

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER

APRIL 28, 2016

ESTHER HOWLAND CHAMBER

Commission Members Present: Karon Shea, Chairperson
Anthony Salvidio, Commissioner
Walter Shea, Commissioner

Commission Members Absent: None

Staff Present: Stephen Rolle, Planning & Regulatory Services
Deborah Steele, Planning & Regulatory Services
Alexandra Kalkounis, Law Department
James Foley, Inspectional Services
Sergeant Thomas Needham, Worcester Police
Lt. Jeffrey Dubeau, Fire Prevention Division

Approval of the Minutes – April 7, 2016

Upon a motion the Commission voted 3-0 to approve the minutes of April 7, 2016.

Old Business

1. Petition: Request for package store malt & wine license

Petitioner: Seven Hills Convenience, Inc., 1326 Main Street

Attorney Barbara Liftman, the applicant, Wassam Daaboul, along with representatives of Seven Eleven and the store manager for Seven Eleven appeared on behalf of the application.

Attorney Liftman stated that this is request for a package store malt & wine license and stated that she would like to present a petition with hundreds of signatures in support of the store receiving the license.

Mr. Daaboul stated that he has been in business for fifteen years and has three licenses in New Hampshire and has no violations and stated that he provides alcohol training to all his employees and he has POS system that provides scanning to check for underage identifications.

Commissioner Shea stated that he believed that the area was well served and asked the applicant to address that.

Attorney Liftman stated that a great deal of the customers are people who walk to the store and there are no convenience stores within mile and a half and it be difficult for them to get to the ones further away as many of the customers do not have cars.

Commissioner Salvidio stated that he doesn't want a de facto liquor store and the percent of square footage for liquor sales he finds high.

Attorney Liftman stated that Seven Eleven owns the store and would not allow that and the plan is to have two coolers for beer and wine and one to two shelves for cold beer and wine and if sales didn't justified that they would adjust and they would welcome suggestions from the Commission. She stated that the store is a brightly lit store and liquor can be seen from registers.

Commissioner Salvidio stated that convenience stores sell a mix of products compared to just a package store that sells just beer and wine and asked how the store would address theft prevention.

Mr. Daaboul stated that they always have three people working and always have extra people working to make sure they are keeping an eye on the store.

Attorney Liftman stated that staff can view the liquor area and can observe customers and can see if anyone is underage trying to obtain beer and wine.

Mr. Daaboul stated that they he has owned the store for the past few months and has cleaned up the store and he is always aware of what is going on inside and outside the store.

Chair Shea asked how the wine would be locked. Mr. Daaboul stated that they can lock when hours of sale are not allowed.

Commissioner Shea asked if store has security cameras. Mr. Daboul stated that he does and has remote access where he can observe the store from off-site as safety comes first in his stores.

Commissioner Salvidio asked if the one cooler is a double door or triple. Attorney Liftman stated that it is a triple.

Commissioner Salvidio asked if the plan for this store would be to have two or three door cooler. Mr. Daboul stated that if the Commission only wanted two doors he could do that.

Commissioner Salvidio stated that it is too small of a store to have so much going on and he believes that the area is adequately served but applicant made compelling argument that majority of customers is from foot traffic but he has problem that space for sale would be too large and other applications they have reduced footage.

Commissioner Shea asked what the rate of crime in the area. Sgt. Needham stated that there is no significant crime in that area.

Mr. Daaboul stated that they have a big walk in cooler that they can do storage.

Chair Shea stated she would prefer it small and give it a chance.

Mr. Daaboul stated he wouldn't mind that.

Commissioner Salvidio stated that he would like that cooler locked. Mr. Daaboul stated that he is willing to work with the City and he can do that and if they can start with few doors as long as they have the product available for the customers.

Commissioner Shea stated that he would like to continue the meeting and have the applicant come back with a definitive plan of what they plan to have for sales of alcohol and where it will be located.

The Commission voted to continue the item until the May 12, 2016 License Commission meeting.

Exhibit A: Application for package store malt & wine license received March 29, 2016 and dated March 29, 2016.

Exhibit B: Signature petition received April 28, 2016.

Status hearing

2. Danana, 387 Cambridge Street – Status of conditions of license-Status of corporation

Jaiver Sanchez appeared on behalf of the item. Juan Gomez provided translation services. The Commission reviewed the conditions that the License Commission placed on the license which were as follows. The Commission stated that at last meeting they set conditions but reduced the weekend hours inadvertently and voted to amend and imposed condition that license holder could open Monday, Tuesday and Wednesday with a 1:00 a.m. closing without a detail officer, Thursday, 1:30 with a detail officer, Saturday and Sunday to 2:00 a.m. with police and the remaining conditions from 2002 to remain in place.

