

CITY OF NEWTON
BOARD OF LICENSE COMMISSIONERS
Chair, Kathleen M. McCarthy, Dina Conlin & Gloria M. Gavris
Fax 617-552-7063

MINUTES OF PUBLIC MEETING
M.G.L. C. 30A. SEC 18-25

DATE: January 20, 2015

PRESENT: Commissioners Kathleen McCarthy, Dina Conlin and Gloria Gavris

City Staff: Teresa Kett, Maura O'Keefe, Debbie Gentile (business portion only) and Sgt. Kevin Cupoli

The business portion of the meeting was called to order at 7:06 p.m.

Nov. 18, 2014 minutes

Vote: 3-0, correct misspelling of Dina's last name to Conlin

Dec. 9, 2014 minutes

Vote: 3-0

Dec. 16, 2015 Special Hearing minutes

Vote: 2-0, Gavris abstaining

Commissioner Gavris wanted to re-address notification of Ward aldermen in cases when an applicant has to notify abutters. She said she would like to make it a requirement as opposed to a suggestion, which is what the commission decided during its December meeting.

Ms. O'Keefe said the current abutter notification requirements are statutory and changes would be an additional expense above and beyond what the state requires. She advised a change as Commissioner Gavris suggested would require a regulation amendment.

Ms. Gentile said all Aldermen currently receive an email copy of each Commission agenda.

Commissioner Conlin said she was inclined to leave things as decided in December, and Commissioner McCarthy said she agreed and didn't want to put additional burden on the administrative staff. The commissioners discussed the process of adding the suggestion of Ward Aldermen notification to the checklist in bold with a square, with email addresses or the website listed for how to reach the Ward Aldermen.

Commissioner Gavris said she prefers a notification requirement, and didn't think it would be additional time for staff if the suggestion is already in place.

Vote 2-1 to leave December decision in place, Gavris dissenting

Fees discussion

Ms. O'Keefe said the Commissioners should come up with questions for the administrative director regarding the time spent on processing applications, preparing for meetings, etc. Some were already emailed. Commissioner McCarthy said she would like to know the following: what time is involved in processing one-day temporary permits and other applications, using the checklist, making sure the file is complete, following up with applicants, writing up and posting the agenda, and so on for all the permits including all-alcohol, beer/wine, change of manager.

Ms. O'Keefe said the city has more leeway in fees when it comes to those that are just in for the city as opposed to the state as well. She said fee changes are a policy decision for the three commissioners only.

Commissioner Gavris asked staff if it takes the same amount of time to administratively handle a one-day wine/malt as one-day all-alcohol.

Ms. Gentile said any applications that have to go to Boston take longer than those that don't. She added that for the one-day temporary permits, they all take about the same amount of time. Ms. Gentile said she does keep a list of how many permits and what types are processed each month.

Commissioner McCarthy added that she would like to know what percentage of staff time is spent on different types of permits.

Commissioner Gavis requested a report from staff for the next meeting.

Ms. O'Keefe said some of this is metrics, how many we do in a month of each type, and said she would work with Ms. Walsh to give the commissioners an accurate description of time spent so that they can have a policy discussion on fees. She said she's not sure if it will be possible to provide the information for the next meeting.

The regular meeting of the Board was called to order at 7:36 p.m.

Ward Aldermen John Rice requested to speak in favor of the Ana's Taqueria application that the Board would be considering later in the meeting, so that he could attend another meeting. Aldermen Rice said he's strongly in favor of the new Ana's Taqueria and believes it would be a positive anchor in the Newton Highlands community

ONE DAY TEMPORARY PERMITS:

Application filed by Mount Ida College, Patrick Fitzgibbons, 777 Dedham Street, Newton, MA 02459. **For a One Day Wine and Malt Permit, for Reception on Tuesday, January 20, 2015 from 8:00 P.M. to 11:00 P.M. To be held at Mount Ida College, Wingate Conference Space, 777 Dedham Street, Newton, MA 02459.**

