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| City%20Seal2 | **Haverhill** |
| License Commission, Room 118  Phone: 978-374-2312 Fax: 978-373-8490  RAmbra@cityofhaverhill.com |

**License Commission Minutes**

**Thursday, March 3, 2022 at 6:00 p.m.-City Council Chambers**

**VIRTUAL and in person meeting**

*Attendees: Chairman Edwards, Commissioner Angus, Commissioner Driscoll, License Commission Clerk Rebecca Ambra, Sergeant Lynch- HPD,*

**6:00pm**

1. **Pledge of Allegiance**
2. **Approval of the Minutes**
3. Approval of Regular Meeting minutes for February 3, 2022

Commissioner Angus made a motion to approve the minutes as presented. Commissioner Driscoll seconded. No public comment. Motion unanimously passed.

1. **Continued Business**
2. **Miscellaneous Applications/Requests**
3. **One Day Applications**
4. **CiderFeast**

Harbor Place, 2 Merrimack Street

James Carbone, Applicant

**One Day Beer and Wine license- June 23, 2022 from 5pm-8:30pm**

\*Pending City Council Approval

James Carbone appeared for items 5a, 5b, 5c, and 5d. It was decided to discuss the four proposed items and combine them under one motion. The applicant described the CiderFeast event and stated that this would be the 2nd time holding the event at the Harbor Place Property. The Commission stated updated insurance policies would be needed and they would like to see the area by the boardwalk partitioned off as it was the previous year. Sgt Lynch of the Haverhill Police Department appeared before the commission. Sgt Lynch stated the police department would be requiring one police detail and the area by the boardwalk to be partitioned off from the public walkway. The applicant was made aware that City Council and the Mayor would need to approve the event due to the Harbor Place property being city owned. The applicant then described the Tattersall Farm to Table event and how he is trying to promote areas of Haverhill in different ways than the past. Sgt Lynch stated parking and crossing the road in the evening hours was the only concern of the police department. Lastly, the applicant described the Whittier Foodways event and the hope that the event will attract a younger crowd and promote the visitors center. Guided tours of the house and grounds will be held during the event. The Commission asked about parking arrangements at Whittier Birthplace. The applicant described where parking for events has been on the property in the past. The Haverhill Police Department did not have any concern surrounding this event. Commissioner Driscoll made a motion to approve the One Day Beer & Wine only License for items 5a (CiderFeast-June 23, 2022 from 5-8:30pm), 5b (Tattersall Farm to Table- July 28, 2022 from 5-8:30pm), 5c (Whittier Foodways- May 19, 2022 from 5-8:30pm) and 5d (Whittier Foodways- June 29, 2022 from 5-8:30pm) pending City Council and Mayor approval. Commissioner Angus seconded. No public comment. Motion unanimously passed.

1. **Tattersall Farm to Table**

Tattersall Farm, 542 North Broadway

James Carbone, Applicant

**One Day Beer and Wine license- July 28, 2022 from 5pm-8:30pm**

See 5a for meeting minutes. Items 5a, 5b, 5c, and 5d were approved under one motion.

1. **Whittier Foodways**

Whittier Birthplace, 305 Whittier Road

James Carbone, Applicant

**One Day Beer and Wine license- May 19, 2022 from 5pm-8:30pm**

See 5a for meeting minutes. Items 5a, 5b, 5c, and 5d were approved under one motion.

1. **Whittier Foodways**

Whittier Birthplace, 305 Whittier Road

James Carbone, Applicant

**One Day Beer and Wine license- June 29, 2022 from 5pm-8:30pm**

See 5a for meeting minutes. Items 5a, 5b, 5c, and 5d were approved under one motion.

1. **Business with Multiple Applications**
2. **Irwin Enterprises LLC dba East West Tavern**

27 Lafayette Square

Irwin Edwards, Applicant

1. **Application for a New Common Victualler License**

Pending approval from various departments

Irwin Edwards appeared for items 6A1, 6A2, and 6A3. The applicant described the proposed establishment as a simple bar that would offer appetizers and sliders with Keno and live entertainment on the weekends. Commissioner Angus asked for clarification on the use of what was labeled as the green room on the floor plan of the basement. The applicant stated the previous establishment had used the area for live entertainment bands to relax before performing and the area would not be accessible to the public. The applicant described 20 years of prior work experience within restaurants, checking identification of guests, and the safe service of alcohol sales. Prior parking issues at that location were discussed as well as how identification checks would be conducted due to the multiple entrances into the establishment. The applicant stated that only one entrance would be used to enter the building, and identification checks would be conducted upon entry as well as when alcoholic drinks were ordered. Sgt Lynch addressed the applicant concerning working with the police and providing security footage to the police department if an incident should occur. Commissioner Angus made a motion to approve item 6a1(new common victualler license pending approval from various departments), item 6a2 (New Entertainment license) and item 6a3 (Application for a section 12 restaurant all alcohol license pending approval from various departments, 304 inspection, and approval from the ABCC). Commissioner Driscoll seconded. No public comment. Motion unanimously passed.

