



# NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor  
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## COMMISSIONERS

Brian Campedelli, Chair  
Natasha Yakovlev  
Helen Kahn

Executive Assistant  
Annie Lesko  
[alesko@northamptonma.gov](mailto:alesko@northamptonma.gov)

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## MEETING MINUTES

Wednesday, January 8, 2020  
City Council Chambers, 212 Main Street  
4:00 p.m.

1. **MEETING CALLED TO ORDER** by Commissioner Yakovlev at 4:01 p.m.  
**ROLL CALL** – Commissioners Yakovlev and Kahn were present. Commissioner Campedelli was absent.  
**ANNOUNCEMENT OF AUDIO/VIDEO RECORDING** made by Commissioner Yakovlev

2. **PUBLIC COMMENT** - None

3. **VOTE TO RESCIND THE FOLLOWING SHORT TERM LIQUOR LICENSE**

Greater Northampton Chamber of Commerce

Date: October 2, 2019

Location: Chamber of Commerce, 99 Pleasant St.

Event: Open House

Type: Wine & Malt

The clerk explained that the Chamber of Commerce learned they did not need this license because it was covered under the Northampton Brewery's catering license. Initially the Chamber of Commerce was not aware of this so the short term license was mistakenly applied for and the Commission was not informed of the alternate arrangements. The applicant was happy to pay for the license. However, after consultation with the Commission, the majority opinion was to not make the Chamber of Commerce pay for the license but to inform them of the requirements for the future.

**Commissioner Kahn moved to rescind the short term liquor license approved for the Chamber of Commerce for October 2, 2019. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

4. **APPLICATIONS FOR SHORT TERM LIQUOR LICENSES**

The Academy of Music, Inc. d/b/a Academy of Music

Location: Academy of Music, 274 Main St.

Type: Wine & Malt

Fee: Request fee waiver

Date/Time: Saturday, January 11, 2020, 7 p.m. – 11 p.m.

Event: Rock Voices

Date/Time: Saturday, February 1, 2020, 8 p.m. – 11 p.m.

Event: The Machine performs Pink Floyd

Date/Time: Friday, February 28, 2020, 8 p.m. – 11 p.m.  
Event: Josh Ritter with Ramblin' Jack Elliott

Date/Time: Saturday, February 29, 2020, 7 p.m. – 11 p.m.  
Event: Back Porch Bluegrass with The Travelin' McCourys

Date/Time: Sunday, March 1, 2020, 7 p.m. – 11 p.m.  
Event: Marty Stuart & His Fabulous Superlatives

Date/Time: Sunday, March 8, 2020, 8 p.m. – 11 p.m.  
Event: The Jayhawks

Date/Time: Tuesday, March 10, 2020, 7:30 p.m. – 11 p.m.  
Event: The Red Hot Chili Pipers

Date/Time: Wednesday, March 11, 2020, 8 p.m. – 11 p.m.  
Event: Steve Hackett – Genesis Revisited

Date/Time: Friday, March 13, 2020, 8 p.m. – 11 p.m.  
Event: A St. Patrick's Day Celtic Sojourn

Date/Time: Saturday, March 14, 2020, 8 p.m. – 11 p.m.  
Event: Jonathan Richman & Bonnie Prince Billy

Date/Time: Sunday, March 15, 2020, 8 p.m. – 11 p.m.  
Event: Postmodern Jukebox

Date/Time: Wednesday, April 8, 2020, 8 p.m. – 11 p.m.  
Event: An Evening with David Sedaris

Date/Time: Sunday, May 3, 2020, 8 p.m. – 11 p.m.  
Event: They Might Be Giants

Date/Time: Wednesday, June 10, 2020, 8 p.m. – 11 p.m.  
Event: David Crosby & the Sky Trails Band

Melissa Cleary Pearson was present and stated that all events are being held in the same fashion as usual with no changes.

**Commissioner Kahn moved approval of the 14 short term liquor licenses detailed on the agenda for the Academy of Music. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

## **5. APPLICATION FOR SHORT TERM LIQUOR LICENSE**

Click Workspace

Date/Time: Friday, January 10, 2020, 6 – 8 p.m.

Location: 9 ½ Market St.

Event: Art Opening Reception

Type: Wine & Malt

Tiffany Barger was present and stated the application is for an Arts Night Out event and nothing will be different relative to set up and operation.

**Commissioner Kahn moved to approve the short term liquor license for Click Workspace. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

**6. APPLICATION FOR TRANSFER OF OWNERSHIP ON A CLASS I CAR DEALER LICENSE**

Roland's Motor Works, LLC d/b/a Roland's Motor Works  
Previous ownership: Sole proprietor Roland Tessier  
New ownership: Roland's Motor Works, LLC

Tina Champagne was present and stated that this application is a simple transfer of ownership from Mr. Roland Tessier to a family trust as Mr. Tessier recently passed away.

