



NORTHAMPTON LICENSE COMMISSION
City Hall, Office of the Mayor
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Northampton, MA 01060
(413) 587-1212

COMMISSIONERS

Natasha Yakovlev, Chair
Helen Kahn

Executive Assistant

Annie Lesko
alesko@northamptonma.gov

MEETING MINUTES
Wednesday, April 6, 2022
Virtual Meeting
4:00 p.m.

The April 6, 2022, License Commission meeting was held via remote participation.

Join Virtual Meeting

- Video Conference: <https://us06web.zoom.us/j/87574186274?pwd=RWNcYzlabUJDaGpVMEpMNFZGQWNDQT09>

OR

- Telephone, call: +1-929-436-2866, Meeting ID: 875 7418 6274, Password: 309069

1. **MEETING CALLED TO ORDER by NY at**
ROLL CALL - both @ 4:03 p.m.
ANNOUNCEMENT OF ZOOM RECORDING

2. **PUBLIC COMMENT**

Fabio Dallorto was present to speak to agenda item #15 and stated he believes that if an establishment gets issued an outdoor entertainment license that there should be a maximum of one event per establishment, per calendar month.

3. **APPLICATION FOR A NEW ENTERTAINMENT LICENSE**

Ana Bandeira Chocolates Northampton, LLC d/b/a Ana Bandeira Chocolates
48 Main St.

Proposed Entertainment: Live acoustic music with minimal amplification: small jazz combos, singer/songwriters, traditional music (Irish, etc.), classical music, etc. Sunday through Saturday between 10 a.m. (Sunday brunch) and 10 p.m. (weekend evenings).

Dave Haughey was present and stated that when he takes over Patisserie Lenox he will want to offer some light entertainment because of his background in music but will not be having any big or lively events.

Commissioner Yakovlev moved to approve the application for a new entertainment license for Ana Bandeira Chocolates Northampton, LLC for live acoustic music Sunday through Saturday between 10 a.m. and 10 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

4. **APPLICATIONS FOR CHANGE OF MANAGER ON TWO ALL ALCOHOL PACKAGE STORE LICENSES**

- Cooper's Dairyland, Inc. d/b/a Cooper's Corner, 31 Main St., Florence
 - Proposed Manager: Michael Brignolo
- Cooper's Dairyland, Inc. d/b/a State Street Wine & Spirits, 51 State St.
 - Proposed Manager: Wesley DeSantis

Rich Cooper was present and stated that he has two long time employees that essentially run operations at their respective locations, Wesley DeSantis, a 17 year employee, and Michael Brignolo, a 10 year employee. Rich noted that each individual is on the floor training employees and meeting with customers and salespeople so it only makes sense to make them managers on the licenses.

Commissioner Kahn moved to approve the applications for change of managers on two all alcohol package store licenses held by Cooper’s Dairyland, Inc. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

5. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

The Academy of Music, 274 Main St.

Type: Wine & Malt

Request Fee Waiver

Date/Time: April 11, 2022, 7 p.m. to 11 p.m.

Event: Tommy Emmanuel

Date/Time: April 13, 2022, 7 p.m. to 11 p.m.

Event: An Evening with Cowboy Junkies

Date/Time: April 16, 2022, 7 p.m. to 11 p.m.

Event: Godspeed You! Black Emperor

Date/Time: April 22, 2022, 7 p.m. to 11 p.m.

Event: Aimee Mann

Date/Time: April 26, 2022, 7 p.m. to 11 p.m.

Event: The Zombies

~~Date/Time: April 28, 2022, 7 p.m. to 11 p.m.~~

~~Event: Hot Tuna~~

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

Commissioner Yakovlev moved to approve the short term liquor licenses for the Academy of Music including the application for BenDeLa Creme listed under New Business, as well as approve the fee waiver. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

6. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

Drawing Board Brewing Company, 36 Main St., Florence

Type: Wine & Malt

Date/Time: April 16, 2022, 12 p.m. to 10 p.m.

Event: Pints on the Patio

Date/Time: April 30, 2022, 12 p.m. to 10 p.m.

Event: Pints on the Patio

This application was taken after agenda item #8. Corey Lynch was present for this application and stated this even will be held in the same manner as usual.

