

MINUTES  
**LICENSE COMMISSION MEETING**  
**6:00 p.m.**  
**Thursday, April 20, 2023**  
**G.A.R. Room, City Hall, 45 School Street**

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The License Commission held its regular monthly meeting on Thursday, April 20, 2023, in the G.A.R. Room, City Hall, 45 School Street. Present were Commissioners, Jeffrey Charnel, John McGarry, Robert P. Simpson, Paul Studenski, Scott D. Uhlman. Also, present were License Agent Paul Bonanca, Deputy Chief Edward Williams and Executive Assistant Silvia Carvalho.

1. Approval of the Minutes of the License Commission Meeting of March 23, 2023, and the Special Meeting of March 29, 2023.

A motion was made by Commissioner McGarry to approve the previously mentioned meeting of March 23, 2023, and the Special Meeting of March 29, 2023. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

2. Approval of the following police officers as license agents for the month of April 2023: Lieuts. Paul Bonanca and David Farrell; Sgts. Christopher McDermott, Timothy Stanton; Captain John Hallisey; Dets. Erin Cummings, Jackie Congdon, Eric Clark, Thomas Hyland, Donald Macmillan, Nazaire Paul, James Cronshaw, Ryan Quirk, Michael Micciche.

A motion was made by Commissioner McGarry to approve the license agents as listed for the month of April 2023. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

3. Amend the Rules and Regulations we have published for:  
All Alcoholic Package Stores and Wine and Malt Package Stores.  
By adding "No physical renovations shall be made unless a plan is submitted and approved by the License Commission."

Chairman Charnel opened up the meeting for discussion. Commissioner Uhlman stated that he was the one that submitted the request, and the language is on every one of the rules and regulations except for the one for package stores. It also requires or triggers an automatic report to the ABCC. We do not have it under the All Alcoholic package stores or the wine and malt and he is asking that it be added. Commissioner McGarry stated that he wants to make sure that it is reviewed by the Law Department and that it does not require going before the City Council for a vote, because the board is changing the rules. He did agree that the rules should be updated.

A motion was made by Commissioner McGarry to approve the change pending it be reviewed by the Law Department for proper format, and that it does not need a vote of the City Council. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

4. Hearing on a request from Annunciation Ladies Philoptochos for a Special One Day Permit to Sell All Alcoholic Beverages for a Greek Festival to be held at 457 Oak Street, on the following

dates:

- \* May 19, 2023, from 11:00 a.m. to 10:00 p.m.
- \* May 20, 2023, from 11:00 a.m. to 10:00 p.m.
- \* May 21, 2023, from 12:00 p.m. to 6:00 p.m.

Present was Ms. Katerina Malone of 146 Lincoln Street, N. Easton, MA.

Malone informed the board that they usually have a big festival in September, and The ladies of Philoptochos have a smaller version of that in May. The festival lasts 3 days and they did have beer and wine last year, they wanted to up it this year to see if they could generate more revenue. They will have mostly food with live music on Friday and Saturday night. The event is held indoors, and they will have two tents outdoors, just in case they need extra seating. She thinks that they will need a permit and she asked Silvia. Silvia replied that she will have to check with the building department.

Ms. Malone stated that she would check with them tomorrow, and asked if she needed police details. Chairman Charnel stated that they will get to that. She stated that they will also have dancing, their own youth group will be dancing on Friday and Saturday night. It is a mini version of September. Chairman Charnel opened the meeting up to the public and asked if there was anyone there in favor or opposition? And then he asked if there were any elected officials that would like to speak? He closed that portion of the hearing and asked the Commissioners if they had any questions.

Commissioner McGarry asked Ms. Malone how many people she expected? He stated that the application says 5,000. Ms. Malone stated that it would probably be for all three days. They expect about 1,500 per day, all day, not all at once. They have enough seating for 150 people indoors, which is why they are putting up the tents. Which adds an extra eighty people outdoors. Alcohol will not be sold outdoors, and they will have a big sign saying no alcohol outdoors. Commissioner McGarry stated that he wants anyone handling the alcohol to be TIP Certified.

Commissioner Charnel asked Ms. Malone why there would be no alcohol outside? She replied just to contain it. They want to be able to see the people who are drinking. The bar will be indoors, and they do not know what is going on outside. Chairman Charnel stated that would mean the tent will not have an outdoor bar? She replied, that is correct. It will all be indoors. Chairman Charnel stated that they have had this event in the past and they do a very good job. He then yielded to the Lieutenant.

Lieutenant Bonanca stated that the recommendation of the Police Department would be two detail officers. Normally they would have one indoor for the alcohol, and there is a secondary one because that part of Oak Street is quite wide, so that would be to assist with traffic, and the people who park across the street. Two police details are required for the entire event including public safety, and to make sure that people can get across the street. Ms. Malone asked if it would be right at opening hours? He replied yes, until closing and the hours of the detail would be extended to make sure that all of the patrons leave safely.

