

CITY OF NEWTON

BOARD OF LICENSE COMMISSIONERS

Chair, Kathleen M. McCarthy, Dina E. Conlin & Anil Adyanthaya

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

Minutes

DATE: July 20, 2021 **This meeting was accessible via Zoom Meeting**
Meeting ID: 860 8650 5372 Passcode: 575489

PRESENT: Commissioners Kathleen McCarthy, Dina Conlin and Anil Adyanthaya

STAFF: Manuela Familia

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

The June 15, 2021 meeting minutes were **approved 3-0**. The June 22, 2021 special meeting minutes were **approved 2-0**.
The July 6, 2021 special meeting minutes were **approved 2-0**.

ONE DAY TEMPORARY WINE AND MALT LICENSE

Application filed by Andrew Li, 1284 Washington Street, Newton, MA 02465. **For a one-day temporary wine and malt license for employee appreciation at Lifecare Advocates on Thursday, August 12, 2021 with a rain date of Thursday, August 19, 2021, from 2:00PM – 6:00PM to be held at Lifecare Advocates, 180 Wells Avenue, Newton, MA 02159. Estimated Attendance: 75, Ages: 25-65. PRESENT ON ZOOM: Andrew Li. Approved 3-0.**

Application filed by Deb Lowe, 250 Waltham Street, Newton, MA 02465. **For four (4) one-day temporary wine and malt licenses all to be held at the Fessenden School, 250 Waltham Street, Newton, MA 02465. All moved to next scheduled meeting.**

Boarding Parent Reception

Wednesday, September 8, 2021 from 5:30PM – 6:30PM

Estimated Attendance: 60, Ages: 40+

Cocktail Reception for Parents

Gibson Field (tented)

Tuesday, September 14, 2021 (rain date: Wednesday, September 15, 2021) from 5:30PM – 8:00PM

Estimated Attendance: 100, Ages: 40+

Memorial Service

Gibson Field (tented)

Saturday, September 18, 2021 (rain date: Sunday, September 19, 2021) from 4:00PM – 7:00PM

Estimated Attendance: 100, Ages: 30+

Donor Dedication

School Room

Thursday, October 21, 2021 from 3:00PM – 6:00PM

Estimated Attendance: 60, Ages: 40+

ONE-DAY TEMPORARY WINE AND MALT AND ENTERTAINMENT LICENSES

Application filed by Marie Presti, 701 Washington Street, Newton, MA 02458. **For a one-day temporary wine and malt license and an entertainment license for a BBQ clambake on Saturday, August 21, 2021 from 1:00PM – 5:00PM to be held at The Cove – Sites 1 and 2, 104 West Pine Street, Auburndale, MA 02466. Entertainment will consist of dancing by entertainers or performers, live music, and a juggler. Estimated Attendance: 100, Ages: 0-80. Moved to next scheduled meeting.**

SEASONAL FARMER’S MARKET WINERY LICENSE:

Application filed by Jessica Croteau, Westport Rivers, 417 Hixbridge Road, Westport, MA 02790. **For a Seasonal Farmers’ Market Winery License to be exercised at the Newton Farmers’ Market on 352 Lowell Avenue, Newton, MA 02460. Westport Rivers will be participating in the Newton Farmers’ Market on the following Saturdays: July 24, August 7, August 21, September 4, and September 18, and October 2, 2021 from 9:30AM – 12:30PM. PRESENT ON ZOOM: Jessica Croteau. Approved 3-0.**

NEW COMMON VICTUALLER LICENSE

Application filed by Daniel Ustayev, 33 Saco Street, Newton, MA 02464. **For a new common victualler license to be exercised at Dan’s Amigos, INC, 335 Walnut Street, Newton, MA 02460. The manager will be Daniel Ustayev. The hours of operation will be Monday through Sunday from 8:00AM – 11:00PM. There will be 39 seats. PRESENT ON ZOOM: Daniel Ustayev. Approved 3-0; contingent upon receipt of corporate vote and insurance.**

NEW COMMON VICTUALLER LICENSE

Application filed by Ed Eglitis, 134 Turnpike Road, Southborough, MA 01772. **For a new common victualler license to be exercised at Fresh Food Holdings, LLC, 141 Needham Street, Newton, MA 02464. The manager will be Ed Eglitis. The hours of operation will be Tuesday through Sunday from 7:00AM – 6:00PM. There will be 16 seats. PRESENT ON ZOOM: Ed Eglitis. Approved 3-0; contingent upon receipt of certificate of occupancy and food permit.**

ALTERATION OF PREMISES AND CHANGE OF HOURS

Application filed by Kevin Shepple, 483 Dedham Street, Newton, MA 02459. **For an alteration of premises to be exercised at Charles River Country Club, 483 Dedham Street, Newton, MA 02459. The hours will change from Tuesday - Saturday 8:00AM-1:00AM and Sunday 11:00AM-1:00AM to Monday-Saturday 8:00AM-1:00AM and Sunday 11:00AM-1:00AM. PRESENT ON ZOOM: Kevin Shepple, Jim Hunt, President and Daniel O’Connell.**