Commissioner Yakovlev moved to approve the applications for short term liquor licenses for Drawing Board Brewing Company for April 16, 2022 and April 30, 2022. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

7. APPLICATION FOR FARM WINERY LIQUOR LICENSE TO SELL AT FARMERS MARKETS & AGRICULTURAL EVENTS

Ragged Hill Cider Company, West Brookfield, MA
Dates: Tuesdays from April 19, 2022 - November 8, 2022
Times: 1:30 p.m. to 6:30 p.m.
Event: Tuesday's Farmers Markets

Commissioner Kahn stated for the record that she completed a financial disclosure statement because she is employed by Grow Food Northampton, which runs the Tuesday Farmers Market. The clerk noted that the disclosure was signed off on by Mayor Sciarra so she is authorized to vote on this agenda item.

Annie Garwood-Hampp was present for this application and stated she has been at farmers markets throughout the Commonwealth and is very familiar with the process. She asked whether or not there were any restrictions with sampling this year. Commissioner Kahn stated that there are no Health Department/COVID restrictions this year.

Commissioner Yakovlev moved to approve the application for a Farm Winery License for Ragged Hill Cider Company to sell at the Tuesday Market. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

8. APPLICATION FOR A SHORT TERM LIQUOR LICENSE

Trustees of Forbes Library d/b/a Forbes Library, 20 West St.
Date/Time: May 14, 2022, 4 p.m. to 5:30 p.m.
Event: Trustees Award Reception in the Hosmer Gallery
Type: All Alcohol

Lisa Downing was present and stated the trustees are having an award ceremony in the gallery with wine only for an hour and a half. TIPS servers will be serving at the event.

Commissioner Kahn moved to approve the application for a short term liquor license for Forbes Library along with the fee waiver request. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

9. APPLICATIONS FOR SHORT TERM LIQUOR LICENSES

Building 8 Brewing, 320 Riverside Dr.
Type: Wine & Malt

Date/Time: April 8 and 9, 2022, 6 p.m. to 11 p.m.
Event: Arts & Music @ Bombyx, 130 Pine St., Florence

Date/Time: April 14, 2022, 7 p.m. to 11 p.m.
Event: Live Music @ Bombyx, 130 Pine St., Florence

Date/Time: May 8, 2022, 7 p.m. to 11 p.m.

These applications were taken after agenda item #14. O'Brian Tomalin was present and stated that there is nothing new to report and the events are held in the same manner as usual.

Commissioner Yakovlev moved to approve the applications for short term liquor licenses for Building 8 Brewing. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

10. APPLICATION FOR A SHORT TERM LIQUOR LICENSE

Northampton Center for the Arts, Inc.

Date/Time: Saturday, April 30, 2022, 7:30 p.m. to 12:30 a.m.

Event: "Revelry at 33" - Fundraiser for NCFA

Type: All Alcohol

Fee: Request Fee Waiver

Joanna Walker was present for this application and stated the event is a fundraiser for the Northampton Center for the Arts. Joanna noted that they want to serve beer, wine and a few select cocktails. Majestic Saloon will be serving, there will be a band, tickets will be sold and the fundraiser will be inside the flex space.

Commissioner Kahn moved to approve the application for a short term liquor license for the Northampton Center for the Arts for Saturday, April 30, 2022, along with the fee waiver. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

11. APPLICATIONS FOR OUTDOOR DINING EXTENSIONS INTO PUBLIC SPACES

- Zingara, Ltd. d/b/a Packard's, 14 Masonic St.
 - 396 square feet in two parking spots directly in front of Packard's

Bob McGovern was present for this application and stated that the set up will be the same as last year with the addition of video surveillance for the safety of the customers.

Commissioner Kahn moved approval of the extension of premises for Zingara Ltd. as shown on plan on file with the License Commission to include two parking spaces directly in front of the restaurant totaling 396 square feet, cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 5, 2022 through November 15, 2022, 7 days a week from 4 p.m. to 1 a.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- MP Majestic Enterprises, LLC d/b/a Majestic Saloon, 24 Main St.
 - 2 parking spots on Main St. in front of Majestic

Kayla Manzi and Phil Peake were both present for this application. Kayla stated they have been working hard on a menu and hope to open for lunch and serve from 12 to 10 p.m.

Commissioner Yakovlev mentioned the obstacle of having a railing in the way that will need to be worked around. Kayla stated she is looking to have a host outside on the weekend to control the area to direct people around the railing. There will be no entertainment outside, just food and drinks.

