



License Commission, Room 118
Phone: 978-420-3623 Fax: 978-373-8490
License_comm@cityofhaverhill.com

The Haverhill License Commission held a **Meeting** on **Thursday November 1, 2018 at 6:00 p.m.**
Room 202, City Hall.

*Attendees: Chairman Edwards and Commissioner Sewell
Clerk Laura Angus*

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES:

APPROVAL OF MINUTES OF OCTOBER 4, 2018

Motion to approve the minutes as presented made by Commissioner Sewell, seconded by Chairman Edwards.
No public comment on this matter. Vote unanimous, motion passed.

3. CONTINUED BUSINESS

NO SCHEDULE

4. MISCELLANEOUS APPLICATIONS/REQUESTS

NO SCHEDULE

5. ONE DAY APPLICATIONS

NO SCHEDULE

6. ENTERTAINMENT APPLICATIONS

A. RABI DANAB, MANAGER

CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, D/B/A CHIPOTLE
85 PLAISTOW ROAD

**APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO PENDING RECEIPT OF BUILDING
OCCUPANCY PERMIT AND LICENSE FEE**

Rabi Danab and Attorney Rashi Mangalick appeared on this application. Chairman Edwards inquired if they wanted to add to the Entertainment License. Having a no response he reminded the applicant that they would have to amend the Entertainment License in the future if they wanted to make any changes. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

B. TIMOTHY COCO, MANAGER

WORLD OOMPH INC., D/B/A OOMPH
62 KENOZA AVENUE

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO, JUKEBOX, TELEVISION, AMPLIFIERS, KARAOKE, DJ, DANCING BY PATRONS ONLY, AMPLIFIED MUSIC, PERFORMANCE WITH UP TO 15 INSTRUMENTS AND UP TO 15 VOCAL PERFORMERS, COMEDY SHOW WITH UP TO 15 PERFORMERS AND PERFORMANCE BY ALL ARTISTIC DANCE GROUPS – PENDING RECEIPT OF BUILDING OCCUPANCY PERMIT

Timothy Coco appeared on this application. Chairman Edwards inquired about the opening date and the occupancy. Commissioner Sewell is concerned with the performance by all artistic dance groups. Mr. Coco indicated that the dancers will all be proper and controlled with the Commission's historical concerns in mind. Motion to approve the application pending receipt of building occupancy permit made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

C. JASON BABIN, MANAGER

JASON BABIN D/B/A RAFF'S CAFÉ
920 PRIMROSE STREET

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO, TELEVISION, PERFORMANCE WITH 1 INSTRUMENT AND 1 VOCAL PERFORMER, COMEDY SHOW WITH UP TO 4 COMEDIANS AND AMPLIFIED MUSIC – PENDING RECEIPT BUILDING OCCUPANCY PERMIT AND DISCONTINUANCE OF BUSINESS CERTIFICATE BY CHARLES COOK JR., D/B/A RAFF'S CAFÉ AND ISSUANCE OF BUSINESS CERTIFICATE TO JASON BABIN, D/B/A RAFF'S CAFÉ

Jason Babin appeared on this application. Chairman Edwards inquired about the opening date and Commissioner Sewell inquired if they were making any changes. The clerk indicated that the applicant is Ainsworth, LLC, d/b/a Raff's Café and the correct address is 620 Primrose Street. Motion to approve the application, with the noted corrections, pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

D. KIMBERLY RUSSO, MANAGER

SPARTA-OP LLC, D/B/A DUNKIN' DONUTS
915 SOUTH MAIN STREET

APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR RADIO AND AMPLIFIERS – PENDING RECEIPT BUILDING OCCUPANCY PERMIT AND TRANSFER OF BUSINESS CERTIFICATE FROM 727 SOUTH MAIN STREET TO 915 SOUTH MAIN STREET

Katia Parsons, District Manager and Gregory Williams, Director of Operations both appeared on this application. They will be closing the Dunkin Donuts at 727 South Main Street to 915 South Main Street. They requested a change of name to Dunkin. Motion to approve the application, with the noted changes, pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed

