

**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**

**Present: Commissioners: Dina Conlin and Gloria M. Gavris**  
**City Staff: Teresa Kett, Debra Gentile, Maura O'Keefe and Sgt. Kevin Cupoli**  
**Absent: Kathleen M. McCarthy**

**Licensing Board Agenda:**

The meeting was called to order at 7:08 pm and introductions were made.

**\*APPROVAL OF MINUTES FOR OCTOBER 21, 2014\***

Approved 2-0

Maura O'Keefe of the Law Department began the discussion portion of the meeting. She said has been reviewing application forms and instructions for one-day licenses. She suggested a flow chart for whether or not someone needs a one-day license. Maura will email what she has come up with for feedback/discussion during the next meeting.

Commissioner Gavris asked if the new form will be done by Jan. 1. Ms. O'Keefe said that's the goal and gave examples of how the chart works.

On a separate matter, Commissioner Gavris clarified that if someone comes in having already chosen a caterer on the ABCC list, they don't need a license from us. Ms. O'Keefe said yes, and said she would also email the commissioners the list of responsibilities caterers are expected to fulfill. The group briefly discussed this.

Ms. O'Keefe said she has new information to share about Commonwealth Wine and Spirits, and the group discussed whether or not the owner, Mr. Giannopoulos, would be coming to the meeting. She said that because the owner doesn't have a property interest or address anymore, he is unable to renew his license that will expire at the end of the calendar year. Renewals are due Nov. 30. Ms. O'Keefe described the situation as a "pocket license" which means he has no business location attached to the license. Ms. O'Keefe said the owner also provided incorrect information about when his business closed. Ms. O'Keefe recommended that the Board inform Mr. Giannopoulos that his license is nonrenewable because he doesn't have a location to put on his application, and said he Board is better off not approving a renewal than revoking his license so as not to trigger an appeal process.

Ms. Conlin asked what the Board could do if the owner had a purchase and sale agreement tonight. Ms. O'Keefe said it would be ok to give the owner until the renewal deadline of Nov. 30 to renew. Ms. Gavris said they would call the item for the end of the night.

Ms. O'Keefe said the Board has some policy decisions regarding fees to make in the future. The Programs & Services Committee has questioned whether this Board should entertain idea of offering discount fees for nonprofit organizations. Ms. O'Keefe said she would email a memo the Board used the last time fees were revised that explains the considerations for how fees are established in the city. The commissioners agreed to discuss fees during the business portion of the next Board meeting. And the commissioners would like a separate portion of the minutes with future agenda items listed so they're easier to spot.

The commissioners discussed the BNTT d/b/a Value Market and Gas store which is in violation of its construction permit. Ms. O'Keefe explained that the Board isn't expected to have information from other department at the time of license approvals, which is why they are conditional. Debra Gentile acknowledged that the office staff does not issue permits until all other departments have signed off on them. Ms. Gentile departed the meeting, and Sgt. Cupoli arrived.

**\*CESSATION OF OPERATION FINAL DECISION – APPETITO'S (JASPER TISDALE)\***

No action taken. A representative, Mr. Lawrence Lee, of the landlord, said the landlord has been unable to reach Mr. Tisdale as well. The commissioners decided to take no action and to let the license expire.

**\*PURCHASE AND SALE AGREEMENT – B STREET (ELLIE KAPLANSKY)\***

No action taken, the owners should return for the December meeting.

**ONE DAY TEMPORARY PERMITS (SINGLE):**

Application filed by Swedish-American Chamber of Commerce – New England Chapter, Martin Lehman, 560 Harrison Avenue, Suite 404, Boston, MA 02118. For a One Day Wine and Malt Permit, for Swedish Christmas Dinner on Saturday, December 13, 2014 from 6:00 P.M. to 9:00 P.M. To be held at Scandinavian Living Center, 206 Waltham Street, West Newton, MA 02465.

Estimated Attendance: (80) Ages 21+

Vote: 2-0

Application filed by INTERMIX, Jennifer Schneiderman/Lauren Piscione, 675 Sixth Avenue, New York, NY 10010. For a One Day Wine and Malt Permit and Entertainment Permit for Recorded Music, for Holiday Party on Wednesday, December 10, 2014 from 6:00 P.M. to 8:00 P.M. To be held at INTERMIX, 33 Boylston Street, Suite 3300, Chestnut Hill, MA 02467.

Estimated Attendance: (100) Ages 21+

Vote: 2-0 wine/malt on the condition that a new insurance liability certificate is provided because the old one is expired.