Commissioner Uhlman stated that he had a question, on the hours he sees 10:00 PM and then 11:00 PM which one is it? Ms. Malone replied it is 10:00 PM, and she stated that they were going back and forth with that. Many of them did not want to stay that late. Deputy Chief Williams stated he was not aware that it was being held inside. He thought it was an outdoor event. He informed Ms. Malone that he would like a crowd manager present, he also wants to make sure that they have a current certificate of

inspection from the Building Department for the function hall. They can call for an inspection, he has not been there since pre COVID. Chairman Charnel asked her if it was going to be held in the gym? She replied, yes in the kitchen, gym, and sitting room, and the stage will be for the band.

A motion was made by Commissioner McGarry to approve the permit with the recommendations of the Police Department, and the Fire Department. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

5. Hearing on a request from Brockton Beer Company, LLC, dba Brockton Beer for a Special One Day Permit to Sell Wine and Malt Beverages, and a Special Event license for a One Year Anniversary Festival Downtown Brockton at 121 Main Street, on June 3, 2023, from 3:00 p.m. to 8:00 p.m.

Present was Mr. Eval Silvera of 115 Cypress Drive, Brockton, MA.

Mr. Silvera informed the board that Brockton Beer is close to celebrating their one-year anniversary and they would like to do that by celebrating with their community, partly by having a beer festival. They are looking to hold the event outdoors with the help, and consultation of many folks who are present as well. Police, Fire, Traffic, Board of Health. They will include a music aspect, food aspect, brewery aspect. There will be a dozen breweries from across the region, they will also bring restaurants that are Brockton based. They will have prepared food on sternos, and there will be no cooking on site.

They will add food trucks if they are limited to the number of Brockton restaurants that they may be able to obtain, as they are seeing so far that may not be a problem. In terms of music, they will have live music with a stage similar to PROVA! which takes place in the summer. Chairman Charnel asked if it will be held in the same space? He replied it is the OCES parking lot with their permission. They also have a rider for their insurance. It is straight across from Brockton Beer Company. The stage is 12 x 16 feet, and 4 feet high. These are the same dimensions that PROVA! uses. The event is very similar to that event.

All of the activities, including the shutdown of Main Street to School Street, and all the way to Crescent Street, as recommended by traffic will all be enclosed, and fenced in. Hawkeye is the vendor they will be using, and the fence will be 6 feet high as recommended by Deputy Chief Williams. They expect to have inside security, as well. The entrance and exit areas will have the recommended 6 detail officers. Chairman Charnel opened up the meeting to the public and asked if anyone was in favor opposition? And if there were any elected officials that would like to speak? He then closed that portion of the hearing and asked the Commissioners if they had any questions.

Commissioner Uhlman asked Mr. Silvera how a brewery is able to come to Brockton without getting a special events permit? Can you just pick-up and go to the East Bridgewater? He then asked him if he has a pouring license or a retail license? He stated that he would work with the town of East Bridgewater and get a special permit. He then asked him why the breweries were not getting one day event permits? Chairman Charnel stated that he believes that this event encumbers everything that they are doing. They are the brewery that is hosting it. Deputy Chief Williams stated that when they had their meeting, they did discuss that. Deputy Chief Williams asked Mr. Silvera if he had contacted the ABCC, to see if all the other breweries were covered under his license.

Mr. Silvera stated that they are covered under his license, but for insurance they need separate COI's. They will be collecting all the COIs, for anyone that is pouring. Deputy Chief Williams stated that Mr. Silvera holds the license for that day, and all the breweries are working under him. Chairman Charnel asked him for a formal list of all the breweries that will be present and pouring on that day. The board can then keep that for the records. Commissioner Uhlman asked Mr. Silvera if everything had been finalized and he replied, no but they are 90% there.

Deputy Chief Williams informed the Chairman that Mary Waldron hosted a meeting with all the entities involved, and they had an initial conversation that has continued through a lengthy e-mail about twenty-two pages long. Chairman Charnel stated that he did see something at one point. Deputy Chief Williams stated that they are totally in favor of this, the only thing he would ask is that the final license is pending approval of the Police Department, and Fire Department. The event is big, and they want to make sure all the bases are covered, including blocking Main Street with vehicles. Chairman Charnel stated that was one of his concerns.

Deputy Chief Williams stated the way to do it in today's day and age is to take a truck and use it to block off the street. Chairman Charnel asked if that would be a utility truck? And he replied something bigger than that, something that can withstand a good crash. Similar to what they use for the parade. Deputy Chief Williams stated that there are a lot of pieces that go along with this. Deputy Chief Williams asked him if the liquor would be just in the parking lot next to the building? Mr. Silvera said yes, and part of Main Street will be enclosed within the fence.

