



License Commission, Room 118
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The Haverhill License Commission held a **Meeting** on **Thursday April 7 2016 at 6:00 PM,**
Room 202, City Hall.

*Attendees: Chairman Joseph Edwards, Commissioner Sewell and Commissioner Coco
Clerk Laura Angus*

1. **APPROVAL OF THE MINUTES:**

APPROVAL OF MINUTES OF MARCH 3 2016 AND MARCH 17 2016

Motion to approve the minutes of March 3 2016 made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

Motion to approve the minutes of March 17 2016 made by Commissioner Coco, seconded by Chairman Edwards. No public comment on this matter. Vote two yeas, one abstain, motion passed.

2. **CONTINUED BUSINESS**

NO SCHEDULE

3. **MISCELLANEOUS APPLICATIONS/REQUESTS**

NO SCHEDULE

4. **ONE DAY APPLICATIONS**

NO SCHEDULE

5. **ENTERTAINMENT APPLICATIONS**

YESEY VASQUEZ, MANAGER

NORTHEAST FOODS LLC, D/B/A BURGER KING #6844

74 PLAISTOW ROAD

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR TELEVISION

No one appeared on behalf of the applicant. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

6. COMMON VICTUALLER APPLICATIONS

A. DAVID DALTON, MANAGER

SHADOW LAKE CORPORATION, D/B/A ONE STOP MARKET
651 BROADWAY

APPLICATION FOR NEW COMMON VICTUALLER LICENSE AND ENTERTAINMENT LICENSE FOR RADIO, TELEVISION, AMPLIFIERS AND AMPLIFIED MUSIC

David Dalton appeared on his own behalf. He stated that the license was for the chairs inside and the outdoor patio they just built. Commissioner Sewell questioned the use of the amplifiers outside. Mr. Dalton will not have any music outside. Commissioner Coco asked how long the business has been in existence – thirty (30) years. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

B. DAVID YEE, MANAGER

MDC MANAGEMENT COMPANY LLC, D/B/A MCDONALD'S RESTAURANT
795 RIVER STREET

APPLICATION FOR TRANSFER OF COMMON VICTUALLER'S LICENSE AND NEW ENTERTAINMENT LICENSE FOR TELEVISION ONLY – PENDING RECEIPT OF APPROVAL OF THE FIRE INSPECTOR AND FRANCHISE AGREEMENT

David Yee appeared on his own behalf. Commissioner Coco mentioned the location on River Street is an area plagued by drug users. Captain Pistone from the Haverhill Police Department stated they have always had cooperation from that McDonalds and that he will work with Mr. Yee to figure out a way to deal with that issue. Motion to approve the application pending receipt of the approval of the Fire Inspector made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

C. PAUL TOMACCHIO, MANAGER

EAT LIKE A KING, INC., D/B/A STUFT
150 WASHINGTON STREET

APPLICATION FOR NEW COMMON VICTUALLER LICENSE AND ENTERTAINMENT LICENSE FOR RADIO, TELEVISION, AMPLIFIERS AND AMPLIFIED MUSIC- SUBJECT TO RECEIPT OF BUSINESS OCCUPANCY PERMIT

James Tomacchio, father of the manager and owner of the building appeared on behalf of the applicant. He has had several tenants in there, mainly Boston Pizza with three different owners. Paul Tomacchio has attended culinary school. He has renovated the building and will be doing Mexican street food. Commissioner Sewell questioned the number of seats. Motion to approve the application pending receipt of the business occupancy permit, made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

D. JERRY ALISANDRATOS, MANAGER

ARHONTIA FOODS INC., D/B/A BROTHERS PIZZA
755 MAIN STREET

APPLICATION FOR TRANSFER OF COMMON VICTUALLER'S LICENSE AND NEW ENTERTAINMENT LICENSE FOR TELEVISION ONLY – PENDING CLOSING OF THE TRANSFER ON MAY 2ND, RECEIPT OF ASSIGNMENT OF LEASE, DISCONTINUANCE OF BUSINESS CERTIFICATE BY ANGELO FOODS INC., D/B/A BROTHERS PIZZA AND ISSUANCE OF NEW BUSINESS CERTIFICATE TO ARHONTIA FOODS INC., D/B/A BROTHERS PIZZA AND VOTE OF ARHONTIA FOODS INC.

Jerry Alisandratos appeared on his own behalf. Commissioner Sewell asked if he would be keeping the restaurant the same or if there would be changes. The plan is to keep everything the same. Chairman Edwards inquired if he was a member of the current owners' family, the amount or rent and the purchase price of the business. Commissioner Coco questions the experience of the new owners – they have been in this type of business since 1980. Motion to approve the application pending closing of the transfer, discontinuance and issuance of the business certificates made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

E. DAVID BIGGART, MANAGER

SEAFOOD PLUS INC., D/B/A SEAFOOD ETC
330 AMESBURY ROAD

APPLICATION FOR NEW COMMON VICTUALLER LICENSE - SUBJECT TO RECEIPT OF BUSINESS OCCUPANCY PERMIT, LEASE OR PURCHASE AND SALE AGREEMENT AND CORPORATE VOTE