**Commissioner Kahn moved to approve the transfer of ownership from Roland Tessier to Roland's Motor Works, LLC. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

**7. APPLICATION FOR CHANGE OF OWNERSHIP ON A COMMON VICTUALLER LICENSE**

Transfer from: Northampton Coffee, LLC d/b/a Northampton Coffee  
Transfer to: Cherry Pi, LLC d/b/a Northampton Coffee

Annie Lytle-Rich was present and stated that Shelburne Falls Coffee Roasters took over ownership of Tart Bakery and Northampton Coffee. The new LLC managing Northampton Coffee is Cherry Pi, LLC.

**Commissioner Kahn moved to approve the change of ownership from Northampton Coffee, LLC to Cherry Pi, LLC. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

**8. REQUEST TO CHANGE/EXTEND HOURS ON AN ANNUAL ALL ALCOHOLIC BEVERAGES LICENSE**

Sylvester's Fine Foods, Inc. d/b/a Sylvester's  
Request to extend operating hours from 3 p.m. to 10 p.m.

Jillian Duclos, General Manager of Sylvester's, was present and stated that Sylvester's is requesting an extension of closing hours from 3 p.m. to 10 p.m. Sylvester's will start serving dinner with a short menu.

**Commissioner Kahn moved to approve the extension of hours to 10 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

**9. PUBLIC HEARING FOR AN APPLICATION FOR TRANSFER AND CHANGE OF LOCATION ON AN ALL ALCOHOLIC BEVERAGES LICENSE AND APPLICATION FOR COMMON VICTUALLER LICENSE**

AC Thayer, Inc. d/b/a Patria  
Proposed location: 150-154 Main St., Suite 1 (ConVino location)  
Proposed manager: Aaron C. Thayer

**Commissioner Kahn moved to open the public hearing at 4:10 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

Attorney Tom Lesser and Aaron Thayer were both present for this application. Attorney Lesser stated that Mr. Thayer plans to open "Patria" in the old ConVino location in the basement of Thornes Marketplace.

Commissioner Yakovlev questioned whether or not Mr. Thayer is aware of the outdoor seating restrictions and that he has to obtain an outdoor tables and chairs permit from the Department of Public Works.

Mr. Thayer understood.

Mr. Thayer stated he has been a chef at several restaurants in San Francisco, Boston and Providence, Rhode

Island but this will be his first restaurant.

There was no public comment.

**Commissioner Kahn moved to close the public hearing at 4:12 p.m. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

The clerk noted that she is not in receipt of all the required documents. The outstanding documents include a DOR Certificate of Good Standing and a DUA Certificate of Compliance, both of which are required to be obtained by the seller; TIPS certificate for the proposed manager of record; liquor liability insurance; and workers compensation insurance.

**Commissioner Kahn moved approval of the transfer of liquor license and change of location for AC Thayer, Inc., contingent upon receiving all appropriate documents, and the application for a common victualler license. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

#### **10. APPLICATION FOR CHANGE OF MANAGER ON AN ANNUAL WINE AND MALT BEVERAGES LICENSE**

Lanran, LLC d/b/a The Dirty Truth

Proposed manager: Kyle M. Anderson

Kyle Anderson was present for this application and stated he has been The Dirty Truth's general manager for the past two years and prior to that he was the kitchen manager.

For the record, Commissioner Kahn noted that while she doesn't believe there is a conflict, she previously employed Mr. Anderson at her café but he left on good terms and there is no ill will.

**Commissioner Kahn moved to approve the change of manager application for Kyle Anderson. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

#### **11. CONTINUED DISCUSISION OF THE MAJESTIC SALOON'S NOISE COMPLAINT**

The clerk updated the Commission with information she gleaned from the Building Commissioner. The decibel limit for business, commercial, institution and mixed uses between 10 p.m. and 7 a.m. is 55. The Building Commissioner reported that he can almost guarantee that the sound will not be over 55 decibels and that there is no way to reach a reading of 55 decibels through a brick wall. He also stated that decibel/sound reading apps on mobile devices are highly inaccurate. The Commission can request a sound reading check and a building inspector would do an on-site sound reading.

The clerk stated that Mr. Peake was supposed to inform the Commission of all developments but she hadn't heard anything until the day before the January meeting. Mr. Peake stated the bass traps were never installed because small adjustments were made to the sound system and he wanted to see if that helped, before installing the traps. The clerk pointed out that the complainant stated that a new neighbor moved into the building next door and she is very unhappy with the noise.

The clerk noted that she was under the impression that a change of ownership application would be submitted in time for the January meeting but an application still has not been submitted.

Commissioner Yakovlev stated that the change of ownership application has been dragging on for a while so a letter should be sent to the owner requiring an application ASAP.

