

METHUEN LICENSING BOARD

SEARLES BUILDING, 41 PLEASANT STREET
SECOND FLOOR CONFERENCE ROOM #208
THURSDAY – February 18, 2010 AT 6:00PM

MEETING of the Methuen Licensing Board on Wednesday February 18, 2010 at 600pm in the second floor conference room, 41 Pleasant St. Present was Chairman Henry Foderaro and Board Members John MacLeod and James Piemonte.

AGENDA Mr. MacLeod motioned to approve the agenda of February 18, 2010 seconded by Mr. Piemonte.
All in favor.

MINUTES MacLeod motioned to approve the minutes of December 18, 2009 seconded by Mr. Piemonte.
All in favor.

NEW BUSINESS

APPROVED Mr. Foderaro motioned to take the agenda out of order 6-11 Variety to be heard last seconded by Mr. MacLeod.
All in favor.

APPROVED Bada Bing Pizza, LLC, dba/Bada Bing Pizza – Manager John Vargas applying to change the dba to Bada Boom Sports Lounge & Grill.
Mr. MacLeod offered that all the p/w is in order per note by clerk and also that Mr. Vargas would not be present.
Mr. MacLeod motioned to approve the change of dba seconded by Chairman Foderaro.
All in favor.

APPROVED Combination Improvement Club, Inc., dba/Combination Improvement Club, 20 Combination Street applying for a change of manager from Gail Azevedo to Dennis Matthews.
Mr. MacLeod asked if anyone was representing the club. Mr. Dennis Matthews responded as the potential manager. Mr. MacLeod asked if he was tip certified with a response that it is expiring and he will renew and send a copy for the file.
Mr. MacLeod motioned to approve the change of dba seconded by Chairman Foderaro.
All in favor.

APPROVED 6-11 Variety, Inc., dba/6-11 Variety – Manager – Mohammad A. Shakourian 466 Lowell Street applying for a transfer of a Wine and Malt Package Store license from MarcArt, LLC dba/Osgood Package Store – Manager Mark Vinciguerra.
Chairman Foderaro asked if anyone was representing the transfer with response from Atty. Arthur Broadhurst. Attorney offered that Mr. Shakourian has been in business for 15 years with a variety and is perfect to add beer and wine and obviously for extra income. Also it is a good area, no neighborhood and has plenty of parking. There is a package store in the vicinity, however we will not sell hard alcohol.
Mr. Piemonte asked what is the distance you can have another package store?
Mr. Broadhurst said it is not the same license type, one being all alcohol and one beer and wine.
Mr. Piemonte asked if there was a limit if it was the same license type.
Atty. Broadhurst spokeinaudible.....
Mr. Chairman asked if anyone was here to speak against the transfer.
Mr. Patel from Methuen Package Store 462 Lowell Street, Methuen offered a letter in which Mr. MacLeod read into the minutes (see attached). The letter is regarding sales from 2 local distributors.
Mr. Patel asked where the license is currently operating.
Mr. MacLeod explained Broadway and Osgood Street.

Mr. Patel asked if the store was open with a response of no.

Mr. MacLeod explained how the license become available from one being turned in by Mikes Beer/Wine. Marcart LLC applied for it and the license was granted. The store hasn't opened yet but they do own the license in which they are transferring.

Mr. Patel said his business sales are down and if this is approved, he will loose even more business.

Mr. MacLeod said that everyone's sales are down. There is nothing in the law that says Mr. Shakourian can't sell alcohol. Same thing when the Irish Cottage applied. The neighbors complained and said there was another bar up the street, namely Casey's Hideaway. Well, if there's a license available, anyone can apply and if approved, open for business.

At this time there was a discussion on whether or not it was legal to have an alcohol license within so many feet of each other. A note was left with the board from the clerk stating she had already called the A.B.C.C. on this particular item and in the state of Massachusetts there is NO law stating the allowing of package stores within a certain proximity of each other.

Mr. Piemonte motioned the transfer from MarcArt, LLC to 6-11 Variety, Inc. be approved contingent upon verifying the state law of the distance between package stores if any.

Mr. MacLeod seconded the motion.

Mr. Chairman motioned with contingency to approve the transfer from MarcArt, LLC to 6-11 Variety, Inc.

All in favor.

Mr. Piemonte motioned to adjourn the meeting.

Mr. MacLeod seconded the motion.

All in favor.

I do hereby certify that a meeting of which a quorum was present, the foregoing minutes were adopted by the Methuen Licensing Board by a unanimous vote on March 10, 2010.

Respectfully submitted
Judie Hajjar
Licensing Clerk
Submitted March 3, 2010