

**Milton Liquor Board Meeting**  
May 16, 2016 at 6:00 PM  
Community Room of the Municipal Building

Use of cell phones is prohibited during the meeting. Please shut them off or silence them.

**AGENDA**

- I. Call to Order
- II. Business
  - A) Request for First Class Outdoor Consumption Liquor License Renewals  
Rick's Grill, North Country Saloon
- III. Approval of Minutes from May 2<sup>nd</sup>
- IV. Adjournment

Posted May 12th, 2016 on the official bulletin board in the lobby of the Municipal Building; to the Town website; emailed to the Burlington Free Press, Milton Independent, Lake Champlain Access Television, Fox 44 News, WPTZ, and WCAX; and posted in two other places within the Town of Milton and filed with the Town Clerk.

Signed: \_\_\_\_\_

  
Donna Barlow Casey, Town Manager



## PLANNING DIVISION

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[miltonvt.org/planning](http://miltonvt.org/planning)

### MEMORANDUM

**TO** Donna Barlow Casey, Town Manager  
**CC** Planning Staff  
Erik Wells, Director of Administration and Community Services  
Brett VanNoordt, Police Chief  
Sheryl Prince, Town Clerk  
**FROM** Amanda Pitts, Zoning Administrator  
**DATE** May 12, 2016  
**SUBJECT** 2016 LIQUOR BOARD LICENSE APPLICATIONS  
**PURPOSE** SELECTBOARD ACTION & STATUS UPATE

### THE ISSUES

1) The question before the Board is whether or not to approve the Outside Consumption Permit Liquor License application(s) for the following applicant(s):

- North Country Saloon at 216 Route 7 South
- Rick's Grill at 25 Centre Drive

2) North Country Saloon is now in compliance with their development review approval and zoning permit approval for the outside seating area. Rick's Grill is pending certification of zoning compliance. As of today, the Rick's Grill Administrative Site Plan amendment has been approved. Upon submission of the zoning permit application and certificate of compliance application and screening of the dumpsters (applicant has indicated that the applications they will be submitted on May 16, 2016) we expect to certify outdoor seating area on June 2, the earliest day possible.

### AUTHORITY

Pursuant to [Title 7, Chapter 7](#), the Selectboard's duties -- as the Liquor Board -- are as follows:

(a) The local control commissioners shall administer such rules and regulations, which shall be furnished them by the liquor control board, as shall be necessary to carry out the purposes of this title. Except as provided in subsection (b) of this section, all forms of licenses and permits and applications therefore and all rules and regulations shall be prescribed by the liquor control board, which shall prepare and issue such forms, rules and regulations.

(b) If the municipality so votes at a meeting duly warned for that purpose, the local control commissioners may, in the exercise of their authority under subdivision 222(1) of this title, condition the issuance of licenses and permits upon compliance, during the term of the license or permit, with any ordinance regulating entertainment or public nuisances that has been duly adopted by the municipality and

(c) The local control commissioners may, in the exercise of their authority under section 236 of this title, suspend or revoke a liquor license or permit for violation of any condition placed upon the issuance of a license or permit under subsection (b) of this section. The local control

commissioners shall give reasons for the suspension or revocation in writing and shall also state the duration of any suspension in writing.

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## **BACKGROUND**

On March 3, 2016, the Planning Division received the 2016 Liquor License Renewal Application for North Country Saloon and Rick's Grill and forwarded the application to the Chief of Police and the Zoning Administrator for commenting.

On March 21, 2016, the Liquor Board approved the First Class Restaurant Liquor License Renewals for North Country Saloon and Rick's Grill. The Liquor Board tabled the Outside Consumption Permit applications for Rick's Grill. The Outside Consumption Permit application for North Country Saloon was held from the meeting by the applicant to allow time to come into compliance.

On April 18, 2016, the Administrative Site Plan Amendment was approved for the outdoor seating area reflecting the correct size at North Country Saloon at 216 Route 7 South.

On April 28, 2016, the Administrative Site Plan Amendment was approved for the outdoor seating area reflecting the correct size at Rick's Grill at 25 Centre Drive.

On April 20, 2016, the Zoning Permit was approved for the outdoor seating area at North Country Saloon, 216 Route 7 South.

On May 12, 2016, the Certificate of Compliance was approved for the outdoor seating area at North Country Saloon, 216 Route 7 South.

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## **STAFF ANALYSIS**

The Chief of Police had no comments or concerns.

A Certificate of Compliance has now been approved for the outdoor seating area at North Country Saloon. The outdoor seating area is now in compliance with the Zoning Regulations. Approval of the Outside Consumption Permit for North Country Saloon would not conflict with the businesses' development review approvals.

An Administrative Site Plan Amendment has been approved for the outdoor seating area at Rick's Grill. The site is not currently in compliance with their approval, however approval of the Outside Consumption Permit would not put the business out of compliance with the DRB approval and conditions.

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## **RECOMMENDATION**

Based on the analysis above, Staff recommends that the Liquor Board approve the Outside Consumption Permit for: North Country Saloon.

Based on the analysis above, Staff recommends that the Liquor Board choose one of the following options for: Rick's Grill

Planning & Economic Development Department Memorandum for Selectboard Agenda Item  
**2016 OUTSIDE CONSUMPTION PERMITS**

- 1) Approve the Outside Consumption Permit for Rick's Grill;
- 2) Approve the Outside Consumption Permit for Rick's Grill with the Condition that they come into compliance with the local zoning regulations;
- 3) Deny the Outside Consumption Permit for Rick's Grill.

# Milton Liquor Board Meeting Minutes

May 2, 2016 6:00 P.M.

Municipal Building Community Room

**Selectboard Members Present:** Darren Adams, Ken Nolan, John Bartlett, John Palasik, John Cushing

**Selectboard Members Not Present:** none

I. **Call to Order** – Adams called the meeting to order at 6:00 PM

II. **Business**

A. **Request for Second Class Liquor License**

DG Retail, LLC doing business as Dollar General Store #11091 at 29 Middle Road  
Director of Administration Erik Wells stated this is a new applicant, and staff recommends approval of the application before the Board.

Merrill Bent, Esq. the attorney for the applicant was on the phone to answer any questions- there were none.

Cushing moved to approve the second class liquor license application for DG Retail, LLC doing business as Dollar General Store #11091, second by Bartlett. **Approved unanimously.**

III. **Approval of Minutes from March 21, 2016 and April 25<sup>th</sup> 2016**

Bartlett moved to approve the meeting minutes from March 21, 2016 and April 25<sup>th</sup> 2016 as presented, second by Cushing. **Approved unanimously.**

IV. **Adjournment**

Bartlett motioned to adjourn. Second by Nolan. **Approved unanimously.**

**Adams adjourned the meeting at 6:08 PM.**

Respectfully Submitted,

\_\_\_\_\_  
Date: \_\_\_\_\_

John Bartlett, Selectboard Clerk

Filed with Milton Town Clerk's Office on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

ATTEST: \_\_\_\_\_ Milton Town Clerk