



NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor

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Northampton, MA 01060

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COMMISSIONERS

Brian Campedelli, Chair

Natasha Yakovlev

Helen Kahn

Executive Assistant

Annie Lesko

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MEETING MINUTES

April 3, 2019

City Council Chambers, 212 Main Street

4:00 p.m.

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

2. **PUBLIC COMMENT** - None

3. **APPLICATION FOR SHORT TERM LIQUOR LICENSE**

Northampton Senior Services

Date/Time: Friday, April 12, 2019, 5 – 8 p.m.

Location: Northampton Senior Center, 67 Conz St.

Event: Arts Night Out

Type: Wine & Malt

Fee: Request Fee Waiver

Marie Westburg, Director of the Senior Center, was present for this application. The Senior Center just recently become a venue for Arts Night Out after receiving a grant from the Arts Council. This is the first event and will feature four artists. Alcohol will be set up in the lobby and the event will be in the great room. There will be a TIPS certified server. **Commissioner Yakovlev moved to approve the application for short term liquor license. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

4. **APPLICATION FOR INNHOLDER LICENSE**

The Pomeroy Inn

83 Pomeroy Terrace, Northampton

Deborah Henson

Deborah Henson was present for this application. Ms. Henson moved to the area, purchased the home and made two rooms with private bathrooms into guest rooms. **Commissioner Yakovlev moved to approve the application for an innholder license. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

5. **APPLICATION FOR A COMMON VICTUALLER LICENSE**

The Cannabis Co-op, LLC d/b/a Arrive Yoga

90 King St., Northampton

Lise Lawrence

The clerk informed the Commissioners that Lise Lawrence is no longer planning on serving food at her establishment. She originally planned to have sandwiches, pastries, coffee and tea however the health department informed her she needed to install grease traps which is not compatible with the property she leased so now she will just be operating as a yoga studio. Ms. Lawrence withdrew her application.

6. APPLICATION FOR SHORT TERM LIQUOR LICENSE

Trustees of Forbes Library d/b/a Forbes Library

Date/Time: April 6, 2019, 2 – 4:30 p.m.

Location: 20 West Street

Event: Hosmer Gallery Reception: A. McNeal, A. Krauss, J. Abraham

Type: Wine & Malt

Request Fee Waiver

Faith Kaufmann was present for this application. The event will be held in the same fashion as usual. **Commissioner Yakovlev moved to approve the application for short term liquor license and approve the fee waiver request. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

7. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

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

Location: 274 Main St.

Type: Wine & Malt

Request Fee Waiver

Date/Time: Thursday, April 11, 2019, 7 – 11 p.m.

Event: Blue Oyster Cult Concert

Date/Time: Saturday, April 20, 2019, 7 – 11 p.m.

Event: Jethro Tulls Guitarist Martin Barr

Date/Time: Saturday, May 4, 2019, 7 – 11 p.m.

Event: Andrea Gibson Concert

Date/Time: Wednesday, May 15, 2019, 7 – 11 p.m.

Event: Joe Jackson Concert

Date/Time: Thursday, May 16, 2019, 7 – 11 p.m.

Event: Citizen Cope Concert

Date/Time: Friday, May 17, 2019, 7 – 11 p.m.

Event: Shacky Graves Concert

Date/Time: Sunday, June 23, 2019, 7 – 11 p.m.

Event: Milk Carton Kid Concert

Amanda Spear-Purchase was present for these applications. All the events will be held in the same fashion as usual. **Commissioner Yakovlev moved to approve the applications for short term liquor licenses and approve the fee waiver requests. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

8. APPLICATION FOR COMMON VICTUALLER LICENSE

N.E. Pat’s Franchise Investment Partners, Inc. d/b/a Hot Head Burrito

55 Damon Road, Northampton

Proposed manager: Gregg Yvon

Gregg Yvon was present for this application. He stated this is a burrito concept quick service restaurant (QSR). This is his second franchise with the other location in Windsor Locks, Connecticut. He has also owned five Subways in the past. Mr. Yvon will be submitting a copy of the lease as soon as possible. **Commissioner Yakovlev moved to approve the common victualler license contingent upon receiving a copy of the lease. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

Mr. Yvon asked the commission if there were any beer and wine licenses available. He might want to experience with a cantina style concept that offers canned beer and bottled margaritas. The clerk informed Mr. Yvon there are seasonal wine and malt licenses available and after six months of demonstrated responsible use, an application to convert to an annual license could be applied for. Commissioner Campedelli informed the applicant that selling margaritas would require an all alcohol license unless the ABCC has allowed bottled margaritas to be classified as beer and wine.

9. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

Greater Northampton Chamber of Commerce

Date/Time: Wednesday, May 1, 2019, 5 – 7 p.m.

Location: 100 Emerson Way

Event: Arrive @ 5

Type: Wine & Malt

Date/Time: Thursday, June 13, 2019, 6 – 10 p.m.

Location: Academy of Music, 274 Main St.

Event: 100th Anniversary Program

Type: All Alcoholic

Date/Time: Wednesday, July 10, 2019, 5 – 7 p.m.

Location: Miss Florence Diner, 99 Main St., Florence

Event: Arrive @ 5

Type: All Alcoholic

Date/Time: Wednesday, September 11, 2019, 5 – 7 p.m.

Location: Northampton Survival Center, 265 Prospect St.

Event: Arrive @ 5

Type: Wine & Malt

Date/Time: Wednesday, October 2, 2019, 5 – 8 p.m.

Location: Chamber of Commerce, 99 Pleasant St.

Event: Open House

Type: Wine & Malt

Date/Time: Wednesday, November 6, 2019, 5 – 7 p.m.

Location: The Lumber Yard, 256 Pleasant St.

Event: Arrive @ 5

Type: Wine & Malt

Lucy Abbott was present for these applications. All but two of the applications are for the monthly arrive at 5 networking events. The hosts for each arrive at 5 will provide TIPS information prior to their event. There are two specialty events which are requiring all alcohol. The event on June 13th is a 100th anniversary celebration event and the July 10th event is a networking event however the owner of Miss Florence Diner would like to have a specialty drink that night. **Commissioner Yakovlev moved to approve the short term liquor licenses contingent upon receiving TIPS information for all events. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

10. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

Frank Newhall Look Memorial Park, Inc. d/b/a Look Park

Type: Wine & Malt

Date/Time: Thursday, May 16, 2019, 5 – 8 p.m.

Location: Train Station

Event: Cocktail Party

Date/Time: Sunday, June 9, 2019, 11 a.m. – 5 p.m.

Location: Ballfield

Event: Bounce House Bonanza

Date/Time: Saturday, July 27, 2019, 12 p.m. – 5 p.m.

Location: Ballfield

Event: Vendor Fair

Date/Time: Saturday, August 24, 2019, 12 p.m. – 6 p.m.

Location: Ballfield

Event: Food Truck Festival

Date/Time: Saturday, September 7, 2019, TBD

Location: Ballfield

Event: International Street Fair

Date/Time: Saturday, September 28, 2019, 1 – 5 p.m.

Location: Ballfield

Event: Brew Festival

Erin Cahillane was present for these applications. Commissioner Campedelli asked if there will be multiple vendors for the Brew Festival. Ms. Cahillane stated that this event will be the 4th annual and usually held in the Pines Theater but it is being moved this year to allow for more vendors which should be about 20-30 in total. All the vendors will be beer and cider vendors in addition to food trucks. Commissioner Yakovlev stated that when licenses at Look Park have gotten approval in the past, the pourer of the alcohol has been the license applicant. Ms. Cahillane stated that all of the beer and wine for other events will be poured by Look Park staff. Commissioner Yakovlev noted there are a few events that are new to the ballfield so the area where beer and wine will be served should be cordoned off. Ms. Cahillane stated that there are separate tents coming for the bar areas with orange fencing and wristbands for individuals over 21 years of age. **Commissioner Yakovlev moved to approve the short term liquor licenses listed on the agenda with the exception of the September 28, 2019, event. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

11. APPLICATION FOR CHANGE OF DBA ON AN ANNUAL INNHOLDER ALL ALCOHOL LICENSE, COMMON VICTUALLER LICENSE AND INNHOLDER LICENSE

Ellery Server, LLC d/b/a Autumn Inn
259 Elm St.