Commissioner Yakovlev moved approval of the extension of premises for MP Majestic Enterprises, LLC as shown on plan on file with the License Commission to include two parking spaces directly in front of the restaurant totaling 320 square feet, cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through

November 15, 2022, 7 days a week from 12 Noon to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Wine Witch, LLC, 159 Main St.
 - 3 tables on sidewalk

No one was present at this time. The Commission moved on to the next item.

Dave Greeman was now present for this application and stated he is looking to have outdoor seating on the sidewalk directly in front of the window in front of the restaurant. The bank wasn't amenable to having tables infringing in front of their facade but the hair salon next door mentioned they wouldn't mind.

Commissioner Yakovlev requested something in writing if the tables need to be spread out in front of the hair salon's space.

The clerk asked about delineations.

Dave Greeman noted that he will have red carpet ropes to cordon off the space and there will be enough space left for ADA accessibility.

Commissioner Yakovlev moved approval of the extension of premises for Wine Witch, LLC as shown on plan on file with the License Commission to include three tables and 15 chairs in front of the restaurant to include the sidewalk in between limited to transportation of alcoholic beverages only from May 1, 2022 through November 15, 2022, 7 days a week from 11:30 a.m. to 11:30 p.m. and contingent upon site inspection by the Building Department prior to operation.

- LANRAN, LLC d/b/a The Dirty Truth, 29 Main St.
 - Sidewalk and 1.5 parking spots on Main St.

Kyle Anderson was present for this application and stated he has the same set up as last year with the exception of changing a few tables out for smaller tables but the footprint is all the same.

Commissioner Kahn moved approval of the extension of premises for LANRAN, LLC d/b/a The Dirty Truth as shown on plan on file with the License Commission to include the sidewalk in front of the restaurant and space in Main Street cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, Tuesday through Saturday from 12 p.m. to 11 p.m. and Mondays from 4 p.m. to 11 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Sylvester's Fine Foods, Inc. d/b/a Sylvester's Restaurant, 111 Pleasant St.
 - 2 parking spots in front of Sylvester's

Jilian Duclos, manager of Sylvester's, was present for this application and stated she will have the same tables with half the capacity this year to keep it more reasonable for staff throughout the summer.

Commissioner Yakovlev moved approval of the extension of premises for Sylvester's Fine Foods, Inc. d/b/a Sylvester's Restaurant as shown on plan on file with the License Commission to include two parking spaces cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022,

Thursday through Monday from 8am to 3pm and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Amanouz Cafe, 44 Main Street
 - 1.5 parking spots on Lower Main

No one was present for this application. The clerk noted that this is the same application as in years passed.

Commissioner Kahn moved approval of the extension of premises for Amanouz Cafe as shown on plan on file with the License Commission to include 1.5 parking spaces on Lower Main Street cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, 7 days a week from 9 a.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Very Limited d/b/a Fitzwilly's/Toasted Owl, 23 Main St.
 - 2 parking spaces cordoned off by jersey barriers

Fred Gohr was present for this application and stated the parking lot will be the same setup with a 40'x50' ten with servers going in and out the side door by Toasted Owl. The full menu will be offered and they will be open for lunch at 11:30 a.m. and serve until midnight with most nights ending before that.

Commissioner Kahn moved approval of the extension of premises for Very Limited d/b/a Fitzwilly's/Toasted Owl as shown on plan on file with the License Commission to include two parking spaces on Lower Main Street to be cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, 7 days a week from 11:30 a.m. to midnight and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

After this application, the Commission went back to discuss the application for Wine Witch, LLC.

- Veracruz Foods, Inc. d/b/a La Veracruzana
 - 1.5 parking spaces cordoned off by jersey barriers

Sunia Hood was present for this application and stated that everything will be the same as last year with the exception of the tent.

Commissioner Kahn moved approval of the extension of premises for Veracruz Foods, Inc. d/b/a La Veracruzana as shown on plan on file with the License Commission to include 1.5 parking spaces on Main Street cordoned off by jersey barriers placed by the city, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, 7 days a week from 11 a.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Washut & Ware, Inc. d/b/a Jake's Restaurant, 17 King St.
 - Approx. 130 sq. ft. of sidewalk

Alexander Washut was present and stated that the set up is the same as last year. There will be fencing in between diners and King Street with sand bases holding it in place.