Commissioner Uhlman asked him if it was open to the public? He said not the day of the event. It is advanced ticket sales only. It is not a twenty-one and over event, but they are not promoting it as under twenty-one. There will be wristbands to identify who is able to drink as they come in. It is typical with these events for crowd control. Chairman Charnel asked Mr. Silvera if he will know the number, and he replied yes. The Chairman also stated that it appears he anticipates 600 people that day. Mr. Silvera replied that is correct. He anticipates 600 people, but they need to check with others on the committee to see if there is room for more, based on the amount of square footage they have.

Commissioner Uhlman stated that based on the events like this in Cape Coral, they block off a street bigger than Main Street and they use buses at the ends of the street with police details. It is being held at a time when there is not much activity on Main Street. It is not like it is the middle of a Friday afternoon. Lieutenant Bonanca stated that Brockton high school graduation is on that day. Chairman Charnel stated it is far enough from the high school. Deputy Chief William stated that it will cause a traffic problem when people come down Belmont Street and try to head north, they will have to put a sign up.

Commissioner McGarry stated that they should contact the high school and let them know, so that they can get the information to the graduates, that Main Street will be closed. Chairman Charnel asked Deputy Chief Williams if the Traffic Commission gets involved in this? He replied that captain Porcaro is involved. Commissioner McGarry stated that he thought the mayor must approve the blocking off of a city street? Chairman Charnel replied that it is now under the purview of the License Commission. We took over the block parties.

Commissioner McGarry asked if the mayor handed over the authority of blocking off streets as well? Lieutenant Bonanca stated it is under licensing. Silvia stated it is under special events. Commissioner McGarry thanked everyone for the clarification. Commissioner Uhlman asked if this has been approved

by the Chief and the Mayor's office? Lieutenant Bonanca stated it has been approved by the Chief, him being the designee. He believes there has been no opposition from the mayor's office, however he could be wrong. Deputy Chief Williams replied that they are involved in it, as well as all the right parties. Chairman Charnel stated the vote stays here; it is not on the mayor's office. Deputy Chief Williams stated that he was very involved with the events at the fairgrounds, and he knows what to do to make it work. Chairman Charnel stated as long as it is safe. You hear blocking off streets, and he understands the Commission's concerns.

Chairman Charnel asked Mr. Silvera what the entry fee was and does everyone show up at a specific time or is it staged? Mr. Silvera replied that it is sort of staged. There is a \$50 VIP ticket that provides early access, and entry which includes samplings of beer under 4 oz each. The general public begins at 4:00 PM and that is a \$35 ticket that allows you to come in and purchase half-pour tickets. They can purchase tickets that can be redeemed for half pour beer. Instead of having money exchanged they will have tickets near the entrance to try and limit the amount of consumption over time. They are doing the same with the food.

Commissioner Uhlman asked Mr. Silvera if it was \$50 per person? and he replied yes and \$35 gets you general access. Commissioner Uhlman asked what time is early access? he replied 3:00 PM. Chairman Charnel asked if you could buy tickets the day of the event? And he replied yes and pre-tickets as well. Once you are inside it will be validated, and you will get a wristband. Chairman Charnel asked Mr. Silvera about security, and will it be people padding people down? will it be looking into bags? Mr. Silvera replied they will have a private security company.

If there are recommendations, they will address them. Commissioner Uhlman stated that from the information he has, it says tickets will not be sold the day of, and ticket sales will end at midnight on June 2nd. Mr. Silvera replied, tickets for entry will not be sold the day of the event. Commissioner Uhlman stated that it is X amount of dollars to get into the event, and X amount of dollars to eat food? Mr. Silvera replied yes. They will know the night before how many people will be attending the event. If you want to buy beverages when you arrive and you are inside the event you can buy tickets.

Commissioner Uhlman stated so you cannot get into the fenced in area without buying a ticket ahead of time? Mr. Silvera replied that is correct. Commissioner Studenski stated that he wants to know about the fenced in area. If he comes into Brockton and he is forced down Crescent Street, or Route 27, you are going to need a lot of signage, not everyone who drives in the city lives in Brockton. He has a concern with people getting lost. Mr. Silvera stated that he will work with traffic to make sure, and he is using their guidance. The goal is to make getting from east to west of Brockton without any struggle.

Commissioner Studenski stated, so the first bus will be over by Joe Angelo's. What if he lives in the building above Brockton Beer brewery? Mr. Silvera stated School Street should let him go up. Commissioner Studenski asked if he will be able to cross Main Street to get to the garage? Chairman Charnel stated you will be able to get out and go, however they will have to let the residents know. It is going to be blocked off. Commissioner Studenski stated that they have to work hard to make sure that there are signs, which is very important. This is the first year and this is a test case.

Chairman Charnel stated that when they look at this, they want to make sure they look at the constituents at large, fire, police so that the Commission understands what is going on as well as the parameters. Chairman Charnel asked the board if they had any recommendations? Commissioner Simpson stated notifying the school and the neighbors, everyone else in the area should be fine it is on

the weekend Mr. Silvera stated that Elvera's might participate as well. Commissioner Uhlman asked if West Elm and Main Street will be blocked off? Lieutenant Bonanca and Deputy Chief Williams stated that they have discussed it.

