



BOARD OF LICENSE COMMISSIONERS

City Clerk's Office, 166 Boulder Drive

Fitchburg MA 01420

(978) 829-1820

Daniel Sarefield, Chair

Donna Pawlak

Glenn Fossa

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on February 20, 2019 in the Fitchburg Fire Department Community Room, 33 North St., Fitchburg, and called to order by Commissioner Sarefield at 6:02PM. Commissioners Pawlak and Fossa were present. FPD liaison Lieutenant Howe was present.

The agenda consisted of the following:

I. REVIEW AND ACCEPTANCE OF MINUTES FROM PREVIOUS MEETING

Minutes were reviewed, approved and signed.

II. NEW APPLICATIONS

Taxi Driver

Justin Courchesne – City Cab

Approved 3/0

Maureen Beauvais for Special One Day license to sell wine and malt beverages at 118 Theresa St. for Fish Fry from 4:30PM to 7:00PM on March 8, 15, 22, 29, April 5, 12, 2019 for 200 people per day in the corner of the hall near the stage.

Approved 3/0

St. Joseph Church by Maureen Beauvais for Special One Day license to sell wine and malt beverages at 49 Woodland St. for Corned Beef and Cabbage Dinner from 4:30PM to 8PM on March 16, 2019 for 200 people near the kitchen.

Approved 3/0

Colby O'Brien for The ARC of Opportunity for Special One Day license to sell wine and malt beverages at 564 Main St. for a Fundraiser from 6PM – 9PM on April 5, 2019 for 200 people at the old vocational work floor (main hall).

At the request of the applicant, the matter was tabled until the next meeting 3/0

Zapata Mexican Cocina, 23 Lunenburg St. for Change of Manager to Elder Gabriel Ochoa and Change of Officer/Director – Elder Gabriel Ochoa-Director.

Mr. Salvador Zamora, Mr. Elder Gabriel Ochoa and their attorney John F. Del Prete, Jr. were present. Upon questioning by the Board, Mr. Ochoa stated that, although he has no prior experience in the alcohol or restaurant business, he has obtained his TIPS certification. The Board encouraged him to review the MA General Laws and License Commission regulations pertaining to the sale and service of alcohol.

Commissioner Sarefield noted one omission in the application and Attorney Del Prete stated he would email a replacement page to the Clerk.

Application approved, pending submission of replacement page 3/0

Hungry Scholar dba Dough Boys, 150a Main St. for New, On Premise, Restaurant, All Alcoholic Beverages license

Mr. Shane Egan and Ms. Heather Furtado were present. The two discussed the plans for the establishment which include a more upscale menu than just pizza along with six draught beer lines and wine. Ms. Furtado has TIPS certification and has been working in the restaurant industry for several years. Application accepted and sent to a public hearing to be held on March 18, 2019 3/0

III. DISCUSSION

River Styx Brewing, 166 Boulder Dr. - inquiry discussion on the following topics:

1. The possibility of a party in our parking lot this summer.

Scott and Jackie Cullen were present. Jackie described an idea they have to hold a party in the parking lot during Civic Days which would include other breweries, multiple food trucks, bands and games. A few matters were identified that need further clarification e.g. whether or not the event would be 21+, the need to coordinate with the Brewers Festival already organized and conducted during Civic Days, the "licensed" area vs. the "party" area, whether or not they could conduct alcohol sales in the parking lot from their existing license or if they would instead need a Special One Day license (Commissioner Pawlak stated that she would look in to this).

No action taken.

2. Bottle sharing at our can releases.

Scott and Jackie Cullen were present. Jackie stated that they have been to can releases outside of MA where customers typically bring their own beer to share/drink in the licensed premise while waiting in line for the can release. She stated they are considering the possibility of having the waiting area be in the existing patio area. Commissioner Pawlak stated that she would look in to whether or not patrons can bring in their own alcohol to a licensed premise to drink/share and also acknowledged that the Board would need to look at expanding the existing seasonal nature of outdoor patios.

No action taken.

IV. CONTINUED MATTERS

1. Notice of Violation Form

(Continued from April 18, 2018)

Commissioner Pawlak distributed the draft form, stating that Lt. Howe has received it and will be sending back suggestions to her. She stated that she will incorporate the changes and bring to next meeting for final review.

Continued to March 4, 2019 3/0

2. Proposed amendment to Fitchburg Taxi regulations

(Continued from September 17, 2018)

No discussion. Continued to March 4, 2019 3/0

3. BYOB regulations

(Continued from April 2016)

Commissioner Sarefield referenced an email from Assistant City Solicitor Christine Tree addressing the liability issue with BYOB. He stated that Commissioners should review the correspondence.

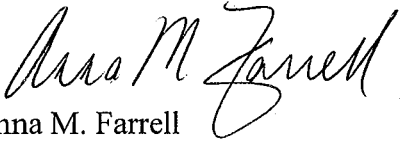
Commissioner Pawlak stated that she has seen the email and believes the opinion is that the City of Fitchburg would not be held liable for incidents occurring at a BYOB establishment. She stated further that she understands the FPD Chief wants a registration process so that the police are aware of where BYOB is practiced. She stated that she will not support a food requirement or TIPS requirement.

Commissioner Sarefield stated that the City needs to know who and where the BYOB establishments are and that perhaps they should have one person trained. He stated further that it could be up to the manager to determine what types of alcohol are allowed at a BYOB premise. He stated it is important to be able to prevent a BYOB practice if there are problems. Commissioner Fossa stated that a manager of record should be trained for a BYOB premise because, similar to the Social Host scenario, someone needs to be a responsible party.

Commissioner Sarefield asked Commissioners to review the information from Attorney Tree and be prepared for further discussion at the next meeting.

The meeting adjourned at 7:18 PM

Respectfully submitted,



Anna M. Farrell
City Clerk

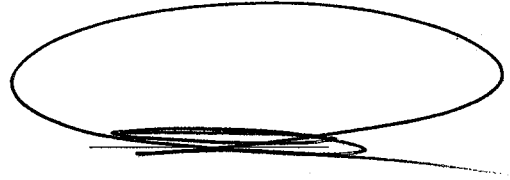
Approved:



Daniel Sarefield



Glenn Fossa



Donna Pawlak