

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
JUNE 14, 2021

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

**Commission Members Absent:**

**Staff Participating:** Stephen Rolle, Planning & Regulatory Services  
Sergeant Thomas Needham, Worcester Police  
Department  
Alexandra Kalkounis, Law Department  
Deborah Steele, Planning & Regulatory Services

\*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 limitation on the number of people that may gather in one place, this meeting of the Worcester License Commission will be conducted via **remote participation**.

The meeting will be livestreamed from the City Website at [www.worcesterma.gov/video-on-demand](http://www.worcesterma.gov/video-on-demand) and may be broadcast on the local government cable channel (Spectrum Channel 192). While no in-person attendance will be permitted, every effort will be made to ensure that the public can adequately access the proceedings. In addition, a video recording and meeting minutes will be posted at [www.worcesterma.gov](http://www.worcesterma.gov) after the meeting.

**To participate during the public comment portion of the meeting, you may:**

- Use the following link to join the meeting via computer <https://cow.webex.com/meet/licensecommissionwebex> or
- Call **415-655-0001 (Access Code: 160 660 9360)** for the License Commission.

If you have difficulty accessing the call, please e-mail [planning@worcesterma.gov](mailto:planning@worcesterma.gov).

Application materials may be viewed on the City Website at <http://www.worcesterma.gov/planning-regulatory/boards/license-commission>. For more information concerning this meeting, to request a reasonable accommodation or interpretation, or to **submit written comments** in advance of the meeting, please contact the Planning Division by email (preferred) at [planning@worcesterma.gov](mailto:planning@worcesterma.gov) or phone at (508) 799-1400 x 31440. Submission of comments in advance of the hearing is strongly encouraged. Note: interpretation requests must be received no later than 48 hours in advance of the meeting.

**Call to Order** – 10:00 a.m.

**Minutes** – May 27, 2021

Upon a roll call vote the Commission voted 3-0 to approve the minutes of May 27, 2021.

**Other Business**

**1. 4th and 1 Club, 7 Muskeego Street**

- Status hearing
- 1a. OD-2021-005- 4<sup>th</sup> and 1 Club, 7 Muskeego Street (alcohol and food) (Request to be reheard)**
  - Request for outdoor dining permit for 9 tables with 54 seats
  - Hours: Monday–Wednesday – Sunday – Noon to 11:00 p.m.

Upon a roll call vote the Commission voted 3-0 to postpone items #1, #1a to the June 24, 2021 License Commission meeting.

**Common Victualer Requests**

**2. The Shack, 275 Park Avenue**

- Request for common victualer license
- Hours: 24 hours daily

Dimpal Rathod called in for the application.

Ms. Rathod stated that this will be for a takeout restaurant. Ms. Rathod stated that she would like to amend the hours to 6:00 a.m. – 10:00 p.m.

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

*List of Exhibits: Common victualer application dated and received June 1, 2021.*

**3. Hanover Insurance, 440 Lincoln Street**

- Request for common victualer license
- Hours: 7:00 a.m. – 3:00 p.m.

Michael Lewis called in for the application.

Mr. Lewis stated that he would be taking over the cafeteria services for the Hanover Insurance Company.

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

*List of Exhibits: Common victualer application dated and received June 2, 2021.*

**4. Sofia's Pizza, 100 Canterbury Street**

- Request for common victualer license
- Hours: Monday–Thursday: 11:00 a.m. – 10:00 p.m., Friday & Saturday: 11:00 a.m. – 11:00 p.m., Sunday – Noon – 9:00 p.m.

Jeff Hernandez called in for the application.

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

*List of Exhibits: Common victualer application dated and received June 1, 2021.*

**5. Gentile's Bakery, 142 Plantation Street**

- Request for common victualer license
- Hours: 7:00 a.m. – 7:00 p.m. daily

Matt Gentile called in for the application.

Mr. Gentile stated that this is for a wholesale bakery.