7. COMMON VICTUALLER APPLICATIONS

A. RABI DANAB, MANAGER

CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, D/B/A CHIPOTLE
85 PLAISTOW ROAD

APPLICATION FOR NEW COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF THE PLUMBING & GAS INSPECTOR, THE ELECTRICAL INSPECTOR, THE BUILDING INSPECTOR, THE HEALTH INSPECTOR AND THE FIRE INSPECTOR, BUILDING OCCUPANCY PERMIT AND LICENSE FEE

Rabi Danab and Attorney Rashi Mangalick appeared on this application. Chairman Edwards inquired when they planned on opening – around December 11th. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

B. TIMOTHY COCO, MANAGER

WORLD OOMPH INC., D/B/A OOMPH
62 KENOZA AVENUE

APPLICATION FOR NEW COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF THE PLUMBING & GAS INSPECTOR, THE ELECTRICAL INSPECTOR, THE BUILDING INSPECTOR, THE HEALTH INSPECTOR AND THE FIRE INSPECTOR AND BUILDING OCCUPANCY PERMIT

Timothy Coco appeared on this application. There were no questions or comments by the Commission. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

C. JASON BABIN, MANAGER

AINSWORTH, LLC, D/B/A RAFF'S CAFÉ
620 PRIMROSE STREET

APPLICATION FOR NEW COMMON VICTUALLER LICENSE FOR – PENDING RECEIPT OF BUILDING OCCUPANCY PERMIT AND DISCONTINUANCE OF BUSINESS CERTIFICATE BY CHARLES COOK JR., D/B/A RAFF'S CAFÉ AND ISSUANCE OF BUSINESS CERTIFICATE TO JASON BABIN, D/B/A RAFF'S CAFÉ

Jason Babin appeared on this application. Chairman Edwards inquired about the applicants experience and the hours of operation. The clerk indicated that the applicant is Ainsworth, LLC, d/b/a Raff's Café and the correct address is 620 Primrose Street. Motion to approve the application, with the noted corrections, pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

D. KIMBERLY RUSSO, MANAGER

SPARTA-OP LLC, D/B/A DUNKIN' DONUTS
915 SOUTH MAIN STREET

APPLICATION FOR NEW COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF THE FIRE INSPECTOR, ISSUANCE OF BUILDING OCCUPANCY PERMIT AND TRANSFER OF BUSINESS CERTIFICATE FROM 727 SOUTH MAIN STREET TO 915 SOUTH MAIN STREET

Katia Parsons, District Manager and Gregory Williams, Director of Operations both appeared on this application. There will not be any other businesses located at the new location. They requested a change of name to Dunkin. Motion to approve the application, with the noted changes, pending receipt of outstanding

items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed

E. MICHELLE EASON, MANAGER

MICHELLE EASON, D/B/A VILLAGE SQUARE RESTAURANT
109 SOUTH MAIN STREET

APPLICATION FOR TRANSFER OF COMMON VICTUALLER LICENSE – PENDING RECEIPT OF APPROVAL OF THE ELECTRICAL INSPECTOR, ISSUANCE OF BUILDING OCCUPANCY PERMIT AND DISCONTINUANCE OF BUSINESS CERTIFICATE BY MEALY INC., D/B/A VILLAGE SQUARE RESTAURANT AND ISSUANCE OF BUSINESS CERTIFICATE TO MICHELLE EASON, D/B/A VILLAGE SQUARE RESTAURANT

Michelle Eason appeared on this application. Chairman Edwards inquired about the applicant's experience – she has over 35 years of experience in both corporate and private. She has been working at this location for 3 ½ years. The hours of operation will be 6:45 am – 2:00 pm. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed

8. OUTDOOR DINING APPLICATIONS

NO SCHEDULE

9. ALCOHOL/ABCC APPLICATIONS

RABI DANAB, MANAGER

CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, D/B/A CHIPOTLE
85 PLAISTOW ROAD