Estimated Attendance: (110) Ages 21+

Vote: 3-0

Application filed by Mount Ida College, Patrick Fitzgibbons, 777 Dedham Street, Newton, MA 02459. **For a One Day Wine and Malt Permit, for Reception on Thursday, February 5, 2015 from 6:00 P.M. to 10:00 P.M. To be held at Mount Ida College, School of Design, 777 Dedham Street, Newton, MA 02459.**

Estimated Attendance: (140) Ages 21+

Vote: 3-0

Application filed by Church of the Redeemer, Suzanne Westcott, 379 Hammond Street, Chestnut Hill, MA 02467. **For a One Day Entertainment Permit for Live Music, for Concert on Saturday, February 7, 2015 from 5:00 P.M. to 8:00 P.M. To be held at Church of the Redeemer, 379 Hammond Street, Chestnut Hill, MA 02467.**

Estimated Attendance: (75) Ages 21+

Vote: 3-0

Application filed by Mount Alvernia Academy, Holly Linton, 20 Manet Road, Chestnut Hill, MA 02467. **For a One Day Wine and Malt Permit, for Pub Night on Saturday, January 24, 2015 from 7:30 P.M. to 11:00 P.M. To be held at Mount Alvernia Academy, Gymnasium, 20 Manet Road, Chestnut Hill, MA 02467.**

Estimated Attendance: (50 – 100) Ages 21+

Vote: 3-0, with the condition that next year the applicant should get TIP certification

Application filed by John M. Barry Boys & Girls Club of Newton, David Sellers, 675 Watertown Street, Newton, MA 02460. **For a One Day Wine and Malt Permit and Entertainment Permit for Recorded Music and Amplification System, for Boxing Exhibition Dinner on Saturday, February 28, 2015 from 6:00 P.M. to 11:00 P.M. To be held at John M. Barry Boys & Girls Club of Newton, 675 Watertown Street, Newton, MA 02460.**

Estimated Attendance: (400) Ages All

Wine/Malt Vote: 3-0 Contingent upon the office receiving an email from the applicant once police details are arranged

Entertainment Vote: 3-0 Contingent upon the office receiving an email from the applicant once police details are arranged

Application filed by The Neighborhood Club, Darlene Sheehan, 24 Berkeley Road, West Newton, MA 02465. **For a One Day Wine and Malt Permit, for Adult Bowling Night on Saturday, February 7, 2015 from 7:00 P.M. to 11:00 P.M. To be held at The Neighborhood Club, 24 Berkeley Road, West Newton, MA 02465.**

Estimated Attendance: (25 – 40) Ages 21+

Vote: 3-0

CHANGE OF HOURS:

Application filed by **Capital Grille Holdings, Inc., d/b/a The Capital Grille**, Rita Hayward/Stephen Buchbinder, 1200 Walnut Street, Newton Highlands, MA 02461. **Change of Hours from: Saturday and Sunday 5:00 P.M. – 1:00 A.M. to 11:00 A.M. – 1:00 A.M.** To be exercised at 250 Boylston Street, Chestnut Hill, MA 02467.

Vote: 3-0, with a condition to comply with special permit issued Nov. 2014 and any future special permits

CHANGE OF MANAGER:

Application filed by **Bravo Brio Restaurant Group, Inc., d/b/a Brio Tuscan Grille**, Bradley Walton/Andrew Upton, 185 Devonshire Street, Suite 902, Boston, MA 02110. **Old Manager: Brian O'Malley, New Manager: Bradley Walton.** To be exercised at 200 Boylston Street, Chestnut Hill, MA 02467.

Vote: 3-0, pending approval of manager getting TIPS trained and submitting proof to office.

