

CITY OF MARLBOROUGH
LICENSE BOARD POSTING

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Meeting Name: License Board Regular Monthly Meeting

2016 FEB 22 P 4:13

Date: Wednesday, February 24, 2016

Time: 7:30 PM

Location: Council Committee Room, Main Floor of City Hall

Agenda Items to be addressed:

Administrative Business:

New Business:

1. One Day Permits
 - St. Matthias church 2 applications
 - Tasty Home Cookin'
2. All Star Auto and All Star Cycles - discuss intermediate plan for their current cars and licenses Benjamin Donnarumma, Owner, Chris Bombara, General Manager & Arthur Bergeron, Esq.
3. Reports from Chairman
 - Hilton Garden Inn's terrace area re: Liquor License
 - Communication with Attorney Paul Shannon (represents Robert Gillis)
4. Misc. correspondence and open issues
5. Review minutes –
January 27, 2016

Old Business

Adjournment

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.



CITY OF MARLBOROUGH

LICENSE BOARD

140 Main Street, Lower Level
Marlborough, Massachusetts 01752
Facsimile (508) 460-3625 TDD (508) 460-3610

Walter Bonin, Chairman
Gregory Mitrakas, Member
David Bouvier, Member
Tel (508) 460-3751

Please fill out online and then print
and sign and send to the License
Board with fee.

License: _____
Fee: **\$25** _____
Date: _____

APPLICATION FOR A ONE DAY PERMIT

I hereby make application for a SPECIAL ALCOHOLIC BEVERAGE LICENSE
for the purpose of selling and dispensing ALL and/or WINE/MALT beverages
as permitted by law at a:

Spring Fling

(state whether a banquet, concert, picnic, dance etc.)

Which is to be held by St. Matthias Parish

(Name of Organization)

409 Hemenway Street, Marlborough, MA 01752

(Address of Organization)

a non-profit Catholic Church Organization, to be held on Saturday, May 7, 2016
(Date)

between the hours 5:00 p.m. to 11:00 p.m. at the following

described place parish hall at 409 Hemenway Street, Marlborough, MA 01752

I certify that I am office manager of the Organization

And that I will be responsible for the proper observance of the laws governing

the dispensing of such alcoholic beverage.

Signed Diane Balinski

Home Address 51 Farrington Lane, Marlborough, MA 01752

Telephone # 508-981-1250



CITY OF MARLBOROUGH

LICENSE BOARD

140 Main Street, Lower Level
Marlborough, Massachusetts 01752
Facsimile (508) 460-3625 TDD (508) 460-3610

Walter Bonin, Chairman
Gregory Mitrakas, Member
David Bouvier, Member
Tel (508) 460-3751

Please fill out online and then print
and sign and send to the License
Board with fee.

License: _____
Fee: **\$25** _____
Date: _____

APPLICATION FOR A ONE DAY PERMIT

I hereby make application for a SPECIAL ALCOHOLIC BEVERAGE LICENSE
for the purpose of selling and dispensing ALL and/or WINE/MALT beverages
as permitted by law at a:

St. Patrick's Day Dinner
(state whether a banquet, concert, picnic, dance etc.)

Which is to be held by St. Matthias Parish
(Name of Organization)

409 Hemenway Street, Marlborough, MA 01752
(Address of Organization)

a non-profit Catholic Church Organization, to be held on Saturday, March 12, 2016
(Date)

between the hours 5:00 p.m. to 11:00 p.m. at the following
described place parish hall at 409 Hemenway Street, Marlborough, MA 01752

I certify that I am office manager of the Organization

And that I will be responsible for the proper observance of the laws governing
the dispensing of such alcoholic beverage.

Signed Diane Balinski

Home Address 51 Farrington Lane, Marlborough, MA 01752

Telephone # 508-981-1250



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

For Reconsideration

Amended S.L.

