

METHUEN LICENSING BOARD

SEARLES BUILDING, 41 PLEASANT STREET

SECOND FLOOR CONFERENCE ROOM #208

WEDNESDAY – July 8, 2009 AT 7:00PM

MEETING of the Methuen Licensing Board on Wednesday **July 8, 2009** at 7:00pm in the second floor conference room, 41 Pleasant St. Present was Chairman Henry Foderaro and Board Member John MacLeod.

AGENDA Mr. MacLeod motioned to approve the agenda for July 8, 2009 seconded by Chairman Foderaro.

MINUTES Mr. MacLeod motioned to approve the minutes for May 6 and May 13, 2009 seconded by Chairman Foderaro.

BUSINESS CONTINUED/ POSTPONED

From April 8 Notice is hereby given that a hearing will be held to determine circumstances of allegations being brought by the Methuen Police Department, Case #362795, dated January 25, 2009 regarding the all alcohol liquor license held by **Rosario 1859 House, Inc., dba/1859 Restaurant**, License #069600107 at 12-16 Hampshire Street, Methuen, MA 01844.

Mr. Chairman asked if anyone was representing Rosario 1859 House w/o response. Mr. MacLeod motioned to continue until August 12, 2009 seconded by Chairman Foderaro.

APPROVED WITH STIPULATIONS

From May 13 Forno Caldo Italian Cuisine, 222 Merrimack St. – Manager Gaetano Distefano applying for a change of location from 222 Merrimack St. to 169 East St. Mr. Chairman asked if anyone was here to represent Forno Caldo with response from Atty. Anthony Copani,, 265 Broadway, Methuen. Mr. Copani explained how Mr. Distefano could not get financing to do construction at 222 Merrimack St and wished to change locations. Mr. Distefano has been a businessman in Methuen for the past 20 years at the location he wishes to relocate the business which is 169 East St. The new location is a commercial building and the abutters is Appleton Square with whom we have been negotiating with in addressing their concerns.

Mr. MacLeod asked what type of business.

Mr. Copani replied that Mr. Distefano has operated a hair salon for the past twenty years at that location. Because he had the physical structure, he thought it would make good business sense. Atty. Copani said he has the floor plans and also said it was not a large space. The plan shows the layout of the facility. As far as table seating, it's approximately 38 individuals. I have applied the formula with the building inspector and there are 32 parking spaces to service the location including handicap spaces. We more than comply with those numbers. Edible Arrangements is there which is strictly delivery. Also there is a mortgage broker and a hair salon. Even coupled with these businesses, the building commissioner said we have 19 spaces which is more than enough.

Mr. MacLeod asked if the 32 spaces were for the total complex and the building inspector is calling for 19 spaces.

Atty. Copani answered yes. He also added that it will be a small upscale restaurant.

Mr. Foderaro asked if anyone was here to speak against this item.

Atty. Robert LeBlanc represented Appleton Square Apartment abutters.

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Chairman asked when he plans on opening.

Atty. Copani said approval has been given from all the departments except building inspectors which we need the occupancy permit.

Chairman told Mr. Distefano not to hold up the license any longer.

Atty. LeBlanc stated how the use should be a bistro type restaurant only.

Hours of operation Sunday through Wednesday close at 10:00pm and Thursday, Friday and Saturday close at 11:00pm. Kitchen closes ½ hour before closing. Terms of entertainment. **No Live Entertainment.** No DJ's, no singers, no keno, no lottery, no exterior seating, no food or drinks outside. The ratio of food to liquor is maintained.

Mr. MacLeod asked if employees were tip certified with a yes.

Mr. MacLeod also reviewed how two months ago at the first hearing when the abutters were very concerned and how this item has come this far and everyone has reached an agreement.

Mr. MacLeod motioned to approve the change of location for Forno Caldo Italian Cuisine – Manager Gaetano Distefano from 222 Merrimack St. to 169 East St. with the following stipulations.

- . Open after approval from ABCC, do not hold up this license any longer.
- . Hours of operation are Sunday through Wednesday close at 10:00pm, Thursday, Friday and Saturday close at 11:00pm
- . The kitchen will close ½ hour before closing.
- . No live entertainment, no disc jockey, no singers, no keno, no lottery, no exterior seating, no food or drinks outside
- . Keep the ratio of food and alcohol to a balance.

Mr. Foderaro seconded the motion.

ALL IN FAVOR.

Atty. Copani would like to thank Attorney LeBlanc for working with him in this manner.

NEW BUSINESS

APPROVED GMRI, INC. dba/The Olive Garden Italian Restaurant #1825, 90 Pleasant Valley St. – Manager Karen Charlesworth applying for a new annual all alcohol restaurant and entertainment license.

Atty. Dennis Eagan, 33 State St. Springfield Massachusetts represented The Olive Garden. He offered that the building is of a Tuscan Farm House. A total of 246 seats. The Olive Garden will be appointing another manager as Ms. Charlesworth is one of the directors of the corporation. We will be back in front of the board the that change.

Ms. Charlesworth will be opening the restaurant and getting it running. It is the practice of Olive Garden to have a director get the new operation up and running.

Mr. Chairman stated how impressed he was and that Atty. Eagan covered everything.

Ms. Charlesworth spoke to say that she is very happy to be here in Methuen and that there will be 150 –170 jobs available.

Mr. MacLeod motioned to approve GMRI, Inc. dba/the Olive Garden Italian Restaurant for a new annual all alcohol restaurant and entertainment license.

Mr. Foderaro seconded the motion.

ALL IN FAVOR.

APPROVED Mr. MacLeod motioned to adjourn.

Mr. Chairman seconded the motion.

ALL IN FAVOR.