1. **Application for a New Entertainment License to include Radio, Television, amplifiers and Amplified music, DJ, jukebox, Karaoke, Movies, Sporting Events, Live performances with up to 5 vocalists and 5 instruments, and Comedy shows with up to 5 comedians.**

Pending approval from the zoning departments

See 6a1 for meeting minutes. Items 6a1, 6a2, and 6a3 were approved under one motion.

1. **Application for a Section 12 Restaurant All alcohol License**

Pending approval from various departments, 304 inspection, and approval from the ABCC

See 6a1 for meeting minutes. Items 6a1, 6a2, and 6a3 were approved under one motion.

1. **Entertainment Applications**
2. **Common Victualler Applications**
3. **Outdoor Dining Applications**
4. **Alcohol/ABCC Applications**
5. **Motor Vehicle Applications**
6. **Carry In License Applications**
7. **Item For Discussion**
8. **Show Cause Hearing**
9. **CM Direct of MA, LLC d/b/a Smith’s Tavern**

124 Essex Street

Charle Maroun, Owner

**\*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**

Charle and Gabrielle Maroun appeared before the License Commission. Sgt Lynch summarized the police report for an incident that occurred February 8 2022. Sgt Lynch stated that an incident occurred prior to the sale of the establishment at the end of 2021 and the police department did not want incidents at that location to become common practice. Mr. Maroun stated a group of 10 individuals entered the establishment, appeared intoxicated, and the sale of alcohol was refused. Mr. Maroun stated he asked the individuals to leave, locked the door upon their exit, and called 911 when he heard the individuals yelling outside. Due to this incident, Mr. Maroun reduced the hours of operation on Sundays and has closed at midnight during the week to avoid the overflow of patrons leaving other establishments at the end of the night. Commissioner Angus stated that the police should have been called immediately and simply turning intoxicated individuals away creates a safety risk for the community. Mr. Maroun stated that safety is the number one priority and 8 security cameras have been installed inside, 1 security camera on the front door, and 1 security camera in the parking lot. If any future incident occur, Mr. Maroun stated the footage from the camera would be made available to police department. Commissioner Driscoll made a motion to take no action and to place the report on file. Commissioner Angus seconded. No public comment. Motion unanimously passed.

1. **CarNova LLC d/b/a CarNova**

210 River Street

Douglas Machadi, Manager

**\* Failure of Compliance Check – Vehicles in Excess of License Number- Unmarked Handicap parking space.**

Sgt Lynch summarized the police reports pertaining to the failed compliance check conducted February 9 2022 and the follow up compliance check completed February 23 2022. Douglas Machadi and Anthony Machadi appeared before the commission. Anthony Machadi stated the establishment was over the allowed cars by 2 cars the first compliance check and over by 1 car the second compliance check. He then stated that the number of cars on the lot were now in compliance and had not realized the severity of the situation. The Commission explained how the number of cars allowed on the lot was determined for safety reasons and suggested contacting the building inspector to see if that number could be increased. Proper marking of the handicap parking space was addressed and it was stated the issue would be resolved the following day. Anthony Polizzotti, the landlord, appeared before the commission to request leniency in light of the logistical issues stemming from Covid-19. Commissioner Angus made a motion to place the establishment on probation for 3 months. Commissioner Driscoll seconded. No further public comment. Vote unanimously passed.

1. **Communications**
2. **Communication received from Tello Bellucco d/b/a White Street Motors**

Commissioner Angus summarized of the communication received from Tello Bellucco D/B/A White Street Motors. The Commission discussed inviting Mr. Bellucco to the April 7th meeting. Commissioner Angus made a motion to invite Mr. Bellucco to the meeting April 7, 2022 to further discuss the communication received. Commissioner Driscoll seconded. No public comment. Motion unanimously passed.

1. **Public Participation**
2. **Other Business**
3. **Adjournment 7:00pm**