Commissioner Yakovlev moved approval of the extension of premises for Washut & Ware, Inc. d/b/a Jake's Restaurant as shown on plan on file with the License Commission to include approximately 130 sq. ft on the sidewalk, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, 7 days a week from 8 a.m. to 3 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Azad Bharat, Inc. d/b/a India House, 45 State St.
 - 3 parking spots on State Street

Amit Kanoujia was present and stated he will have the same set up as last year without the structure over the cover. This year umbrellas will be used with weighted umbrella stands. The space will be completely visible to staff inside.

Commissioner Kahn moved approval of the extension of premises for Azad Bharat, Inc. d/b/a India House as shown on plan on file with the License Commission to include approximately 3 parking spots on State Street directly in front of the restaurant, to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, 7 days a week from 12 Noon to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

Commissioner Yakovlev moved to amend the motion to change the operating hours to Noon to 10 p.m. for occasional earlier openings. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

12. APPLICATIONS FOR OUTDOOR DINING EXTENSIONS INTO PRIVATE PROPERTY

- LILO, Inc. d/b/a Eastside Grill, 19 Strong Ave.
 - Private alleyway/driveway

Deb Flynn was present for this application and stated the alley is the exact same as it was last year with no changes to service.

Commissioner Yakovlev moved approval of the extension of premises for LILO, Inc. d/b/a Eastside Grill as shown on plan on file with the License Commission to include the private driveway/alley on the side of Eastside from April 6, 2022 through November 15, 2022, Monday, Wednesday and Thursday from 5 to 9 p.m., Friday from 5 p.m. to 10 p.m., Saturday from 4 p.m. to 10 p.m. and Sunday 2 p.m. to 8 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Rias Baixas, LLC d/b/a Homestead., 7 Strong Ave.
 - Back patio approx. 600 sq. ft.

Jeremy Werther was present for this application and stated that the plan is to utilize it as applied for with the area roped off. Jeremy noted he was not open until 1 a.m. last year but did have hopes in turning the back patio into a lounge area but that never came to fruition. Jeremy also noted that he doesn't foresee the ability to staff both outdoor dining sections so he's thinking about turning the back patio into a three night a week barbecue by creating a separate section with a grill with vegetables and meat. Jeremy stated

he has more research to do but wanted to mention it. The clerk asked Jeremy to call her when plans are finalized so that they can discuss whether or not anything additional is needed.

Commissioner Kahn questioned how creating a separate lounge area would alleviate staffing concerns that Jeremy spoke of.

Jeremy Werther stated it's less about the physical bodies and more about the way the flow of the restaurant is. Full dining in both spaces creates a safety bottleneck for waitstaff whereas the lounge would be a separate space and wouldn't interfere with indoor/outdoor waitstaff. It's less about labor and more about safety and how staff are moving throughout the restaurant.

Commissioner Kahn moved approval of the extension of premises for Rias Baixas, LLC d/b/a Homestead as shown on plan on file with the License Commission to include back patio approx. 600 sq. ft. also to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, from 2 p.m. to 1 a.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Very Limited d/b/a Fitzwilly's/Toasted Owl, 23 Main St.
 - 2,000 sq. ft. in private parking lot

Commissioner Yakovlev moved approval of the extension of premises for Very Limited d/b/a Fitzwillys/Toasted Owl as shown on plan on file with the License Commission to include adjacent private parking lot of approx. 2,000 sq. ft. and to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, from 11:30 a.m. to midnight and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- One Bridge Street, Inc. d/b/a Spoleto, 1 Bridge St.
 - Parking lot

Sophia Robohn, general manager at Spoleto, was present for this application and stated that she is looking to license the same space as last year with a tent.

Commissioner Yakovlev moved approval of the extension of premises for One Bridge Street, Inc. d/b/a Spoleto as shown on plan on file with the License Commission to include entire adjacent private parking lot from April 6, 2022 through November 15, 2022, from 4 p.m. to midnight and contingent upon site inspection by the Building Department prior to operation. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Masa Mexicano, LLC, 176 Pine St.
 - Approx. 1,800 sq. ft. of space in private parking lot

Roberto Saravia was present for this application. He stated he has the same setup as last year with the same setup.

