



NORTHAMPTON LICENSE COMMISSION

City Hall, Office of the Mayor
210 Main St., 2nd Floor
Northampton, MA 01060
(413) 587-1212

COMMISSIONERS

Brian Campedelli, Chair
Natasha Yakovlev
Helen Kahn

Executive Assistant

Annie Lesko
alesko@northamptonma.gov

MEETING MINUTES

Wednesday, May 5, 2021

Virtual Meeting

4:00 p.m.

The May 5, 2021, License Commission meeting will be held via remote participation.

Join Virtual Meeting

- **Video Conference:** <https://zoom.us/j/97623769495?pwd=ZGJwZUxPdDFJaXVScjZHRDIFUWgwUT09>

OR

- **Telephone, call:** +1-929-436-2866, Meeting ID: 976 2376 9495, Password: 650751

1. **MEETING CALLED TO ORDER** by Commissioner Yakovlev at 4:03 p.m.
ROLL CALL - Commissioners Yakovlev and Kahn were present. Commissioner Campedelli was absent.
ANNOUNCEMENT OF ZOOM RECORDING made by Commissioner Yakovlev
2. **PUBLIC COMMENT** - None
3. **PUBLIC HEARING ON AN APPLICATION FOR CHANGE OF STOCK INTEREST AND CHANGE OF MANAGER ON AN ANNUAL ALL ALCOHOL PACKAGE STORE LICENSE**
Table & Vine, Inc.
136 N. King St.

Michael Gold was present and stated he has two requests: 1) seeking approval of an application for change of manager and 2) an application for change of stock ownership. Mr. Gold noted that the proposed manager of record, Dominic Fortini, was present and stated that Dominic has been a manager for ten years, a store director for three years, and was transferred to the Northampton store late in 2020. Mr. Gold noted that Dominic runs a great store and has all of his responsible server certifications coupled with many years of experience managing the sale of alcoholic beverages.

Commissioner Yakovlev moved to open the public hearing at 4:05 p.m. Commissioner Kahn seconded. The public hearing was opened.

Seeing no public comment, Commissioner Yakovlev moved to close the public hearing. Commissioner Kahn seconded and the public hearing was closed at 4:05 p.m.

Mr. Gold spoke about the application for change of stock and noted that it resulted from owners of Big Y Foods, Inc., gifting a small amount of non-voting shares to trust for the benefit of their adult children. Mr. Gold noted that Table & Vine is a wholly owned subsidiary of Big Y Foods, which is essentially the liquor division, and the management and operations of Table & Vine and Big Y Foods are completely unchanged by the transaction. Mr. Gold pointed out that because the transaction was very complicated and because Table & Vine has multiple retail licenses throughout the state, the ABCC worked with the applicant on a reverse

transaction approval meaning the ABCC has already approved the transaction subject to local licensing board approval.

Commissioner Yakovlev moved to approve the application for change of stock interest and change of manager on an annual all alcohol package store license for Table & Vine, Inc. at 136 North King St. Commissioner Kahn seconded. The motion passed unanimously 2-0 by roll call vote.

4. REVIEW AND APPROVAL OF THE FOLLOWING ON-PREMISES OUTDOOR DINING EXPANSION APPLICATIONS FOR PUBLIC SPACES

- Azad Bharat, Inc. d/b/a India House Restaurant, 45 State St.
- Fortune Creative, LLC d/b/a Oriental Taste, 41 Main St.

Omprakash Kanoujia, owner of India House, was present and stated he is requesting the use of three parking spaces in front of his restaurant to facilitate outdoor dining. Mr. Kanoujia stated he hopes to put up portable structures with covers over the top of the area. Mr. Kanoujia stated that he will need to transport alcohol on the sidewalk, he will add some type of rope around the area and his hours of operation will be 3:30 p.m. to 9 or 10 p.m.

Commissioner Kahn asked if the structure will be built to cover the area.

Mr. Kanoujia confirmed he will be building some type of structure but it won't be permanent and will only be erected to protect diners from the rain. Mr. Kanoujia also plans to add plants to make the area attractive.

Commissioner Kahn moved approval of the extension of premises application for Azad Bharat, Inc., as shown on the plan on file with the License Commission, to include three parking spaces on State Street directly in front of the restaurant, to include the sidewalk in between limited to transportation of alcoholic beverages contingent upon a site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

The application for extension of premises for Fortune Creative, LLC, was discussed after item number 7 of the agenda.

Chenghui Zheng, owner of Oriental Taste, was present for the application and stated he already has approval from the city for outdoor dining on the sidewalk and is now looking for outdoor dining in the street area. Mr. Zheng notes he hopes to add four tables to the newly constructed area in the street and will delineate the area accordingly.

Commissioner Yakovlev moved approval of the extension of premises application for Fortune Creative, LLC, as shown on the plan on file with the License Commission, to include two parking spaces on Lower Main Street directly in front of the restaurant, to include the sidewalk in between limited to transportation of alcoholic beverages contingent upon a site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

5. APPLICATION FOR CHANGE OF MANAGER ON AN ANNUAL WINE AND MALT PACKAGE STORE LICENSE

J. W. Sandri, Inc. d/b/a Sandri #139
776 N. King St.

William Williams, proposed manager, was present for this application and stated he has been with J.W. Sandri, Inc., at the current location, for five and a half years.