Vote: 2-0 entertainment, same condition as above

Application filed by Mahalingam Swaminathan, 94 Ethyl Way, Stoughton, MA 02072. For a One Day Wine and Malt Permit, for New Years Indian Dance Party on Wednesday, December 31, 2014 from 6:00 P.M. to 12:00 Midnight. To be held at Balera Dance Studio, 105 Rumford Avenue, Auburndale, MA 02466.

Estimated Attendance: (140) Ages All

Vote: 2-0 wine/malt

Needs to apply for an entertainment permit for the music. Applicant instructed to call office tomorrow and apply for the Dec. 9 hearing.

Application filed by Curaspan Health Group, Kristen Peters, 275 Grove Street, Suite 1-100, Auburndale, MA 02466. For a One Day Wine and Malt Permit, for Holiday Party on Wednesday, December 17, 2014 from 4:00 P.M. to 7:00 P.M. To be held at The Windsor Club, 1601 Beacon Street, Waban, MA 02468.

Estimated Attendance: (100) Ages 21+

Vote: 2-0

Application filed by Jason & Jill Glashow, 17 Brookfield Road, Wellesley Hills, MA 02481. For a One Day Entertainment Permit for Recorded Music, Dancing and Amplification System, for Bat Mitzvah on Saturday, February 7, 2015 from 7:00 P.M. to 11:00 P.M. To be held at The Windsor Club, 1601 Beacon Street, Waban, MA. Estimated Attendance: (100) Ages All

They applicant clarified that there could be a total of 180 people, 100 of them adults, and that alcohol would be served using a caterer on the state list.

Vote: 2-0 on the condition that the applicant confer with the police department regarding the need for a detail if there will be more than 150 people coming.

Application filed by Karen Wise, 1845 Beacon Street, Waban, MA 02468. For a One Day Wine and Malt Permit and Entertainment Permit for a DJ, Amplification System, and Dancing, for Bat Mitzvah on Saturday, December 6, 2014 from 12:00 P.M. to 5:00 P.M. To be held at The Windsor Club, 1601 Beacon Street, Waban, MA 02468.

Estimated Attendance: (100) Ages All

Vote: 2-0 wine/malt

Vote: 2-0 entertainment

**CHANGE OF MANAGER (LLC):**

Application filed by Legal Sea Foods, LLC, d/b/a Legal Sea Foods, Richard Heller/Matthew Chanin, One Seafood Way, Boston, MA 02210. Old Manager: Michael J. Edwards, New Manager: Matthew J. Chanin. To be exercised at 43/43R Boylston Street, Chestnut Hill, MA 02467.

Vote: 2-0

**CHANGE OF DBA:**

Application filed by BNNT, Inc., d/b/a Value Market & Gas, Bassam A. Youssef, 979 Watertown Street, West Newton, MA 02465. Old DBA: Value Market & Gas. New DBA: In Town Market. To be exercised at 979 Watertown Street, West Newton, MA 02465.

Vote: 2-0

**NEW COMMON VICTUALLER AND WEEKLY ENTERTAINMENT:**

Application filed by Fleck, LLC, d/b/a Fleck, Jared Alperin/Stephen Buchbinder, Esquire, 1200 Walnut Street, Newton Highlands, MA 02461. New Common Victualler and Weekly Entertainment. Entertainment will consist of Recorded Music. Hours of Operation from: 6:00 A.M. to 4:00 P.M. 7 Days. Seating: 9. To be exercised at 1169 Walnut Street, Newton Highlands, MA 02461.

Vote: 2-0, Common Victualler: with conditional standard language of all other departments approving plans.

Vote: 2-0, entertainment, same condition as above

**TRANSFER OF COMMON VICTUALLER AND WEEKLY ENTERTAINMENT:**

Application filed by LA Donuts, Inc., d/b/a Dunkin' Donuts, Lindsey DiPietro, 358 Turnpike Street, Canton, MA 02021. Transfer of Common Victualler and Weekly Entertainment. New Owner: LA Donuts, Inc. Old Owner: Alumni Donuts, LLC. Entertainment will consist of Recorded Music. Hours of Operation from: 5:30 A.M. to 11:00 P.M. 7 Days. Seating: 8. To be exercised at 15 Commonwealth Avenue, Chestnut Hill, MA 02467.

Vote: 2-0

**TRANSFER OF ALL ALCOHOL PACKAGED STORE:**

Application filed by AR Brothers Corp., d/b/a All Star Liquor Mart, Jeffrey Brown/Arpan Patel/Jon D. Aieta, Esquire, 18 Russell Park, Quincy, MA 02169. Transfer of All Alcohol Packaged Store. New Owner: AR Brothers Corp. Old Owner: Newton Beverage Shop, Inc. Hours of Operation from: Monday – Saturday 8:00 A.M. to 11:00 P.M. and Sunday 12:00 Noon to 11:00 P.M. 7 Days. To be exercised at 1220 Chestnut Street, Newton Upper Falls, MA 02464.