Commissioner Kahn moved approval of the extension of premises for Masa Mexicano, LLC as shown on plan on file with the License Commission to include approx. 1,800 sq. ft. of the parking lot area directly in front of restaurant to include the sidewalk in between limited to transportation of alcoholic beverages only from April 6, 2022 through November 15, 2022, from 11 a.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by roll call vote.

13. APPLICATION FOR TRANSFER OF ENTERTAINMENT LICENSE

Transfer from: LILO, Inc. d/b/a Eastside Grill

Transfer to: Ichor, LLC d/b/a Familiars Coffee & Tea

Entertainment: Live Music, Wednesday (5-8pm), Thursday (5-8pm), Sunday 3-6pm)
May 3, 2022 through October 10, 2022

Isaac Weiner, owner at Familiars was present, and stated that programming for Summer on Strong has been moved to Familiars this year. Last year there were no issues and entertainment always ended early. The only change this year is extending the dates to start May 3, 2022 and go until October 10, 2022.

Commissioner Yakovlev moved to approve the transfer of the entertainment license to Ichor, LLC d/b/a Familiars Coffee & Tea keeping the same times and same days of the week. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

14. APPLICATIONS FOR OUTDOOR DINING EXTENSIONS FOR THE PURPOSES OF SUMMER ON STRONG

- Ichor, LLC d/b/a Familiars Coffee and Tea, 6 Strong Ave.

Isaac Weiner was present as lead contact for Summer on Strong this year and thanked everyone who made it possible and for all of the hard work and noted he's existed for another successful year. No vote needed on the agenda item.

- LILO, Inc. d/b/a Eastside Grill, 19 Strong Ave.

Deb Flynn was present and stated her setup will be the exact same as last year with the addition of more planters and plants.

Commissioner Kahn moved approval of the extension of premises for LILO, Inc. d/b/a Eastside Grill as shown on plan on file with the License Commission for the purposes of Summer on Strong to include the sidewalk in between limited to transportation of alcoholic beverages only from May 3, 2022 through October 10, 2022, Monday, Wednesday and Thursday from 5 to 9 p.m., Friday from 5 p.m. to 10 p.m., Saturday from 4 p.m. to 10 p.m. and Sunday 2 p.m. to 8 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Think Tank d/b/a Progression Brewing Company, 9 Pearl St.

Drew from Progression noted that he will park his tap wagon on Summer on Strong again this year and will have 10 tables and a couple high tops with about 40 seats and will include more planters to his boundaries.

Commissioner Yakovlev asked if there were a lot of people confused by the boundary setups.

Drew noted that people were confused and tried weaving in and out of the areas but his staff was great by telling customers they can't move around with their beverages.

Commissioner Yakovlev moved approval of the extension of premises for Think Tank Brewers, LLC d/b/a Progression Brewing Company as shown on plan on file with the License Commission for the purposes of Summer on Strong from May 3, 2022 through October 10, 2022, Monday through Friday from 12 p.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation.

Commissioner Yakovlev offered an amendment to her motion to extend days of operation to Monday through Sunday. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.

- Rias Baixas, LLC d/b/a Homestead., 7 Strong Ave.

Jeremy Werther was present for this application and stated he too will be operating the same as last year with tables on the sidewalk and a space in Strong Avenue for Summer on Strong.

Commissioner Kahn moved approval of the extension of premises for Rias Baixas, LLC d/b/a Homestead as shown on plan on file with the License Commission to for the purposes of Summer on Strong to include the sidewalk in between limited to transportation of alcoholic beverages only from May 3, 2022 through October 10, 2022, from 2 p.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- Local Burger, Inc., 16 Main St.

Jeff Igneri was present for this application and stated he will be operating the same as last year with a few more planters.

Commissioner Kahn moved approval of the extension of premises for Local Burger, Inc. as shown on plan on file with the License Commission for the purposes of Summer on Strong to include the sidewalk in between limited to transportation of alcoholic beverages only from May 3, 2022 through October 10, 2022, 11:30 a.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

- U.N.I., Inc. d/b/a Moshi Moshi, 4 Main St.

Sangsoo Lee was present for this application and stated he will have four tables set up in Summer on Strong.

