



**Board of Selectmen
Minutes
Tuesday, April 16, 2013 at 7:00PM
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Lucy Wallace in the Town Hall Meeting Room. Selectmen Marie Sobalvarro, Ron Ricci, Bill Johnson and Tim Clark were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

SHAKER HILLS COUNTRY CLUB – LIQUOR LICENSE HEARING

Lucy Wallace opened the hearing by reading the legal notice aloud. She then invited Attorney Phil Feinzeig, Owner Fred Curtis and Manager Tim Valas to come forward. Feinzeig thanked Liz Allard, Tim Bragan and Julie Doucet for their assistance through this process.

Feinzeig explained the applicant Fred Curtis is the sole proprietor of the establishment and Tim Valas will serve as the General Manager and the Manager on file for the liquor license. He confirmed all necessary documents have been submitted to the Selectmen's office for filing with the ABCC. Feinzeig explained the course was purchased through foreclosure last May and significant renovations are being made to the course and the clubhouse. He said a building permit has been issued to construct a pavilion which will be located between holes 6 and 13. The pavilion will serve as a place for alcohol, snacks and other food/beverages to be consumed. They also plan to use the pavilion for special occasions. The pavilion will have minimum seating for 100. Feinzeig said the perimeter of the course has not changed.

Conditions: Feinzeig took the liberty of using the previous conditions for Shaker Hills as a guide to draft proposed conditions related to this new application.

The changes highlighted included:

- Condition 1: opening at 9am weekdays and Saturdays and 10am on Sundays
- Condition 3: No alcoholic beverages served or sold on the licensed premises after 11pm, excepting that no alcoholic beverages shall be served or sold on the golf course (including the Pavilion) anytime after sunset.
- Condition 5: Alcoholic beverages may be sold or served to golfers, members, guests, club visitors, restaurant patrons and attendees at functions (weddings, outings, parties, and the like)
- Condition 6: Lighting is permitted in the Function Area and Tent(s) in accordance with the Harvard Protective Bylaw.
- Condition 9: deleted

Tim Clark asked for clarification on where the pavilion will be located. Fred Curtis presented a map indicating the location to be at the far end of the course. Feinzeig confirmed it was previously the snack shack. He said no alcohol will be sold or served in the pavilion after sunset as stated in condition 3.

Marie Sobalvarro said her understanding is the local licensing authority can not restrict separate areas within the license premise to different hours. Feinzeig understands this but said his client is open to having a separate agreement with the town. They have no issue with the town making this restriction. Tim Clark suggested condition 6 related to lighting include the wording “in accordance with protective bylaw”.

Wallace opened the hearing to the public.

Donald Crossman, 154 Shaker Road, said as an abutter to the course and a person concerned with drunk driving he felt it important to speak at the hearing. He is in favor of the license being granted to the applicant and has been very impressed with the new owners prompt response to any concerns. He said they have presented themselves with good corporate manners. He fully expects the applicants will handle any issues that arise appropriately.

Dean Sampson, 60 Sawyer Lane, said he is an abutter who is also in favor of the license being granted. He is very excited for the new owners to be his neighbors saying they will be a great asset to the town and the area.

On a Ricci/Johnson motion, the board voted unanimously to close the hearing.

A brief review was done to finalize the wording of the conditions.

Tim Clark asked if the board members had any issue with events being held outside after dark. There were none.

Liquor License

On a Johnson/Wallace motion, the board voted unanimously to approve the application for a retail alcohol beverage license for Shaker Hills Country Club Corp. subject to alcohol conditions as presented.

Common Victualler License

On a Johnson/Sobalvarro motion, the board voted unanimously to accept the Common Victualler license for the Shaker Hills Country Club Corp.

MINUTES

On a Johnson/Sobalvarro motion, the board voted unanimously to approve the minutes from 3/26 and 4/2, as presented.

PUBLIC COMMUNICATION

Ruth Silman and Pheobee Clark came to give a huge thanks to their husband and father Tim Clark for all his hard work while he served on the Board of Selectmen. This was his last meeting.

TOWN ADMINISTRATOR REPORT

Bragan informed the board of a recent invitation received from the 4th of July Committee seeking participate in this years parade.

Braveheart Charity Ride

Bruce Ringwald was present to seek approval from the Board of Selectmen to hold a fundraising ride for Harvard resident Dylan Connelly who is very ill. The ride will take place on July 13th. On a Clark/Ricci motion, the board approved unanimously to approve the request for the Dylan Connelly ride on July 13th subject to approval by the Police Chief. Ringwald also announced a few other events that will be taking place: May 11th family move night, every Tuesday in June Not Your Average Joe will apply 15% of your purchase to a fund for the family and an online auction will be held in August.

Bragan reported the Town Hall Building Committee met last week. He had requested the move date for the town hall be in August instead of September. He said Finance Director Lorraine Leonard is finalizing the lease with Appleworks for signature at the next meeting.

APPLE BLOSSOM FESTIVAL – ENTERTAINMENT LICENSE

On a Johnson/Ricci motion, the board voted unanimously to approve the entertainment license for the Ayer Rotary Club's Apple Blossom Festival to be held on Saturday, May 18th and to erect a banner in the location requested.

RESIGNATION

On a Sobalvarro/Ricci motion, the board voted unanimously to accept Ruth Miller's resignation from the Registrars of Voters and send a letter thanking her for her service.

AGREEMENT TO RELEASE AND MODIFY RESTRICTIONS – GREAT ELMS

Bragan said Town Counsel Mark Lanza has reviewed the agreement and said it was in acceptable legal form but he did say the release must be authorized by a Town Meeting vote. On a Clark/Johnson motion, the board voted unanimously to endorse modifications as requested for deed on the Great Elms property.

GINNY THURSTON SCHOLARSHIP

The board decided to grant the scholarship in the amount of \$200 and set a deadline for submission of May 3rd.

GENERAL STORE – ENTERTAINMENT LICENSE HEARING

Lucy Wallace opened the hearing by reading the legal notice aloud. General Store owner Scott Hayward was present to explain the request. Hayward said the General Store is interested in hosting events that range from town forums to private birthday parties. The events would include selling of tickets which requires an entertainment license. Marie Sobalvarro asked for some clarity on the hours requested. Utilizing the conditions previously established for the Center on the Common, the Selectmen and Hayward decided on 10am-10pm Sunday thru Thursday and 10am -11pm on Friday and Saturdays. Bill Johnson suggested Hayward follow up with neighbors on the details of the license.

Hayward was in agreement on the proposed conditions.
On a Clark/Sobalvarro motion, the board voted unanimously to grant the request for an Entertainment License for the Harvard General Store with hours of 10am-10pm Sunday thru Thursday and 10am -11pm on Fridays and Saturdays and subject to conditions identical to those of the Center on the Common.

The meeting was adjourned at 8:40PM.

Documents referenced:

SHAKER HILLS COUNTRY CLUB – LIQUOR LICENSE HEARING

Application, form 43, proposed conditions - dated 3.25.2013

APPLE BLOSSOM FESTIVAL – ENTERTAINMENT LICENSE

Application dated 3.27.2013

RESIGNATION – letter dated 3.26.2013

GENERAL STORE – ENTERTAINMENT LICENSE HEARING

Application dated 3.25.2013