

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: June 21, 2022 **This meeting was conducted in person and accessible via Zoom Meeting Meeting ID: 860 8650 5372 Passcode: 575489**

PRESENT: Commissioners Kathleen M. McCarthy, Dina Conlin, and Anil Adyanthaya

STAFF: Lieutenant Kevin Rudd and Manuela Familia

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

The May 17, 2022 meeting minutes were **approved 2-0.**

ONE-DAY TEMPORARY ALL ALCOHOL AND ENTERTAINMENT LICENSES

Application filed by Andrea Fong, 42 Amherst Road, Waban, MA 02468. **For a one-day all alcohol license and an entertainment license for a birthday party on Saturday, July 9, 2022 from 6:00PM – 10:00PM to be held at The Windsor Club, 1601 Beacon Street, Waban, MA 02468. Entertainment will consist of dancing by attendees, DJ and amplification system. Estimated Attendance: 60, Ages 35-55. PRESENT ON ZOOM: Andrea Fong. All approved 3-0.**

ONE-DAY TEMPORARY ALL ALCOHOL AND ENTERTAINMENT LICENSES

Application filed by Charles Proia, St. Mary of Carmen Society, P.O. Box 95094, Newton, MA 02495. **For five (5) one-day all alcohol licenses and five (5) entertainment licenses for the 87th Annual St Mary of Carmen Society Festival to be held at Pellegrini Park, 11 Hawthorn Street, Newton, MA 02458. Entertainment will consist of dancing by attendees, entertainer or performers, recorded music, live music and amplification system, and light show. PRESENT ON ZOOM: Charles Proia. All approved 3-0.**

**Wednesday, July 13, 2022 from 5:00PM – 11:00PM
Estimated Attendance: 3000, Ages: All**

**Thursday, July 14, 2022 from 5:00PM – 11:00PM
Estimated Attendance: 3000, Ages: All**

**Friday, July 15, 2022 from 5:00PM – 11:00PM
Estimated Attendance: 4000, Ages: All**

**Saturday, July 16, 2022 from 5:00PM – 11:00PM
Estimated Attendance: 5000, Ages: All**

**Sunday, July 17, 2022 from 5:00PM – 11:00PM
Estimated Attendance: 5000, Ages: All**

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 2, July 16, July 30, August 13, August 27, September 10, September 24, and October 8, 2022 from 9:30AM – 12:30PM. **PRESENT ON ZOOM: Robert Russell. Approved 3-0; contingent upon receipt of certificate of liability showing City of Newton additionally insured.**

NEW COMMON VICTUALLER LICENSE

Application filed by Thiago Silva, 792 Beacon Street, Newton Centre, MA 02459. **For a new common victualler license to be exercised at Salt Patisserie LLC, d/b/a Salt Patisserie, 792 Beacon Street, Newton Centre, MA 02459. The hours of operation will be Monday through Sunday from 7:00AM – 7:00PM. There will be 14 seats. PRESENT ON ZOOM: Thiago Silva. Approved 3-0; contingent upon receipt of signed floor plan, certificate of occupancy and food permit.**

NEW COMMON VICTUALLER AND ANNUAL ENTERTAINMENT LICENSES

Application filed by Michael Brunson, 324 Walnut Street, Newtonville, MA 02460. **For a new common victualler and annual entertainment licenses to be exercised at Michael Brunson Culinary Group, LLC, d/b/a Mochiko Hawaiian, 324 Walnut Street, Newtonville, MA 02460. The hours of operation will be Monday through Friday from 8:00AM – 9:00PM and Saturday through Sunday from 9:00AM – 9:00PM. The entertainment will consist of recorded music below conversation level and televisions. There will be 6 seats. PRESENT ON ZOOM: Michael Brunson. All approved 3-0; contingent upon receipt of signed floor plan, certificate of occupancy, and food permit.**