Lieutenant Bonanca stated that he and Deputy Chief Williams have been working with Eval and the entire group for the last few months. As far as the police are concerned there should be 6 details, the application says 600 guests. He believes that perhaps in succeeding years they will be able to expand that number, however, the details should be 6 as long as that number stays at 600. Four for the stage and two for the beer tents. Also, his recommendation is to contact Captain Porcaro for traffic details. He must be involved in what streets need to be blocked off and someone to clear the area in an orderly fashion.

Commissioner Uhlman asked if everything will be broken down immediately after the event or the next morning? Mr. Silvera stated that the fence would be broken down the next morning, and anything blocking vehicles would be removed. Commissioner Uhlman asked Mr. Silvera what other areas will be fenced in? He stated the parking lot between them and Merian's and where L Street comes down. Chairman Charnel asked so you are just blocking that, so no one comes down? He replied, yes so fences will stay up and trucks will be moved.

A motion was made by Commissioner McGarry to approve the permits pending final approval from the Police Department, and Fire Department, and notifications are made. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

6. Renewal of the Marijuana license for 2023.  
Leaf Relief, Inc. 165 Westgate Drive, Brockton, MA.

Present was Attorney Philip Nessralla of 1063 N. Main Street, Brockton, MA.

Attorney Nessralla informed the board that his facility is about 2,600 square feet, and they have spent the last significant period of time with construction drawings and plans. They have completed all of that, and the licensing. One of the causes of the delay is that they have been working with the federal institution, the military reserve. They have been trying as a courtesy to work with them, to make sure they do not have a problem with this establishment. They have had to explain how it is going to be operated and run. This has all been courtesy, because they have been tenants of the facility for at least 30 to 35 years.

He did not think it was appropriate to come in with a whole new thing. Working up the chain took some time, but that has all been accomplished. They also have other medical facilities there that sell medical supplies. They spent a lot of time doing good neighbor stuff. They are all set to go, and construction should start shortly. Chairman Charnel opened the meeting up to the public and asked if anyone was in favor or opposition? He asked if there were any elected officials that would like to speak? He closed that portion of the hearing, and asked the Commissioners if they had any questions? Chairman Charnel stated in all honesty they do not even ask them to come to the meetings for renewals.

A motion was made by Commissioner McGarry to approve the renewal. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

7. Hearing on a request from Massasoit Community College for a Special One Day Permit to Sell Wine and Malt Beverages for a Champions Gala to be held at One Massasoit Blvd, on May 13, 2023, from 6:00 p.m. to 9:00 p.m.

Present was Ms. Michelle Badger of 35 Dorothy Drive, Plymouth, MA.

Ms. Badger informed the board that they are having their second annual Champions gala to support the Marvelous Marvin Hagler scholarship. They will be honoring the NAACP of Brockton. Phyllis Ellis is the President; Peter Forman is the South Shore Chamber President, and CEO, and Chris Cooney is the South Shore President, and CEO. They are really excited for it, and they expect about 225 guests. They will work with their local campus safety police officers. Chief Cummings will coordinate detail there. Brockton beer is donating the beer to them, and they will purchase the wine and will work with an outside vendor.

Chairman Charnel opened the meeting up to the public and asked if there was anyone in favor or opposition? He asked if there were any elected officials that would like to speak? He then closed that portion of the hearing and asked the Commissioners if they had any questions. Commissioner Uhlman asked Ms. Badger to elaborate on the outside vendor she was going to have supply the wine. Ms. Badger stated that she would be using Lessing their food service provider. They have contracted out a TIP Certified company. Commissioner Uhlman asked her if they had a Caterers license? for alcohol? She stated that she could find out, but she is 99% positive that they do. Lessing will reach out to a bartending service.

Commissioner Uhlman informed her that if they have a caterer's license, they have to notify the License Commission, and the Police Department. If that is the case. If not, and she will be purchasing the alcohol she must use a wholesaler. They will be getting the alcohol from a wholesaler she does not remember the name. Commissioner Uhlman asked her to deliver the answer to Silvia, one way or another. Lieutenant Bonanca stated it is a 12C license, and Deputy Chief Williams stated that in that case she would not need a license. Chairman Charnel agreed those licenses are set by the ABCC.

Lieutenant Bonanca stated that if they do have a 12C license, they must notify the License Commission, and the Police Department that a caterer is coming into the city. If that is the case. Deputy Chief Williams stated he spoke to Chief Cummings today and he will provide details. He also spoke to the facilities, and this will be limited to the student dining and library area. They have occupancy for those areas. He also asked that a crowd manager be present, and one police detail is required.

A motion was made by Commissioner McGarry to approve the permit pending 12C Clarification and approval from the Police Department, and the Fire Department. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

8. Hearing on a request from the Capeverdean Association for a Special One Day Permit to Sell All Alcoholic Beverages for a Bingo Night to be held at 340 Warren Avenue, April 28, 2023, from 8:00 p.m. to 12:00 a.m.

