

CITY OF NEWTON

BOARD OF LICENSE COMMISSIONERS

Chair, Kathleen M. McCarthy, Dina E. Conlin & Gloria M. Gavris

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

MINUTES

DATE: February 21, 2017

PRESENT: Commissioners Kathleen McCarthy, Dina Conlin

ABSENT: Commissioner Gloria Gavris

STAFF: Sgt. George McMains, Mary Jane Pendergast. Attorney Maura O'Keefe

The meeting was called to order at 7:15PM.

The January 17, 2017 minutes were approved 2-0.

The liquor licensing template used for licensees in good standing was presented. The format was checked by the Commissioners and approved 2-0.

Discussion on BYOB:

An email from Commissioner Gloria Gavris was read into the record regarding BYOB. After reviewing the current minutes she felt they should not revise the current policy at this time and continue the prohibition in the City of Newton by not allowing BYOB. Several cities and towns allow BYOB due to no liquor licenses being available. Fourteen (14) alcohol licenses are currently available in the City of Newton. Commissioner Gavris believes that all alcohol and beer/wine licenses are preferable because of regulatory, public safety framework under which they operate are good. If the other Commissioners disagree she would agree to support BYOB proposals in small restaurants. She feels all regulations could be put into place to find a solution that would benefit all. At this time she does not support BYOB. Her email will be attached to these minutes.

Councilman Alison Leary Supports BYOB. Her email was read into the record. She felt that the smaller 20-25 seat restaurants would thrive. Regulations should be put into place like tips certification, proper insurance and specific hours like Boston. She felt the fee should be \$400.00 dollars. This would attract a clientele that would benefit all. She would like to lift the ban and make BYOB more affordable.

Josh Ehrenfried, a Newton Resident, supports BYOB. His email was read into the record.

Commissioner Dina Conlin agrees with Commissioners Gavris's view. A lot of restrictions would be needed and there is not a lot of business support. It would take a lot of work to regulate it. She does not support BYOB at this time.

Commissioner Kathleen McCarthy feels BYOB could work. She felt if you looked at the economics there is a certain hardship for the small business owners. She would only consider a two out of three Majority vote in order to consider.

Commissioner Conlin commented that in the future they could revisit BYOB. She is not leaving the door closed for the future but due to the business response at this time she would not recommend it.

Attorney Maura O'Keefe mentioned the statutory frame work may change in the future for BYOB and it will be a wait and see process. She would like to request a meeting with the staff to discuss fees. She would like to discuss the staff's views and the renewal processes. She has other topics to discuss as well. She would like to invite Commissioner Robert DeRubeis from Parks and Recreation to speak about one day licenses. She would like the administrative staff to arrange

the meeting during the day as soon as possible.

2-0 vote BYOB will not continue at this time with consideration of Commissioner Gloria Gavis's comments via email.

The regular meeting was called to order at 7:30PM.

ALTERATION OF PREMISES

Application filed by Paula Kligerman for Lasell Village, Inc., 120 Seminary Avenue, Auburndale, MA 02466. **For an alteration of premises to include multiple areas (see application) to be exercised at Lasell Village, 120 Seminary Avenue, Auburndale, MA 02466.**

Approved 2-0, contingent upon updated plans on seating in the court yard

Notice of hearing on alleged violation of M.G.L Chapter 140 on two establishments was read to the offenders. Gargo Inc. d/b/a Four Corners Pizza, 1140 Beacon Street, Newton Highlands, MA 02461. Present was Dimitris Chatzis. The Commissioners discussed how important it is to have this done on time and Mr. Chatzis agreed he would be in compliance for the current renewal.

Approved 2-0 for renewal

Chestnut Hill SBUX, LLC d/b/a Starbucks Coffee Company, 199 Boylston Street Chestnut Hill, MA 02467. Kelly Sheppard was present. He was not the manager at the time the violation was made. The commissioners reminded him for the future to be on time he agreed he would be in compliance for the current renewal.

