

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
June 27, 2013

ESTHER HOWLAND CHAMBERS

Commission Members Present: Karon Shea, Chairperson
Paul Mullan, Commissioner

Absent: Anthony Salvidio, Commissioner

Staff Present: Deborah Steele, Planning & Regulatory Services
Lt. James Johnson, Worcester Police Department
Alexandra Haralambous, Law Department
James Foley, Inspectional Services.

Call to Order –

Chair Shea called the meeting to order at 10:00 A.M.

Approval of the Minutes – 4/11/2013, 4/25/2013, 5/9/2013, 5/23/2013-HELD

6/3/2013-Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the minutes of June 3, 2013.

Unfinished Business

1. 100 Barber Avenue - Higgins Armory Museum

Petition: Request for one day liquor license – September 21, 2013

Jim Nelson appeared on behalf of application. Mr. Nelson stated this event is for the annual Festival of Ale held at Higgins Armory Museum.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the one day liquor license for September 21, 2013.

Exhibit: Application for one day license dated May 29, 2013 and dated May 29, 2013.

New Business

One Day Liquor Requests

2. 102 Russell Street - St. Spyridon Orthodox Church

Petition: Request for one day liquor license – July 13, 2013

Jim Economou appeared on behalf of application. He stated the event is for a small wedding with 150 people expected to attend.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the one day liquor license for July 13, 2013.

Exhibit: Application for one day license dated June 7, 2013 and dated June 7, 2013.

3. 10 Lincoln Square – Chartwells Catering for MCPHS

Petition: Request for one day liquor license – July 20, 2013

Bill Battelle appeared on behalf of application. He stated this was for the Eye Ball at the Massachusetts College of Pharmacy for their optometry program.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the one day liquor license for July 20, 2013.

Exhibit: Application for one day liquor license received June 27, 2013 and dated June 27, 2013.

Common Victualer License

4. 268 Lincoln Street - Riley's Restaurant

Request for common victualer license

Arben Xhangolli appeared on behalf of application. He stated he is taking over ownership of existing restaurant.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the common victualer license for Riley's Restaurant.

Exhibit: Application for common victualer license received June 14, 2013 and dated June 14, 2013.

5. 872 Main Street - Happy House

Request for common victualer license

Liyn Lin and Yuki Wong appeared on behalf of application. Ms. Wong stated this will be a Chinese restaurant with mostly take out food.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the common victualer for Happy House.

Exhibit: Application for common victualer license received June 12, 2013 and dated June 12, 2013.

6. 891A Main Street - Big Thumb Bakery

Request for common victualer license

Kowk Fong Jeong appeared on behalf of the application. Mr. Jeong sated this will be an Asian take out bakery.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the common victualer license for Big Thumb Bakery.

Exhibit: Application for a common victualer license received June 17, 2013 and dated June 17, 2013.

7. 123 Summer Street - Fresh & Healthy Frozen Yogurt

Request for common victualer license

Dean Stamoulis appeared on behalf of application. He stated this will be for a yogurt place inside St. Vincent Hospital and he plans to open five days a week and then expand to seven.

Commissioner Mullan stated that it should be approved for seven days so that applicant doesn't have to return if he plans to extend the days of operation for seven days.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the common victualer license for Fresh & Healthy Frozen Yogurt.

\
Exhibit: Application for common victualer license received June 17, 2013 and dated June 17, 2013.

8. 1121 Grafton Street – Paesano Pizzeria

Request for common victualer license

Louis & Nancy Bianco appeared on behalf of the application. Ms. Bianco stated this will be a small run family pizzeria.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the common victualer license for Paesano Pizzeria.

Exhibit: Application for common victualer license received on June 21, 2013 and dated June 21, 2013.

9. 107 Highland Street – Weydt Corporation dba Thai Time Restaurant

Request for common victualer license

Archara Weydt stated this is the former Tortilla Sam's and she will be running a restaurant with take out and that will be open from 11:30 p.m. to 1:00 a.m.

Upon a motion by Commissioner Mullan, the Commission voted 2-0 to approve the common victualer license for Thai Time Restaurant.

Liquor Requests

10. 26 Millbury Street - Electric Haze

Petition: Request for general on premises all alcohol license

Attorney Sean Murray, Victoria Mariano and Eric Collier appeared on behalf of the application.

Mr. Murray stated this Ms. Mariano and Mr. Collier have operated a hookah establishment on Park Avenue for past five or six years and looking to expand their business to Millbury Street. The primary focus of the business is tobacco therefore Department of Revenue requires that 51% of the sales come from tobacco products.

Commissioner Mullan stated he noted in business plan that they plan to sell art.

Ms. Mariano stated yes they do that a current location and planned on doing at new establishment.

Ms. Marinao stated that they have received grant money from City of Worcester to redo the façade of the building.

Chair Shea asked if there be any outdoor seating.

Ms. Mariano stated that they only plan on opening the windows.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the general on premises all alcohol license.