Attorney Ed Allcock spoke on behalf of Gables Condominium Trust and against the expansion of the premises and the extension of hours. The Gables Condominium Trust is concerned about the 1:00AM extension of hours of the pool and open-air pavilion and the potential noise nuisance it will create hundreds of feet away from residences. Melinda Berman, Neil Glazer, Ron Levey and Mark Harmon also expressed concern against the expansion of premises and extension of hours. Commissioner Anil Adyanthaya abstained from voting citing a conflict of interest. **Alteration of premises approved 2-0-1; change of hours approved 2-0-1 with restrictions. Pool restricted to 8:00PM closing and the open-air pavilion restricted to 10:00PM closing.**

CHANGE OF MANAGER, STOCK INTEREST AND CHANGE OF OFFICERS/DIRECTORS/LLC MANAGERS

Application filed by attorney Matthew S. Porter, 480 Turnpike Street, South Easton, MA 02375. **For a change of manager from Dasharathal Patel to Nitesh Patel and change of stock interest and change of officers/directors/LLC managers to be exercised at OP enterprise, Inc. d/b/a Mr. K's Wine & Spirits, 980 Boylston Street, Newton Highlands, MA 02461. PRESENT ON ZOOM: Attorney Ian C. Hedges and Nitesh Patel. All approved 3-0.**

REQUESTED TO APPEAR

On June 15, 2021 the Licensing Commissioners requested that manager Megan Kittinger from Tatte Holdings, LLC, d/b/a Tatte Bakery, 1241 Centre Street, Newton, MA 02459 appear in front of the Licensing Commission to answer questions regarding the qualification for managing the business. **PRESENT ON ZOOM: Daniel Brennan and Megan Kittinger.**

Meghan stated she has been in the service industry for the last 10 years, that she is Tips, ServeSafe, allergy awareness and choke safe certified. She also stated that she will work a 50-hour week schedule. Previously she was the general manager to the Back Bay location, and she is unaware of any previous license violations.

TRANSFER OF ALL ALCOHOL LICENSE, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES

Application filed by Aleks Gionai, 24 Perrault Road S2, Needham, MA 02494. **For a new common victualler, new annual entertainment and a transfer of an all-alcohol restaurant license from Stone L'Oven Waban, Inc to 1649 Beacon, LLC d/b/a Stone L'oven Pizza Co to be exercised at 1649 Beacon Street, Newton, MA 02468. The manager will be Aleks Gionai. The hours of operation will be Monday through Sunday from 11:00AM – 12:00AM. There will be 46 seats inside and 8 outside. Entertainment will consist of television, background music, live music, and trivia night. PRESENT ON ZOOM: Aleks Gionai. All approved 3-0; contingent upon receipt of signed lease and commitment letter.**

TRANSFER OF ALL ALCOHOL LICENSE, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES

Application filed by Mario G. LaPosta, 99 Rockland Street, West Roxbury, MA 02132. **For a new common victualler, new annual entertainment and a transfer of an all-alcohol restaurant license from PP&C Enterprises, Inc to La Farina, LLC d/b/a Da LaPosta to be exercised at 825 Washington Street, Newton, MA 02460. The manager will be Mario G. LaPosta. The hours of operation will be Monday through Sunday from 11:00AM – 11:00PM. There will be 80 seats. Entertainment will consist of background music. PRESENT ON ZOOM: Mario G. LaPosta. All approved 3-0; contingent upon receipt of insurance and worker's compensation.**

NEW ALL ALCOHOL LICENSE, NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES

Application filed by attorney Adam R. Barnosky, Ruberto, Israel & Weiner, P.C., 255 State Street, 7th Floor, Boston, MA 02109. **For a new all alcohol restaurant license, a new common victualler, and a new annual entertainment license to be exercised at Wild Enterprises, INC d/b/a Café Martin, 7 West Street, Newton, MA 02458. The manager will be Adrienne Martin. The hours of operations will be Monday through Sunday from 10:00AM – 1:00AM. There will be 62 seats. Entertainment will consist of recorded music and television. PRESENT ON ZOOM: Attorney Adam Barnosky and Adrienne Martin.**

Paul Chen spoke against the restaurant service in the patio past the hours of 10:00PM. **All approved 3-0; limited patio service to 11:00PM. All votes are contingent upon receipt of abutter's notification, insurance and worker's compensation.**

VIOLATIONS

Notice of Hearing on alleged violations of M.G.L. Chapter 138 and the City of Newton Board of License Commissioners Regulations:

1. SHOGUN ASSOCIATES, LLC D/B/A SHOGUN RESTAURANT: 1385 WASHINGTON STREET

Licensing Commission requested licensee to appear because of failure to submit timely payment of the semiannual license fee to sell alcohol. **No actions taken** but requested licensee to be responsive to administrative staff.

Meeting adjourned at 9:23PM.

Respectfully submitted by:
Manuela Familia
Administrative Clerk