



License Commission, Room 118  
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The Haverhill License Commission held a **Meeting** on **Thursday April 6 2017 at 6:00 p.m.**  
**Room 202, City Hall.**

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

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF THE MINUTES:**

A. APPROVAL OF MINUTES OF MARCH 2 2017

B. APPROVAL OF MINUTES OF MARCH 9 2017

Agenda Items 2A and 2B were taken together. Motion to approve the minutes made by Commissioner Coco, seconded by Commissioner Sewell. 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**

**A. CYNTHIA GRAHAM**

HAVERHILL FIREFIGHTING MUSEUM  
75 KENOZA AVENUE

**APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR KENTUCKY DERBY FUNDRAISER ON SATURDAY, MAY 6 2017 FROM 5:00 PM TO 10:00PM AT THE FIREFIGHTING MUSEUM, 75 KENOZA AVENUE – SEE RELATED COMMUNICATION REGARDING CHANGE OF SERVERS – PENDING RECEIPT OF APPLICATION FEE**

Cynthia Graham appeared on this application. This event is a Kentucky derby gala with southern food, dancing and mint juleps, if the license is approved. The Commission had questions on the experience of the bartenders and if the applicant is aware of the process for purchasing alcohol. Motion to approve the the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

**B. SCOTT KELLEY**

K MODERN LLC  
22 LOVEJOY STREET

**APPLICATION FOR ONE DAY WINE AND MALT ONLY LICENSE FOR 0+ FESTIVAL/BETTER BLOCK FESTIVAL ON MAY 6 2017 FROM 11:00 AM TO 6:00 PM IN THE MUNICIPAL PARKING LOT IN FRONT OF THE GOECKE DECK ON THE NORTH SIDE OF MERRIMACK STREET**

Scott Kelley and Noah Koretz appeared on this application. This application is in conjunction with a large urban renewal event going on downtown. There was discussion about the profits of the event but there will be none. The wholesaler will be selling the beer and retaining the profits. The Commission wants clarification on whether this situation falls within the guidelines of the one day license. Motion to continue this item until the special meeting on April 19<sup>th</sup> for clarification made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**C. JOSE PINO, COMM. RELATIONS OFFICER**

PENTUCKET BANK  
2 MERRIMACK ST

**APPLICATION FOR ONE DAY ALL ALCOHOL LICENSE FOR PENTUCKET GRAND OPENING OF NEW LOCATION ON APRIL 19 2016 FROM 5PM TO 7:30PM AT 2 MERRIMACK ST**  
(PENDING APPROVAL FROM POLICE CHIEF)

Deborah Ingalls from Butlers and Bars appeared on this application. This application for a limited bar for beer, wine, vodka, rum and gin with a champagne toast. It is an open house to show case the new location in the Harbor Towers building. It is an invitation only event and there will be limitations on the pouring. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**6. ENTERTAINMENT APPLICATIONS**

NO SCHEDULE

**7. COMMON VICTUALLER APPLICATIONS**

**MARY RAFFERTY, MANAGER**

CAFÉ G-RAFF'S, LLC, D/B/A G-RAFF'S  
181 GROVELAND STREET

**APPLICATION FOR TRANSFER OF COMMON VICTUALLER LICENSE AND NEW ENTERTAINMENT LICENSE FOR RADIO AND TELEVISION**

Mary Rafferty appeared on this application. She plans on keeping the menu the same. It will be a diner for breakfast and lunch. She is the prior owner of Raff's on Primrose Street. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

**8. OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

## **9. ALCOHOL/ABCC APPLICATIONS**

### **A. SUNIL SAMTANI, MANAGER**

SUNILSAMTANI LLC, D/B/A DOWNTOWN WINE & SPIRITS  
56 LOCUST STREET

#### **APPLICATION FOR RELOCATION OF PREMISES**

Attorney Paul Magliochetti appeared on behalf of applicant. Sunil Samtani was also present for this application. This applicant is building a boutique style liquor store which will contribute to the revitalization of this area. There will be parking for the store. He will be adding kraft beer and wine tastings to his current business. Motion to approve the application made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

