



# Licensing Board

January 9, 2013 – 5:30 PM – **Minutes**  
133 William Street Ashley Room (Room 120)

**PRESENT: Steven A. Beaugard, Chairman**

**Marcelino “Sonny” G. Almeida, Commissioner**

**Edmund F. Craig, Jr., Commissioner**

**Capt. Steven Vicente, Police Department Liaison to the Lic. Bd.**

**Nick Nanopoulos, Director**

**1. PETITION - Trans. # 222 – Plot # 108—172**

**MTWP Restaurant Ventures, Inc. d/b/a Davy’s Locker, Jeffrey Dolinsky, President**, who’s petitioning for a **new Annual Common Victualler (Restaurant) All Alcoholic Beverages License**. Upon approval, Jeffrey Dolinsky will be the President, Treasurer, Secretary, Sole Director, and Sole Stockholder (100%); **Jeffrey Dolinsky** is also the **Proposed Manager**; the applicant is requesting approval of a **Pledge of the Common Victualler (Restaurant) All Alcoholic Beverages License to County Mortgage, LLC, 1172 Beacon Street, Newton, MA.** as security to authorize and execute a promissory note in the amount of **Four Hundred and Twenty Thousand Dollars (\$420,000.00)**, pursuant to Massachusetts General Laws Ch.138 s.23. The new licensed premise includes 3 Rooms for Dining, Bar Area, Kitchen, & Exterior Patio, in an area approximately 5,000 sq. ft. on the first floor of a one-story building, with stock on the first floor. The licensed premises also includes a one -story 30' X 21' wooden deck above the existing outside patio in the rear of the building, for a total area of 5,651 Sq. Ft., which includes an 8 Ft. Bar, with 4 barstools, and 9 tables with seating for 4 at each table. There is 1 entrance/exit with stairs running adjacent to the existing patio leading into the parking lot. \*\*\*The upper deck has been previously approved with the following restrictions 1.) Roof Top Service Will End At 12:00 AM & All Patrons Removed By 12:15 a.m.; 2.) Area approved for 40 patrons; 3.) All Music & Entertainment Must Cease By 11:00 p.m.; 4.) All Music & Entertainment should be at such a level that would not be a disruption to the neighbors & will consist only of radio type sound system or light non-amplified acoustic music.\*\*\* The premises is situated on the east side of E. Rodney French Boulevard between Norman & Clara Streets, and is numbered **1480 E. Rodney French Boulevard.**

**(This application has been filed as a late renewal, as required by M.G.L. Ch. 138)**

Final approval will require a ‘**Certificate of Inspection**’ from the Building Department, a ‘**Food Permit**’ from the Health Department, and a signed ‘**Fire & Building Certificate**’ with regard to Chapter 304 Fire Acts Compliance; along with a copy of ‘**Proof of Liquor Liability**’.

**Application has been advertised; Abutters have been notified**

**Present: Atty. Greg Koldys along with Jeffrey Dolinsky, Owner**

Chairman Beaugard opened the hearing by asking, for the record I just want to make it clear that we’re here because of your client’s failure to sign the renewal application by the end of November, and not anything that was negligent or lack of effort on the part of this Board or Mr. Nanopoulos, is that correct?

Atty. Koldys responded, Well ... I get that ... I understand why we’re here ... because the license was not renewed and the application wasn’t signed in a timely fashion as is required by the statute ... so, I appreciate the Board holding a special meeting so we can get this addressed quickly.

Chairman Beaugard responded to Atty. Koldys’ response by stating, that’s not the answer I wanted to hear, Councilor.

Chairman Beaugard continued with the hearing on the petition for a new license by stating, this is not a normal application for renewal in that we have a request for a Pledge of License as part of this petition for \$420,000.00.

In reference to the requested pledge of license, Chairman Beauregard asked Atty. Koldys, are there any planned renovations, additions, or changes, that will be taking place at Davy's that we should know about now before we approve this pledge?

Atty. Koldys responded to Chairman Beauregard's question by stating, I will let Mr. Dolinsky respond to any changes or renovations.

Mr. Dolinsky responded to the question by asking, in what sense? ... In what respect?

Chairman Beauregard responded, well, you're pledging the license for \$420,000.00 ... so ... is there anything now for us to approve that you will be proposing to us based on this sum of money stated that is going to change the configuration ... or the way of the land at Davy's Locker?

Mr. Dolinsky responded, nothing that I'm going to do voluntarily ... it would only be what the Department of Environmental Protection may have in store for me ... we'll see ... but I'm not doing anything ... no.

Chairman Beauregard then called for a motion on the petition.

**Voted:** Commissioner Almeida made a motion to approve the petition as presented, and forward the application to the Alcoholic Beverages Control Commission for their approval. – **Unanimous**

• **COMPLAINTS RECEIVED:**

**01/02/13 – Top Shelf Bar & Grille, 1825-1827 Acushnet Avenue** – This office received a (4<sup>th</sup>) verbal complaint from a neighbor who resides down the street from the Top Shelf Bar & Grille on Query Street, who complained of loud music that continues to emanate from the bar.

**Action Taken - (01/02/13):** A Police Report was requested from Capt. Vicente for the Board to review at its 01/09/13 meeting.

The matter was discussed with Capt. Vicente at length, and was referred to the Police Department for further monitoring.

• **NEXT TWO (2) MEETING DATES:** January 22<sup>nd</sup> (Tuesday) & February 25<sup>th</sup> (Monday) - **Approved**

• **MEETING ADJOURNED:** 6:40 p.m.