

Fax: (617) 552-7063 Email: Licensing@newtonma.gov

Minutes

DATE: March 19, 2024 **This meeting was conducted via Zoom Meeting
Meeting ID: 860 8650 5372 Passcode: 575489**

PRESENT: Commissioners Dina Conlin, Shawn Fitzgibbons, and James Cote
Commission Chain Dina Conlin joined meeting after item OD-24-9

STAFF: Lieutenant Kevin Rudd, and Manuela Familia

TIME: 7:30PM – Regular meeting of the Board

The February 20, 2024 meeting minutes were approved 2-0.

ONE-DAY TEMPORARY ENTERTAINMENT LICENSE OD-24-11

Application filed by Theresa Kerr. For a one-day temporary entertainment license for a charity professional wrestling event on Saturday, May 18, 2024 from 7:00PM – 10:00PM to be held at the Newton Elks Lodge #1327, 429 Centre Street, Newton, MA 02458. Entertainment will consist of recorded music, amplification system and theatrical exhibition/play/moving picture show. Estimated attendance: 100, ages All. PRESENT ON ZOOM: Theresa Kerr. Approved 2-0.

ONE-DAY TEMPORARY ALL ALCOHOL AND ONE-DAY ENTERTAINMENT LICENSES OD-24-9

Application filed by Marie-Jo Dumoulin. For a one-day temporary alcohol license and one-day entertainment license for a fundraiser on Friday, April 26, 2024 from 6:00PM – 10:00PM to be held at The Neighborhood Club, 24 Berkeley Street, West Newton, MA 02465. Entertainment will consist of trivia night. Estimated Attendance: 100, Ages: 21+. PRESENT ON ZOOM: Marie-Jo Dumoulin. All approved 2-0.

ONE-DAY TEMPORARY ALL ALCOHOL AND ONE-DAY ENTERTAINMENT LICENSES OD-24-10

Application filed by Ashley O'Connor, Angier School PTO. For a one-day temporary alcohol license and one-day entertainment license for a fundraiser on Saturday, April 27, 2024 from 5:00PM – 11:00PM to be held at the Windsor Club, 1601 Beacon Street, Waban, MA 02468. Entertainment will consist of dancing by attendees and live music with amplification. Estimated Attendance: 140, Ages: 40-50's. PRESENT ON ZOOM: Ashley O'Connor. All approved 3-0.

ONE-DAY TEMPORARY ALL ALCOHOL AND ONE-DAY ENTERTAINMENT LICENSES OD-24-16

Application filed by Monica Richardson, Zervas PTO. For a one-day temporary alcohol license and one-day entertainment license for a spring fundraiser on Saturday, April 6, 2024 from 7:00PM – 11:00PM to be held at Zervas Elementary, 30 Beethoven Avenue, Waban, MA 02468. Entertainment will consist of dancing by attendees, recorded music, DJ, amplification system, and light show. Estimated Attendance: 110, Ages: 30-70. PRESENT ON ZOOM: Monica Richardson. All approved 3-0.

ONE-DAY TEMPORARY WINE AND MALT AND ENTERTAINMENT LICENSES OD-24-13

Application filed by Sharon Stout. For a one-day temporary wine and malt license and one-day temporary entertainment license for an annual fundraiser gala on Saturday, May 4, 2024 from 6:00PM – 10:00PM to be held at the Newton Free Library, 330 Homer Street, Newton, MA 02459. Entertainment will consist of live music with amplification system. Estimated Attendance: 250, Ages: 21-99. PRESENT ON ZOOM: Sharon Stout. All approved 3-0.

ONE-DAY TEMPORARY WINE AND MALT AND ENTERTAINMENT LICENSES OD-24-17

Application filed by Vladimir Foygelman. For a one-day temporary wine and malt license and one-day temporary entertainment license for a fundraiser/concert/party on Sunday, March 24, 2024 from 7:00PM – 10:00PM to be held at the War Memorial Hall, 1000 Commonwealth Avenue, Newton, MA 02459. Entertainment will consist of dancing by attendees, recorded music, and live music with amplification system. Estimated Attendance: 130, Ages: 21+. PRESENT ON ZOOM: Vladimir Foygelman. All approved 3-0, contingent upon receipt approval from Buildings Commissioner and City of Newton needs to be additionally insured in the insurance policy.