The Commission also advised Mr. Sanchez that his articles of organization showed that corporation is not currently valid and that he will need to rectify that.

NEW BUSINESS

One Day Liquor & Entertainment Requests:

3. Petition: Request for one day liquor license

- May 13, 2016 -5:00 p.m.-7:00 p.m.

Petitioner: Worcester Center for Crafts, 25 Sagamore Road

Candy Casey appeared on behalf of the item and stated that they expected about 75 people at the event.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received March 25, 2016 and dated March 25, 2016.

4. Petition: Request for one day liquor license

- June 4, 2016-11:00 a.m.-7:00 p.m.

Petitioner: Food Truck Festival of America, Park Avenue (between Elm Street and Highland Street)

Paige Grinelle appeared on behalf of the item. She stated that this is for the Fifth Annual Food Truck Festival and they will have a fenced in beer garden and will have trained people checking ID's as well Police Details.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received April 7, 2016 and dated April 7, 2016.

5. Petition: Request for one day liquor license

- May 15, 2016-3:00 p.m.-8:00 p.m.
- May 21, 2016-7:00 p.m.-Midnight

Petitioner: St. Spyridon Greek Orthodox Cathedral, 102 Russell Street

Mark Dionis appeared on behalf of the application. He stated that one event is for a baptism and the other is for an engagement party.

Upon a motion the Commission voted 3-0 to approve the two one day liquor licenses.

Exhibit A: Application for one day liquor license received April 14, 2016 and dated April 14, 2016.

6. Petition: Request for one day liquor license

- June 16, 2016 – 5:00 p.m.-9:00 p.m.
- July 21, 2016-5:00 p.m.-9:00 p.m.

- August 18, 2016-5:00 p.m.-9:00 p.m.
- September 15, 2016-5:00 p.m.-9:00 p.m.
- October 20, 2016-5:00 p.m.-9:00 p.m.
- November 17, 2016-5:00 p.m.-9:00 p.m.
- December 15, 2016-5:00 p.m.-9:00 p.m.

Petitioner: Ecotarium, 222 Harrington Way

Katherine Gillepsie appeared on behalf of the application. She stated that is a new after business hours series that the Ectotarium is holding and they are hoping that 300 people will attend the events.

Upon a motion the Commission voted 3-0 to approve seven one day liquor applications.

Exhibit A: Application for one day liquor permit (7) received April 12, 2016 and dated April 12, 2016.

7. Petition: Request for charity wine license, 321 Main Street

- May 13, 2016

Petitioner: Family Health Center of Worcester, Inc.

Heather Olson appeared on behalf of the application. She stated that is an annual art gala at Mechanics Hall and they are planning to auction off a basket with wine.

Upon a motion the Commission voted 3-0 to approve the charity wine license.

Exhibit A: Application for charity wine license received April 12, 2016 and dated April 12, 2016.

8. Petition: Request for one day liquor license

- April 30, 2016- 1:00 p.m.-10:00 p.m.

Petitioner: Victoria Mariano, 233-243 Stafford Street

Victoria Mariano appeared on behalf of the application. She stated this is 1300 SF building and they will be holding event in the parking lot and will have an enclosed beer garden from 1:00 p.m. to 10:00 p.m. and expect about 100 people.

Sgt. Needham stated that Ms. Mariano would need to contact the Worcester Police Department Off-Duty Detail Office to obtain an officer for the event.

Upon a motion the Commission voted 3-0 to approve the one day license.

Exhibit A: Application for one day liquor license received April 19, 2016 and dated April 19, 2016.

9. Petition: Request for one day liquor license

- June 2, 2016 – 4:30 p.m.-7:30 p.m.

Petitioner: New Garden Park, Inc, One Federal Plaza

Mel Lasour appeared upon behalf of the item. She stated that this will be a ribbon cutting in front of the Hanover Theatre and they will be holding a block party and Southbridge Street will be blocked for the event and police details will be on hand.

Upon a motion the Commission voted 3-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received April 19, 2016 and dated April 19, 2016.

10. Petition: Request for one day entertainment license for live music, theatrical exhibition

- June 2, 2016-4:30 p.m.-7:30 p.m.

Petitioner: New Garden, Park, Inc., One Federal Plaza

Mel Lasour appeared on behalf of the item.

Upon a motion the Commission voted 3-0 to approve the one day entertainment license.

Exhibit A: Application for one day entertainment license received April 19, 2016 and dated April 19, 2016.

11. Petition: Request for one day liquor license

- May 6, 2016 – 7:00 p.m-11:30 p.m.
- May 11, 2016-5:30 p.m.-9:00 p.m.
- May 15, 2016-10:00 a.m.-Midnight
- May 21, 2016- 8:00 p.m.-11:30 p.m.

