

REQUIRED: Steven A. Beaugard, Chairman
Marcelino “Sonny” G. Almeida, Commissioner
Edmund F. Craig, Jr., Commissioner
Atty. Kreg Espinola, Asst. City Solicitor
Lt. Justin Kagan, Police Department Liaison to the Lic. Bd.
Nick Nanopoulos, Director

A/O 11/17/21

Pursuant to a June 16, 2021 Executive Order issued by Governor Baker, that provides that all members of a public body may participate in a meeting remotely, this New Bedford Licensing Board Meeting will be held remotely by way of a ‘Zoom Conference Call’.

Meeting I.D. #: 886 9091 8962**Password: 301868****Call-In- Only-Phone #: 1-646-558-8656**<https://us06web.zoom.us/j/88690918962>

- **APPROVALS RECEIVED FROM THE ABCC (2)**

Addition of d/b/a - Tr. #05873-RS- 0778– Plot # 111-21

The Four Seas Bistro, LLC, Kerrie Gomes, Co-Manager of LLC is requesting the addition of Krave Restaurant & Bar as a d/b/a to their LLC. Premises is located at 1856 Acushnet Avenue.

Approved by the ABCC – 10/27/21**Pledge of License & Inventory - Tr. #00203-PK-0778– Plot # 31--239)**

Racing Mart, LLC d/b/a Mutual Oil, Alexandre El Tom, Manager of LLC is requesting approval of a Pledge of the Retail Package Store Wine & Malt Only Beverages License and Inventory to Mechanics Cooperative Bank with an address of 308 Bay Street, Taunton, MA. as security to authorize and execute a promissory note in the amount of Eight Hundred Fifteen Thousand and Nine Hundred Dollars (\$815,900.00), pursuant to Massachusetts General Laws Ch.138 s.23.

Approved by the ABCC – 10/27/21**1. Request,**

A written request submitted by Adam & Lauren Katz, owners of Retro Entertainment, LLC d/b/a “Play”, requesting approval of an ‘Entertainment License’ for their establishment located at 28-34-44 Union Street. Their request is for them to allow indoor Live Music, DJ’s, & Karaoke. (A copy of the Written Request is on file.)

Tabled at 10/26/21 Meeting – Need DOR & DUA Certificates**2. Petition - Tr. #00048-RS-0778– Plot # 29--14**

Carreiro’s Pub 126 Bar & Grill, Inc., Carlos Carreiro, Sole Director, who is petitioning to transfer a Common Victualler (Restaurant) All Alcoholic Beverages License to Michelle A. DeFreitas & Francisco L. DeFreitas III, operating as a Co-Partnership d/b/a The Green Horn. Upon approval, Michelle A. DeFreitas & Francisco L. DeFreitas III will be Co-Partners and Co-Interest Holders (50% Each.); and both will be Co-Managers of the Liquor License.

The premises will remain the same as follows: The licensed premise is located in a one-story wood framed building consisting of two dining rooms, a kitchen, a bar area, and two restrooms; with storage in the rear of the kitchen area. There is one entrance/exit in the front of the building onto Dartmouth Street with an additional exit located at the rear of the building. The premise is situated on the east side of Dartmouth Street, between Fair and Rockland Streets, and is numbered 126 Dartmouth Street.

Final approval will require a ‘Change of Tenant’ from the Building Department, a ‘Food Permit’ from the Health Department, ‘Proof of Liquor Liability’, and 304 Certificates from the Fire & Building Depts.

Application has been advertised; Abutters Have Been Notified.

Minutes of 10/26/21 Meeting

Present: No One Was Required To Attend

Mr. Nanopoulos informed the Board that the seller did not submit a copy of his DOR & DUA Certificates, therefore the application was not complete; therefore, the application must be tabled to the November 23, 2021 Meeting.

VOTED: Commissioner Almeida made a motion to table any action on the application until the November 23rd Meeting.

