

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

May 28, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitations on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 735751404#), which was publicized on the posted meeting agenda and during the video broadcast.

Commission Members Participating: Walter Shea, Chairman
Anthony Vigliotti, Commissioner
Barbara Haller, Commissioner

Commission Members Absent: None

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Lt. James Johnson Worcester Police Department
Alexandra Kalkounis, Law Department
Jim Racicot, Inspectional Services
Deborah Steele, Planning & Regulatory Services

Minutes

May 14, 2020

Upon a roll call vote, the Commission voted 3-0 to approve the minutes of May 14, 2020.

Common Victualer Requests

I-1: Sabrosa Venezuela, 152 Green Street

Isabel Fernandez spoke on behalf the application. She stated that she is looking for a new restaurant at the Public Market.

Upon a roll call vote, the Commission voted 3-0 to approve the common victualer license.

List of Exhibits:

- A. Application for Common Victualer license received May14, 2020 and dated May 14, 2020

Special One Day Liquor & Entertainment Requests

None

Alcohol & Entertainment Requests

- I-2: Skaff Petroleum Inc. dba Grafton Mobil Mart, 334 Grafton Street**
- Request for package store malt & wine license

Attorney Jonathan Finkelstein and Jean Skaff participated on behalf of the application.

Attorney Finkelstein stated that this item had been before the Commission several times and gave a review of the description of the premises. He stated that there would only be one cooler for storage and reviewed the security that would be in place to control access to the coolers after hours.

Attorney Finkelstein stated that package stores are only allowed in manufacturing and business districts in the city and very few are currently located in the manufacturing area. When you look at the City of Worcester, the package stores are all in close proximity as they can only be located in business districts.

Mr. Finkelstein stated that the City is allowed to issue 37 package store malt & wine licenses and for some reason only 22 been issued.

Attorney Finkelstein stated that a petition in support of the application was submitted to the Commission which had over 300 signatures.

Public Comment

People who spoke in opposition to the application:

Elias Zeena- Grafton Hill Package Store

Jim Vasiladis – Greendale Liquors

William Kirtsy – Olympic Wine and Spirits

Commissioner Haller stated that based on map provided, which shows the existing stores in the area, she believes that the area is already adequately well served.

Commissioner Vigliotti stated that he agrees with Commissioner Haller and that the area is well served.

Chairman Shea stated he also viewed the map and knows the area very well. He does feel the area is adequately served and will be voting against the item.

Upon a roll call vote the Commission voted 3-0 to deny the request for a package store malt & wine license.

List of Exhibits:

- A. *Application for Package Store Malt & Wine License received and dated February 14, 2020.*
- B. *Map from DPRS dated May 7, 2020*
- C. *Information provided electronically by William Kirtsy dated May 14, 2020.*
- D. *Petition with signatures in support of the application*

I-3: Worcester Cultural Coalition dba The Jean McDonough Arts Center (JMAC), 20 Franklin Street

- Request for general on premises all alcohol license with outdoor area

Chairman Shea stated that Lt. Johnson had provided photos to the Commission of the site.

Erin Williams and Hank Von Hellion participated on behalf of the application. Ms. Williams stated that they are looking to obtain a liquor license that would be used in conjunction with their events and there would be an outdoor space connected to the venue used during the summer months.

Commissioner Haller requested that the applicant review the server training programs that will be used for staff. Mr. Von Hellion stated that in the past when they applied for one day liquor permits, they would obtain TIPS certified bartenders and they will continue that practice.

Commissioner Haller asked that a list of events, specifying the dates that they are to occur, be sent to both the License Commission and Worcester Police Department, as this location is event driven and not an everyday license.

Lt. Johnson stated that the organization could send such a list by email to make it easier to handle.

Commissioner Vigliotti stated that he would be in favor of the application.

Upon a roll call, the Commission voted 3-0 to approve the general on premises all alcohol license subject to the following conditions;

- All events are to be submitted to the License Commission and Worcester Police Department
- A direct, five-foot wide path will be maintained through or around the licensed area free of tables, chairs or other obstacles for emergency egress purposes.
- The petitioner shall notify the Worcester Fire Department 5 business days or more in advance of any event using the outdoor space.
- The petitioner shall submit a written emergency access plan/procedure for quickly clearing tables, chairs and other obstacles from the outdoor space in order to provide for emergency access.

List of Exhibits:

- A. *Application for general on premises all alcohol license received March 31, 2020 and dated March 31, 2020.*

Lodging House

IV: New Americans Community Development Corp, Inc., 7 Sycamore Street

- Request for transfer of current lodging house license

Juan Gomez along with Scott Dennett participated on behalf the application.

Mr. Gomez gave a brief history of the organization. Mr. Gomez stated that they are looking to obtain the existing lodging house license to assist with finding accommodations for their clientele.

Commissioner Haller thanked Mr. Gomez for his good work in the City but did have a few questions. Given that this is going to be a lease agreement, she asked how that would work and asked if current resident manager would stay on.

Mr. Gomez stated that they are going to have a general management agreement with the corporation and intend to continue the operation the way it has been operated. The resident manager will stay on for at least a year, but he is an older gentlemen and may decide to retire.

Commissioner Haller asked the Law Department that since this is a lease agreement who would be the responsible party for the property. Ms. Kalkounis stated that it would be the responsibility of the CDC as their name is on the application.

The Commission and Mr. Gomez reviewed the occupancy for location.

Upon a roll call the Commission voted 3-0 to approve the lodging house transfer to New Americans Community Development Corp. Inc.

List of Exhibits:

- A. *Application for lodging house transfer received Mach 31, 2020 and dated March 31, 2020.*

Hearings

None

Other Business

V: Price Chopper, 72 Pullman Street

- Request to temporarily remove condition of the use of ID scanners due to the Coronavirus outbreak – Item was filed.

Communications

- ABCC communication – Worcester St. Abraam Appeal Decision – filed.
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Chairman Shea asked if there was any information on outdoor dining. Mr. Rolle stated that it is being worked on and would be released as soon as it is ready.

Commissioner Haller stated that at the last meeting she asked for report on COVID-19 protections at lodging houses in the City of Worcester and would like a report on testing/tracking at lodging houses.

Mr. Rolle stated that there has been conversations with the Health Department, but they weren't ready issue to that report at this time.

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:07 a.m.