Petitioner: Kim McElroy, Clark University, 950 Main Street

Kim McElroy appeared on behalf of the item. She stated that these events are for graduation ceremonies except for May 11 which is event for Webster Square Business Association. She stated that all the bartenders are TIPS certified and they have campus police who work with Worcester Police for security for the events.

Upon a motion the Commission voted 3-0 to approve the four (4) one day liquor licenses.

Exhibit A: Application for one day liquor licenses (4) received April 22, 2016 and dated April 22, 2016.

12. Request for one day liquor and entertainment license

Alcohol requests

- May 5, 2016 – 3:00 p.m.-9:00 p.m.
- June 17, 2016-2:00 p.m.-6:00 p.m.
- June 21, 2016-4:00 p.m.-11:00 p.m.

Entertainment Requests

- May 5, 2016 – 3:00 p.m.-8:30 p.m.
- June 17, 2016-2:00 p.m.-5:30 p.m.
- June 21, 2016-5:30 p.m.-10:30 p.m.

Petitioner: Paul Barber, 278 Shrewsbury Street

Paul Barber appeared on behalf of the petitions.

Mr. Barber stated that May 5, 2016 is for Cinco De Mayo and they will fence the parking lot off and have a solo artist to entertain but the musician just called and said they would only be able to perform to 9. Commissioner Salvidio stated that then they could do alcohol to 8:30 and entertainment to 8:00 p.m. Mr. Barber stated that on June 17, 2016 is a golf outing and stated that they are usually done by 5:00 and then move indoors. Mr. Barber stated that June 21, 2016 is the Taste of Shrewsbury which is a fundraiser for the Shrewsbury Street area. He stated that he would shut down his parking and then have alcohol and entertainment outside and stated that he would be willing to change the time for the entertainment and they did entertainment to 10:00 p.m. last year and did not have any incidents and there is a big need to have it later as that is when he can make some money. He stated that there are 10,000 people on the street at 9:00 and doesn't understand why they can't go until 10:00 p.m. and he would ask for 10:00 p.m. for entertainment and 10:30 p.m. for alcohol.

Commissioner Salvidio stated that he understands Mr. Barber's request but they have to balance with the neighbors in the area.

Commissioner Salvidio stated that he be fine with alcohol to 10:30 p.m. and entertainment to 10:00 p.m.

Exhibit A: Application for one day liquor permit (3) received April 1, 2016 and dated April 1, 2016.

Exhibit B. Application for one day entertainment permit (3) received April 1, 2016 and dated April 1, 2016.

Common Victualer Requests:

13. Petition: Request for common victualer license

Petitioner: Christos Pizza, 40 Cambridge Street

Joel Monteiro appeared on behalf of the application.

Upon a motion the Commission voted 3-0 to approve the common victualer license.

List of Exhibits: Application for common victualer license received April 12, 2016 and dated April 12, 2016.

14. Petition: Request for common victualer license

Petitioner: Eddie Plaza, Inc., 300 Pleasant Street

Eduardo Jimenz appeared on behalf of the application.

Upon a motion the Commission voted 3-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received March 29, 2016 and dated March 29, 2016.

Alcohol & Entertainment Requests:

15. Petition: Request to open at 10:00 a.m. on Sunday's

Petitioner: Birchtree Bread, 138 Green Street

Robert Fecteau appeared on behalf of the application.

Upon a motion the Commission voted 3-0 to approve the application.

Exhibit A: Application for to open on 10:00 a.m. on Sunday received April 14, 2016 and dated April 14, 2016.

16. Petition: Request for change of manager

Petitioner: Quinsigamond Post, 180 Greenwood Street

Item was postponed to the May 12, 2016 License Commission meeting.

Exhibit A: Application for change of manager received April 4, 2016 and dated April 4, 2016.

17. Petition: Request to transfer restaurant all alcohol license

Petitioner: Grill on the Hill, Inc., 1 Skyline Drive

Attorney Mark Bornstein along with Melinda Taylor appeared on behalf of the application. Attorney Bornstein stated that this was a change of ownership.

Upon a motion the Commission voted 3-0 to approve the transfer of the license.

Exhibit A: Application for transfer of restaurant all alcohol license received April 11, 2016 and dated April 11, 2016.

18. Petition: Request for change of manager

Petitioner: Red Lantern, Incorporated, 235 Shrewsbury Street

Attorney Mark Bornstein along with Gaojie Ou appeared on behalf of the application. Attorney Borstein stated that Ms. Ou is becoming the manager of the establishment.

Upon a motion the Commission voted 3-0 to approve the change of manager

Exhibit A: Application for change of manager received April 12, 2016 and dated April 12, 2016.

Violation Hearings

None

Other Business

None

Communications

None

ADJOURNMENT

The Commission adjourned the meeting at 11:03 p.m.