

Milton Liquor Board Meeting
April 25, 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 Liquor License Renewal

Best Foods LLC, doing business as the Dam Diner at 35 Southerberry Drive
Jacob Hemmerick, Planning Director

B. Request for Second Class Liquor License Renewal

Maxi Green Inc. doing business as Rite Aid Store #10324 at 201 Route 7 South
Jacob Hemmerick, Planning Director

III. Adjournment

Posted 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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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 Jacob Hemmerick, Planning Director and Acting Zoning Administrator
DATE April 21, 2016
SUBJECT 2016 LIQUOR BOARD LICENSE APPLICATIONS
PURPOSE SELECTBOARD ACTION & STATUS UPATE

PROPOSED MOTION: *Approve the Liquor Licenses for the following applicants: Maxi Green Inc. d.b.a. Rite Aid; DG Retail, LLC d.b.a. Dollar General; and Best Foods LLC d.b.a. The Dam Diner*

THE ISSUES

- 1) The question before the Board is whether or not to approve the First Class Restaurant/Bar Liquor License application(s) for the following applicant(s):
 - Best Foods LLC, doing business as Rowans at 35 Southerberry Drive (name and address addressed below
- 2) The question before the Board is whether or not to approve the Second Class Licenses Liquor License application(s) for the following applicant(s):
 - Maxi Green Inc. doing business as Rite Aid Store #10324 at 201 Route 7 South
- 3) Two applications are pending certification of zoning compliance prior to approval of outdoor consumption permits. Both applicants are cooperative and progressing to full compliance. As of today, the Rick's Grill Administrative Site Plan amendment is within the comment period and therefore pending a decision. North Country Saloon has received its Administrative Site Plan Amendment approval and has an approved Zoning Permit now in the 15-day appeal period. Upon submission of the certificate application (the final step) we expect to certify the Saloon's outdoor seating area on May 5th, 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

Planning & Economic Development Department Memorandum for Selectboard Agenda Item
2016 LIQUOR BOARD LICENSE RENEWALS

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.

BACKGROUND

On April 14, 2016, the Planning Division received the 2016 Liquor License Renewal Application for The Dam Diner and forwarded the application to the Chief of Police and the Zoning Administrator for commenting.

On April 15, 2016, the Planning Division received the 2016 Liquor License Renewal Application for Rite Aid and forwarded the applications to the Chief of Police and the Zoning Administrator for commenting. Neither had any comments or concerns regarding these applications.

STAFF ANALYSIS

The Chief of Police had no comments or concerns.

The Zoning Administrator commented that the restaurant application from Best Foods LLC is currently doing business as The Dam Diner at 3 Southerberry Drive and recommended that these application mistakes be corrected. Approval of these licenses would not conflict with the businesses' development review approvals.

RECOMMENDATION

Based on the analysis above, Staff recommends that the Liquor Board approve the Liquor License Renewals for: Maxi Green Inc. d.b.a. Rite Aid.

Based on the analysis above, Staff recommends that the Liquor Board approve the Liquor License Renewal for Best Foods LLC d.b.a. The Dam Diner conditional upon correcting the business name and address on the application.

ATTACHMENTS

1. 2016 Second Class License, Maxi Green, Inc.
2. 2016 Second Class License, Best Food, LLC