

Gloucester Licensing Board - Meeting Minutes – October 13, 2015

Board Members

Meredith Fine, Chair

John S. Rando, Jr.

Michael Lane

Attendees: Meredith Fine, Michael Lane, John S. Rando, Jr.

Licensing Clerk: Mary-Ellen L. Feener

Ms. Fine called the Meeting to order at 6:34 PM. The Meeting was held at the Gloucester City Hall, First Floor Conference Room, 9 Dale Avenue.

Public Comment

There were no comments from the public in attendance.

Public Hearing

Topside Grill & Pub – Alteration of Premise

The purpose of the Public Hearing was for an Alteration of Premise Application submitted by Topside Grill & Pub LLC for the Topside Grill & Pub located at 50 Rogers Street. The proposed alterations are so the establishment may use an area of sidewalk which is noncontiguous from the restaurant entrance on Rogers Street. The proposed portion of sidewalk to be used is approximately 9 ½' by 28' and for six (6) tables and twenty (20) chairs; for no more than twenty (20) patrons and the owner proposes to have the area enclosed by an approximately 3 ½ foot high fence which will have one opening for entrance and exit.

The Public Hearing was opened at 7:38 PM by Chair Fine.

The Board reviewed the Memorandum of Understanding (MOU) between the City of Gloucester and the restaurant owner, Mr. Dennis Silva, which was signed on September 2, 2015 by the Mayor of Gloucester and Dennis Silva.

Ms. Fine asked the owner how he determined the number of tables to be outside. He replied that the intent was not to maximize the number of tables but to fit as many as possible.

Ms. Fine stated she was 'troubled' by a lack of supervision due to the fact that there would not be a Manager on duty outside. She shared her thoughts regarding the potential risk of unsupervised alcohol consumption by minors.

The Board Members and Mr. Silva discussed the concept of changing the seating arrangement so that there would not be seating around the exterior of the area.

Mr. Lane suggested that the Board approve the application on a trial basis.

The Board Members suggested that Mr. Silva return to the next meeting with a new sketch and plan for the seating arrangement. Mr. Silva agreed.

Mr. Lane made a motion to continue the Public Hearing to November 10, 2015, the location to be determined.

Mr. Rando seconded the motion.

Motion approved unanimously.

Board Discussion

40 New Way Lane – Agapee Brewing Company

Timothy & Jamie Green Klopotoski, owners of 40 New Way Lane were present to discuss with the Board Members the Octoberfest the Klopotoskis were advertising to be held at their residence. They are the owners of the Agapee Brewing Company. The Klopotoskis have not obtained any permits or permission from the proper City Departments.

Mr. Lane explained to the owners what would constitute a private party and what would become a Licensing issue. Advertising the event made it become an event which would require approval by the Licensing Board.

The Board Members explained to Mr. & Mrs. Klopotoski that they must immediately stop marketing and advertising the event.

The Board Members explained they may hold a private party.

The owners sold four tickets to the event and the Board told them that they would need to refund the money.

The owners stated that they understood what the Board had explained to them and they assured the Board that they would not hold an event at their residence without the proper approvals from the City.

Public Hearings

The Tavern

The Chair opened the Public Hearing at 7:12 PM.

The purpose of the Public Hearing Board was to determine if the Licensee has ceased to conduct the Licensed Business. The Business is the Tavern Management Corporation d/b/a The Tavern (Tavern on the Harbor) which is located at 30 Western Avenue and the Manager is Joseph L. Talty.

Due to the fact the owner was not given proper notice the Public Hearing was cancelled. The Chair did not have available time to draft a letter informing the Applicant of the Public Hearing so the Licensing Board Clerk was not able to send a letter by certified mail.

Mr. Rando made a motion to cancel the meeting.

Mr. Lane seconded the motion.

Motion approved unanimously.

Richdales

The purpose of the Public Hearing was to determine if the Board will suspend a License due to the sale of alcohol to a minor. The business is an Annual Package Store Wine and Malt, As Partners 786 Enterprise, Inc. /Richdale, located at 120-22 East Main Street, Gloucester, and the Manager is Amjad M. Chaudhry.

The State requires a certified letter be sent to the parents of the minor who was arrested and an address for the parents was not obtained by the Police Department when the minor was arrested nor could be found by the Licensing Board Clerk. Also, the owner was not given proper notice due to the fact the Chair did not have available time to draft a letter informing the Applicant of the Public Hearing so the Licensing Board Clerk was not able to send a letter by certified mail. The Public Hearing was cancelled.

Mr. Rando made a motion to cancel the meeting.

Mr. Lane seconded the motion.

Motion approved unanimously.

Minutes

The Board reviewed the Meeting Minutes of May 19, 2015, June 9, 2015 and August 11, 2015.

Mr. Rando made a motion to approve the Meeting Minutes of May 19, 2015.

Mr. Lane seconded the motion.

Ms. Fine abstained due to the fact she was not on the Board at the time.

The motion was approved by a majority of the Board Members.

Mr. Rando made a motion to approve the Meeting Minutes of June 9, 2015.

Mr. Lane seconded the motion.

Ms. Fine abstained due to the fact she was not on the Board at the time.

The motion was approved by a majority of the Board Members.

Mr. Rando made a motion to approve the Meeting Minutes of August 11, 2015.

Mr. Lane seconded the motion.

The motion was approved unanimously.

Ms. Fine requested that for the Meeting Minutes the Board Members be addressed as Mr. or Ms.

Lodging House Application

212 Magnolia Lodging House - Hesperus Avenue

Mr. Lane made a motion to approve the Lodging License request for a 10 Room Boarding House, Magnolia Lodging House, located at 212 Hesperus Avenue, the new owner being Neil Hentschel.

Mr. Rando seconded the motion.

Motion was approved unanimously.

Meeting Adjourned

Mr. Lane made a motion to adjourn.

The motion was seconded by Mr. Rando.

The motion was approved unanimously.

There being no further business to come before the Board, the Chair declared the meeting adjourned at 7:45 PM.

The next regularly scheduled meeting of the Licensing Board is scheduled to be on November 10, 2015, at the Sawyer Free Library in the Weston U. Friend Room (ground floor), 2 Dale Avenue, Gloucester, MA.

The location and date of the meeting is subject to change.