



License Commission, Room 118
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LICENSE COMMISSION MINUTES

**Thursday, February 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, Sargent Lynch- HPD

6:00PM

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MINUTES

- a. APPROVAL OF REGULAR MEETING MINUTES FOR JANUARY 6, 2022, AND SPECIAL MEETING MINUTES FOR JANUARY 27, 2022.

COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE MINUTES AS PRESENTED. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

3. CONTINUED BUSINESS

4. MISCELLANEOUS APPLICATIONS/REQUESTS

5. ONE DAY APPLICATIONS

A. NORTHERN ESSEX COMMUNITY COLLEGE ATHLETIC HALL OF FAME EVENT

100 ELLIOT STREET

ALLISON GAGNE, APPLICANT

APPLICATION FOR A ONE DAY BEER & WINE ONLY ALCOHOL LICENSE MARCH 1ST, 2022 FROM 6-8PM.

ALLISON GAGNE APPEARED FOR THIS APPLICATION. THE APPLICANT STATED THE EVENT WOULD BE HELD IN THE TECH CENTER/MULTI-PURPOSE ROOM AND AROUND 60 PEOPLE WOULD BE IN ATTENDANCE. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE THE APPLICATION. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

6. BUSINESS WITH MULTIPLE APPLICATIONS

A. UNITED CAKES

21 WASHINGTON STREET

ANDREW COLON, APPLICANT

1. APPLICATION FOR A NEW COMMON VICTUALLER LICENSE

PENDING APPROVAL FROM VARIOUS DEPARTMENTS

IT WAS DECIDED TO TAKE ITEM 6A1 AND 6A2 IN THE SAME MOTION. ANDREW COLON AND JOSELENE RODRIGUEZ APPEARED FOR THIS APPLICATION. THE APPLICANTS STATED THE PROPOSED BUSINESS WOULD BE A BAKERY WITH FLAVORS FROM AROUND THE WORLD WITH A SEATING CAPACITY FOR AROUND 12 PEOPLE. THE APPLICANTS' PRIOR EXPERIENCE AS A BAKERY OWNER IN ANOTHER STATE WAS DISCUSSED. COMMISSIONER ANGUS DISCUSSED THE ENTERTAINMENT APPLICATION AND HOW PERFORMERS WOULD BE COUNTED AS PART OF THE OCCUPANCY NUMBER ALLOWED ON THE PREMISES. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE APPLICATION FOR A NEW COMMON VICTUALLER LICENSE, PENDING APPROVAL FROM VARIOUS DEPARTMENTS, AND TO APPROVE THE APPLICATION FOR A NEW ENTERTAINMENT LICENSE FOR RADIO, TELEVISION, AMPLIFIERS AND AMPLIFIED MUSIC, DJ, JUKEBOX, KARAOKE, MOVIES, SPORTING EVENTS, LIVE PERFORMANCES WITH UP TO 4 VOCALISTS AND 5 INSTRUMENTS, COMEDY SHOWS WITH UP TO 3 COMEDIANS, AND USE OF A RECORD PLAYER. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

2. APPLICATION FOR A NEW ENTERTAINMENT LICENSES TO INCLUDE RADIO, TELEVISION, AMPLIFIERS AND AMPLIFIED MUSIC, DJ, JUKEBOX, KARAOKE, MOVIES, SPORTING EVENTS, LIVE PERFORMANCES WITH UP TO 4 VOCALISTS AND 5 INSTRUMENTS, COMEDY SHOWS WITH UP TO 3 COMEDIANS, AND USE OF A RECORD PLAYER.

PENDING ENTERTAINMENT ZONING APPROVAL

IT WAS DECIDED TO TAKE ITEM 6A1 AND 6A2 IN THE SAME MOTION. SEE 6A1 ABOVE.

7. ENTERTAINMENT APPLICATIONS

A. MAYA AZUL LLC D/B/A AZUL MEXICAN RESTAURANT

316 GROVELAND STREET

MARIA MURILLO, APPLICANT

APPLICATION TO AMEND THE CURRENTLY ISSUED ENTERTAINMENT LICENSE TO INCLUDE MARIACHI BAND WITH A MAXIMUM OF 4 PERFORMERS FROM 6-9PM.