David Biggart appeared on his own behalf. He is trying to bring the restaurant back to what it used to be. Commissioner Sewell questioned if he had run this business before - no but he does own Biggarts Ice Cream. Commissioner Coco asked when he made the decision to get into this business. Chairman Edwards inquired about the purchase price. Motion to approve the application, subject to receipt of business occupancy permit, lease or purchase and sales agreement and corporate vote made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

7. OUTDOOR DINING APPLICATIONS

NO SCHEDULE

8. ALCOHOL/ABCC APPLICATIONS

A. SOHAN SAINI, MANAGER

426-428 MAIN STREET, INC., D/B/A AMERICAN GROCERY
426-428 MAIN STREET

APPLICATION FOR ALTERATION OF PREMISES – FIRST FLOOR RETAIL SPACE 52’ X 28 FEET (1456SF) WITH 52 X 6 FEET OF COOLERS, ADDITION AT THE REAR OF THE STORE IS 24’ X 20’ FOR BREAK AND STORAGE SPACE AND LOWER LEVEL OF ADDITION WILL BE 24’ X 20’ FOR STORAGE. ONE EXIT/ENTRANCE AT FRONT OF STORE AND ONE EMERGENCY EXIT AT REAR OF THE STORE AND ONE ENTRANCE/EXIT AT SIDE OF NEW ADDITION

Sohan Saini appeared on his own behalf. Chairman Edwards recused himself from the discussion. Commissioner Coco inquired about the nature of the improvements. Commissioner Sewell inquired about the location of the premises. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote two yeas, one abstain, motion passed.

9. MOTOR VEHICLE APPLICATIONS

LIISA JENSEN, MANAGER

FRANK’S AUTO CLINIC, LLC, D/B/A FRANK’S AUTO CLINIC
620 MAIN STREET

FAILURE TO RENEW MVII DEALER LICENSE

Motion to revoke the MVII license, send notice to the license holder to cease and desist car sales, the Haverhill Police Department and the Registry of Motor Vehicles made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

10. ISSUES FOR DISCUSSION

NO SCHEDULE

11. SHOW CAUSE HEARINGS

A. PATRICK DEAN, PRESIDENT

HAVERHILL LODGE #165 BPO ELKS OF HAVERHILL, D/B/A ELK'S CLUB
24 SUMMER STREET

SHOW CAUSE HEARING – ALLEGED VIOLATION: FAILURE TO SUBMIT NEW OFFICER AND DIRECTOR PAPERWORK TO COMPLETE THE CHANGE OF MANAGER APPLICATION. THE CLUB WAS NOTIFIED ON FEBRUARY 2 2015 THAT THIS ADDITIONAL PAPERWORK WAS NEEDED TO APPROVE THE PENDING APPLICATION FOR NEW MANAGER. THE CLUB HAS NOT HAD A MANAGER IN PLACE SINCE THE RESIGNATION OF KERRI GRUNDY ON NOVEMBER 3 2014, WHOSE LAST DAY AS MANAGER WAS DECEMBER 6 2014. THE APPLICATION FOR CHANGE OF MANAGER WAS SUBMITTED ON DECEMBER 31 2014.

Patrick Dean, Ernest Bostwick and Noreen O'Neil appeared on this application. They filed applications with the Clerk in the afternoon for new officers and directors and new manager

Motion to open the Show Cause Hearing and Close it taking no action Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed. Commissioner Coco inquired about the experience of the new manager. She has been assistant manager at the Elk's. Motion to approve the application for new manager made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on the matter. Vote unanimous, motion passed. Motion to approve the application for new officers and directors made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

B. RICHARD WILLET, MANAGER

BRES, INC., D/B/A THE LASTING ROOM
122 WASHINGTON STREET

SHOW CAUSE HEARING – ALLEGED VIOLATION OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE LICENSED PREMISES, TO WIT: (2) NO LICENSEE FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL PERMIT ANY DISORDER, DISTURBANCE OR ILLEGALITY OF ANY KIND TO THE PLACE IN OR ON THE LICENSED PREMISES. THE LICENSEE SHALL BE RESPONSIBLE THEREFOR, WHETHER PRESENT OR NOT – OVER SERVING

Richard Willet appeared for the Licensee. Captain Robert Pistone of the Haverhill Police Department summarized the report for the record. He stated that the Police Department has a question about the amount of drinks served and the condition of the parties when served as the report indicates that they had been another location prior to this one. Mr. Willet indicated that he had spoken to the bartender. She could see them when they came in and they appeared to be fine. She served them their drinks – at some point they left the bar area to either go outside or on the deck. When she served their second drink, they appeared to have changed their demeanor. She served the male a third drink and took that and the female's second drink back and asked them both to leave. She also called the police. Commissioner Sewell indicated that the licensee did the right thing calling the police. Chairman Edwards inquired if there were cameras on the deck – answer yes. Do they find people sneak in their own alcohol – answer yes. Chairman Edwards suggested that the Commission take no action and asked Captain Pistone if that would be agreeable to the police department. Captain Pistone stated that Mr. Willet has a good track record and always calls the police. The police have no objection to taking no action. Commissioner Coco cautioned that the server must closely

watch patrons before making the last drink. Motion to take no action made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

12. COMMUNICATIONS

NO SCHEDULE

13. OTHER BUSINESS

NO SCHEDULE

Meeting adjourned at 6:43 PM.