

**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, March 30, 2016
at 7:30 pm, City Hall, 1st floor, Council Committee Room.

Attending: Walter Bonin, Chairman; Gregory Mitrakas, Dave Bouvier, 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
- **Vin Bin (patio/Farmer's Market)**
Member Bouvier motioned for approval, Member Mitrakas seconded
Board vote: 3-0 approved
- **Fraternal Order of Eagles (Convention)**
Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

2. Application for change of Manager Hilton Garden Inn

Present: New Manager, Tim Hippensteele
Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

3. Application for a Class II Dealership – N&B Car Sales Inc.

Present: Owner, Nolberto Batres
Bought the property at 417 Maple Street looking for same license to allow for 20 cars on premise.
Member Mitrakas motioned for approval, Member Bouvier seconded
Board vote: 3-0 approved

4. Villatoro Restaurant and Café

Present: Owner: Hersson Villatoro

Informational discussion regarding obtaining a Beer and Wine License for new food establishment at 353 Lincoln Street. Discussion included past experience, type of restaurant offerings, seating capacity, parking issues etc.

Chairman Bonin explained the process of applying for a license and where to find the application. The clerk agreed to help with samples of legal ad and notices to abutters, if needed.

5. Reports from the Chairman

121 Bolton Street Class 2 License

Chairman Bonin reported hearing from the Building Commissioner that the owner of the Class 2 Dealership License for LBZ2 was in violation of storage rights with items being stored on their lot. Research and an onsite discussion with the manager of LBZ2, determined the license was renewed on time, the property owner is not the same person as the Class II licensee and that the licensee who rents from the owner has no influence over the owner of the property's decisions. Based on this information, it seems that the items in question on the site that the building commissioner has cited are the responsibility of the owner, and not the business operator/licensee. Their relationship appears to be strictly that of landlord and tenant. So, unless a different relationship can be established, it does not appear the License Board has cause to take action against LBZ2 Inc. This information and resulting conclusion have been run by the Assistant City Solicitor, Cynthia M. Panagore Griffin, who agreed with the conclusion.

Motion was made by member Mitrakas to accept the conclusion of the Chair and place on file the emails between Chairman Bonin and the Building Commissioner and Chairman Bonin and the Assistant City Solicitor. Member Bouvier seconded. Vote 3-0 to accept and place on file.

Peter D'Agostino, Lynch Associates and MHQ, Inc.

There has been renewed interest from Mr. D'Agostino regarding MHQ Inc. and their Class I license. Per his Public Record Request Mr. D'Agostino has been supplied with a copy of MHQ's 2016 License and application.

Old Fanz Building

The building will not be reopening as a restaurant, but as a drop-in urgent care medical facility. Owner of the building RK Plaza had asked about a Liquor License if the building ever went back to a restaurant. He was told the Board would work with him at that time.

6. Miscellaneous Correspondence and Open Issues

ABCC Correspondence – re: Seasonal License

ABCC Correspondence – re: Powdered Alcohol

Member Mitrakas motioned to accept and place both pieces of correspondence from the ABCC on file. Member Bouvier seconded the motion. Vote: Approved 3-0.

7. Review of Minutes

Regular meeting, February 24, 2016

Emergency Meeting for a One Day Permit approval, March 18, 2016

Member Bouvier motioned to accept and file the minutes of the regular meeting and those of the March 18th meeting with an amendment to the attendance list of the latter.

Member Mitrakas seconded. Vote to approve minutes with amendment and place on file 3-0.

Motion made to adjourn: 8:07 pm vote: 3-0 for adjournment. Next meeting is Wednesday, April 27, 2016 at 7:30 PM.

Respectfully submitted,



Walter Bonin, Chairman