Approved 2-0 for renewal

ONE DAY ENTERTAINMENT LICENSE

Application filed by Colleen Nolan, 989 Chestnut Street, Waban MA 02468. **For a one day entertainment license for the Angier Elementary School PTO fundraiser with Auction, Cocktails and Hors D'oeuvres to be held at the Windsor Club, 1601 Beacon Street, Waban MA 02468.**

Entertainment consists of recorded and live music with amplification system (light show)

Estimated Attendance: 200, Ages: 21+

Approved 2-0

Application filed by Artur Andronic, 245 Main Street, Apt. 16, Watertown MA 02472. **For nine (9) one day temporary wine and malt licenses to be held at Moldova Restaurant, 344 Watertown Street, Newton, MA 02458.**

Birthday Celebration

Friday, February 24, 2017 from 5:00PM – 9:00PM

Estimated Attendance: 20, Ages: 21+

Approved 2-0

Moldovan wine pairing with food

Saturday, February 25, 2017 from 3:00PM – 9:00PM

Estimated Attendance: 50, Ages: 21+

Approved 2-0

Moldovan wines tasting

Friday, March 3, 2017 from 5:00PM – 9:00PM

Estimated Attendance: 20, Ages: 21+

Approved 2-0

Moldovan wine pairing with food
Saturday, March 4, 2017 from 3:00PM – 9:00PM
Estimated Attendance: 50, Ages: 21+
Approved 2-0

International Women’s Day
Wednesday, March 8, 2017 from 5:00PM – 9:00PM
Estimated Attendance: 30, Ages: 21+
Approved 2-0

Moldovan wines tasting
Friday, March 10, 2017 from 5:00PM – 9:00PM
Estimated Attendance: 20, Ages: 21+
Approved 2-0

Moldovan wine pairing with food
Saturday, March 11, 2017 from 3:00PM – 9:00PM
Estimated Attendance: 50, Ages: 21+
Approved 2-0

Anniversary Celebration
Friday, March 17, 2017 from 6:00PM – 9:00PM
Estimated Attendance: 22, Ages: 21+
Approved 2-0

Moldovan wine pairing with food
Saturday, March 18, 2017 from 3:00PM – 9:00PM
Estimated Attendance: 50, Ages: 21+
Approved 2-0

ONE DAY WINE AND MALT AND A ONE DAY TEMPORARY ENTERTAINMENT LICENSE

Application filed by Theodore Wilson, 8 Winchester Place, Winchester, MA 07890. **For a one day temporary wine and malt license and a one day temporary entertainment license.**

Evening fundraiser
Friday, May 19, 2017 from 6:00PM – 10:00PM
Dearborn Academy, 575 Washington Street, Newton, MA 02458
***Entertainment consists of speakers, awards and background music**
Estimated Attendance: 125, Ages: 21+
Approved 2-0

Application filed by Phil McNulty, 173 Fieldstone Road, Westwood, MA 02090 from the Trustees of the Newton Free Library. **For a one day temporary wine and malt license and a one day temporary entertainment license.**

Annual “Spring Fling”
Saturday April 8, 2017 from 6:30PM – 10:00PM
Newton Free Library (Trustees of the Newton Free Library)
330 Homer Street, Newton MA 02459
Entertainment consists of background music
Estimated Attendance: 300, Ages: 21+
Approved 2-0, contingent upon updated insurance

Application filed by David Sellers, 7 Saxony Road, Framingham, MA 01701. For a one day temporary wine and malt license and a one day temporary entertainment license.

Boxing Exhibition Dinner
Saturday, March 25, 2017 from 6:00PM – 11:00 PM (Rain Date April 8, 2017 from 6:00 PM – 11:00 PM)
John M. Barry Boys and Girls Club, 675 Watertown Street, Newton, MA 02460
Entertainment consists of a DJ
Estimated Attendance: 350, Ages: 16+
Approved 2-0

ONE DAY TEMPORARY ALL ALCOHOL AND ONE DAY ENTERTAINMENT LICENSE

Application filed by Cindy Kane, 23 Bemis Street, Newton, MA 02460. For a one day temporary all alcohol license and a one day temporary entertainment license.

Annual Gala and Auction
Saturday, April 1, 2017 from 6:00PM – 11:00PM
John M. Barry Boys and Girls Club, 675 Watertown Street, Newton, MA 02460
***Entertainment consists of recorded and live music (Jazz Trio)**
Estimated Attendance: 200, Ages: 21+
Approved 2-0

Application filed by Jacqueline Freeman, 29 North Street, Newton, MA 02460. For a one day temporary all alcohol license and a one day temporary entertainment license.

