



City of Marlborough License Board

140 Main Street, Lower Level
Marlborough, MA 01752
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Minutes of the License Board Regular Meeting Held December 16, 2015 City Hall, 1st floor, Council Committee Room

Attending: Walter Bonin, Chairman; Gregory Mitrakas, Member; David Bouvier, Member and Tina Nolin, Clerk

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

New Business

- 1. One Day Permits** – No One Day Permit requests were submitted
- 2. Application for Change of Manager Fuh Wah Restaurant, Inc. (D/B/A Chin's Garden)**
New Manager Eve Mei was present. Member Mitrakas motioned to approve the application, Member Bouvier seconded – vote to approve was 3-0.
- 3. All Star Auto and All Star Cycles to present a proposed layout of businesses and request the merger of their licenses into one.** (Actual discussion was tables until later in the meeting, about 8:15 in order for Mr. Donnarumma's attorney to be present.)
Present: Benjamin Donnarumma, Owner, Chris Bombara, General Manager & Arthur Bergeron, Esq.
There was much discussion surrounding Mr. Donnarumma's request to merge his current three parcels of land with individual licenses into one cohesive dealership with one license. The overall number of motorcycle and cars would not change, but layout of dealership would change (mockup of the design was presented and entered into file).

Chairman Bonin asked where they stood with conservation regarding the stream and car storage. Attorney Bergeron said the enforcement had been dropped due to a rereading of the regulation. They were still waiting to hear back regarding the stream coverage proposal they had made.

The Board agreed to consider their change of license request once all the details with conservation had been resolved. For the present they asked Mr. Donnarumma to come back to the January meeting to layout their intermediate plan for their current cars and licenses. Meeting is set for January 27, 2015.

**Copies of public documents related to these minutes are available upon request at the
Licensing Board Office at 140 Main Street, Lower Level, Marlborough, MA 01752**

4. Reports from Chairman

Noise issues and Police Calls to Funky Murphy's

Present were Mary Rowe, John Rowe, Kay Rowe and Police Officer Borden Wicks

Ofc. Wicks reported that in fact the police had had 5 calls regarding disturbances at the restaurant and that some of those calls had come from Funky Murphy's themselves. On Thanksgiving Eve, the establishment in a proactive request had hired several officers to be on/around the premise to be keep things under control. Other times the officers had been called the noise on their arrival was deemed to not be at excessive levels – but they had the restaurant close the doors and move them from the parking lot if congregating.

Mary Rowe expressed that she had called the police on Thanksgiving Eve because the noise was excessive for the neighbors who live next door and given the hour. There was a large crowd congregating in the parking lot and was not sure if Restaurant was over occupied and thus the patrons were waiting to get in – but the voices carry up the hill. Mary was clear to stress that the crowd was noisy, but not unruly. John Rowe suggested noise may also be due to the no smoking in the building so they come outside to smoke and get talking.

John Rowe also said that he believes that the tone and level of noise changes when a cruiser is spied coming into the lot so the officers do not always get the actual experience. Ofc. Wicks agreed this could happen and acknowledged the neighbors frustration.

Other areas of discussion centered on the abundance of trash that is in the parking lot of Rowe Funeral home on the weekends. When asked about trash occurrence and whether the area was lit enough to see at night the response was it was a consistent occurrence and yes, the lighting was sufficient to see at night, after closing.

Chairman Bonin also entered into the public record a letter from Councilman Elder regarding the neighborhood issues. A copy was also given to the Rowes.

Board requested that Funky Murphy's management be notified to appear at the January Board Meeting to discuss the noise and trash issues that had been brought up at tonight's meeting.

5. Update on Liquor Licenses –

- a. Overall update** – all licenses have been renewed with the exception of Tailgaters which has closed, First Colony which sold its building site to La Tapatia who had a license already and Sully's First Edition Pub – Mr. Sullivan said he would be in the week of December 28th to pay his fee. He has signed his ABCC renewal in November.

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b. Liquor License of the Four Hundred and One

Discussion involved the status of the license, that taxes had been paid, they needed to get the pledge closed and fully over to Mr. Gillis who was currently working with a broker for the sale. Mr. Gillis did renew for the 2016 year. Board requested that Mr. Gillis be notified to appear at the January Board Meeting to discuss the license.

7. Review minutes –

Special meeting, November 12, 2015

Regular meeting November 18, 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: 8:45 pm vote: 3-0 for adjournment. Next meeting is Wednesday, January 27, 2016

Respectfully submitted,



Walter Bonin, Chairman