Commissioner Kahn moved approval of the extension of premises for U.N.I., Inc. d/b/a Moshi Moshi as shown on plan on file with the License Commission for the purposes of Summer on Strong to include the sidewalk in between limited to transportation of alcoholic beverages only from May 3, 2022 through October 10, 2022, from 11 a.m. to 10 p.m. and contingent upon site inspection by the Building Department prior to operation. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

15. DISCUSSION OF A POSSIBLE OUTDOOR ENTERTAINMENT LICENSE

Commissioner Yakovlev stated that this agenda item came about after seeing that Easthampton has instituted an outdoor entertainment license to where anyone who has outdoor entertainment has to apply for each event, and pay a fee for each occurrence. Commissioner Yakovlev pointed out that she got clarification from Attorney Seewald in that the License Commission has zero purview or enforcement over the city's noise ordinance.

The clerk pointed out that the ordinance is a zoning ordinance and the License Commission can't get involved in zoning matters as those are strictly enforced by the Building Department.

Commissioner Khan noted that the Majestic came before the Commission about a noise complaint. She asked if the City Solicitor is suggesting that noise complaints go to the police, then to the building department and then the building department as enforcement over it.

Commissioner Yakovlev stated that the mechanism to determine the problem was the big clarification because as a Commission, there are no means to determine the noise level besides hearing “he said, she said” from neighbors. Determining noise levels is outside the scope of what the Commission should be concerned with.

Commissioner Yakovlev read Attorney Seewald’s email regarding the ordinance, “The ordinance referenced, is a zoning ordinance that can only be enforced by the Building Commissioner. This is not the standard that the License Commission should apply. However, if there is a complaint, the complaint should be made to the Building Commissioner to enforce the decibel limits of the ordinance.”

Commissioner Kahn asked if the City Solicitor is suggesting that the limit of what can be done is to put something like the good neighbor language on all of the licenses.

Commissioner Yakovlev pointed out that there was no discussion about adding that kind of language to the license but agrees that this should be added to all of the licenses. Sometimes it's not always enough to ask license holders to please be courteous so embedding it into the license reinforces it that much more.

The clerk pointed out that the License Commission has the authority to adopt any standards or regulations for entertainment licenses. However, when it comes to the zoning noise ordinance, that is not something that the License Commission can reference.

Commissioner Kahn asked if the ordinance can be duplicated.

The clerk stated that this would better be suited for the Commission’s rules and regulations and there would be a need to discuss enforcement because the Commission doesn’t have an enforcement mechanism.

Commissioner Yakovlev expressed her frustration because this is about one establishment. In six years of being on the Commission, there has only been one other time that a noise complaint was addressed and it was solved by using a decibel counter and neighbors working together.

Commissioner Kahn asked if neighbors can call the Building Department and have them come out and check.

Commissioner Yakovlev stated that yes, that is possible, and that is where the Commission can be active, with information from the Building Department about their findings.

The clerk stated that she would check on whether or not there is language on the entertainment license stating that the Commission can amend licenses. She doesn’t believe there is because that is within the Commission’s right to do so, but will check. The clerk will also check on good neighbor language and how to go about that.

Commissioner Kahn asked whether it is necessary that the Commission create a separate outdoor entertainment license or is the regular license with good neighbor language enough.

Commissioner Yakovlev asked to what end would the outdoor entertainment license be beneficial. If there is a benefit, then yes, but if it’s simply more paperwork and more fees, then it doesn’t seem appropriate.

16. APPROVAL OF MINUTES

- March 2, 2022
- April 1, 2022

Commissioner Kahn moved to approve the March 2, 2022, and April 1, 2022, minutes as written. Commissioner Yakovlev seconded. The motion passed unanimously 2-0 by a roll call vote.

17. NEW BUSINESS

APPLICATION FOR SHORT TERM LIQUOR LICENSE

The Academy of Music, 274 Main St.

Date/Time: April 23, 2022, 7 p.m. to 11 p.m.

Event: BenDeLaCreme Concert

Type: Wine & Malt

Fee: Request Fee Waiver

Commissioner Kahn asked about the time frame of when to expect a third commissioner. The clerk stated that she will ask the Senator's office for an update on where the special legislation is in the process.

Commissioner Kahn asked when meetings have to go back to being in person. The clerk noted that the Governor's order expires on July 15, 2022. Commissioner Kahn asked about hybrid meetings. The clerk noted that she doesn't believe there is a requirement but stay tuned for more information.

18. ADJOURN

Commissioner Yakovlev moved to adjourn the meeting at 5:46 p.m. Commissioner Kahn seconded. The motion passed unanimously 2-0 by a roll call vote.