



License Commission, Room 118  
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The Haverhill License Commission held a **Meeting on Thursday November 7, 2019 at 6:00 p.m. Room 202, City Hall.**

*Attendees: Chairman Edward, Commissioner Sewell and Commissioner Carter  
Clerk Laura Angus*

**1. PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF THE MINUTES:**

**APPROVAL OF MINUTES OF OCTOBER 3, 2019**

Motion to accept the minutes as presented made by Commissioner Sewell, seconded by Commissioner Carter. 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. ARLON CHAFFEE**

LOCO SPORTS, LLC

2 PACKERS FALLS ROAD, NEWMARKET NH 03857

**APPLICATION FOR ONE DAY WINES AND MALT ONLY LICENSE FOR JINGLE BELL ROAD RACE AND POST EVENT CELEBRATION AT NORTHERN ESSEX COMMUNITY COLLEGE ON DECEMBER 8, 2019 FROM 8:00 AM – 1:00 PM**

Arlon Chaffee appeared on this application and described the event. Captain Pistone inquired if a detail officer was required by the police upon approval of this application. The Clerk responded that it was not. Captain Pistone indicated that they would like a police detail for this event, if the applicant agreed, which he did. Motion to approve the application adding the requirement of one detail officer for the event made by Commissioner Sewell, seconded by Commissioner Carter. No public comment on this matter. Vote unanimous, motion passed.

**B. ALLISON GAGNE**

NORTHERN ESSEX COMMUNITY COLLEGE  
100 ELLIOTT STREET

**CORRECTION TO AN APPLICATION FOR ONE DAY WINES AND MALT ONLY LICENSE FOR YMCA EDUCATOR OF THE YEAR AT NORTHERN ESSEX COMMUNITY COLLEGE ERRONEOUSLY APPLIED FOR NOVEMBER 14, 2019, BUT THE EVENT IS ACTUALLY ON NOVEMBER 19, 2019 FROM 5:30 PM TO 7:30 PM – PENDING POLICE APPROVAL OF THE NEW DATE**

No one appeared on this matter. The Clerk indicated that police approval of the new date had been received. Motion to approve the application, extending the hours to 9:30 PM made by Commissioner Carter, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**6. ENTERTAINMENT APPLICATIONS**

**A. DANIEL ENRIQUE GOMEZ, MANAGER**

DEGRANA, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT  
2 ESSEX STREET

**APPLICATION FOR NEW ENTERTAINMENT LICENSE FOR TELEVISION, AMPLIFIED MUSIC, AMPLIFIERS, DJ, PERFORMANCE WITH UP TO 4 INSTRUMENTS AND 1 VOCAL PERFORMER AND TRIVIA – QUESTIONS/ANSWERS - WEDNESDAY FROM 7:30 PM – 9:30 PM – PENDING DISCONTINUANCE OF BUSINESS CERTIFICATE BY GREEN SAUCE, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT AND ISSUANCE OF BUSINESS CERTIFICATE TO DEGRANA, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT AND ISSUANCE OF CERTIFICATE OF OCCUPANCY**

Items 6A, 7A and 9A were taken together. Attorney Jonathan Rossi, Daniel Gomez and Jorge Vargas all appeared on these matters. Attorney Rossi described the application – basically a partnership being split and each partner taking a different restaurant. Motion to approve each application pending receipt of the outstanding items made by Commissioner Carter, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**B. CARMEN YUSEIMA GARCIA, MANAGER**

MAYA AZUL, LLC, D/B/A AZUL MEXICAN RESTAURANT  
316 GROVELAND STREET

**APPLICATION FOR ENTERTAINMENT LICENSE FOR RADIO, TELEVISION AND AMPLIFIED MUSIC PENDING RECEIPT OF CERTIFICATE OF INSPECTION AND LICENSE FEE**

Items 6B, 7B and 9C were taken together. Carmen Garcia and Attorney Emmanuel Gonzalez appeared on these matters. Chairman Edwards recused himself from the remainder of the meeting due to a conflict on this application. Commissioner Sewell acted as Chairman for these applications. Commissioner Sewell spoke about the problems with the original applications. He inquired whether abutters were notified. Applicant supplied evidence that the abutters were notified. Attorney Gonzalez stated there was a misunderstanding – the bar was never going to be open until 1:00 AM. They want to run a family restaurant but want to be able to serve alcohol as well. They would like to be open until 11 but stop serving at 10 and have from 10 to 11 to wind things down. They changed the name to Azul Mexican Restaurant. Commissioner Carter summarized the agreement from the meeting at the ABCC. Part of that agreement was that the restaurant will close every night at 10 at least for the first three months. After the trial period if all goes well, they can apply to extend the weekend hours to 11. Again, Attorney Gonzalez stated there was a misunderstanding and they were amenable to closing every night