NEW COMMON VICTUALLER LICENSE AL-296

Application filed by Dana Jalbuena. For a new common victualler license to be exercised at Van Leeuwen Chestnut Hill BOS LLC d/b/a Van Leeuwen Ice Cream, 55 Boylston Street, Chestnut Hill, MA 02467. The hours of operation will be Monday – Sunday from 11:00AM – 11:00PM. There will be 18 seats. PRESENT ON ZOOM: Dana Jalbuena. Approved 3-0, contingent upon receipt of general liability insurance, worker's compensation insurance, food permit and certificate of occupancy.

NEW COMMON VICTUALLER LICENSE AL-303

Application filed by Hellen Matovu. For a new common victualler license to be exercised Kyaggwe Catering LLC d/b/a Tri City Wings & Grill, 197 North Street, Newtonville, MA 02460. The hours of operation will be Monday – Saturday from 11:00AM – 11:00PM, and Sunday from 11:00AM – 9:00PM. There will be 16 seats. PRESENT ON ZOOM: Hellen Matovu and Moses Otanka. Approved 3-0, contingent upon receipt of vote of entity, worker's compensation insurance, food permit and certificate of occupancy.

NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES AL-302

Application filed by Margo Gillis. For a new common victualler license and an annual entertainment license to be exercised at Bakey 749 Beacon LLC d/b/a Bakey, 749 Beacon Street, Newton, MA 02459. The hours of operation will be Monday – Sunday from 7:00AM – 9:00PM. There will be 6 seats. Entertainment will consist of recorded music below conversation level. PRESENT ON ZOOM: Attorney Tom Miller. All approved 3-0, contingent upon receipt of food permit and certificate of occupancy.

NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES AL-305

Application filed by attorney Stephen Buchbinder. For a new common victualler license and an annual entertainment license to be exercised at Roxville, Inc d/b/a Rox Diner, 4 Hartford Street, Newton, MA 02461. The hours of operation will be Monday – Sunday from 7:00AM – 3:00PM. There will be 26 seats. Entertainment will consist of televisions. PRESENT ON ZOOM: Attorney Stephen Buchbinder. Approved 3-0, contingent upon receipt of general liability insurance, worker's compensation insurance, food permit and certificate of occupancy.

ALTERATION OF PREMISES AND CHANGE TO ANNUAL ENTERTAINMENT LICENSE ALC-24-1

Application filed by Daniel Haverty. For an alteration of premises and a change to the annual entertainment license to be exercised at Havco Inc d/b/a The Cherry Tree, 1349 Washington Street, West Newton, MA 02465. The alteration of premises will consist of an increase to the outdoor sidewalk seating from 8 to 28 seats. The entertainment change will add live/acoustical music with amplification to the current license. PRESENT ON ZOOM: Daniel Haverty. All approved 3-0.

CHANGE TO ON-SITE MANAGER ALC-24-2

Application filed by Attorney Ka-yung Wong. For a change of manager to be exercised at D & P Asian Corporation d/b/a Aji Japanese Restaurant & Sushi Bar, 340 Walnut Street, Newton, MA 02460. The on-site manager will change from Peng Yao Wu to Li Hua Li. PRESENT ON ZOOM: Attorney Ka-yung Wong and Li Hua Li. Approved 3-0.

CHANGE OF LOCATION ALC -24-3

Application filed by Florence Celli. For a change of location to be at Tango Mango Inc d/b/a Tango Mango. The location will change from 1191 Centre Street, Newton, MA 02459 to 34 Langley Road, Newton, MA 02459. There will be 43 seats. PRESENT ON ZOOM: Shirley Spinetta. Approved 3-0, contingent upon receipt of updated insurance and certificate of occupancy.

NEW ALL ALCOHOL RESTAURANT, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES AL-299

Application filed by attorney Stephen Buchbinder. For a new all alcohol restaurant license, a common victualler license and an annual entertainment license to be exercised at 12 Comellas Austin LLC d/b/a Comella's, 12 Austin Street, Newtonville, MA 02460. The manager will be Paige Cunning. There will be 21 seats. The hours of operation will be Monday – Sunday from 11:30AM – 10:00PM. Entertainment will consist of televisions. PRESENT ON ZOOM: Attorney Stephen Buchbinder, Greg Comella and Paige Cunning. All approved 3-0, contingent upon receipt of license fee and certificate of occupancy.