MARIA MURILLO WAS UNABLE TO ATTEND THE MEETING, SO DAVID MARQUEZ AND GRECIA MURRILLO APPEARED FOR THIS APPLICATION. MR. MARQUEZ AND MS. MURRILLO EXPLAINED A MARIACHI BAND OF NO MORE THAN 4 MUSICIANS WOULD BE PERFORMING FROM THE FRONT LOBBY AND WOULD NOT BE PERFORMING OUTDOORS. COMMISSIONER ANGUS REVIEWED THE APPROVAL FROM THE ZONING DEPARTMENT AS APPROVED WITH NON-AMPLIFIED MUSIC. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE THE APPLICATION FOR AMENDMENT FOR NON-AMPLIFIED MARIACHI MUSIC TO BE PLAYED INDOORS ONLY. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

B. JOSEPH'S TRATTORIA & CAFÉ, INC D/B/A JOSEPH'S TRATTORIA

145 OXFORD AVENUE

DEANNA GAIERO, APPLICANT

APPLICATION TO AMEND THE CURRENTLY ISSUED ENTERTAINMENT LICENSE TO INCLUDE RADIO, TELEVISION, AMPLIFIERS AND AMPLIFIED MUSIC, DJ, JUKEBOX, KARAOKE, MOVIES, SPORTING EVENTS, LIVE PERFORMANCES WITH UP TO 4 VOCALISTS AND 4 INSTRUMENTS, AND COMEDY SHOWS WITH UP TO 4 COMEDIANS.

*PENDING ZONING APPROVAL

DEANNA GAIERO APPEARED FOR THIS APPLICATION. THE APPLICANT STATED NO SPECIFIC ENTERTAINMENT EVENTS HAVE BEEN PLANNED. COMMISSIONER ANGUS STATED THE APPLICANT WAS PROPERLY ZONED FOR ALL ITEMS LISTED ON THE APPLICATION. COMMISSIONER ANGUS MADE A MOTION TO APPROVE THE AMENDMENT TO THE CURRENTLY ISSUED ENTERTAINMENT LICENSE. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

8. COMMON VICTUALLER APPLICATIONS

9. OUTDOOR DINING APPLICATIONS

10. ALCOHOL/ABCC APPLICATIONS

a. RARE HOSPITALITY INTERNATIONAL DBA LONG HORN STEAKHOUSE

59 PLAISTOW ROAD

ELIZABETH PISANO, REPRESENTATIVE

ABCC APPLICATION FOR CHANGE OF OFFICERS/DIRECTORS

*PENDING ABCC APPROVAL

ELIZABETH PISANO VIRTUALLY APPEARED FOR THIS APPLICATION. THE APPLICANT EXPLAINED THE TRANSACTION WAS A SIMPLE CHANGE OF CORPORATE OFFICERS WHERE NO OPERATIONAL CHANGES WOULD TAKE PLACE. COMMISSIONER DRISCOLL MADE A MOTION TO APPROVE THE APPLICATION. COMMISSIONER ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

11. MOTOR VEHICLE APPLICATIONS

12. CARRY IN LICENSE APPLICATIONS

13. ITEM FOR DISCUSSION

a. MOONSHINERS LOUNGE, LLC D/B/A MOONSHINERS

103 WASHINGTON STREET

BERNARD GOULET, MANAGER

INCIDENT THAT OCCURRED ON OR ABOUT OCTOBER 8 2021

SARGENT LYNCH OF THE HAVERHILL POLICE DEPARTMENT APPEARED BEFORE THE COMMISSION AND STATED AN ANONYMOUS TIP WAS RECEIVED CONCERNING A FIGHT WHICH OCCURRED ON/ABOUT OCTOBER 8, 2021. A POLICE OFFICER REVIEWED THE SECURITY FOOTAGE FROM THAT EVENING AND OBSERVED MR. BELL, THE MANAGER, WITHIN CLOSE PROXIMITY OF THE PHYSICAL ALTERCATION. SARGENT LYNCH STATED THE INCIDENT WAS NOT REPORTED TO THE POLICE, AND RECOMMENDED SOME ACTION BE TAKEN AS THIS WAS NOT THE FIRST INCIDENT THAT HAD OCCURRED AT THE ESTABLISHMENT. SARGENT LYNCH STATED ESTABLISHMENTS ARE ENCOURAGED TO CALL THE POLICE AND ARE RESPONSIBLE FOR REPORTING INCIDENTS TO THE POLICE DEPARTMENT. KYLE BELL, MANAGER, AND ATTORNEY TIM CONNORS APPEARED BEFORE THE COMMISSION ON BEHALF OF MOONSHINERS LOUNGE. ATTORNEY CONNORS STATED THE INCIDENT WAS DE-ESCALATED QUICKLY, MR. BELL HAD REPORTED INCIDENTS IN THE PAST, AND MR. BELL FULLY COOPERATED WITH POLICE WHEN ASKED TO REVIEW THE SECURITY FOOTAGE. COMMISSIONER ANGUS AND CHAIRMAN EDWARDS DISCUSSED IF ACTION COULD BE TAKEN AS THIS INCIDENT WAS CALLED AS AN ITEM FOR DISCUSSION. THE COMMISSION ADVISED MR. BELL TO BE AWARE OF THE PATRONS WITHIN THE ESTABLISHMENT, TO REMOVE BLIND SPOTS THAT COULD BLOCK A CLEAR VIEW OF THE CROWD, AND TO HIRE ADDITIONAL STAFF IF NEEDED. COMMISSIONER DRISCOLL MADE A MOTION TO PLACE THE ITEM FOR DISCUSSION ON FILE. COMMISSION ANGUS SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

