



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

COMMISSIONERS

Natasha Yakovlev, Chair
Helen Kahn
Jennifer Ewers

Executive Assistant

Annie Lesko

alesko@northamptonma.gov

MEETING AGENDA

Wednesday, January 4, 2023

Virtual Meeting

4:00 p.m.

The January 4, 2023, License Commission meeting will be held via remote participation.

Join Virtual Meeting

- **Video Conference:** <https://us06web.zoom.us/j/83767567387?pwd=ZjZPY3hsSXZoejNnWnJEb09zL2kwdz09>

OR

- **Telephone, call:** +1-929-436-2866, Meeting ID: 837 6756 7387, Password: 906382

1. **MEETING CALLED TO ORDER** by Commissioner Yakovlev at 4:04 p.m.
ROLL CALL - Commissioners Yakovlev, Kahn and Ewers were all present
ANNOUNCEMENT OF ZOOM RECORDING made by Commissioner Yakovlev
2. **PUBLIC COMMENT** - None
3. **APPLICATION FOR A SHORT TERM LIQUOR LICENSE**
Forbes Library, 20 West Street
Date/Time: February 4, 2023; 2 p.m. to 4 p.m.
Event: Art Reception - Reading Room
Type: Wine & Malt
Requests Fee Waiver

Maxine Schmidt was present for this application and stated there will be a reception for new art that was purchased by the Trustees and set up will be the same as usual.

Commissioner Yakovlev moved to approve the application for a short term liquor license for Forbes Library on February 4, 2023 from 2 p.m. to 4 p.m. including the fee waiver. Commissioner Kahn seconded. The motion passed unanimously 3-0 by a roll call vote.

4. **REQUEST TO RESCIND A PREVIOUSLY APPROVED SHORT TERM LIQUOR LICENSE FOR BUILDING 8 BREWING ORIGINALLY APPROVED FOR DECEMBER 30, 2022, FROM 5:30 P.M. TO 12:30 A.M. FOR LIVE MUSIC AT BOMBYX.**

Commissioner Yakovlev stated that the request to rescind this license came on December 15th because Bombyx was scheduled for renovations that ultimately canceled the show on December 30th.

Commissioner Yakovlev moved to rescind the previously approved short term liquor license for Building 8 Brewing originally approved for December 30, 2022. Commissioner Ewers seconded. The motion passed unanimously 3-0 by a roll call vote.

5. APPLICATION FOR A SHORT TERM LIQUOR LICENSE

Building 8 Brewing, 320 Riverside Dr.
Date/Time: January 28, 2023, 12 p.m. to 8 p.m.
Event: Annual Imperial Stout Release
Type: Wine & Malt

O'Brian Tomalin was present for this application and stated he is holding an event for a special release. Firetype Chocolate will be providing chocolate.

Commissioner Yakovlev moved to approve the short term liquor license application for Building 8 Brewing for January 28, 2023 from 12 p.m. to 8 p.m. Commissioner Kahn seconded. The motion passed unanimously 3-0 by a roll call vote.

6. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

The Academy of Music, Inc., 274 Main St.
Type: Wine & Malt
Requests Fee Waiver

Date/Time: Friday, January 20, 2023, 7 p.m. to 11 p.m.
Event: Joe Pera

Date/Time: Friday, January 27, 2023, 7 p.m. to 11 p.m.
Event: Big Head Todd

Date/Time: Saturday, February 25, 2023, 7 p.m. to 11 p.m.
Event: Matt Nathanson

Melissa Cleary was present for these applications and there were no changes.

Commissioner Yakovlev moved to approve the short term liquor license applications for the Academy of Music For January 20 and 27 and February 25 including the request for fee waivers. Commissioner Ewers seconded. The motion passed unanimously 3-0 by a roll call vote.

7. REPORT BACK FROM TELLUS AND THE SATELLITE BAR REGARDING NOISE COMPLAINTS

The clerk reported that she spoke with Amanda Riseling at length about the noise complaints and the lines forming outside Tellus.

Due to Thornes being closed, locked and alarmed at 10 p.m. every evening, Amanda is not authorized to permit lines to form inside the building. The door from Thornes to Tellus is also locked and alarmed at 10 p.m. because if it wasn't it would give individuals access to the whole building. That door is only accessible in case of an emergency.

The kitchen at Tellus closes at 9 p.m. on Fridays and Saturday's. At 9:30 they close completely because all the furniture is moved to open up the floor. If people are still eating they are welcome to finish up and are told that things will be moved around. The front door is locked and when people are done eating they exit through the back door.

Depending on the night, this is when a line starts to form. Individuals who are waiting are told that the club opens at 10 p.m. If it's really busy it can be hard for them to change over from a restaurant to a bar and they do everything not to open the doors late but sometimes it does happen because they need to be ready to receive all of the people coming in. This is only on Friday and Saturday - there are no club events any other night.