NEW ALL ALCOHOL RESTAURANT, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES AL-301

Application filed by Antonio De Trizio. For a new all alcohol restaurant license, a common victualler license and an annual entertainment license to be exercised at A&N Concepts LLC d/b/a Ninebark, 1391 Washington Street, West Newton, MA 02465. The manager will be Antonio De Trizio. There will be 99 seats. The hours of operation will be Monday – Sunday from 10:00AM – 11:00PM. Entertainment will consist of recorded music below conversation level, televisions, and live/acoustical music without amplification. PRESENT ON ZOOM: Antonio de Trizio. All approved 3-0, contingent upon receipt of license fee, worker's compensation insurance and certificate of occupancy.

NEW ALL ALCOHOL RESTAURANT, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES AL-304

Application filed by Katherine Pineda. For a new all alcohol restaurant license, a common victualler license and an annual entertainment license to be exercised at Evloyia LLC d/b/a Tartufo, 22 Union Street, Newton Centre, MA 02459. The manager will be Alfio Ferlito. There will be 115 seats. The hours of operation will be Monday – Friday from 11:30-12:00am and Saturday – Sunday from 10:00AM – 11:00PM. Entertainment will consist of recorded music below conversation level, DJ, and live music. PRESENT ON ZOOM: Attorney Daniel Briansky, Katherine Pineda, Edgar Cardoza, and Alfio Ferlito. All approved 3-0.

REQUESTED APPEARENCE

The Board of License Commissioners requested the following business to appear in front of the commission because restaurant did not renew their common victualler and entertainment licenses for 2024. The business has been operating without licenses for more than 60 days and has not filed for the required licenses in accordance with the Board of License Commissioners' regulations.

The Juice Press, LLC d/b/a Juice Press - 33 Boylston Street, Suite 3320, Chestnut Hill, Massachusetts 02467

PRESENT ON ZOOM: Kate Sweeney. Kate stated on the record that she is an operation consultant that was brought in to help correct any issues related to Juice Press permits. Kate informed the Commissioners that is working on the application but is missing the certificate of occupancy. Commission Chair Dina Conlin explained that an application needs to be submitted and reviewed at a hearing. That even if Juice Press does not have a Certificate of Occupancy, the Commission is able to approve applications subject to receipt of outstanding items. Commissioner Shawn Fitzgibbons expressed concerns regarding the customer's safety since the business is operating without certain city departments approvals. Commissioner James Cote explained to Kate that once an application is submitted, the application has a checklist of next steps that will need to be completed.

Kate stated the information was helpful and that the application will be submitted to the system that night. Commission Chair asked Kate to address the breakdown that happened, and that the renewal process is easy. Kate stated that she would put procedures in place so this situation will not happen again.

APPROVAL OF THE SEASONAL ALCOHOL LICENSES:

**Newton Yacht Club - Seasonal All Alcohol Club License
12 Nonantum Road, Newton MA 02458**

**Sterling Golf Management Inc - Seasonal Wine and Malt Restaurant and Common Victualler License
212 Kendrick Street Newton, MA 02458**

All approved 3-0.

ONE-DAY TEMPORARY WINE AND MALT LICENSE OD-24-14

Application filed by Warren Wucinich. For a one-day temporary wine and malt license for Friday night figure draw on Friday, April 12, 2024 from 7:00PM – 10:00PM to be held at the Newton Art Center, 61 Washington Park, Newton, MA 02460. Estimated Attendance: 20, Ages: 21+. PRESENT ON ZOOM: Warren Wucinich. Approved 3-0.

ONE-DAY TEMPORARY WINE AND MALT LICENSE OD-24-15

Application filed by Warren Wucinich. For a one-day temporary wine and malt license for Friday night figure draw on Friday, May 10, 2024 from 7:00PM – 10:00PM to be held at the Newton Art Center, 61 Washington Park, Newton, MA 02460. Estimated Attendance: 20, Ages: 21+. PRESENT ON ZOOM: applicant not present. Approved 3-0.

Meeting adjourned at 9:07PM.

Respectfully submitted by:

Manuela Familia
Administrative Clerk