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REGULAR MEETING

LICENSING BOARD

COUNCIL CHAMBERS

THURSDAY

January 14, 2016

9:30 A.M.

1. 9:30 A.M. CALL TO ORDER 

Present: Frank Palaia, Chair
 Rudolf C. Hauser, Jr., Vice Chair
 Michael Cardiff
 Mary E. Belanger, Alternate
 Donna L. Giordano, Clerk

Absent: Joseph M. Nigrelli, Jr.
 Adrian T. Pelchat, Jr.
 T. Sol. Matthew T. Oliverio, Esq.

Also Present: Debra Gent, Licensing Assistant

SALUTE TO THE FLAG 

Led by Mr. Palaia.

CONSENT CALENDAR 


Approval of Minutes
 Regular Meeting - [December 10, 2015](#)

Motion by Mr. Hauser, Seconded by Mr. Cardiff, that the aforesaid minutes be accepted and approved as printed. (Voted Unanimously)

3. PUBLIC COMMENTS 

Comments shall be limited to agenda items, excluding matters to be scheduled for public hearing.

None

4. PUBLIC HEARINGS (Liquor Licenses & Others) 

Motion by Mr. Cardiff, Seconded by Mr. Hauser, to open the Public Hearing. (Voted Unanimously)

Class C Bar - New
 Vintage LLC
 dba: [Vintage Cigar Lounge & Club](#)

47 High St

Present: William A. Nardone, Esq., representing applicant
 Greg D. Williams, owner

Attorney Nardone presented background on the limited liability company formed November 30, 2015 and its principals. He noted that the property is the former South County Gas Company building. He presented for the record the Use Certificate granted by the Zoning Department confirming that the use as a

cigar lounge with the service of alcoholic beverages is permitted. He stated that, under RI General Law, a smoking bar is permitted as an exemption to the prohibition on smoking in public places; that the proposal is for a cigar lounge and club; and, that, if approved by the Licensing Board, it will have a Class C liquor license, which does not require kitchen facilities, but will serve prepared foods. He noted that the hours of operation will be from 11:00 a.m. to 1:00 a.m. and that, pursuant to state law, all liquor service must cease at 12 midnight; therefore, in the event the applicant desires to extend liquor service beyond midnight, a separate application will be sought to extend the service to 1:00 a.m. on Fridays, Saturdays, and nights before a holiday as provided in the state law. He further stated that the main focus of the business under the law must be the sale of cigars and cigar accessories, not food and alcohol, and that the sales are monitored by the Division of Taxation. He stated that seating is limited to 78 seats and he presented a floor plan of the area showing the layout including the members' area and the liquor storage area. He explained the operation of the business. He addressed the concerns of the smoke and its migration to other areas of the building and explained how the smoke would be mitigated. He stated that, under the terms of the lease, the tenants are obligated to take significant steps, through the installation of purification systems, to mitigate the migration of smoke from the lounge area to other areas in the building as well as to the outside.

Mr. Williams explained the air filtration system and noted that RI General Law requires that the air be filtered. He stated that the main focus of the business is retail sales and that the Class C license is incidental to the business. He further explained how any mitigation of smoke into other tenants' areas and into the street would be addressed.

No one appeared in favor.

Objector: Judith Chick, 9 Saratoga Ave., a professional mental health and behavioral provider and a business tenant in the 47 High Street building, was present to object due to the possibility of second-hand smoke infiltrating into her area while counseling children and adults. She urged that the cigar bar not be allowed in an area that houses a karate studio attended by children. She stated that the number of new smokers has decreased and that she doesn't want children learning about tobacco products. She expressed concern that the building is very old and that the ventilation system might not be effective. She presented a letter stating her concerns as well as a petition of objection signed by three other behavioral health providers who are business tenants in the building.

10:35 a.m. Ms. Belanger left the meeting and was absent for the remainder.

Mr. Williams and Attorney Nardone responded to concerns expressed by the Licensing Board regarding retail sales, smoke mitigation, air filtration and ventilation.

Discussion was held regarding the inability of the Board to seek the advice of the Town Solicitor due to his absence and continuing the public hearing to another meeting when he can be in attendance.

Motion by Mr. Hauser, Seconded by Mr. Cardiff, that the aforesaid hearing be continued to the January 25, 2016 Licensing Board meeting for attendance by the Town Solicitor. (Voted Unanimously)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

a. New Licenses and Permits

None

b. Renewals

None

c. Ratify & Confirm

One Time Event[Ocean House Employee Holiday Party](#)

Trattoria Longo

12 Canal St

(January 5, 2016 - 6:00 p.m. to 10:00 p.m.)

Motion by Mr. Hauser, Seconded by Mr. Cardiff, that the action of the Town Clerk in granting the aforesaid license be ratified and confirmed. (Voted Unanimously)

d. Order Advertise for Public Hearing

None

7. COMMUNICATIONS 

a. Correspondence

None

b. Town Solicitor Report

None

Discussion was held regarding the necessity for having the Town Solicitor in attendance at Licensing Board meetings, especially for scheduled public hearings.

8. ADJOURNMENT 

10:52 A.M. Voted Unanimously to adjourn.

ATTEST:



Donna L. Giordano, MMC
Licensing Board Clerk

Details of the aforesaid proceedings are video streamed and available on the Town of Westerly website.