



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

MEETING MINUTES

Wednesday, July 7, 2021

Virtual Meeting

4:00 p.m.

The July 7, 2021, License Commission meeting was held via remote participation.

Join Virtual Meeting

- Video Conference: <https://us06web.zoom.us/j/86425469835?pwd=Ym1XeVBYdkxTNmNVSI5TVVvaOGE5QT09>

OR

- Telephone, call: +1-929-436-2866, Meeting ID: 864 2546 9835, Password: 638699

1. **MEETING CALLED TO ORDER by Commissioner Campedelli at 4:01 p.m.**
ROLL CALL - Commissioners Campedelli, Yakovlev and Kahn were all present
ANNOUNCEMENT OF ZOOM RECORDING made by Commissioner Campedelli
2. **PUBLIC COMMENT - None**
3. **APPLICATION FOR SHORT TERM LIQUOR LICENSE**
Oxbow Wines, LLC d/b/a Bottle-O
Location: 166 King St.
Date/Time: July 15, July 16, July 17 and July 18, 2021; 4:30 p.m. - 9:30 p.m.
Event: Grand Opening of Bottle-O
Type: Wine & Malt

This agenda item was taken after agenda item #6.

Bruce McAmis and Dave Marks were both present for this application. Dave Marks, General Manager of Bottle-O, stated that the grand opening event coincides with the store's one-year anniversary. The event will have a few vendors pouring their own products and a few items from Bottle-O that will be offered. The area will be delineated, IDs will be checked using an ID scanner and patrons will be given a wristband. All individuals pouring will be TIPS certified.

Commissioner Yakovlev moved to approve the application for a short term liquor license for Oxbow Wines, LLC d/b/a Bottle-O at 166 King Street. Commissioner Kahn seconded. The motion passed unanimously by a roll call vote 3-0.

4. **PUBLIC HEARING ON AN APPLICATION FOR TRANSFER AND CHANGE OF LOCATION ON AN ANNUAL ALL ALCOHOL RESTAURANT LICENSE**

Transfer from: World War II Veterans' Association of Hampshire County, Inc., 50 Conz St.
Transfer to: MP Majestic Enterprises, LLC d/b/a The Majestic Saloon, 24 Main St.

Kayla Manzi and Phil Peake were both present for this application.

Commissioner Campedelli moved to open the public hearing. Commissioner Yakovlev seconded and the public hearing was opened at 4:04 p.m.

Phil Peake stated there is a contract to purchase the all alcohol liquor license from the World War II Club and upon approval, the contract will be executed.

Seeing no public comment, Commissioner Campedelli moved to close the public hearing. Commissioner Kahn seconded and the hearing was closed at 4:06 p.m.

Kayla Manzi was present and stated she has been working as a bartender at Union Station for the last two and a half years and it has always been a dream to manage and own her own space. Kayla noted she is excited to start experimenting with fun cocktails. Kayla has been a bartender for ten years and is excited for the opportunity.

Commissioner Kahn moved approval of the transfer and change of location on an annual all alcohol restaurant license to MP Majestic Enterprises, LLC d/b/a The Majestic Saloon at 24 Main St. Commissioner Yakovlev seconded. The motion passed unanimously 3-0 by roll call vote.

5. APPLICATION FOR SHORT TERM LIQUOR LICENSE

Building 8 Brewing, 320 Riverside Dr.
Date/Time: July 24, 2021, 12 p.m. - 8 p.m.
Event: Summer Beer Release
Type: Wine & Malt

O'Brian Tomalin was present and noted he's planning another beer release event similar to past events.

Commissioner Yakovlev moved approval of the application for a short term liquor license for Building 8 Brewing for July 24, 2021, from 12 p.m. to 8 p.m. Commissioner Kahn seconded. The motion passed unanimously 3-0 by roll call vote.

6. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

The Academy of Music, Inc., 274 Main St.
Type: Wine & Malt
Fee: Request Fee Waiver
Time: 7 p.m. - 11 p.m.