14. SHOW CAUSE HEARING

a. WHITE STREET MOTORS

69 WHITE STREET

TELLO BELLUCCO, MANAGER

SHOW CAUSE HEARING: ALLEGED VIOLATION: SALE OF USED CARS WITHOUT A LICENSE/FAILURE TO RENEW MOTOR VEHICLE CLASS 2 LICENSE

SARGENT LYNCH APPEARED BEFORE THE COMMISSION AND SUMMARIZED THE POLICE COMPLAINT RECEIVED ON JANUARY 12, 2022. THE COMPLAINANT FOUND A MOTOR VEHICLE FOR SALE ONLINE IN TEWKSBURY AND ASSUMED IT WAS A PRIVATE SALE BUT PAPERWORK LISTED WHITE STREET MOTORS AS THE SELLING ENTITY. THE COMPLAINANT COULD NOT GET THE TITLE FOR THE MOTOR VEHICLE AND CONTACTED THE HAVERHILL POLICE DEPARTMENT. SARGENT LYNCH INFORMED THE COMPLAINANT TEWKSBURY WAS NOT IN THE JURISDICTION OF HAVERHILL AND ADVISED THE COMPLAINANT TO CONTACT THE TEWKSBURY POLICE. SARGENT LYNCH STATED ALTHOUGH THE COMPLAINANT HAD CONTACTED THE TEWKSBURY POLICE DEPARTMENT AND THE SITUATION HAD BEEN RECTIFIED, THE SALE HAD TAKEN PLACE WITHOUT AN ACTIVE LICENSE IN A TOWN OUTSIDE THE LICENSING AUTHORITY OF HAVERHILL. TELLO BELLUCCO APPEARED BEFORE THE COMMISSION. MR. BELLUCCO STATED HE SUBMITTED LICENSING PAPERWORK THAT AFTERNOON AND WAS DELAYED RENEWING HIS MOTOR VEHICLE LICENSE DUE TO WAITING FOR AN EIN NUMBER FOR THE NEW CORPORATION. COMMISSIONER ANGUS STATED THE RENEWAL SHOULD HAVE BEEN COMPLETED WHILE HE WAITED FOR THE EIN NUMBER FOR THE CORPORATION. MR. BELLUCCO STATED DUE TO HEALTH-RELATED ISSUES, THE WHITE STREET LOCATION WAS CLOSED AND HE HAD FORGOTTEN TO TAKE THE MOTOR VEHICLE FOR SALE POSTING DOWN FROM ONLINE. CHAIRMAN EDWARD STATED THAT AFTER BEING LICENSED TO SELL MOTOR VEHICLES FOR 20 YEARS MR. BELLUCCO SHOULD KNOW THE RULES SURROUNDING THE LICENSE. THE COMMISSIONER DISCUSSED THE POSSIBLE PENALTIES THAT COULD BE IMPOSED. SARGENT LYNCH AGREED THAT SOME TYPE OF PENALTY SHOULD BE ENFORCED. COMMISSIONER ANGUS MADE A MOTION TO PRECLUDE TELLO BELUCCO FROM OPERATING A USED DEALERSHIP IN HAVERHILL FOR THE NEXT 6 MONTHS, AT WHICH TIME A NEW APPLICATION COULD BE HEARD BY THE COMMISSION. COMMISSIONER DRISCOLL SECONDED. NO PUBLIC COMMENT. MOTION UNANIMOUSLY PASSED.

15. COMMUNICATIONS

16. PUBLIC PARTICIPATION

17. OTHER BUSINESS

18. ADJOURNMENT

6:47PM