Entertainment License

11. 26 Millbury Street - Electric Haze

Petition; Request for entertainment license for radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, moving picture show, floor show, light show, karaoke, any other audio or visual show whether live or recorded specifically

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the entertainment license.

Exhibit A: Application for general on premises license received June 11, 2013 and dated June 11, 2013.

Exhibit B: Application for entertainment license received on June 11, 2013 and dated June 11, 2013.

12. 268 Shrewsbury Street - Kenichi 168

Petition: Request for alteration of premises for sidewalk café

Jian Ming Hu appeared on behalf of the application. He stated he was looking to add sidewalk café as addition to his current restaurant.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the alteration of premises for Kenichi 168.

Exhibit: Application for alteration of premises received on June 6, 2013 and dated June 6, 2013.

13. 503 Plantation Street - Residence Inn

Petition: Request for change of manager

Brian Bell appeared on behalf of the application. He stated he will be taking over as manager of Residence Inn.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the change of manager for Residence Inn.

Exhibit: Application for common victualer license received on June 11, 2013 and dated June 11, 2013.

14. 935 Grafton Street - DVN, Inc. dba Plaza Liquors

Petition: Request for change of location in same shopping plaza to unit 14A with address of 867 Grafton Street

Jim Vasiladis appeared on behalf of application. He stated he is moving his existing liquor store three doors down in the same plaza. There will be no change in ownership of the business.

Commissioner Mullan asked what would be the time frame to move to new location.

Mr. Vasiladis stated he was looking for it to take place by the end of September.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the transfer of location for DVN, Inc. dba Plaza Liquors.

Exhibit: Application for transfer of location received on June 11, 2013 and dated June 11, 2013.

Lodging House

15. 4-6 Marston Way - Spectrum Health Systems

Petition: Request for lodging house license change of ownership

Charles Faris and James Meolo from Spectrum Health Systems appeared on behalf of the application.

Mr. Faris stated that Spectrum Health System currently owns 7 Marston Way, a lodging house across the street from this address and 4-6 Marston will serve the same clientele. The lodging house is for people recovering from addiction and on way to being drug and alcohol free. A live in manager will be on premises to run the location.

Chair Shea asked how many rooms. Mr. Faris stated 16 rooms and property will remain on the tax rolls.

Commissioner Mullan asked for clarification on rooms. Mr. Faris responded that currently 12 rooms are rented and there are 5 vacancies.

Commissioner Mullan noted that this location has had a lodging house license since 1962 and Spectrum Health Systems is asking for exactly the same amount of rooms.

Spiro Giannopoulos stated he was an abutter to the property and would like to see this item postponed as abutters only had a week's notice and he would like time to present fire reports and police reports from the property Spectrum Health Systems owns across the street. Mr. Giannopoulos stated he went to the police department to get reports last week but was told Officer Shgrue was on vacation and information could not be provided.

Dr. Jerry Osburne sated he would also like to see item postponed.

Mr. Giannopoulos stated that Spectrum Health Systems is an agency that deals with people with heroin addiction problems which will create more problems in neighborhood and asked the Commission to delay this item until September in order to provide police and fire reports to the Commission.

Flo Sullivan, one of the current owners of 4-6 Marston Way, stated she has owned the property almost fifty years and over that time period they have had tenants with alcohol and drug problems and they ran property well and there have been no problems.

Mr. Giannopoulos stated that he would prefer Ms. Sullivan not sell the property to a social service agency.

Commissioner Mullan asked Mr. Giannopoulos if he objected to Spectrum Health Systems, the organization or the clientele they serve.

Mr. Giannopoulis reiterated that License Commission should not vote on item until they have all the police and fire calls for Spectrum Health Systems.

Mr. Giannopoulis stated he only received notice last week and that was not enough time to gather information to present to the Commission.

Commissioner Mullan asked Mr. Faris if an executed purchase and sale for the property had been scheduled. Mr. Faris stated that it would occur on July 1.

Dr. Osburne stated there is already one lodging house in neighborhood and had concerned about the number of fire calls to that location and asked about the policies the organization will implement and whether Spectrum Health Systems does random drug testing on clients.

Jacob Sanders, from Becker College, stated he understands both sides but there is a need for services provided by Spectrum Health Systems and they have had no incidents in the past.

Upon a motion by Commissioner Mullan the Commission voted 2-0 to approve the lodging house license for 4-6 Marston Way.

Commissioner Mullan stated the reason the Commission voted to approve the application was that based on the presentation by Spectrum Health Systems they run a responsible organization and understand the needs of the community. Mr. Mullan stated the Commission understands the neighborhood concerns but this location has been a lodging house since 1962 and since that time it has been well run and there is no change to number of rooms being asked for and the Commission feels comfortable that Spectrum Health Systems will continue to run the operation professionally.

Exhibit: Application for lodging house license received on June 3, 2013 and dated June 2, 2013.

Other Business (Communications)

A.B.C.C. Communications

Adjournment

Upon a motion by Commissioner Mullan the Commission voted 2-0 to adjourn the meeting at 10:45 a.m.