9. Hearing on a request from the Capeverdean Association for a Special One Day Permit to Sell All Alcoholic Beverages for an Old School Night to be held at 340 Warren Avenue, May 13, 2023, from 8:00 p.m. to 12:00 a.m.

A motion was made by Commissioner McGarry to take both items collectively. The motion was seconded by Commissioner Simpson and made unanimous by vote of the members present.

Present was Ms. Tatiana Moniz of 108 Belmont Court, Apt #1, Brockton, MA.

Ms. Moniz stated that she is before the board on behalf of the organization. They are hosting two events as fundraisers for their summer youth program. She stated that the second events date has changed because of a conflict that occurred after they had submitted the applications. Chairman Charnel opened up the meeting to the public and asked if anyone was in favor or opposition? He then asked if there were any elected officials that would like to speak? He closed that portion of the Hearing and asked the Commissioners if they had any questions?

Commissioner McGarry asked Ms. Moniz what the new date was for the second fundraiser? She replied June 10th. He also asked her if the building they were using was the old car dealership? Deputy Chief Williams stated that it was. Commissioner McGarry asked the Deputy Chief what the occupancy was. and Ms. Moniz replied 330. He stated that it is very large. Commissioner Uhlman asked her if they had a state bingo license? She replied, no. He then provided her with a copy of what she needed to do to obtain one. He informed her that they would have to go to the Mass Lottery Commission to get a one-day bingo license.

He recommends that they get a copy to Silvia. He then asked why are people coming to get a license? and not the management of the building? He understands this is different, and it is for an All-Alcoholic nonprofit. If something happens in the building, according to the one-day permit, the Cape Verdean association is responsible. Shouldn't it be the management? According to the state law it says that the manager or responsible person for the company. Chairman Charnel stated that he reads it differently, and the Law Department explained it differently. If you are renting at your facility for a one-day event to a particular party, it is up to that party to make sure they have the right insurance, proper detail, and are working with local departments.

It is not the owner of the real estate. If that owner was in Texas and they are an LLC, we are not going to make them fly down here. Commissioner Uhlman stated that we have these event facilities coming in before us, having people apply when it should be the owner of the building, because they are renting it out to them. Chairman Charnel stated that they are passing the buck on to them. It does not say the manager of the corporation or manager of the building, all it says is manager. On that night Jeff Charnel could be the manager, which is how he interprets it.

How he interprets the mass laws is that if someone applies for something, the board must hear it. Lieutenant Bonanca stated that a nonprofit does have to be here, and in this case, she is doing the right thing. Future cases may be different, in this case she is doing what is right. Deputy Chief Williams stated that he would like a crowd manager present, and he asked that the license be specific to the function room on the first floor, and a certificate of inspection be submitted before the event. They have not



gotten one, the owner of the building was at the building department today looking for information. He asks that be in place prior to the event. They also need one police detail because it is open to the public.

A motion was made by Commissioner McGarry to approve the permits contingent on the fulfillment of obligations per the Police Department, and the Fire Department. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

10. Hearing on a request from R & M Food Service Company for a Transfer of a Common Victualer license at 464 Pleasant Street, Brockton, MA.

Present was Attorney Gar Chang of 65 Harrison Avenue, Boston, MA, Mr. Jia Wen Liang of 126 Willow Street, Quincy, MA.

Attorney Gar informed the board that the current restaurant is operating as Teriyaki Express. Mr. Liang is purchasing the restaurant and will be renaming it to Era Teriyaki. The menu is the same, operating hours will remain the same, they have a seating capacity of sixteen. He will have less than that. It will mainly be a takeout business. Mr. Liang has been in the restaurant business ten plus years, it is a family run business. His mother is going to be working in the kitchen as well as himself. They are all working either part time or full time at other restaurants right now.

If the transfer is successful, the whole family will focus on working at this restaurant. It is a straight transfer of a Common Victualer license. Chairman Charnel opened the meeting up to the public and asked if anyone was in favor of opposition? He asked if there were any elected officials that would like to speak? He closed that portion of the hearing and asked the Commissioners if they had any questions. Commissioner McGarry stated that he wants clarification of the address, we keep going between 464 and 468. Deputy Chief Williams stated that the legal address is 464, that is what the Assessor's office has it as.

Deputy Chief Williams stated that he inspected it today and they are up to code, and it is very clean, he has no objection. Lieutenant Bonanca did an inspection, and they need an ADA sign out front. It should be a freestanding sign or up against the building, no more than eight feet high. The lot needs restriping because they are faded, other than that he has no objection.

A motion was made by Commissioner McGarry to approve the Transfer of the Common Victualer license pending the recommendations of the Police Department, and Fire Department. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

11. Hearing on a request from Metro Motors to Change a Class II Used Car Dealers license from a Sole Proprietor to a Partnership, located at 27 Perkins Street, Brockton, MA.