Date: Wednesday, September 8, 2021
Event: Rhiannon Giddens with Grancesco Turrisi

Date: Thursday, September 9, 2021
Event: Lindsey Buckingham

Date: Friday, September 10, 2021
Event: Madeleine Peyroux & Joan Osborne

Date: Friday, September 17, 2021
Event: Darlingside

Date: Saturday, September 18, 2021
Event: Al Franken

Date: Monday, September 20, 2021
Event: Dr. Dog

Date: Saturday, September 25, 2021
Event: Demetri Martin

Date: Wednesday, September 29, 2021
Event: The High Kings

Date: Saturday, October 2, 2021
Event: Northampton Jazz Festival

Date: Wednesday, October 13, 2021
Event: Post Modern Jukebox

Date: Friday, October 15, 2021
Event: Rick Wakeman

Date: Saturday, October 16, 2021
Event: Young@Heart

Date: Sunday, October 17, 2021
Event: David Sedaris

Date: Monday, October 18, 2021
Event: David Sedaris

Date: Tuesday, October 19, 2021
Event: Gregory Alan Isakov & Patty Griffin

Date: Wednesday, October 20, 2021
Event: Lukas Nelson

Date: Saturday, October 23, 2021
Event: Bax and O'Brien

Date: Wednesday, October 27, 2021
Event: Cat & Nat Reunion Tour

Date: Saturday, October 30, 2021
Event: Peter Wolf

Date: Monday, November 15, 2021
Event: Friends, The Musical

Date: Tuesday, November 16, 2021
Event: The Psychedelic Furs

Date: Saturday, November 20, 2021
Event: Pat Metheny

Date: Friday, November 26, 2021
Event: Dinosaur, Jr.

Date: Friday, December 17, 2021

Event: Martin Sexton

Date: Sunday, December 19, 2021

Event: Sweetback Sisters

Melissa Cleary Pearson was present and stated all events are being managed the same as they have in the past.

Commissioner Kahn moved approval of the short term liquor licenses for the Academy of Music, including the fee waiver request. Commissioner Yakovlev seconded. The motion passed unanimously 3-0 by a roll call vote.

7. APPLICATIONS FOR EXTENSION OF PREMISES FOR OUTDOOR DINING IN A PUBLIC WAY

Brewster Court, Inc. d/b/a Northampton Brewery
11 Brewster Court

No one was present for this application. However, the clerk noted that the plan is the same as last year with a few additional seats because of social distancing requirements being lifted.

Commissioner Campedelli moved approval of the extension of premises application for Brewster Court, Inc. d/b/a Northampton Brewery, as shown on the plan on file with the License Commission, to include 10 tables and 20-40 chairs in the city-owned alley abutting the restaurant, to include the sidewalk in between limited to transportation of alcoholic beverages. Commissioner Yakovlev seconded. The motion passed unanimously 3-0 by a roll call vote.

Belly of the Beast, Inc.
159 Main Street

Aimee Francaes was present and stated she would like to place two tables on the sidewalk abutting the front of her restaurant. Aimee noted she will have a rope as a barrier and is cognizant of ADA requirements.

Commissioner Campedelli moved approval of the extension of premises application for Belly of the Beast, Inc., as shown on the plan on file with the License Commission, to include two tables and four chairs on the sidewalk directly attached to the facade of the building, to include the sidewalk in between limited to transportation of alcoholic beverages. Commissioner Yakovlev seconded. The motion passed unanimously 3-0 by a roll call vote.

8. APPLICATION FOR A NEW ENTERTAINMENT LICENSE

99 Main, LLC d/b/a Miss Florence Diner
99 Main St., Florence

Georgianna Brunton and her counsel, Peter Lane, were present. Georgianna noted she is applying for an entertainment license to provide acoustic music on either Saturday OR Sunday from 10 a.m. or 11 a.m. for about 2 to 3 hours. Georgianna noted the entertainment will be under the JJ's pavilion and plans to end entertainment in September.