### **B. ROBERT JUSKO, MANAGER**

CRESCENT YACHT CLUB, D/B/A CRESCENT YACHT CLUB  
30 FERRY STREET

#### **APPLICATION FOR CHANGE OF MANAGER FROM ROBERT JUSKO TO NANCY ANN PEGNAM**

Nancy Ann Pegnam appeared on this application. Robert Jusko is no longer the Commodore, so she is taking over. She has been there for many years. Chairman Edwards cautioned her to be careful who they are serving and to tighten things up. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Coco. No public comment on this matter. Vote unanimous, motion passed.

## **10. MOTOR VEHICLE APPLICATIONS**

NO SCHEDULE

## **11. ITEM FOR DISCUSSION**

### **A. PIERRE I EL HAYEK, MANAGER**

PIERRE I EL HAYEK, D/B/A TOPLINE IMPORTS  
534 RIVER STREET

#### **ITEM FOR DISCUSSION – PARKING OF VEHICLES ON THE PREMISES**

Pierre El Hayek did not appear on this matter. The Commission heard from two neighbors about the issues they have had with this dealership and how it affects them on Florence Avenue. Motion to continue to the next regular meeting for a Show Cause hearing, the Commission will request the appropriate party from the Haverhill Police Department and Health and Inspectional Services to look into this matter made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

### **B. MATTHEW CHASE, MANAGER**

BD ALE HOUSE, LLC, D/B/A BARKING DOG ALE HOUSE  
77 WASHINGTON STREET

#### **ITEM FOR DISCUSSION – ADVERTISING OF FREE DRINKS FOR EVENTS BEING HELD AT THE BARKING DOG**

Matthew Chase and Jeffrey Nahas both appeared on this matter. The Commission discussed this matter with Mr. Chase. The Barking Dog needs to find a way to regulate this type of situation. Mr. Nahas joined the discussion of this matter. No action taken as this matter was an item for discussion.

## **12. SHOW CAUSE HEARINGS**

**IVAN YEE, MANAGER**

YEE ENTERPRISE INC., D/B/A ORIENTAL GARDENS

400 LOWELL AVENUE

**SHOW CAUSE HEARING – ALLEGED VIOLATION OF 204 CMR 2.05 (2) PERMITTING AN ILLEGALITY ON THE PREMISES, TO WIT: POSSIBLE OVER SERVING**

Ivan Yee appeared on this matter. Lieutenant Robert Pistone of the Haverhill Police Department handed a second violation report to the Commission and Mr. Yee just before the meeting. Mr. Yee agreed to hear both items at this meeting. Lieutenant Pistone summarized the report for the record. Officer Brignac was there to answer questions of the Commission. There was discussion and questions about the incident that occurred on or about January 2 2017. The Commission confirmed for a second time that Mr. Yee wanted them to hear the incident that occurred on or about March 31 2017 at this meeting. He agreed and Lieutenant Pistone summarized that report into the record. Detective Sean Scharneck, investigating officer, was there to answer questions. There was discussion and questions regarding this incident. Motion to suspend the license to sell alcohol from 6:00 PM on Sunday April 9 2017 through Saturday April 15 2017. The Licensee will be on probation for one year from April 6 2017 through April 6 2018. If there are any incidents during the probationary period, the Commission will consider commencing revocation hearings made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

## **13. COMMUNICATIONS**

NO SCHEDULE

## **14. PUBLIC PARTICIPATION**

## **15. OTHER BUSINESS**

### **A. REGULATIONS FOR CARRY IN ALCOHOL LICENSE**

Motion to approve the regulations as revised at the March 29<sup>th</sup> meeting made by Commissioner Coco, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

### **B. APPLICATION FOR CARRY IN ALCOHOL LICENSE**

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

MEETING ADJOURNED AT 7:51 PM