– **Unanimous**

3. Petition - Tr. #00047-RS-0778– Plot # 29--14

Libads Bar & Grill, LLC, Jessica DeMelo, Co-Manager of LLC, who is petitioning to **Transfer a Common Victualler (Restaurant) All Alcoholic Beverages License** to **3 C's Bar & Grille, LLC**. Upon approval, Adam J. Clark will be the Sole Member, Sole Manager, and Sole-Interest Holder (100 %) of the LLC. **Derek J. Conceicao** is the **Proposed Manager of the Liquor License**. The premises will remain the same as follows: Three rooms on the first floor, and two rooms and kitchen and office in the basement of a one-story building with stock in the basement. The premise is situated on the east side of Brock Avenue between Clara and Butler Streets and is numbered **578-580 Brock Avenue**.

Final approval will require a **'Change of Tenant'** from the Building Department, a **'Food Permit'** from the Health Department, **'Proof of Liquor Liability'**, and **304 Certificates from the Fire & Building Depts.**

Application has been advertised; Abutters Notification Not Required

4. Petition - Tr. #00156-RS-0778– Plot # 53--954

Freestone's Restaurant Group, Inc. d/b/a Freestone City Grill, John C. Weatherbee, Sole Director, who is petitioning to **Transfer a Common Victualler (Restaurant) All Alcoholic Beverages License** to **Freestones City Grill, Inc.** Upon approval, Albert J. Santos will be the President, a Co-Director, and a Co-Shareholder (91%), Howard L. Mallowes IV will be the Treasurer, a Co-Director, and a Co-Shareholder (9%), and Gail Reynolds will be the Secretary. **Howard L. Mallowes, IV** is the **Proposed Manager of the Liquor License**. The premises will remain the same as follows: Premises consists of one room on the first floor of a two-story building with a kitchen and stock in the cellar. There is also an enclosed 50' X 25' sq. ft. ' outdoor seating area, which includes 9 tables with seating for 4 patrons each and 1 two-seat table. The area is located on the west side of the building, which is contiguous to the licensed premise and will only be accessible by hostess seating. The area has two entrances/exits, which must be monitored by a hostess at all times. The entire area is enclosed by a temporary barrier consisting of barriers/planters and the table count will be according to state social guidelines. The premise is situated on the northwest corner of William and South Second Streets and is numbered **41 William Street**.

Final approval will require a **'Change of Tenant'** from the Building Department, a **'Food Permit'** from the Health Department, **'Proof of Liquor Liability'**, and **304 Certificates from the Fire & Building Depts.**

Application has been advertised; Abutters Notification Not Required

5. Petition - Tr. #249– Plot # 60--26

Ocean Street, LLC d/b/a Wine & Market, Daniel R. Newcomb, Sole Manager of the LLC, who is petitioning for a **'new' Retail Package Store All Alcoholic Beverages License**. Upon approval, Daniel R. Newcomb will be the Sole Member, Sole Manager, and Sole-Interest Holder (100 %) of the LLC. **Daniel R. Newcomb** is also the **Proposed Manager of the Liquor License**. Upon completion of the buildout, the licensed premise will specialize in First Class Wine, Craft Beer, and Artisanal Spirits along with high end and food accessory products. The licensed premise is located on the 1st floor of a one-story building within an area approx. 3,520 sq. ft., which will include coolers and shelving for the sale and display of alcohol, a rear storage room, and two restrooms. The premise is situated on the north side of Pope's Island (RTE. 6) and has one (1) entrance/exit in front of the building along with one (1) emergency exit in front of the building, as well as an additional delivery entrance through a common area in the rear of the building. The new location will be numbered **161 Pope's Island**.

Final approval will require a **'Change of Tenant'** from the Building Department, a **'Food Permit'** from the Health Department, and a Business Certificate from the Office of the City Clerk.

Application has been advertised; Abutters Have Been Notified

*** Special One-Day Licenses **(2)*****

6. APPLICATION, (No Representation Required)

Community Nurse Care, Kaitlyn Sherman, Event Manager, Buttonwood Park Zoo, who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for a **'Corporate Event'** to be held at the **Buttonwood Park Zoo**, located at **425 Hawthorn Street**; and to be held on **Thursday, November 18, 2021, from 5:00 p.m. until 8:00 p.m.**

7. APPLICATION, (No Representation Required)

New Bedford Art Museum, Inc., Iris Aguiar, Representative, who is requesting approval of an application for a **Special One-Day Wine & malt Only Beverages License** for a 'Holiday Party' to be held at the **New Bedford Art Museum**, located at **608 Pleasant Street**; and to be held on **Friday, December 3, 2021, from 6:00 p.m. until 8:00 p.m.**

8. Hearing: Taqueria La Raza, Inc.

Ms. Petronila De La Rosa, Manager/Owner
1218 Acushnet Avenue

Your presence is requested at a hearing to determine whether you have violated certain provisions of M.G. L., ABCC Regulations, and Licensing Board Rules and Regulations.