Proposed new DBA: The Ellery

Hope Kalish was present for these applications. The internal renovations for the hotel will be completed in April with the exterior completed sometime in June. Now that these changes have been made, they are looking to change the name of the inn to The Ellery. **Commissioner Yakovlev moved to approve the change of dba for all requested licenses. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

12. PUBLIC HEARING ON AN APPLICATION FOR TRANSFER OF ANNUAL WINE AND MALT PACKAGE STORE LICENSE

OM Shell Hampton, Inc. d/b/a Racing Mart
54 Easthampton Road, Northampton

Previous holder: Z & Q, Inc.

Proposed manager: Viralkumar N. Patel

The clerk read an email from the attorney representing this application which read in part, "The seller is unable to obtain a Certificate of Good Standing from the Department of Revenue. Therefore, please accept this letter as a request to postpone our appearance before the Northampton License Commission on Wednesday, April 3, 2019." The applicants will be back in May.

13. PUBLIC HEARING ON AN APPLICATION FOR CHANGE OF LLC MANAGER, CHANGE OF OWNERSHIP INTEREST AND CHANGE OF MANAGER

Oxbow Wines, LLC d/b/a Provisions
30 Crafts Avenue, Northampton

Previous manager: Alexander Feinstein

Proposed manager: Andrew Bruce McAmis

Commissioner Campedelli moved to open the public hearing at 4:25 p.m. Commissioner Yakovlev seconded. Seeing no one wish to comment, Commissioner Campedelli moved to close the public hearing at 4:25 p.m.

Commissioner Yakovlev seconded. The motion passed unanimously 2-0. Bruce McAmis and Alexander Feinstein were both present for this application. Mr. Feinstein is selling his 50% share to Mr. McAmis. Commissioner Campedelli informed Mr. McAmis that according to the ABCC, there can be no cross ownership between a package store license and a wholesale license. Mr. McAmis is aware of this and there is currently a company who is purchasing his assets but the final step is awaiting ABCC approval of the transfer which should be forthcoming shortly. Once the wholesale license has been transferred out of his name, he will be able to hold the package store license. Commissioner Campedelli stated that he doesn't believe the commission can act on this application until the determination from the ABCC. Mr. McAmis explained that he is still supervising on-going operations with the wholesale company until everything gets tied up with the ABCC. Attorney Susan Cooper stated that the sale and purchase of the interest in Provisions is not going to happen until the wholesale license issue has been worked out so Mr. McAmis will not have simultaneous ownership. Mr. McAmis furthered that the application has been at the ABCC for over a year with a delay at the federal level however he believes it is in the final stages. With it being already a year, the clerk questioned why the applicant was under the impression that the application is in the final stages. Mr. McAmis stated the principal that his purchasing his assets spoke with the ABCC who stated the application is awaiting final approval by the Commission. Due to the pending approval at the ABCC for the transfer of the wholesale license, the Commission decided to table this application until all the paperwork has been sorted out. **Commissioner Yakovlev moved to table this application until further notice. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

14. APPLICATION FOR CHARITY WINE LICENSE

Friends of Forbes Library, Inc.
20 West St.