Commissioner Yakovlev also stated that it seems reasonable to have a decibel reading check. However, she is happy to hear that the complainant has reported that the adjustments are tolerable and if the sound is

kept where it's at, then he is happy.

**Commissioner Kahn moved to request that the Building Commissioner send an inspector to conduct a sound reading check at the Majestic Saloon. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

## **12. UPDATE ON 2020 LICENSE RENEWALS**

- **The Pomeroy Inn** – The clerk noted that The Pomeroy Inn did not renew its innholder license because it will start advertising as an Airbnb, instead of an inn.
- **Un Arret Café** - The clerk noted that Un Arret Café has closed and did not renew its common victualler license.
- **Osaka** – The clerk reported that she had to issue Osaka a temporary license because the wage bond was not renewed in time. The underwriter for the bonding company stated, “Due to the changeover the surety has not given any distinct notification on how they will be handling the renewal of the many bonds they have in place, except for the fact that they will be either non-renewing the policy and will be issuing a new bond with the new surety and or a reinstatement with the Continuation Certificate. This will be done in the next week or two, even though the bond will cancel there will be no lapse in coverage and the liability of the surety will still be in place for the 120 day cancellation provision that is listed on the bond form.”

The clerk got clarification from Valerie at Whalen Insurance who stated, “If the bond is non-renewed it's only so it can be issued on “new paper”. This simply means written by a different company name. That is the hold up, because of the company being purchased they haven't decided if Company A will be the issuing company or Company B.”

The clerk will issue the annual license once she is in receipt of the renewed bond.

- **Oriental Taste** – The clerk reported that she had to issue Oriental Taste a temporary license as the wage bond expires in mid-January 2020 because it is written with a different company than Osaka and is still active for another few weeks. Once the renewed wage bond is issued and submitted, she will issue Oriental Taste its annual license.
- **License holders that have not renewed** – The clerk stated that she is informing the Commission of the following licenses that have not renewed in case further action needs to be taken:
  - Dominos
  - Pizza Factory
  - Smithsonian
  - The Hampshire Inn (Bridge Street)
  - The Historic College Inn of Northampton
  - The Maples
  - Go West Building
  - Bouley's Service Center

## **13. DISCUSSION OF 2020 LICENSE HOLDERS NOT IN COMPLIANCE WITH THE PROVISIONS OF THEIR LICENSE**

- **The Roost** – The clerk noted that The Roost announced it is changing its ownership structure to a worker-owned cooperative. In light of this, the Commission requested that the clerk send a letter with a reminder of the requirement for a change of ownership application.

- **Northampton Lodge** – The clerk noted that in October 2018 the Elks Lodge submitted an application for a change of manager. The ABCC returned the application requiring additional documentation before the application could be considered. The clerk reported that she has made numerous unsuccessful attempts to contact the Elks Lodge. The Commission directed the clerk to send a certified letter requiring an application immediately.
- **Ibiza Tapas** – The clerk is waiting for a memo from City Solicitor Seewald about the status of this special act license. Once the Commission is in receipt of the memo, it will help guide the discussion.
- **Calvin Theater and The Basement/Center Street Café** – The clerk is waiting for a memo from City Solicitor Seewald. Once the Commission is in receipt of the memo, it will help guide the discussion. Center Street Café is boarded up and a building permit has been pulled for a repair. The problem is that the Basement and the Calvin are only open when there are scheduled events which is not in compliance with the licenses.
- **The Ellery** – The clerk explained that the manager of record resigned because of health problems. Once a new general manager has been hired, that individual will apply to be the manager of record.
- **Pine Grove** – The question of whether or not Pine Grove is open for the winter is still up for discussion. Mr. Verrillo stated that he is open for 12 months of the year and the hours of operation are from 10 a.m. – 6 p.m. Commissioner Yakovlev will do a drive-by to determine whether or not the business is open.

#### 14. CLERK'S UPDATE

- Cordials and Liqueurs passed

The clerk explained that the ordinance to allow wine and malt license holders to apply for a cordials/liqueur permit has passed through city council.

The meeting was interrupted because there were individuals in the audience looking for the meeting in which the marijuana shops were being discussed. After a brief discussion it was determined that the License Commission is not the appropriate venue to voice their concerns.

#### 15. APPROVAL OF MINUTES

- December 5, 2019

**Commissioner Kahn moved to approve the December 5, 2019, minutes as written. Commissioner Yakovlev seconded. The motion passed unanimously 2-0.**

#### 16. NEW BUSINESS - None

#### 17. ADJOURN

**Commissioner Kahn moved to adjourn the meeting at 4:47 p.m. Commissioner Yakovlev seconded. The motion to adjourn passed unanimously 2-0.**

***The next meeting of the Northampton License Commission is scheduled for February 5, 2020.***