Vote: 2-0 conditional upon the applicant providing proof of TIP certification for the manager and other staff on the premises

**EXTENSION OF PREMISES:**

Application filed by Brae Burn Country Club, d/b/a Brae Burn Country Club, Sean McLaughlin/Stephen Buchbinder, 1200 Walnut Street, Newton Highlands, MA 02461. Extension of Premises to Allow Alcohol Service in (1) Pool Area, (2) Paddle Court Area, (3) Tonic House, (4) Pro Shop/Tennis Court Area, and (5) Hospitality Station at 17<sup>th</sup> Green. To be exercised at 326 Fuller Street, West Newton, MA 02465.

The applicant withdrew item 2, the paddle court area.

Vote: 2-0 on items 1, 3, 4 and 5, with the following conditions:

- Approval from all other necessary city departments
- Applicant must file an example of signage for all areas that explains that alcoholic beverages must be consumed in the area where they're served

- For the pool area, there must be separation of the hospitality area and the pool such as stantions or planters in addition to the signage
- For areas 3, 4 and 5, the applicant will stick to the maximum number of events per season listed in the original application. For area 1, the pool, the applicant will email the office at the beginning of the outdoor season, and then monthly, with a list of events, dates and anticipated number of people.
- The applicant will confer with police for events over 150 people.

**ONE DAY TEMPORARY PERMITS (MULTIPLE):**

Application filed by Mount Ida College Academic Affairs, Patrick Fitzgibbons, 777 Dedham Street, Newton, MA 02459. For (2) One Day Wine and Malt Permits:

**Faculty Reception**  
 Thursday, November 20, 2014 – 5:00 P.M. to 8:00 P.M.  
 Shaw Living Room, Mount Ida College  
 Estimated Attendance: (65) Ages 28+  
 Vote: 2-0

**Holiday Dinner**  
 Wednesday, December 3, 2014 – 3:30 P.M. to 6:30 P.M.  
 Oak Hill Room, Mount Ida College  
 Estimated Attendance: (40) Ages 21+  
 Vote: 2-0, with condition of needing an updated insurance certificate for this event.

Application filed by WS Development, Bill Hamilton/Annie Lagasse/Sally Powell/Allison Yee, 33 Boylston Street, Chestnut Hill, MA 02467. For (3) One Day Wine and Malt Permits and (1) One Day Entertainment Permit:

**Third Thursday Shopping Soiree**  
 Thursday, November 20, 2014 – 5:00 P.M. to 8:00 P.M.  
 Jonathan Adler, 33 Boylston Street, Suite 3340  
 Estimated Attendance: (50) Ages 21+  
 Vote: 2-0

**Arts Stroll & Shop Kick-Off**  
 Friday, December 5, 2014 – 5:00 P.M. to 7:00 P.M.  
 WS Asset Management Room, 33 Boylston Street, Suite 3000  
 Estimated Attendance: (75) Ages 21+  
 Vote: 2-0

**Holiday Open House**  
 Wednesday, December 17, 2014 – 5:00 P.M. to 9:00 P.M.  
 WS Asset Management Room, 33 Boylston Street, Suite 3000  
 Estimated Attendance: (130) Ages 21+  
 \*Entertainment will consist of Live & Recorded Music, Amp System\*  
 Pulled from agenda, going to use a licensed caterer.

Instructed to call office to inquire if money is refundable. The applicant may refile entertainment with a new date.

Called Eastern Beverage Group again. No show.

**CHANGE OF SUNDAY HOURS FOR PACKAGED STORES (10:00 A.M. OPENING):**

1. New Highlander Farms, Inc., d/b/a Highlander Farms

2. Gereige Corp., d/b/a Tedeschi's #324

3. Legal Sea Foods, LLC, d/b/a Legal Sea Foods

4. Auburndale Market, d/b/a Auburndale Market

None appeared. Vote: 2-0 on all

**\*BUSINESS DISCUSSION FOR DECEMBER HEARING\***

Fees will be discussed at the next meeting.

The commissioners would like to see B Street again regarding its purchase and sale.

Eastern Beverage should be informed its license is not renewable after Nov. 30.

**The meeting adjourned at 9:04 p.m.**

Teresa Kett

Public Health Program Specialist

cc: Mayor

Chief, Police Department

Inspectional Services Commissioner

Commissioner of Health

Chief, Fire Department

Board of License Commissioners