Sometimes they do have to close down for capacity and then there is a line later in the evening which was the case the night of the compliance check. When it was warmer, the door being open was less of an issue because the door person was outside managing the line. Now that he is inside, the line kind of keeps the door open. At times the door is open longer than they want it to be and they obviously don't want that because they are paying to heat the space and then all the noise is flowing out but sometimes there are groups of people that clump at the door and prop the door open.

There has been a concern during dinner service that there is a significant draft with some people suggesting putting up a curtain near the door but they can't do that because they need to be able to see people when they are behind the bar so that's a safety issue.

The clerk noted that Tellus is closed this week and Amanda mentioned they would be attempting to install sound mitigation measures and noted they are committed to coming up with a solution it will just take a little bit of time.

Commissioner Yakovlev inquired whether or not there have been any additional complaints since the last reporting.

The clerk noted that she spoke with Amanda about the possibility of having a temporary structure outside the door so the door person can be positioned in the structure out of the cold, monitoring the line and keeping the door shut.

Commissioner Kahn noted the complainant most likely has their windows shut this time of year and are experiencing less noise interference. Nonetheless, she is pleased to hear that Tellus is doing its best to mitigate sound issues.

8. APPLICATION FOR A NEW ENTERTAINMENT LICENSE

Drawing Board Brewing Company, LLC, 36 Main St., Florence

Proposed Entertainment: Live entertainment; Monday through Saturday, 3pm-10pm

Corey Lynch was present and stated that his intention was to always provide entertainment in the form of live music, trivia and/or a DJ every once in a while. The entertainment will be situated to the right of the Main Street entrance.

Commissioner Yakovlev moved to approve the application for a new entertainment license for Drawing Board Brewing Company, LLC. Commissioner Kahn seconded. The motion passed unanimously 3-0 by a roll call vote.

9. DRAW A LOTTERY WINNER FOR THE SPECIAL ACT LIQUOR LICENSE PREVIOUSLY HELD BY SYLVESTER'S FINE FOODS, INC. D/B/A SYLVESTER'S RESTAURANT (Chapter 109 Acts of 2016)

Letters of Intent:

- LANRAN, LLC d/b/a The Dirty Truth
- Tea Pot Restaurant, Inc.
- Washut & Ware, Inc. d/b/a Jake's Restaurant
- Paul & Elizabeth's, Inc.

Commissioner Yakovlev stated that the clerk will place four balls into the bingo spinner and the balls are labeled 1 through 4 which correspond with the order in which the restaurants are listed on the agenda, which is the order the letters of intent were received.

The clerk selected ball #4 which belongs to Paul & Elizabeth's, Inc.

The clerk noted that the Mayor will be seeking special legislation for additional special act liquor licenses for the restaurants that were not selected and although it's not a guarantee it will pass, she is still going to make the effort.

10. DISCUSSION WITH ERIC SUHER REGARDING THE OPERATION AND STATUS OF THE LIQUOR LICENSES HELD BY 21-23 CENTER STREET, LLC; 26-28 CENTER STREET, LLC; CALVIN THEATER CORP.; IRON HORSE VENTURES, INC; AND PEARL STREET NIGHTCLUB, INC.

Commissioner Yakovlev stated that Eric Suher was asked to attend today's meeting. However, there was no response from the request and he is not present. She continued that the intention was to have an informal discussion about the status of his licenses because none of the businesses are open, the omissions on the renewal paperwork, along with the police department data from the spot checks that were conducted. Because of those reasons, she'd like to move forward and schedule a public hearing to discuss all of his licenses.

Commissioner Kahn pointed out that as a courtesy the Commission reached out before scheduling a public hearing. However, because he is not present, the public hearing is the next step.

Commissioner Yakovlev stated that it's really unfortunate that the situation is playing out like this because while no one business is less important than the other, the Iron Horse and the Calvin Theater are critical to downtown and the region so she wants to hear what the plans are regarding both.

Commissioner Kahn stated that Pearl Street and The Basement have not been open for a very long time and she doesn't foresee them opening again so she'd also like to hear what the plans are for those. She stated that she took a walk around all establishments looking to see if there was anything posted on the doors but there wasn't anything.

Commissioner Ewers opined she is disappointed because the licenses were renewed even though the applications were incomplete and the Commission gave him a chance to come to the meeting and he didn't so a public hearing is the next step.

11. APPROVAL OF MINUTES

- December 7, 2022

Commissioner Yakovlev moved to approve the December 7, 2022 minutes as written. Commissioner Kahn seconded. The motion passed unanimously 3-0 by a roll call vote.

12. NEW BUSINESS

The clerk noted, for the record, that the Majestic noise complaint has been resolved with the Majestic and the neighbor working together to find a resolution.

13. ADJOURN

Commissioner Yakovlev moved to adjourn the meeting at 4:37 p.m. Commissioner Kahn seconded. The motion to adjourn passed unanimously 3-0 by a roll call vote.