The New Bedford Police Department has requested that you be brought before the Licensing Board, because of an October 17, 2021 incident in which a patron was assaulted outside of your establishment. The police report also references that they observed both underage and highly intoxicated patrons within your establishment, as well as your failure to cooperate with the investigation.

Based on their findings, the Licensing Board may take action to modify, suspend, revoke, or cancel your license.

They are as follows:

Violations: Massachusetts General Laws Chapter 138, sections 34, 34b, 34c, 63A, & 64-

It is illegal for anyone under the age of twenty-one years to purchase or be in possession of an alcoholic beverage; identification must be checked on the day of service; It is illegal to hinder, delay, or refuse to co-operate with an agent of the Local Licensing Authority(Police). The licensing authorities, after notice to the licensee and a reasonable opportunity to be heard, may modify, suspend, revoke, or cancel said license upon satisfactory proof that the licensee has violated or permitted any condition thereof (Chapter 138), or any law of the commonwealth.

ABCC Regulation 204 CMR 2.05: (2)-

States no licensee shall permit any illegality to occur on the licensed premises. The licensee is responsible, whether present or not, for ensuring that no disorder, disturbance, or illegality takes place in, or on a licensed premise.

Licensing Board Regulation No. 5, 10, 11, & 12-

Sale of alcoholic beverages, wine, and malt beverages to persons under twenty-one years of age is prohibited; Alcoholic Beverages shall not be served to a person who is or appears to be intoxicated; Objectionable persons shall not be permitted on or about the premises, and it is the responsibility of the Licensee to enforce this rule; Premises must at all times be kept safe.

Summary of Incident Reports

Police Department Incident Report states that Officers while on patrol responded to a call at the intersection of Sawyer Street and Acushnet Avenue to reports of a domestic dispute. The victim that had been assaulted stated that he had fled the area of Sawyer Street and Acushnet Avenue to try to get help from Officers that were at his residence of 162 Sawyer Street. The assault victim, who was under the age of 21, stated that he was drinking at Taqueria La Raza Restaurant and when he was leaving, he was beaten up by multiple males outside of the establishment. When the Reporting Officer attempted to gain entry into the business to speak with any witnesses or employees, an employee locked the doors. Upon gaining access, he spoke to an employee who was hesitant to identify herself and continued to tell the Officer that she did not have an I.D. She was later identified as Petronila De La Rosa who stated that she was the owner. When asked by the Officer as to what had occurred, she continually changed her story. The Officer then made his way further into the establishment, the Officer found seven juveniles in the bar area and three more sitting at the bar. He also observed more than one person being cared for ...for being overserved and being too intoxicated to maintain control of basic body functions. The Officer was unable to gain a complete story of the assault and battery that had occurred from Ms. De La Rosa.

Date and time of alleged violations: Sunday, October 17, 2021 @ approximately 12:50 a.m.

Police Report # 21-11863-OF

- **CORRESPONDENCE**

--NONE--

- **COMPLAINTS RECEIVED:**

- --NONE--

- **REVIEW POLICE DEPARTMENT INCIDENT REPORTS/ COMPLAINTS**

<u>NAME</u>	<u>POLICE REPORT#</u>	<u>DATE</u>	<u>VIOLATION</u>
1. Morna Lounge & Grill	#21 – 12135-OF	10/24/21	Serving To Intoxication: Serving Underage Person; Intoxicated Employee (Approximate Time of Violation 2:43 a.m.)

- **NEXT TWO MEETING DATES: Tuesday, December 21, 2021 and Monday, January 24, 2022, both are to be held remotely at 6:00 p.m.**

- **MEETING ADJOURNED:**

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law.

Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.