Spring Auction/Fundraiser Horace Mann PTO
Saturday, March 11, 2017 from 7:00PM – 11:00PM
Newton North High School Cafeteria, 457 Walnut Street, Newtonville, MA 02460
Entertainment consists of a mechanical bull and auctioneer DJ
Estimated Attendance: 125, Ages: 21+
Approved 2-0

Application filed by Peter Diamond, 18 Sterling Street, West Newton, MA 02456. For a one day temporary all alcohol license and a one day temporary entertainment license.

Dance Party
Saturday, March 11, 2017 from 7:30PM – 11:30PM
The Neighborhood Club, 24 Berkeley Street, West Newton, MA 02456
Entertainment consists of dancing and live music
Estimated Attendance: 100, Ages: 21+
Approved 2-0, contingent upon updated insurance

Application filed by Denise Dandrea, 149 Pleasant Street, Newton, MA 02459. For a one day temporary all alcohol license and a one day temporary entertainment license.

Mason Rice Elementary Parent/Teacher Social
Saturday, April 1, 2017 from 7:00 PM – 11:30 PM
Newton Highlands Congregational Church, 54 Lincoln Street, Newton Highlands, MA 02461
Entertainment consists of recorded music and a floor show
Estimated Attendance: 200, Ages: 21+
Approved 2-0

NEW OFFICERS AND DIRECTORS

Application filed by Kevin B. Smith, Attorneys at Law, One Boston Place, Boston, MA 02108. **For new officers and directors. Beneficial interest forms for Norman J. Abdallah, William S. Martens, III, Thomas J. Pennison Jr. and Lone Star Finance LLC. Manager will be Norman J. Abdallah to be exercised at Del Frisco's Grille, 33 Boylston Street, Suite 3370, Chestnut Hill, MA 02467.**

Approved 2-0

NEW COMMON VICTUALLER

Application filed by Wenxian Wu, 114 Lakeview Ave, Waltham, MA 02451. **For a new common victualler to be exercised at 67 Crafts Street, Newton MA 02458, d/b/a Hearty Teriyaki Newton. The manager will be Wenxian Wu. The hours of operation will be Monday through Friday from 11:00AM – 8:00PM and Saturday and Sunday from 10:30AM – 7:00PM. There will be 8 seats.**

Approved 2-0, contingent upon updated insurance certificate and Certificate of Occupancy

NEW COMMON VICTUALLER

Application filed by Galit Grutman, 66 Esty Farm Road, Newton, MA 02459. **For a new common victualler to be exercised at 749 Beacon Street, Newton, Ma 02459, d/b/a Galit's Treats with Love. The manager will be Galit Grutman. The hours of operation will be Monday through Friday from 8:00AM – 5:00PM and Saturday and Sunday from 9:00AM – 4:00PM. There will be 8 seats.**

Approved 2-0, contingent upon updated insurance and Certificate of Occupancy

NEW ALL ALCOHOL 7 DAY LICENSE, NEW COMMON VICTUALLER, ANNUAL ENTERTAINMENT AND SUNDAY ENTERTAINMENT.

Application filed by Attorney Laurence Lee, 246 Walnut Street, Newton MA 02460-1639, Walton, LLC. **For a new all alcohol license, new common victualler license, annual entertainment and Sunday entertainment to be exercised at 51-53 Lincoln Street, Newton MA 02461, d/b/a Buttonwood. The manager will be David Punch. The hours of operation will be Monday through Saturday from 8:00AM – 1:00 AM and Sunday from 9:00AM – 1:00AM. There will be 78 seats permit allows 98. Entertainment consists of amplified background music and 2 Televisions.**

Approved 2-0

OTHER BUSINESS:

Commissioners agreed that the violations should be put last on the agenda and new officers and directors should be listed first for the future.

Attorney Maura O'Keefe requesting a meeting with the staff to be organized via email to discuss renewal fees and the renewal process with the Commissioners, and the staff. Requesting Commissioner Robert DeRubeis to be present from Parks and Recreation Department to discuss one day license fees. Administrative staff will organize as soon as possible.

The meeting adjourned at 8:45PM.

Respectfully submitted by:
Mary Jane Pendergast
Administrative Clerk