Commissioner Yakovlev noted she heard the music one morning and was astonished at how loud the volume was. Commissioner Yakovlev noted that there needs to be a mutual understanding for what constitutes amplified music and acoustic music because it's a huge difference and a big issue for the neighbors.

Georgianna Brunton noted that two of the bands she has hired have small amps.

Commissioner Campedelli opined that Miss Florence Diner should be able to provide entertainment but would like the bands to be set up in the back of the pavilion, facing the building.

Commissioner Kahn recognized that there are individuals present to discuss the ongoing concern that the JJ's Tavern entertainment license has created for neighbors.

Commissioner Yakovlev noted that the application is concerning because of the unrest the JJ's entertainment license has created for the neighbors. Commissioner Yakovlev noted that there is a big difference between acoustic and amplified music and a standard needs to be established. Commissioner Yakovlev opined that she didn't believe acoustic music could be translated into amplified music.

Commissioner Kahn noted in her experience she has had amplifiers in a small indoor space and sometimes it was too loud and sometimes it was just right so ultimately it has to do with the performers and their ability to control the amps.

Commissioner Campedelli believes it is unfair for a business not to be issued an entertainment license if they can't keep it to acoustic because an amplifier can be turned down very low.

Commissioner Yakovlev noted she had her own experience and believes the entertainment should be acoustic only with no amplification based on what she heard. Commissioner Yakovlev believes outdoor entertainment is a positive thing that permits community growth but at the same time the entertainment has to be respectful of the neighbors.

Commissioner Kahn believes the license should be issued but that the establishment should be checking sound levels constantly.

Commissioner Yakovlev opined that she is not in support of amplification at this time.

Commissioner Campedelli noted that sometimes when sound is amplified, the quality is better and the volume can be more easily controlled.

Commissioner Kahn noted she is willing to give the applicant the benefit of the doubt with the hopes that the establishment will allow entertainment at a reasonable volume.

Commissioner Campedelli moved to approve the application for Entertainment License for 99 Main Street, LLC d/b/a Miss Florence Diner to include outdoor acoustic music under the pavilion with soft jazz and lite acoustic bands, making sure patrons are able to enjoy a quality conversation while seated and to not be a nuisance to surrounding neighbors. Commissioner Kahn seconded. The motion passed 2-0-1 by roll call vote with Commissioner Yakovlev dissenting.

9. HEARING RELATIVE TO POTENTIAL MODIFICATION OF ENTERTAINMENT LICENSE HELD BY BLUE PAWS, INC. D/B/A JJ'S TAVERN LOCATED AT 99 MAIN STREET, FLORENCE, MA

Commissioner Campedelli moved to open the public hearing at 5:18 p.m. Commissioner Yakovlev seconded and the public hearing was opened.

Fabio Dallorto was present and stated he is disturbed by constant entertainment and believes the outdoor space is not conducive for entertainment because the sound travels. Fabio noted that JJ's has

always held music but believes it should be moved back inside. Fabio also feels that the previous establishment shouldn't have been issued an entertainment license because they held entertainment without a license. Fabio noted that the licensee has a license to provide entertainment for 108 days out of the year and now another establishment will be holding concerts in the same venue.

Commissioner Campedelli noted that he walked around the vicinity on a night that JJ's had entertainment and noted that while walking on the sidewalk he couldn't make out what songs the bands were playing. Commissioner Campedelli asked whether hearing the music at all is the problem, or because it is offensively loud.

Fabio Dallorto stated that the problem is that he can understand which songs are being played when his windows are shut.

Commissioner Yakovlev stated that Florence Center is the central business district but also a residential neighborhood so the needs of everyone have to be balanced. Commissioner Yakovlev noted that she doesn't feel that the intention of the license is to create a new venue but to assist businesses in what they are able to offer. Commissioner Yakovlev noted there is a clear breakdown of some sorts and that the entertainment license should be more in line with other outdoor entertainment establishments.

Nina Kleinberg was present and noted that she is 1,200 feet from the establishment and can hear everything with all her windows shut. Nina took multiple videos on her phone for examples of the noise. Nina also noted that she has lived next to the establishment in question for 20 years and always had a sense there was an indoor concert but it never bothered her.