FORM 43
 MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

066200033
 ABCC License Number

Marlborough
 City/Town

6/24/2015
 Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- Transfer of License
- Change of Manager
- Cordials/Liqueurs Permit
- 6-Day to 7-Day License
- New Officer/Director
- Change of Location
- Alteration of Licensed Premises
- Issuance of Stock
- Management/Operating Agreement
- Pledge of License
- Pledge of Stock
- Transfer of Stock
- New Stockholder
- Wine & Malt to All Alcohol
- Change Corporate Name
- Seasonal to Annual
- Change of License Type
- Other

Name of Licensee: CSM Marlborough HOTEL, L.L.C. EIN of Licensee: _____
 D/B/A: Hilton Garden Inn - Marlborough Manager: Francis Edward Dorsey III

ADDRESS: 170 Forest Street CITY/TOWN: Marlborough STATE: MA ZIP CODE: 01752

Annual or Seasonal: Annual Category: All Alcohol Type: Restaurant / Hotel

AUG 12 2015

Complete Description of Licensed Premises:

The premises consist of a hotel with 160 rooms with room service, conference rooms, and a restaurant with seating for 88 patrons and a bar seating 16 patrons; total area of restaurant and bar is 4,171 square feet, with main entrance at the front of the restaurant from the lobby of the hotel and emergency exists located on (1) north, (3) east, (1) south sides. Total square footage is 103,740. Number of entrances is 6, number of exits is 6. Occupancy is 400 including restaurant, bar, conference rooms and hotel rooms. Total seating capacity is 240 including restaurant, bar and conference rooms.

Application Filed: 6/9/2015 Date & Time Advertised: 6/11/2015 Date & Attach Publication Abutters Notified: Yes No

Licensee Contact Person for Transaction: David P. Gadbois Phone: 508-481-0101
 ADDRESS: 450 Main Street, Unit 210 CITY/TOWN: Northborough STATE: MA ZIP CODE: 01532

Remarks: Transfer of License from Robert A. Coulombe to CSM Marlborough Hotel L.L.C. (Hilton Garden Inn - Marlborough, MA, Francis E Dorsey III, Mgr.)

APPROVED
 SL

AUG 12 2015

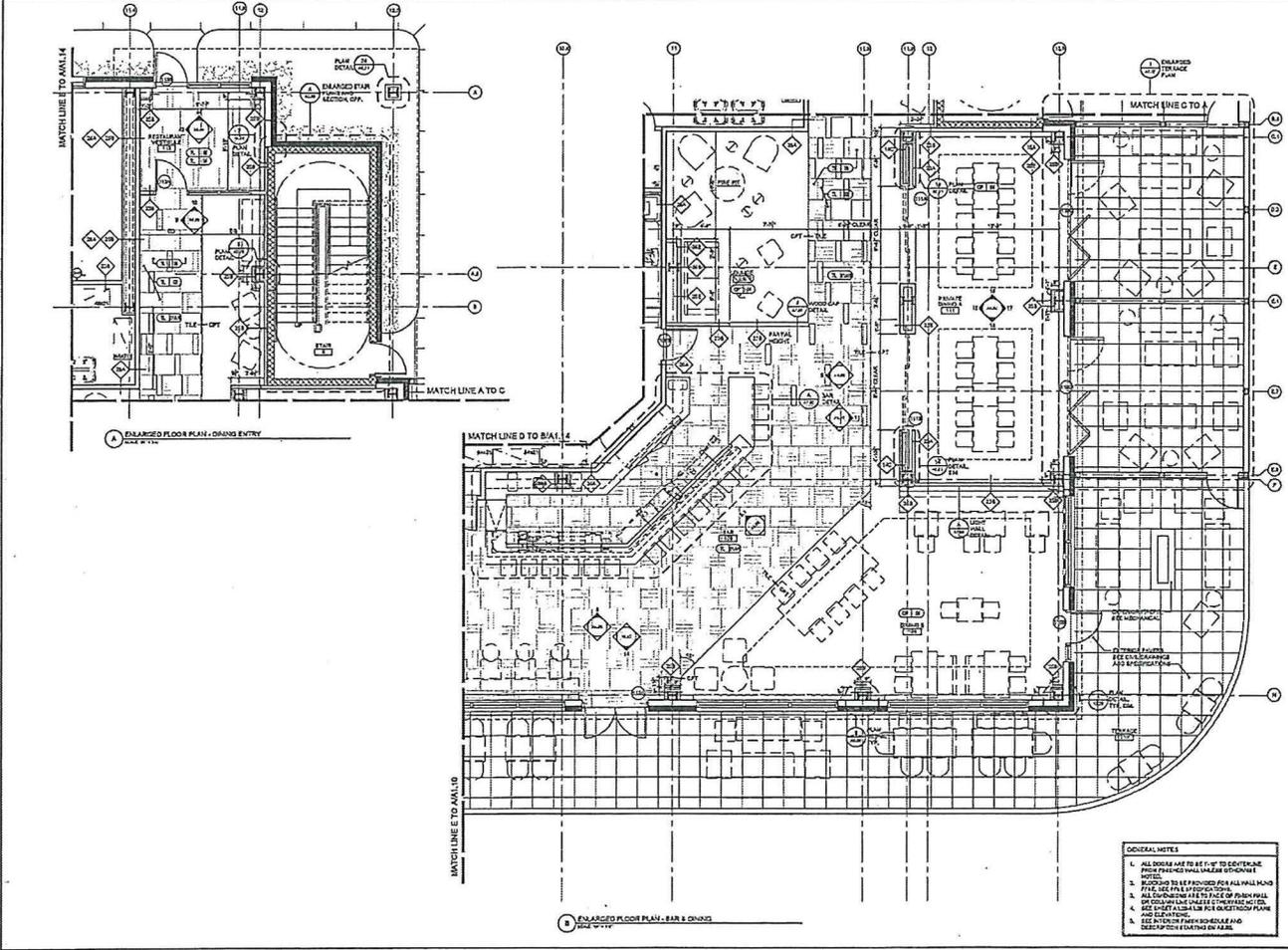
Alcoholic Beverages Control Commission
 Ralph Sacramone
 Executive Director

