



BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive
Fitchburg MA 01420
(978) 829-1820

Daniel Sarefield, Chair
Donna Pawlak
Glenn Fossa

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on July 2, 2018 in the Fitchburg Fire Department Community Room, 33 North St., Fitchburg, and called to order by Chairman Daniel Sarefield at 6:00PM. Commissioner Fossa was present. Assistant City Clerk Amanda Alford was present. Commissioner Pawlak arrived at 6:06PM.

The agenda consisted of the following:

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

Minutes from the previous meeting were reviewed, approved and signed.

II. APPLICATIONS

Holy Trinity Greek Church – by Joanne L. Donnelly for Special One Day license to sell all alcoholic beverages on Friday September 14, 2018 from 5P – 10P and Saturday September 15, 2018 from 10A – 11P for 500-700 people at 1319 Main Street.

Mrs. Joanne Donnelly was present.

Approved 2/0

Holy Trinity Greek Church – by Joanne L. Donnelly for Entertainment Permit (live acoustic music, DJ, dancing, Greek festival foods) on Friday September 14, 2018 from 5P – 10P and Saturday September 15, 2018 from 10A – 11P at 1319 Main Street.

Mrs. Joanne Donnelly was present.

Approved 2/0

Taxi Driver application:

Sherry Brown – City Cab

Ms. Brown was present.

Approved 2/0

Solicitor application:

Loren Conley – Aerus Electrolux

Ms. Conley was present.

Approved 2/0

Sean Sullivan - Xfinity

Mr. Sullivan was not present.

Continued to July 16, 2018

Strong Style Coffee, Inc., Eirean Bradley, Manager, 13 Cushing St., for New, Annual, On-Premise, Restaurant, Wine, and Malt Beverages license with Cordials/Liquors permit. Licensed premise to include 1000 sq. ft. indoor area and 644 sq. ft. outdoor area.

Mr. Eirean Bradley and Ms. Kimberly Jones were present.

Application was accepted and sent to a public hearing to be held on July 16, 2018. 3/0

The following applications are related to the above and were referred for review together with the application for a new license at the public hearing to be held on July 16, 2018 3/0

Strong Style Coffee, Inc., 13 Cushing St. for 1AM Late Closing Sunday through Saturday

Strong Style Coffee, Inc., 13 Cushing St. for 10AM Early Sunday Opening

Strong Style Coffee, Inc., 13 Cushing St. for Mon-Sat Entertainment Permit (live acoustic music, live amplified music, live poetry readings and theatre productions)

Strong Style Coffee, Inc., 13 Cushing St. for Sunday Entertainment Permit (live acoustic music, live amplified music, live poetry readings and theatre productions)

SACF, Inc. dba Beemers Pub and Grill, 310 Main St., Peter C. Cote-Manager for Transfer of License to Peter C. Cote and Alteration of Premises to expand the outdoor seating to include the parking lot in the rear of the building (approx.. 5000 sq.ft.) to be used for special events approx.. 10 times per year. Parking lot will be fenced in and the sale of alcohol will be in a fenced in location.

Mr. Peter Cote was present.

Application was accepted and sent to a public hearing to be held on July 16, 2018 3/0

Hollis Hills Farm, Inc., 340 Marshall Rd., James P. Lattanzi-Manager for Alteration of Premises: Adding to existing licensed premise: construction of a permanent outdoor service area underneath the wrap around deck. Add ¾ acre to previously licensed 3.78 acres of outdoor service area to allow adults to consume alcoholic beverages in the animal viewing area.

Mr. Lattanzi was not present.

Application was accepted and sent to a public hearing to be held on July 16, 2018 3/0

III. HEARINGS

Tryst Lounge, 320 Main Street, for Change of License Type – From Restaurant to General On-Premise (no food)

Mr. and Mrs. Silvera were present. They explained that the kitchen requires a substantial financial investment to bring it up to code which they are not able to handle right now. They would like to open the establishment without offering in-house food to get a revenue stream started and instead allow patrons to order out food if they wish. They stated that they would like to see food trucks established in their vicinity for their clientele. They also plan to have catered events. They estimate that they could open by the end of the month once the application is fully approved by the ABCC.

Speaking in favor of the application:

Mary Jo Bohart, City of Fitchburg Economic Development Director who added that, while food trucks are not allowed to park within a certain distance of brick and mortar restaurants, they could park in the back of the establishment on Boulder Drive providing easy access for clientele.