Julianne Clark, property owner who abuts JJ's parking lot, was present and noted she was speaking on behalf of all of her tenants. Julianne noted that she has three tenants who are very frustrated and tired of the loud noise and want to know how everyone is going to co-exist.

Katie McGuinness was present and stated she has been to JJ's many times and have had conversations with family and friends across the tables and the music is not loud. Katie noted she hates loud music and JJ's is only trying to attract business, not create a music venue. Katie concluded by saying she doesn't feel as if the neighbors will be happy with anything.

Ronald Bush, resident of Keyes Street, stated that noise is subjective and some parameters need to be set instead of the opinion of the business owner.

Elisa Forman stated she has mixed feelings because she loves living in Florence and loves local live music but being a block away from the establishment, she has to raise her voice to be heard about the volume of the music. Elisa noted that the license was granted during the pandemic and now entertainment should move back indoors.

Priscilla Ross, resident of Keyes street, was present and noted she is a supporter of arts and music, and have organized the Music on the Porch series for years. Priscilla noted that Jon never made any attempts to contact the neighbors. Priscilla also noted Commissioner Campedelli's site visit was to the establishment and did not include the surrounding neighborhood. Priscilla noted that she can no longer have dinner with friends on her porch on Friday and Saturday nights because of the noise.

Commissioner Kahn noted she is disheartened because after the last conversation, she was under the impression that JJ's would make changes and it appears that no changes were made.

Robert Ross, resident of Keyes Street, was present and noted that the Commission was out of bounds in issuing another entertainment license before this hearing was conducted. Robert noted that everyone is in agreement to move entertainment back inside with the exception of a few limited concerts a year.

Commissioner Campedelli moved to close the public hearing at 6:06 p.m. Commissioner Kahn seconded and the public hearing was closed.

Commissioner Yakovlev pointed out that there have been problems with this entertainment license from day one and a huge part of issuing the license was the agreement of communication with neighbors, which hasn't been the case. Commissioner Yakovlev noted that the bounds were completely overstepped.

Commissioner Campedelli asked if it's possible to have bands with no amplification.

Jon Neumann noted he would have to test this out but also feels that even if there was no music, the neighbors would still complain. Jon Neumann noted he pulled comedy inside because he didn't feel as if he could control the volume.

Commissioner Campedelli asked Jon Neumann what percentage of his business constitutes the outdoor area.

Jon Neumann noted he has experienced about a 28-45% increase in business with outdoor entertainment. Jon Neumann also noted that the volume can't be as intrusive as the petitioners say because not every single neighbor has complained.

Commissioner Kahn noted that the Commission tried to deal with the volume problem and JJ's has had more than a month to make changes and nothing has really changed.

Commissioner Yakovlev moved to amend the outdoor entertainment license for Blue Paws, Inc. d/b/a JJ's Tavern to reflect unamplified music and to allow only unamplified music, one night a week from 5:30 p.m. to 8:00 p.m. from May to October 1st. Commissioner Kahn seconded. The motion passed 2-0-1 by roll call vote with Commissioner Campedelli dissenting.

10. APPROVAL OF MINUTES

- May 5, 2021

Commissioner Kahn moved to approve the May 5, 2021, minutes as written. Commission Yakovlev seconded. The motion passed 2-1-0 with Commissioner Campedelli abstaining.

- June 2, 2021

Commissioner Kahn moved to approve the June 2, 2021, minutes as written. Commissioner Yakovlev seconded. The motion passed unanimously 3-0-0 by a roll call vote.

11. NEW BUSINESS

(Reserved for topics that the Chair did not reasonably anticipate would be discussed.)

Commissioner Kahn floated the idea of possibly changing the time of License Commission meetings to later in the day. The clerk will include this topic on the August meeting agenda.

12. ADJOURN

Commissioner Campedelli moved to adjourn the meeting. Commissioner Yakovlev seconded. The motion passed unanimously 3-0 and the meeting was adjourned at 7:31 p.m.