[Signature]

The Local Licensing Authorities By:

[Signature]
 Walter Bonin, Chairman
[Signature]
 Gregory Mitras, Member
[Signature]
 David Bouvier, Member

ABCC Remarks:



Hilton Garden Inn
 170 Forest Street
 Marlborough, MA
 Group One Partners, Inc.
 31 North Street
 Lowell, MA 01852
 617-852-2000
 617-852-2001

No.	Description	Date
001	PERMIT SET	8/15/12

Sheet No. 1125
 Drawing Title: ENLARGED FLOOR PLAN - BAR & DINING
 Drawing Scale: 1/4" = 1'-0"
 Title: A1.11
 Drawing Number:

- GENERAL NOTES**
1. ALL DOORS ARE TO BE 4'-0" TO CENTERLINE FROM FINISHED WALL, UNLESS OTHERWISE NOTED.
 2. NOTES TO BE PROVIDED FOR ALL WALLS AND DOORS.
 3. FIN. USE PAIR OF DIMENSIONS.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 5. SEE SCHEDULE FOR MATERIALS, FINISHES AND SPECIFICATIONS.

GROUP ONE PARTNERS, INC.



CITY OF MARLBOROUGH

LICENSE BOARD

140 Main Street, Lower Level
Marlborough, Massachusetts 01752
Facsimile (508) 460-3625 TDD (508) 460-3610

Walter Bonin, Chairman
Gregory Mitrakas, Member
David Bouvier, Member

Tel (508) 460-3751

February 2, 2016

Attorney Paul V. Shannon
255 Park Avenue, Suite 508
Worcester, MA 01609

Dear Attorney Shannon:

At the Marlborough License Board meeting of January 27, 2015, the Board determined that Mr. Robert Gillis's pledge of the alcohol license held by New Boundaries Inc. as security for indebtedness owed to Mr. Gillis was valid. Subsequent to the meeting, Mr. Gillis called me stating that he had legal documents that he felt may affect his rights concerning the pledge. He indicated he had conveyed this to you in a phone conversation earlier. His description over the phone was not clear so I met with him to review the documents. None of these appeared to affect the pledge and concerned matters between the stockholders in that capacity and not acting for the corporation. Therefore, in the absence of additional information affecting the pledge, Mr. Gillis may proceed with exercising his rights under the pledge.

The process the License Board has followed in the past is covered by the U.C.C. Mass. General Laws, Chapter 106, Article 9, Section 9-611, et seq.