Mr. Williams pointed out that the North King Street store number is #139. The clerk thanked Mr. Williams for clarifying because her records had conflicting numbers. The clerk noted she will make the change on all future license correspondence, etc.

Commissioner Yakovlev moved approval of the application for change of manager for J.W. Sandri, Inc. d/b/a Sandri #139. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

6. APPLICATION FOR A TRANSFER OF OWNERSHIP ON A COMMON VICTUALLER LICENSE

Trinh Nguyen was present and noted she has taken over ownership of Pho Boston and submitted paperwork to solidify the change. Trinh noted that everything else will stay the same.

Commissioner Kahn moved approval of the application for transfer of ownership on a common victualler license to Trinh Corporation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

7. APPLICATION FOR EXTENSION OF PREMISES FOR THINK TANK BREWERS, LLC D/B/A PROGRESSION BREWING TO BE INCLUDED IN THE STRONG AVENUE CLOSURE FOR OUTDOOR DINING

Drew Starkweather was present and stated that since the food requirement provision has recently been lifted, he would like to be included in the Strong Avenue outdoor dining project. Drew is working on putting together a beer tap trailer that will be securable at night versus having to move all of his equipment daily. Drew noted he plans to have smaller or bar height tables and chairs because there won't be food and there will be a member of his staff monitoring the area at all times.

Commissioner Kahn asked about the possibility of a patron purchasing food at Local Burger and sitting at Progression with a beer and their take-out food.

The clerk noted that the License Commission has authority over the alcohol but the food piece should be left under the purview of the Health Department.

Commissioner Yakovlev noted that everyone is planning to include delinations to their spaces already so it should be clear the alcohol can not be transported between restaurants.

The clerk asked if the area would be table service. Drew noted it will not be and patrons will order their drinks at the trailer and then find a seat. Drew noted that patrons are required to be seated once they've obtained their drink.

In discussing the hours of operation, Drew requested a closing time of 11 p.m. on Friday and Saturday and 10 p.m. all other days of the week.

Commissioner Yakovlev asked what type of outreach has been done to residents living on Strong Avenue.

Amy Cahillane, Executive Director of the Downtown Northampton Association, noted that Deb Flynn from Eastside Grill spoke to the President of the nearby Condo Association and also reached out to the apartments above Fitness Together so that everyone is aware of the project.

Commissioner Kahn moved approval of the application for extension of premises for Think Tank Brewers, LLC, to be included in the Strong Avenue closure for outdoor dining, subject to site inspection by the building department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

8. UPDATE ON STATUS OF POCKET LICENSE

World War II Veterans' Association of Hampshire County, Inc.

Steve Connor, president of the World War II Veterans' Association of Hampshire County, Inc., and Mathieu Tebo, Treasurer for the organization, were both present and noted there are two potential buyers for the license and the board recently decided on their first choice. Steve noted that the entity purchasing the license is a downtown restaurant that already has a wine and malt license.

Commissioner Yakovlev asked about the timeline for finalizing the transaction.

Matt Tebo noted that per the most recent communication with the purchaser, all parties are hoping to have the transaction complete by July at the latest.

The Commission requested that the current license holder keep up communication and if the timeline for the transfer changes, to inform the Commission.

9. DISCUSS NEXT STEPS FOR THE ALL ALCOHOL LIQUOR LICENSE FOR RIAS BAIXAS, LLC D/B/A IBIZA TAPAS

The clerk pointed out that if the Commission wants to proceed in taking back the license from Ibiza Tapas and reissuing it to Homestead, Jeremy Werther would have to understand that there would be a time period where he didn't hold a liquor license because in order to allow Homestead to apply for the license, there has to actually be a license in the City's possession for Homestead to apply for.

Commissioner Yakovlev asked whether or not Homestead could apply for a wine and malt license to use in the meantime, while he is waiting for the all alcohol approval from the ABCC.

The clerk noted that is a possible scenario and once Homestead was approved for a wine and malt license, the establishment would have to physically surrender the all alcohol license because a premises cannot hold two licenses. The clerk noted that if this was the route Jeremy wanted to take, she would want to speak with the ABCC before proceeding to ensure multiple license transfers wouldn't be an issue.

In keeping with the spirit of assisting small businesses recover from the pandemic and so that Ibiza Tapas can participate in the Summer on Strong project, the clerk suggested taking back the license in early fall for Homestead to then apply for the license.

The Commission agreed to wait for the Summer on Strong project to end before requiring Ibiza Tapas to return the license to the city.

The clerk noted she will place an item on the agenda for the September meeting but reiterated that nothing can move forward until Jeremy physically returns the license.

10. APPROVAL OF MINUTES

- March 3, 2021
- April 7, 2021

Commissioner Yakovlev moved approval of the March 3, 2021 and April 7, 2021, minutes as written. Commissioner Kahn seconded. The motion passed unanimously 2-0 by roll call vote.

11. NEW BUSINESS

None

12. ADJOURN

Commissioner Yakovlev moved to adjourn the meeting at 4:53 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0.