

SELECT BOARD  
MINUTES  
FEBRUARY 27, 2017

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 6:30PM in the Select Board Meeting Room.

Present were Michael Lawson, Chair; Jane Hotchkiss, Clerk; and Tom McKean. Also present was Kate Hodges, Assistant Town Manager.

Mr. Lawson called the meeting to order at 6:30PM and announced that it is being recorded.

Call to Order

**CONSENT AGENDA**

Consent Agenda

- Town Accountant's Warrants
- One Day Special Licenses  
The Cheese Shop      5/21/17      12PM-4PM      74 Strawberry Hill Road (Wine & Malt)

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**VOTED:** To approve the Consent Agenda as read.

**TOWN MANAGER'S REPORT**

Town Manager's Report

1. Assistant Town Manager Hodges advised the Board that the Beede Swim and Fitness Center will have new membership rates starting March 1, 2017.
2. Mr. McKean noted that the Board was copied on zoning violation letters for several unapproved AirBnB's operating in Concord. Board members noted that this was an emerging issue facing municipalities across the Commonwealth.

**6:30PM PUBLIC HEARING: FENG JI, INC. D/B/A KARMA, MANAGER OF RECORD JING TANG, LOCATED AT 105 THOREAU STREET, FOR A NEW ALL ALCOHOLIC BEVERAGES LICENSE AND COMMON VICTUALLER LICENSE**

Proclamation

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To Open the Public Hearing.

Brian Burke, Esq., Iverson Guo, Jing Tang, Thean Shim, and Hong Quek appeared for the hearing. Attorney Burke reviewed the application for a new all alcoholic beverages license. He advised the Board that the restaurant Karma will serve a variety of Asian foods. He told the Board that Karma currently had locations in Westford and North Andover. Attorney Burke stated that Jing Tang, proposed Manager of Record, has been the manager at Karma's Westford location and she had excellent track record. Ms. Tang confirmed that she would be present on site for at least 30 hours per week in which alcoholic beverages are sold. Attorney Burke noted that all bartenders were TIPS certified. He stated that the restaurant was a family orientated business and would be a good fit for Concord. Mr. Guo told the Board that the restaurant will have 99 seats and he briefly discussed the floor plan. Mr. Guo stated that the proposed restaurant has received approval from the Board of Health. Mr. Lawson inquired how alcohol would be secured on the premises. Mr. Guo noted that although some alcohol will be on display similar to most bars, there was a secondary secured storage location that was not publicly accessible. At the request of Ms. Hotchkiss, Mr. Guo stated that there will be 12 employees on site during the largest shift. Mr. Guo also pointed out that the restaurant provides a carpool service for its employees which would reduce the burden of employee parking on the site. Mr. McKean confirmed with Town staff that the Concord Police had reviewed the application. Mr. McKean advised that Concord has recently implemented a ban on polystyrene and inquired if the Applicants were prepared for it. Mr. Guo confirmed and expressed willingness to cooperate with the ban. Mr. Lawson asked Town staff if all the documentation was in order for the application. Town staff confirmed and advised the Board that the only unresolved component was the hours of operation. Board members reviewed the hours of operation for other restaurants in Concord.

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The Applicant had requested for the hours of operation to be 11AM to 1AM. After a brief discussion, the Board found that a 12AM midnight closing time was more in line with other similar establishments. Mr. Guo agreed to Board's recommendation. Town staff confirmed and advised the Board that the only unresolved component was the hours of operation. Board members reviewed the hours of operation for other restaurants in Concord. The Applicant had requested for the hours of operation to be 11AM to 1AM. After a brief discussion, the Board found that a 12AM midnight closing time was more in line with other similar establishments. Mr. Guo agreed to Board's recommendation.

Mr. Lawson asked for Public Comments and there was none.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To Close the Public Hearing.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To Grant the issuance of an All Alcoholic Beverages License to Feng Ji, Inc. d/b/a Karma, located at 105 Thoreau Street on the following described premises: one story building with three entrances and exits (two for patrons and the third for deliveries and trash removal). The seating capacity for the two dining areas, one sushi bar, and one cocktail bar will be 99 seats total. The hours to sell All Alcoholic Beverages will be Monday-Sunday 11AM-12am midnight. Approval is contingent upon issuance of all permits and payment of fees and pending final approval from the ABCC.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To Approve Jing Tang as Manager of Record at Feng Ji, Inc. d/b/a Karma, located at 105 Thoreau Street. The Manager must be engaged in the actual management of the Licensed Premises as her main occupation and must be present on the Licensed Premises for not less than thirty (30) hours per week during the hours when Alcoholic Beverages are sold.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Approve Thean Shim as Alternate Manager of Record empowered to make decisions on behalf of the establishment in the absence of the Manager of Record at Feng Ji, Inc. d/b/a Karma located at 105 Thoreau Street.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** to Grant the issuance of a Common Victualler's license for a seating capacity of 99 to Feng Ji, Inc. d/b/a Karma at 105 Thoreau Street, to expire December 31, 2017 in conformity with the Statutes and ordinances relating thereto.

**CLASS II LICENSE: ROUTE 60 MOTORS INC. D/B/A ACE MOTOR CARS, 1211 MAIN STREET**

Class II License

Nick Kapanides of Route 60 Motors and property owner Richard Beers appeared before the Board. Mr. Kapanides advised the Board that he has been Route 60 Motors Inc. started in Waltham in 2011. However, he has left the Waltham location and will be operating at 1211 Main Street in Concord. Mr. Beers advised the Board that he previously held a Class II license at this location for the last 17 years. However, Mr. Beers sought to scale back his involvement in the used car sales so he has leased space to Mr. Kapanides. At the request of the Board, Mr. Kapanides stated that no interior or exterior alterations were planned for the site. He stated that the used car sales operations remain very similar to how it has been the last 17 years.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

**MOVED:** To Approve the Class II License for Route 60 Motors Inc. d/b/a Ace Motor Cars at 1211 Main Street as submitted.

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**COMMITTEE APPOINTMENTS**

Appointments

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

**VOTED:** to Appoint Tracy Winn of 404 Monument Street to the Concord Local Cultural Council for a term to expire 5/31/19; Cheryl Baggen of 3 Bolton Street to the White Pond Advisory Committee for a term to expire 5/31/19

**CONFIRMATION OF TOWN MANAGER'S APPOINTMENT OF PATRICIA CLIFFORD AS ACTING TOWN CLERK**

TM Appointment

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

**VOTED:** to confirm the Town Manager's Appointment of Patricia Clifford as Acting Town Clerk until the position is permanently filled.

**ADJOURNMENT**

Adjournment

On a motion duly made and seconded, it was:

**VOTED:** To adjourn the meeting for the evening.

Michael Lawson, Chair	Aye
Jane Hotchkiss, Clerk	Aye
Alice Kaufman	Aye
Tom McKean	Aye

The meeting adjourned at 9:54 PM.

Respectfully submitted,

Jane Hotchkiss, Clerk