The steps for Mr. Gillis to follow is to find a buyer, set a date to reach agreement, notify the debtors accordingly, provide an accounting of the transaction, and request a hearing before the Board for a transfer between New Boundaries Inc. and the new buyer. Mr. Gillis provided documentation from the Mass. Department of Revenue stating that the outstanding tax obligations to the Commonwealth have been satisfied which should facilitate ABCC approval after the local Board acts.

This letter should clarify the action Mr. Gillis needs to move forward. If you have any questions, please call me at 508-485-1459.

Sincerely yours,

Walter Bonin
Chairman

cc: Tina Nolin

**City of Marlborough
License Board**

140 Main Street, Lower Level
Marlborough, MA 01752
(508) 460-3751 FAX (508) 460-3625

Minutes of the License Board Regular Meeting Held Wednesday, January 27, 2015
at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Walter Bonin (WB), Chairman; Gregory Mitrakas (GM), Member; Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

New Business

1. ONE DAY PERMITS

Tasty Home Cookin'

Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

Immaculate Conception School Parents Association

Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

2. Fish & Game Change of Manager and New Officers Application

Janet Chase, new manager applicant present
Member Mitrakas motioned to approve the new manager and new officers Member
Bouvier seconded, Board vote: 3-0 approved

3. Commrad Ventures – Class II Car Dealership Application Ilya & Kritian Kotov

Ilya Kostov present – explained the “dealership” would consist of an office only,
operation will be auction to auction only – cars would not be stored there at any time.

Chairman Bonin confirmed Cedar Hill is the Dealerships Business address and told Mr.
Kostov he would need a business entrance identified so Police and DMV would know.
Mr. Kostov agreed. UCC Rules relating to these matters were issued by the Chairman.
Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

4. **Funky Murphy's – Discussion of Neighborhood Issues raised at December Meeting**
Desmond McKane present for Funky Murphy's Restaurant, Mary Rowe present for the neighbors.

After discussion regarding noise and trash complaints from neighbors near the establishment Mr. McKane said he has done and will continue to do what he can to work with neighbors to keep the noise down. Based on suggestions from the Board it was agreed that the establishment would encourage (via signage and benches etc.) people outside for a smoke to do so on the Main Street side of the establishment, control the times that establishment doors are propped open and to keep a dialogue open with the neighbors. Additionally, Mr. McKane agreed to continue to have police monitor and when needed be present on the property as a means to control the noise.

Regarding trash complaints Mr. McKane said he was unaware of the issue in the Rowe's parking area, but agreed to have staff and himself pay attention to it and help keep it clean.

5. **Robert Gillis Four Hundred and One Liquor License**

Tabled due to Mr. Gillis's absence

6. **RK Plaza – Tailgaters/Fanz**

Ken Fries from RK Centers present to discuss a liquor license for the Old Tailgaters location. After a brief discussion on the status of the license Mr. Fries requested time to get some council and information and then return to the Board to revisit his options.

Board agreed to table until a future meeting at Mr. Fries' discretion.

7. **All Star Motors**

Present: Benjamin Donnarumma, Owner, Chris Bombara, General Manager present
Mr. Donnarumma and Mr. Bombara presented an initial site plan for their dealership property and again voiced request to merge their 3 licenses into one for the entire space.

The Board requested that the final site plan clearly show all of the property's side and back locations where employee and customer parking will be along with other car and other storage. In addition, the Board asked for confirmation that all car movement remains on the property and did not have to spill onto streets or any neighboring property and that emergency vehicles could maneuver through the lot.

Mr. Donnarumma and Mr. Bombara requested to come to the next meeting to further clarify the site plan and answer any additional questions.

9. Miscellaneous Correspondence and Open Issues

Annual Report for ABCC presented for approval.

Member Mitrakas motioned for approval and to send to ABCC, Member Bouvier seconded Board vote: 3-0 approve and send

10. Review minutes –

Regular meeting, December 16, 2015

Member Bouvier motioned to approve the minutes and place on file, Member Mitrakas seconded. Vote to approve minutes and place on file 3-0.

Motion made to adjourn: 8:55 pm vote: 3-0 for adjournment. Next meeting is Wednesday, February 24, 2015

Respectfully submitted,

Walter Bonin, Chairman