at 10. Ms. Garcia indicated that she was now part of the community and respects the community and wants to work with the Commission . Commissioner Carter inquired if amplified music includes live music. The Clerk indicated that it does not. Captain Pistone of the Haverhill Police Department indicated that the main objection to the application was it being a bar. They are satisfied with them being opened until 10:00 as a trial period. The police department does not want to see any live bands. They are agreeable to the new plan. Commissioner Sewell inquired if they would be agreeable to taking away the bar area and adding more tables and chairs. Ms. Garcia indicated that this area has already been constructed. They want this to be a family restaurant not a bar. They bar would not mean more alcohol was being served. Commissioner Carter felt it was unnecessary to remove the bar from the floor plan. Attorney Gonzalez indicated that removing the bar would be a restraint on the business. Motion to approve all three applications pending receipt of all outstanding items and reducing the Friday and Saturday hours to close at 10:00 PM made by made by Commissioner Carter, seconded by Commissioner Sewell. No public comment on this matter. Vote two yeas, one absent, motion passed.

## **7. COMMON VICTUALLER APPLICATIONS**

### **A. DANIEL ENRIQUE GOMEZ, MANAGER**

DEGRANA, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT  
2 ESSEX STREET

**APPLICATION FOR TRANSFER OF COMMON VICTUALLER LICENSE – PENDING DISCONTINUANCE OF BUSINESS CERTIFICATE BY GREEN SAUCE, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT AND ISSUANCE OF BUSINESS CERTIFICATE TO DEGRANA, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT AND ISSUANCE OF CERTIFICATE OF OCCUPANCY**

Items 6A, 7A and 9A were taken together.

### **B. CARMEN YUSEIMA GARCIA, MANAGER**

MAYA AZUL, LLC, D/B/A AZUL MEXICAN RESTAURANT  
316 GROVELAND STREET

**APPLICATION FOR NEW COMMON VICTUALLER LICENSE - PENDING RECEIPT OF CERTIFICATE OF INSPECTION AND LICENSE FEE**

Items 6B, 7B and 9C were taken together.

## **8. OUTDOOR DINING APPLICATIONS**

NO SCHEDULE

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

### **A. DANIEL ENRIQUE GOMEZ, MANAGER**

DEGRANA, INC., D/B/A CASA BLANCA MEXICAN RESTAURANT  
2 ESSEX STREET

**APPLICATION FOR TRANSFER OF SECTION 12 ALL ALCOHOL LICENSE – HOURS OF OPERATION MONDAY THROUGH THURSDAY & SATURDAY 8:00 AM – 1:00 AM, FRIDAY 8:00 AM – 2:00 AM AND SUNDAY 12:00 PM – 1:00 AM - PENDING RECEIPT OF AFFIDAVIT OF NOTICE TO ABUTTERS, EVIDENCE OF NOTICE TO ABUTTERS, UPDATED CERTIFICATE OF GOOD STANDING FROM THE DOR AND 304 CERTIFICATE OF INSPECTION**

Items 6A, 7A and 9A were taken together

**B. VICTOR ALBERTO JIMENEZ, MANAGER**

VILLA MAR CARIBBEAN RESTAURANT CORP., D/B/A VILLA MAR CARIBBEAN RESTAURANT  
36 PLAISTOW ROAD  
**APPLICATION FOR CHANGE OF MANAGER**

Victor Jimenez and Marina Brito appeared on this application. The Commission had a few questions about business practices at this location. Mr. Jimenez indicated that they had been closed for three months and are reopening. Motion to approve the application made by Commissioner Sewell, seconded by Commissioner Carter. No public comment on this matter. Vote unanimous, motion passed.

**C. CARMEN YUSEIMA GARCIA, MANAGER**

MAYA AZUL, LLC, D/B/A AZUL MEXICAN RESTAURANT  
316 GROVELAND STREET

**APPLICATION FOR NEW SECTION 12 ALL ALCOHOL RESTAURANT LICENSE – HOURS OF OPERATION SUNDAY THROUGH THURSDAY 11:00 AM – 10:00 PM, FRIDAY AND SATURDAY 11:00 AM – 11:00 PM – PENDING RECEIPT OF AFFIDAVIT OF NOTICE OF MAILING TO ABUTTERS, ABCC APPROVAL, 304 CERTIFICATE OF INSPECTION AND LICENSE FEE**