APPLICATION FOR SECTION 12 ALL ALCOHOL RESTAURANT LICENSE – PENDING RECEIPT OF 304 CERTIFICATE OF INSPECTION, LIQUOR LIABILITY INSURANCE, WORKER'S COMPENSATION INSURANCE AFFIDAVIT, SAFE SERVICE OF ALCOHOL CERTIFICATES FOR ALL SERVERS OF ALCOHOL AND LICENSE FEE

Rabi Danab and Attorney Rashi Mangalick appeared on this application. Commissioner Sewell inquired about servers being certified. The Commission is very strict about serving minors. Chairman Edwards informed the applicant that the Commission is very careful about the sale of alcohol – it is important to ID all people and to train people properly. Motion to approve the application pending receipt of outstanding items made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

10. MOTOR VEHICLE APPLICATIONS

NO SCHEDULE

11. CARRY IN LICENSE APPLICATIONS

NO SCHEDULE

12. ITEM FOR DISCUSSION

ROBERT P LANGLOIS, MANAGER

SMITH'S TAVERN INC. OF HAVERHILL, D/B/A SMITH'S TAVERN
124 ESSEX STREET

ITEM FOR DISCUSSION – INCIDENT WHICH OCCURRED ON OR ABOUT SEPTEMBER 1, 2018 AT APPROXIMATELY 23:21.

Robert P. Langlois and Teppa Smith appeared on this item. Sargent John Spero from the Haverhill Police Department summarized the report for the record. Both patrons had drinks at the Tavern. Teppa Smith asked them to leave and shut them off. Commissioner Sewell indicated that he was very concerned about this situation. He wants the licensee to make extra effort to keep this type of incident from happening again. Chairman Edwards stated that they need to keep an eye on the patrons and that Commissioner Sewell wants them to have a crowd control manager and keep a log.

13. SHOW CAUSE HEARINGS

A. JONUS RUSTANI, MANAGER

NEW LANTERN CAFÉ, INC., D/B/A NEW LANTERN CAFÉ
240 ESSEX STREET

SHOW CAUSE HEARING: ALLEGED VIOLATION: OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE PREMISES, TO WIT: OVERSERVING AND FAILURE TO MAINTAIN A SAFE ENVIRONMENT FOR PATRONS

At the request of Attorney Stephen P Colella, this was rescheduled to December 6, 2018.

B. MARGARET CONNEELY, MANAGER

AMSTEL ENTERPRISES, INC., D/B/A THE PEDDLERS DAUGHTER/SHOE CITY
45 WINGATE STREET

SHOW CAUSE HEARING: ALLEGED VIOLATION: OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE PREMISES, TO WIT: OVERSERVING AND FAILURE TO MAINTAIN A SAFE ENVIRONMENT FOR PATRONS

Margaret Conneely and Michael Conneely appeared on this matter. Sargent John Spero summarized the report for the record. The police department is concerned with crowd control and the highly intoxicated patrons. They need to have better crowd control to create a safe environment in the establishment. Margaret Conneely stated that these patrons were only in the bar for about ½ hour and the doorman checked IDs and sobriety. The patrons began inappropriate behavior and were asked to leave. The scuffle started outside as they were leaving. They did not have time to call the police, as they arrived on the scene while it was happening. Commissioner Sewell stated he felt that someone dropped the ball on this occasion – people do not go from not intoxicated to intoxicated in ½ hour. Chairman Edwards asked if there were any problems with the establishment – Sargent Spero indicated there was nothing negative about the establishment and there are no prior violations before the Commission. Chairman Edwards also felt the doorman did not do his job and the staff may need more training. Motion to impose a probationary period of sixty (60) days to automatically expire on January 1, 2019 if no further incidents made by made by Commissioner Sewell, seconded by Chairman Edwards. No public comment on this matter. Vote unanimous, motion passed.

14. COMMUNICATIONS

NO SCHEDULE

15. PUBLIC PARTICIPATION

16. OTHER BUSINESS

Meeting adjourned at 7:05 PM

Attest: Laura D Angus
Laura D Angus, Clerk