ALTERATION OF PREMISES

Application filed by Kayla Foster, 11 Boylston Street, Chestnut Hill, MA 02467. **For an alteration of premises to be exercised at Sovereign Entertainment LLC d/b/a Aquitaine Bis, 11 Boylston Street, Chestnut Hill, MA 02467. Requesting 52 seats in private area. Applicant did not attend hearing. Commissioners voted to continue to next scheduled meeting. Continuation approved 3-0.**

CHANGE OF MANAGER

Application filed by Attorney Nicholas J. Zozula, Mcdemott, Quilty & Miller LLP, 28 State Street, Boston, MA 02109. **For a change of manager from Neil Coutu to Kevin Pereira Costa to be exercised at Star Markets Company, Inc d/b/a Star Market, 1 Boylston Street, Chestnut Hill, MA 02467. PRESENT ON ZOOM: Attorney Nicholas Zozula and Kevin Costa. Approved 3-0.**

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

Application filed by Sandy Fong, 870 Walnut Street, Newton, MA 02461. **For a change of manager from Yuen Ching Kor to Sandy M. Fong, a change of stock interest and change of officers/directors/LLC managers to be exercised at Dumpling House of Newton, Inc. d/b/a Dumpling House, 870 Walnut Street, Newton, MA 02461. PRESENT ON ZOOM: Sandy Fong. All approved 3-0.**

DISCUSSION REGARDING PRORATING LICENSE FEES

Continued discussion to consider a regulation change to prorate license fees.

Commission Chair Kathleen McCarthy commented that this item has been in the agenda for several months and asked the rest of the Commission if they would like to continue with this discussion. Dina Conlin responded that she was open to having the discussion but that it should not be a lengthy discussion. Commissioner Anil Adyanthaya responded that he was also open to having the discussion but stated that his question throughout this discussion has been who requested the prorating of the fees. Administrative Staff Manuela Familia responded that during renewals season there were new licensees that had just been approved licenses in previous months and did not want to pay the renewal fee since they had just paid full licenses fees.

Commission Chair Kathleen McCarthy asked what other departments prorate their allocation of fees and how do they prorate the fees. Manuela responded that the health department prorates their fees, that fees were prorated by 50% if

received after June 30th. Commissioner McCarthy asked if the prorate was just for alcohol licenses or all licenses and Manuela explained that it would be new licenses, and that it was the Commission's decision to choose what would be best for everyone.

Commissioner McCarthy expressed that this could be broken down into a couple of ways. The commission could consider prorating the fees as the health department does and anyone who applies July 1st and later would pay 50% of the license fees whether it be for alcohol, common victualler, or any of the other licenses. Or would the Commission like for it to be for alcohol and beer and wine license holders only.

Commissioner Conlin stated she was inclined to treat them all the same and prorate by 50% the applications approved in the last 3 months of the year. She wanted to use the approved date instead of the application date. Commissioner Adyanthaya liked Commissioner Conlin's idea because that seems to be where the biggest inequity exists, he continued to say that having to pay 2 full license fees in a matter of months is tough in this environment. He also stated that the Commission also needs to consider the budget when making this decision. Commission Chair also agreed with Commissioner Conlin's idea, McCarthy expressed that it seemed inequitable coming in November, getting approved and paying for a whole year. She explained that it made sense to at least take the last quarter and prorate it by a percentage. Commissioner McCarthy posed the question that if last quarter is chosen is it going to be reduced by 75% or 50%. Commissioner Conlin stated she was inclined to say 50%. Commissioner McCarthy agreed to make it less of a financial impact in the City's budget.

Commissioner Dina Conlin stated that if approved by the Board of Commissioners in the last quarter of the calendar year the license fee will be prorated to 50% percent of the license fee. The Commission approved 3-0. Manuela Familia informed the Board of License Commissioners that since it is a regulation change it might need public hearing. The Commission revised their vote to propose the regulation change and to submit for public hearing. Revised vote was **approved 3-0.**

Meeting adjourned at 8:25PM.

Respectfully submitted by:

Manuela Familia
Administrative Clerk