Present was Maria and Augusto Silva of 424 Wren Street, East Taunton, MA.

Mrs. Silva stated that she was in front of the board to add Augusto Silva to the license as a joint partner. Chairman Charnel asked her if it was operating, and she replied yes. Chairman Charnel opened the meeting up to the public and asked if there was anyone in favor or opposition? He then asked if there were any elected officials that would like to speak? He closed that portion of the hearing and asked the Commissioners if they had any questions. Commissioner Uhlman asked the applicants if they were still doing body work there? Mr. Silva stated that there is a mechanic.

Commissioner Uhlman asked Mr. Silva about the crashed cars in the back? Mr. Silva said that he uses it as storage when he is getting them ready for repair. Commissioner Uhlman asked Mr. Silva how many cars for which they are licensed? and he replied 6 In the front, the back is just for storage. Commissioner Uhlman stated that this is a good time to ask for an updated plot plan/parking plan. Chairman Charnel asked Commissioner Uhlman if they were before the board previously? and they are coming back? Commissioner Uhlman stated no they just want to change it from a sole proprietorship to a partnership.

Chairman Charnel stated that we should get an updated plot plan, Commissioner Uhlman stated that he has a picture of how it stands today he went by there on his way here tonight and there were two, maybe three cars out front for sale and that is all that he saw. Commissioner Uhlman showed the Chairman his pictures and the way Mr. Silva has the vehicles parked on the property. Commissioner Uhlman stated that in his past life he has had dealings with this business. Chairman Charnel asked Lieutenant Bonanca and Deputy Chief Williams if they had anything to add? and they both did not have anything.

Chairman Charnel stated that he understands they are just adding a name to the business, but the board typically requests a rendering of the facility. He understands the business has been around a long time but many of the Commissioners have not been on the board that long. Commissioner Uhlman stated that what they have done in the past, is they have always requested a rendering whether they were doing a name change or an addition. He may have had room for six cars and now he might have more, and it may be to his benefit.

Chairman Charnel asked them if they do repairs there? Mr. Silva replied they just have a mechanic. They informed the Chairman that they only do oil changes, and no body shop. Commissioner Uhlman informed the Chairman that they are sharing the property with a repair facility, so they should have a specific area designated for the sales of cars and not intermingled with customers cars that need an oil change. Mr. Silva informed the board that they should still have his plot plan in the records. It may be old, but it might be here somewhere.

Lieutenant Bonanca stated that perhaps it may be pending inspection and submission of a plot plan. Commissioner Studenski asked Mr. Silva how long ago he did his plot plan? and Mr. Silva replied about 30 years ago. Mr. Silva agreed that he can submit a new plot plan.

A motion was made by Commissioner Uhlman to approve the Change pending submission of a new plot plan. The motion was seconded by Commissioner Simpson and made unanimous by vote of the members present.

12. Hearing on a request from 1637 Main Street Realty Partners, LLC for a Class II Used Car Dealers license at 1637 Main Street, Brockton, MA.

Present was Jeremy De Barros of 177 Braemoor Road, Brockton, MA.

Mr. DeBarros informed the board that he is applying for a used car license. He would like to open up a used car dealership. Chairman Charnel opened up the hearing to the public and asked if there was anyone in favor? Ms. Jeannie Martin of 177 Braemoor Road, came forward, she also informed the board that she was his mother. Ms. Rosie Vasquez Brown of 428 W. Chestnut Street came forward in favor as well. Chairman Charnel asked if there were anyone in opposition? He asked if there were any elected officials that would like to speak? He closed that portion of the hearing and asked the Commissioners if they had any questions.

Commissioner Uhlman informed the Chairman that at a previous meeting that he was not in attendance there was a license at the property that was licensed to an LLC that was no longer operating. He is applying for a brand-new license. He has provided a detailed parking plan, however according to the city ordinance he is going to have to post a fence along the backside between the residential house and his property. He will have to get dealer plates, so these are the things that are going to be required by the state. He is not sure if the number of cars that are listed on the parking plan will fit on the lot.

The plot plan shows nineteen spaces and that is very tight. Commissioner Uhlman also informed him that the garage is not an approved repair facility. So, he will have to provide the board with someone who will be repairing the vehicles. The plot plan also shows an empty space between the employee and the sales cars. The garage door is in fact facing Sylvia Avenue. Chairman Charnel stated that he was not at the previous meeting and asked Mr. DeBarros if he is the owner of the building, or he will be leasing? Mr. DeBarros stated that he will be the owner and they are closing next week.

Commissioner Uhlman stated that was the problem the previous owner was trying to sell the property with the license that was nonexistent. Unfortunately, the LLC that was trying to renew the license was a ghost LLC, which was disqualified and disorganized by the Secretary of State. So, the license Commission cannot reapprove the license. Chairman Charnel asked if there is a license there to give him? Commissioner Uhlman stated yes there is a license there because no one stepped up to the plate.