Kate Doherty was present for this application. She stated that this event is very successful and a lot of money has been made because of it. The event is being held Friday, September 27, 2019. She stated that last year, vendors at the fundraising event passed out order forms with discounts, to individuals at the event. No money changes hands however when people fill out the order forms and bring them to Liquors 44, they in turn receive discounts. No money changes hands at Forbes Library however Kate wanted to make sure this is okay since it's a charity event. The clerk stated she would look into this information and send her findings to Serena Smith. **Commissioner Yakovlev moved to approve the charity wine license application. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

15. APPLICATION FOR SHORT TERM LIQUOR LICENSE

Strident Theatre, Inc. d/b/a Strident Theatre
Date/Time: Saturday, April 13, 2019, 7 – 10 p.m.
Location: Northampton Center for the Arts, 33 Market St.
Event: Wine & Cheese Fundraiser
Type: Wine & Malt

This item was taken out of order. Susanna Apgar was present for this application. Strident Theatre launched a few days ago and this will be their first event. They will have a TIPS certified server. Ms. Apgar questioned whether she could request a fee waiver. Commissioner Yakovlev clarified that fee waivers are provided to entities that are affiliated with the City of Northampton. **Commissioner Yakovlev moved to approve the application for the short term liquor license. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

16. DISCUSSION RE: THE ELM STREET INN, LLC

- Citizen complaint

Commissioner Yakovlev read the citizen complaint allowed. "Katherine Weinstein, 159 Elm St., is the direct abutting neighbor of The Elm Street Inn, 153 Elm St. Ms. Weinstein called to register a complaint regarding an issue she is having with the "Airbnb" (The Elm Street Inn). Ms. Weinstein has a long driveway with a house set back off Elm Street. Lining her driveway is a stone wall that Ms. Weinstein has spent a lot of money to rebuild. She has also planted a lot of flowers and bushes. Ms. Weinstein has two children, one with a disability. She stated that Airbnb guests mistakenly drive down her driveway at all hours of the day and night, multiple times a week and sometimes very fast. These guests realize they are at the wrong house and try to turn around and end up hitting the stone wall, driving over her flowers and plants and causing damage to her property. Just recently a car almost hit her daughter, who was walking her dog. Ms. Weinstein believes that a sign on the Elm Street Inn property identifying the correct driveway would be a simple fix and would alleviate these issues. Ms. Weinstein has tried to contact the owner, Katherine Verdickt, for three years to no avail." The clerk recalled that she sent a certified letter to the owner on March 11, 2019, requiring their attendance at today's meeting, with no response. There is no license to take because it hasn't been renewed. **Commissioner Yakovlev made a motion to have City Solicitor Seewald send a cease and desist letter to the owner of The Elm Street Inn, LLC. Commissioner Campedelli seconded. The motion passed unanimously 2-0.**

17. REQUEST TO REVIEW AND SET VIOLATION HEARINGS DATE

Eighty Four Maple, Inc. d/b/a Doyle's Package Store
84 Maple St., Florence

Abid Assab d/b/a Amanouz Café
44 Main St., Northampton

Liquid Edge, Inc. d/b/a Viva Fresh Pasta
249 Main St., Northampton

After a brief discussion it was decided to move the regular Wednesday, May 1, meeting to Thursday, May 2, at 3 p.m. for the regular monthly meeting and the violation hearings.

18. UPDATE ON SEASONAL LIQUOR LICENSE RENEWALS

- Sangtawan, Inc. d/b/a Asian Taste

The clerk informed the Commission that Sangtawan, Inc. d/b/a Asian Taste have passed their inspection (since the last email was sent regarding their status) and have been issued their seasonal license.

19. CLERK'S UPDATE

- Hao Chen, Inc. d/b/a Sakura Buffet

At the December meeting of the License Commission the Commissioners made note that they wanted the license holder for Hao Chen, Inc. d/b/a Sakura Buffet to appear before the commission in six months for an update on the status of finding a buyer for the license. Six months will be in June and the Clerk will send a letter requesting their attendance for the June meeting.

20. APPROVAL OF MINUTES

- March 6, 2019

Commissioner Yakovlev moved to approve the March 6, 2019, meeting minutes as written. Commissioner Campedelli seconded. The motion passed unanimously 2-0.

21. NEW BUSINESS - None

22. ADJOURN

Commissioner Campedelli moved to adjourn the meeting at 4:58 p.m. Commissioner Yakovlev seconded. The motion to adjourn passed unanimously 2-0.

The next meeting of the Northampton License Commission is scheduled for May 1, 2019.