Items 6B, 7B and 9C were taken together

**10. MOTOR VEHICLE APPLICATIONS**

**A. MICHAEL W MALVERS SR., MANAGER**

MICHAEL MALVERS, D/B/A ONE TEN TOWING  
112 HALE STREET

**APPLICATION FOR NEW CLASS II CAR DEALER LICENSE AT 112 HALE STREET WITH AN OFFICE AT 114 HALE STREET WITH PARKING FOR ONE CUSTOMER AND THREE (3) VEHICLES FOR SALE OR SERVICE – REQUIREMENT BY THE HAVERHILL POLICE DEPARTMENT THAT THE EXISTING FENCE ONLY BE MOVED FOUR FEET ON THE SOUTHERLY SIDE – PENDING RECEIPT OF THE LICENSE FEE**

Attorney Paul Magliochetti and Michael Malvers appeared on this application. Attorney Magliochetti indicated that Mr. Malvers received a special permit from the City Council to put a used car dealership on this location. He also gave a brief history on Mr. Malvers. The Commission had some questions about his business ideas and the length of time he has been on Hale Street. Both Commissioner Sewell and Chairman Edwards thanked Mr. Malvers for this service to the country. Motion to approve all three applications pending receipt of the license fee made by made by Commissioner Carter, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**B. SAMUEL ESTRELLA, MANAGER**

CARPREX CORP  
162-176 RIVER STREET

**APPLICATION FOR NEW CLASS II CAR DEALER LICENSE WITH PARKING FOR TWO CUSTOMERS, ONE EMPLOYEE AND THIRTY-SEVEN (37) VEHICLES FOR SALE OR SERVICE – PENDING RECEIPT OF REVISED PLAN SHOWING PROPER CURB CUTS PER BUILDING INSPECTOR'S REVIEW**

Samuel Estrella appeared on this application. Chairman Edwards and Commissioner Sewell had concerns about parking on River Street. Commissioner Sewell inquired about any other car licenses. Applicant had a license in Lawrence. Commissioner Sewell cautioned the applicant that it was important to keep his car numbers in line with his license and follow the rules in Haverhill. Motion to approve the application with parking for four customers, two employees and 34 cars for sale pending receipt of revised plan and occupancy permit made by

Commissioner Carter, seconded by Commissioner Sewell. No public comment on this matter. Vote unanimous, motion passed.

**11. CARRY IN LICENSE APPLICATIONS**

NO SCHEDULE

**12. ITEM FOR DISCUSSION**

**A. IVAN YEE, MANAGER**

YEE ENTERPRISES, INC., D/B/A ORIENTAL GARDENS  
400 LOWELL AVENUE

**ITEM FOR DISCUSSION: FAILURE OF EMPLOYEES AND MANAGER TO COOPERATE WITH THE  
HAVERHILL POLICE DEPARTMENT INVESTIGATION CONCERNING AN INCIDENT AT ORIENTAL  
GARDENS ON OR ABOUT SEPTEMBER 8, 2019 AT APPROXIMATELY 00:15**

Ivan Yee appeared on this item. Captain Robert Pistone from the Haverhill Police Department summarized the report for the record. Mr. Yee indicated there was a miscommunication and that he was actually the manager on duty that night. He indicated he would make the tape available to the police in about 15 minutes. Captain Pistone indicated it took a week for them to receive the tape. There was a lot of discussion between the Commission and Mr. Yee about the importance of cooperating with the police and the age of his surveillance equipment. It was strongly suggested to Mr. Yee that he upgrade his surveillance equipment for the safety of the City and his business.

**B. BERNARD JEAN GOULET, MANAGER**

MOONSHINERS LOUNGE, LLC, D/B/A MOONSHINERS  
101-103 WASHINGTON STREET

**ITEM FOR DISCUSSION: INCIDENT ON OR ABOUT AUGUST 31, 2019**

Bernie Goulet and Attorney Tim Connors appeared on this matter. Captain Robert Pistone of the Haverhill Police Department summarized the report for the record. Captain Pistone stated that the subject of the report was served at Moonshiners. There were also extenuating circumstances as to whether she ingested other things. Captain Pistone also communicated with Mr. Goulet by email to discuss why he was being brought before the Commission and suggested he tighten up his procedures. The Commission, Attorney Connors and Mr. Goulet discussed his obligation to keep a safe environment, to call police when something happens and to keep his surveillance equipment working and up to date. Mr. Goulet indicated he has already spoken to his staff after his email with Captain Pistone.

**13. SHOW CAUSE HEARINGS**

NO SCHEDULE

**14. COMMUNICATIONS**

NO SCHEDULE

**15. PUBLIC PARTICIPATION**

16. **OTHER BUSINESS**

NO SCHEDULE

Meeting adjourned at 7:23 pm

Attest:           *Laura D Angus*            
Laura D Angus, Clerk