Chairman Charnel asked Mr. DeBarros how many years of experience he has selling cars? Mr. DeBarros informed the board that he is new to the car dealership business, but he has done internships at North End motors in Canton. So, he has worked in all of their departments including service. Chairman Charnel informed him that it is not an easy business and he said he knows. Chairman Charnel said that there is one customer spot, and one employee spot. Deputy Chief Williams informed the Chairman that the sketch is off it is showing about fifty-four feet between the building and the garage, and it is only about thirty-four feet of pavement and there is a dirt berm, so something has to give.

He recommends that spots 11 through 16 be eliminated unless they remove the dirt berm and that will only give them another five or six feet. He measured it this morning and it was only thirty feet between the two buildings or from the building to the berm. Chairman Charnel asked Deputy Chief Williams which spots he stated 11 through 16, which would be the employee, customer, and for sales. There is

also a possibility that you could fit a couple more in there if you work the plan a different way. If you relocated the accessible parking area and kind of drove into the garage at an angle it could probably fit, there.

Accessible parking is fourteen feet wide from the building to the edge of the lot and that takes up a lot of real estate. They may be able to realign the plan to get a couple more cars in there, but right now if they keep the accessible spot, 11 through 16 must be eliminated. Chairman Charnel asked Commissioner Uhlman if he would need a handicap spot in addition to the employee and customer or could he turn the customer spot into a handicap spot? Commissioner Uhlman stated that he has the space next to the garage that is about ready to fall down as it is so that could give him more spots.

Commissioner Uhlman stated that he has one at the front. It is number 10. Deputy Chief Williams asked Mr. DeBarros if he knows what the easement is for. Commissioner Uhlman stated that he looked it up on the GIS and it does not state what it is for. Ms. Martins asked if they were inquiring about the one on the side and stated that it belongs to the house next door. The ten foot easement is from the old Enterprise. Deputy Chief Williams stated that with an easement they just have the right to use it they have plenty of real estate on their side because they got a pretty good-sized parking lot.

He believes that if he speaks to the company next door, he could get a couple spots on the easement as long as he is able to move it when he needs it. Lieutenant Bonanca stated that when the property is cleaned up it needs to be stripped and the ADA approved handicap sign should be freestanding not less than five no more than eight feet high, other than that he has no objections. Commissioner Simpson asked Mr. De Barros if he was going to change the existing layout or keep it as it currently is. Because of the current layout and the berm, he is going to lose six spots unless he provides a new layout.

He also would like a copy of the lease agreement just so that the board would have a record of that and would know what the actual easement is for. He should really understand what the easement agreement is for his own sake, there are rights that might still be in place or not, but it protects him. Commissioner Uhlman stated that he should know whether or not he has to plow it, or his neighbor has to. Chairman Charnel stated in Brockton it is usually just a right of way. The plan can work as eleven for sale, one employee, one customer.

Lieutenant Bonanca stated that he, and Deputy Chief can assist him with the spacing and the plans to make sure that it is done correctly. Commissioner Uhlman asked him if he would be using the front as an entrance instead, he could put the handicap space in front of the building. Ms. Martins asked the board if she could speak, and wanted to know how many cars he would be getting a license for? Is it 10 or 11 and wanted to know why Mario was able to get nineteen, and he had it for all of those years and he is getting it now and only gets eleven? Commissioner McGarry stated that this is only temporary because of the parking issue and the berm. If he reworks his parking, he can come back and get an increased number.

The plan that the board has before them now is limited and they have had to take some down. Deputy Chief Williams stated that in the past they have taken the drawings and said oh you can fit nineteen cars but what they have found is that the majority of these places are loaded, and that becomes a public nuisance and a code enforcement issue. So, they actually measure the map to make sure that it can fit what it says and in this particular case it does not work. If they can get someone in there to redo the plot plan and show the different locations of the cars, you can do it and you could probably get a few more

cars. As it stands right now, the way that it is laid out the nineteen would not fit there and allow a flow in there.

He did not get it until late yesterday afternoon, and he measured it at 6:30 AM this morning. It is just not there; you may be able to remove the berm, but he is not sure if that is holding up the building. So, there are a lot of different possibilities. You can always expand it if you can fit the vehicles in there. Chairman Charnel stated that he does not even know if back in the day the Commissions got plans. They would just approve of whatever. Now the board has to actually verify, and the Lieutenant and the Deputy Chief go out. Most applications that come before the board now are a little bit of give and take. Most places do not have handicap spots and when they turn around and sell, we have to go over the updated plans. Ms. Martin thanked the board for explaining it to her.

If he can rework the plans, he could possibly get some more spaces in there. The board does not want to say no. These are the cars you have for now, come back with a reengineered plan and if you can add five more then the board will give it to you.

A motion was made by Commissioner Uhlman to approve the license for eleven cars at this time, spaces 11-16 to be removed, if the plan is redesigned to fit more vehicles the applicant may come before the board for possible approval. The motion was seconded by Commissioner McGarry and made unanimous by vote of the members present.