CHANGE OF LOCATION:

Application filed by **Craft Beer Needham LLC, d/b/a Craft Beer Cellar**, Brian Shaw, 8 Vara Lane, Needham, MA 02494. **Old Location: 1243 Centre Street, New Location: 14 Austin Street.** To be exercised at 14 Austin Street, Newtonville, MA 02460.

Vote: 3-0, Pending applicant printing & submitting status of 2 abutter notifications from the post office

CHANGE OF LOCATION AND MANAGER:

Application filed by **Eastern Beverage Group, Inc., d/b/a Newton Warehouse Liquors**, Douglas Gordon/Anastasios Giannopoulos, 173 Belgrade Avenue, Boston, MA 02131. **Former Location: 541 Commonwealth Avenue. Old Manager: Anastasios Giannopoulos, New Manager: Douglas Gordon.** To be exercised at 241 Needham Street, Newton Highlands, MA 02461.

Vote: 3-0, with a condition to send an executed lease to office and return to the Commission with a floor plan Jaimie Lefave, Newton resident and employee at nearby liquor store (Upper Falls Beverage) spoke against this application, saying there is no need for an additional store in an already saturated area. She presented a list of community members who oppose a store in that location.

George Havanas, Newton resident and owner of liquor stores in other communities, spoke against the application, saying it's the wrong area for store because of other competition in the area.

NEW COMMON VICTUALLER AND WEEKLY ENTERTAINMENT:

Application filed by **Kaizen Corp., VII d/b/a Anna's Taqueria**, Michael Kamio/Stephen Buchbinder, 1200 Walnut Street, Newton Highlands, MA 02461. **New Common Victualler and Weekly Entertainment.** Entertainment will consist of (3) Televisions and Recorded Music. Hours of Operation from: Everyday 7:00 A.M. to Midnight. 7 Days. Seating: 48. To be exercised at 27 Lincoln Street, Newton Highlands, MA 02461.

Common Victualler Vote: 3-0, required to submit new floor plan if changes are made during build out

Entertainment Vote: 3-0, required to submit new floor plan if changes are made during build out

Walter Einstein, property owner, spoke in favor of this application

Ward Alderman John Rice spoke at the beginning of the meeting in favor of this application

TRANSFER OF ALL ALCOHOL LICENSE, NEW COMMON VICTUALLER, WEEKLY ENTERTAINMENT:

Application filed by **Four Spoons Corporation, d/b/a Four Spoons**, Apirak Chuenprapa/Stephen J. Buchbinder, 1200 Walnut Street, Newton Highlands, MA 02461. **Transfer of All Alcohol License, New Common Victualler, and New Weekly Entertainment.** Previous Owner: Pie Pie LLC. Entertainment will consist of (3) Televisions and Recorded Music. Hours of Operation from: Everyday 11:00 A.M. to 1:00 A.M. 7 Days. Seating: 48. To be exercised at 796 Beacon Street, Newton Centre, MA 02459.

All alcohol Vote: 3-0, with condition to send executed and valid lease

Entertainment Vote: 3-0, with condition to send executed and valid lease

Other matters properly before the commission

During the discussion of the Capital Grille application, Commissioner McCarthy said that in the future, she would like to have a copy of current license in the file when Board is considering changes.

Commissioner McCarthy let the group know that the April meeting date falls during school vacation week, and the commissioners decided to move the meeting to April 14, 2015.

There was a brief discussion of consistency in decision making across all permits.

The meeting adjourned at 8:56 p.m.

Action items

Add suggestion for notification of Ward aldermen to the checklist with a square, and in bold

For current applicants who are making changes, include a copy of the current permit in the folder

Administrative Director and Ms. O'Keefe should respond to questions received by email from commissioners and those raised during the business portion of the meeting.

Change April meeting date to April 14, 2015

Teresa Kett

Public Health Program Specialist

cc: Mayor
Chief, Police Department
Inspectional Services Commissioner
Commissioner of Health
Chief, Fire Department
Board of License Commissioners