Strong Style Coffee owners Eirean Bradley and Kimberly Jones (will be located below Tryst Lounge on Cushing Street) who added that their establishment will be serving a limited menu which would be enhanced by food trucks in the vicinity.

John Nicosia, The Local Spot manager, who added that all of their establishments will complement one another and benefit from simultaneous expansion.

No one spoke in opposition to the application.

Application approved 3/0

IV OTHER

Mr. Paul Migliozi – St. Joseph Church, to discuss the option of allowing people renting the church hall to BYOB.

Mr. Migliozi was present. He addressed the Board to ask about liability as it pertains to the church allowing hall renters to bring in their own alcoholic beverages. Commissioners explained that there are currently no regulations pertaining to BYOB in the City of Fitchburg; there is liability for the church if they allow hall renters to bring in alcohol; that the church's insurance company should be notified if they intend to allow this activity; that the church could either require renters/event organizers to obtain a special one day license to sell or serve alcohol to their guests OR the guests could bring a bottle of wine for themselves to have at their own table; that the church should either require renters to obtain liquor liability insurance that indemnifies the church OR the church should obtain their own liquor liability insurance policy.

V. MATTERS FROM LAST MEETING REQUIRING FURTHER REVIEW

1. The Local Spot, 480 & 488 Main St. for Alteration of licensed premises, Change of Manager and Transfer of license from Theodore Lappas, Sole Proprietor, dba The Local Spot to The Local Spot, Inc., John Nicosia-Manager.
 - Sunday Entertainment Permit 12PM – 12AM: live acoustic music, live amplified music, DJ, dancing, comedians, karaoke, bands, magicians, open mic night, sporting events, promotions
 - Monday – Saturday Entertainment Permit: live acoustic music, live amplified music, DJ, dancing, comedians, karaoke, bands, magicians, open mic night, sporting events, promotions
 - 2AM Late Closing permit Sunday through Saturday
 - Automatic Amusement Device permit: 1 basketball, 2 dart, 1 juke box, 3 pool tables, 1 football.
 - Additional application: 10AM Early Sunday Opening

Mr. John Nicosia and Mr. Ted Lappas were present. Mr. Nicosia stated that they are moving forward with plans and that he has all of the required certifications (TIPS, Crowd Manager, Serve Safe). In regards to questions regarding his criminal history background check, Mr. Nicosia waved his right to privacy and an executive session and asked the Board to continue the discussion with others present in the room. He stated that all charges against him were dismissed and that they were all related to his wedding day that went very wrong. He is now divorced from that person and those issues have been eliminated.

All applications listed above were approved 3/0

2. Taxi Driver application
Christopher Palvio – City Cab
Mr. Palvio was not present.
Application denied 3/0

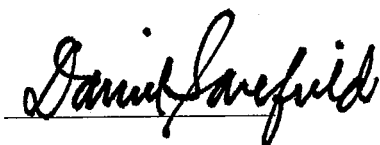
V. CONTINUED MATTERS

1. BYOB Regulations (*Continued from April 2016*)
Discussion: Economic Development Director Mary Jo Bohart joined the discussion. Chairman Sarefield noted that this matter has been on the Commission agenda for over two years and that they need to make a decision. Ms. Bohart noted that non-common victualler establishments such as Paint and Sip, beauty salons, bowling alleys often have BYOB as part of their business model and suggested that the Board take this in to consideration as they deliberate. Commission Pawlak stated that she will write a letter to the editor soliciting public comment for the Board to consider as they deliberate and send it to the City Clerk for transmission to the Sentinel and Enterprise. Various issues for future discussion were identified such as a fee structure, registration vs. license, limits on hard alcohol, restrictions.
Continued to September 5, 2018 3/0
2. Lodging House licensing procedure (*Continued from June 2017*)
Continued to July 16, 2018 3/0
3. Proposed change to License Commission regulation 3.12 Compliance Checks: “Notice of Violation” form. (*Continued from May 7, 2018*)
Continued to July 16, 2018 3/0

The meeting adjourned at 7:50 PM

Respectfully submitted,

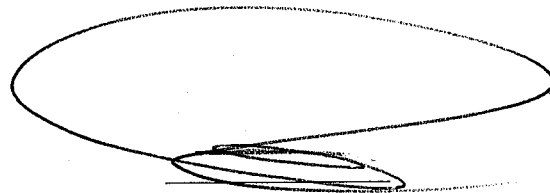
Anna M. Farrell
City Clerk
Approved:



Daniel Sarefield



Glenn Fossa



Donna Pawlak