### 13. Hearing on Business Application Deadlines dates for the License Commission.

Chairman Charnel stated that the board has to come to a point where we are not doing ZOOM meetings, or it should be on rare occasions where we can help someone. The board must make a submission deadline date. Commissioner McGarry stated that we have to make a hard date. Chairman Charnel stated yes, and Silvia can stamp it. Silvia informed the board that all applications have deadline dates of 10-14 days.

Commissioner McGarry stated that it should be whatever time she needs to get things ready for the meeting. Chairman Charnel asked Silvia what the deadline dates were now? And she replied 10 days for regular applications, and 14 days for alcohol. Commissioner Uhlman stated why don't we make it 14 days for everything? Deputy Chief Williams asked if it was 14 business days or calendar days? Silvia replied, business days.

Silvia informed the board members that the issue will be the One-Day permits, and the applicants may call the mayor. Chairman Charnel agreed that it will be an issue. Commissioner McGarry stated that this is a budgetary thing that they want control of, so that the board does not have many special meetings. If the Mayor is making the call, then he needs to make the call on this too. We need a letter from the mayor directing us. We need guidance to prevent multiple meetings, and to keep the cost of the Commission down.

We are proposing a 14-day deadline to coincide with the postings in the newspaper. Chairman Charnel asked the board if they could set a date for Special One-Day licenses? Commissioner McGarry stated that the board can use the same date. We want the mayor to understand that we are putting the onus on these organizations that are going to hold functions. The applicants have their meetings and may need a One-Day license. This is where the overtime is coming from.

Commissioner Uhlman stated that the people realize that they need a license at the last minute, and they call the mayor. Commissioner McGarry stated that it may cause repercussions politically. Commissioner McGarry stated that the Commission should set a hard date and people will have to start being responsible. Chairman Charnel stated that this is about responsibility. These people know they are having an event, they are planning. The board should not be held hostage because of your poor planning. Every other board has a hard date.

Commissioner McGarry stated we have been asked by the administration to cut back the Special Meetings because of the requirements of people coming in last minute. The applications should be submitted 14 days prior to the next regularly scheduled License Commission meeting. The administration should be aware that his staff will be getting calls once a hard date is set. Lt. Bonanca stated that we should set a hard date because that is what the administration wants, if they want a change because of the One-Day permits, we can address it.

A letter must go to the mayor's office stating to follow through on your request on limiting Special One-Day meetings we have come up with a hard date of 14-days before our next regularly scheduled meeting, which is the third Thursday of the month without exception or guidance from the mayor's office. Commissioner Uhlman stated maybe we should put it on the website. It is 14-days advance notice, with no exceptions. Chairman Charnel stated that maybe we should post it in the Enterprise that these are the new dates. Commissioner McGarry stated it should go up on the website, that this is starting on July 1, 2023.

A motion was made by Commissioner McGarry to send a letter to the mayor informing him that the License Commission has proposed a 14-day filing deadline prior to the next meeting, on all applications filed with the License Commission. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

#### 14. Approval of Late file Renewals for 2023

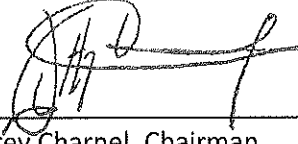
##### **Common Victualer license**

Chipotle Mexican Grill, of Colorado, dba Chipotle Mexican Grill, 500 Westgate Drive, SC 109, Brockton, MA.

A motion was made by Commissioner McGarry to approve the late file renewal of the Common Victualer license. The motion was seconded by Commissioner Uhlman and made unanimous by vote of the members present.

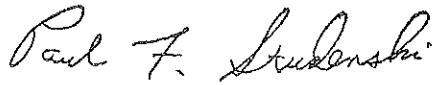
A motion was made by Commissioner McGarry to adjourn the meeting. The motion was seconded by Commissioner Studenski and made unanimous by vote of the members present.

Respectfully Submitted,

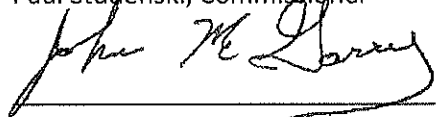


Jeffrey Charnel, Chairman

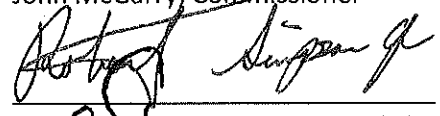
APPROVED



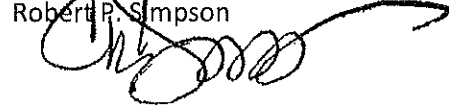
Paul Studenski, Commissioner



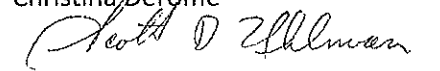
John McGarry, Commissioner



Robert P. Simpson



Christina Derome



Scott D. Uhlman