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

*List of Exhibits: Common victualer application dated and received June 11, 2021.*

**One Day Liquor & Entertainment Requests**

**6. Gina Migliozi, 30 Exchange Street**

- Request for one day liquor license:
  - June 29 & 30, August 28 & September 4 2021: 5:00 p.m. – 11:00 p.m.
- Request for one day entertainment license for dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, light show
  - June 29 & 30, August 28 & September 4 2021: 5:00 p.m. – 11:00 p.m.

Gina Migliozi called in for the application.

Ms. Migliozi stated that they were looking to do some outside events in their parking lot and they have done these events in the past and they will have security and medical personnel on standby in case of emergencies.

Upon a roll call the Commission voted 3-0 to approve the one day liquor and entertainment licenses.

*List of Exhibits: Special One Day Liquor and Entertainment Application received and dated May 25, 2021.*

**7. Creative Hub Worcester, Inc., 661 Main Street**

- Request for one day liquor license:
  - June 19, 2021: 4:00 p.m. – 8:30 p.m.
- Request for one day entertainment license for live music
  - June 19, 2021 – Noon – 8:30 p.m.

Laura Marcotte and Stacey Lord called in for the application.

Ms. Marcotte stated that they are expecting about 100 people staggered throughout the day and they will have private security for the event.

The Commission and Ms. Marcotte asked how long the entertainment was planned to go for and Ms. Marcotte stated 9:00 p.m.

Upon a roll call the Commission voted 3-0 to approve the one day liquor license and the one day entertainment license with amendment that hours would go to 9:00 p.m.

*List of Exhibits: One Day Liquor license received and dated May 24, 2021.*

**8. Brycol, Inc. dba Ralph's Tavern, 117 Shrewsbury Street**

- Request for one day entertainment license for jukebox, TV, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, karaoke
  - June 11–13, 17–20, 24–27, 2021\*
  - July 1–4, 8–11, 15–18, 22–25, 29–31, 2021\*
  - August 5–8, 12–15, 19–22, 26–28, 2021\*
  - September 2–5, 9–12, 16–18, 23–26 & 30, 2021\*
  - October 1–3, 7–10, 14–17, 21–24, 28–31, 2021\*
  - \*Thursdays & Sundays: Noon to 10:00 p.m., Fridays & Saturdays: Noon to 11:00 p.m.

Upon a roll call the Commission voted 3-0 to allow for Leave to Withdraw for the application.

**Liquor Application Requests**

**9. Dubai Restaurant & Lounge dba Mexi Town Bar & Grill, 27 Pleasant Street**

- Request to transfer restaurant all alcohol license to 105 Water Street

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting.

**10. TL Foods LLC dba Mint Restaurant & Bar, 77-79 Maywood Street**

- Request for restaurant all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, TV, radio, recorded music, live music, amplification system, light show, karaoke

Attorney Hong Trang and Trang Le logged in for the meeting.

Mr. Tran stated that TL Foods began as a catering company and now when this space came available they decided to apply for a restaurant and they met with the Worcester Police Department to review hours and operation of the business. Mr. Tran stated that the kitchen will be expanded to make it more of a restaurant.

Mr. Tran stated that Ms. Le is TIPS certified.

Sgt. Needham asked for review of the proposed hours.

Mr. Trang stated that the hours would Sunday through Wednesday hours would be 11:00 a.m. to 11:00 p.m. and Thursday through Saturday would be 11:00 a.m. – Midnight.

Upon a roll call vote the Commission voted 3-0 to approve;

- Request for restaurant all alcohol license
- Request for common victualer license

- Request for entertainment license for jukebox, TV, radio, recorded music, live music, amplification system, light show, karaoke

with the condition that the hours would be;

Sunday through Wednesday hours would be 11:00 a.m. to 11:00 p.m. and Thursday through Saturday would be 11:00 a.m. – Midnight

*List of Exhibits: Application for restaurant all alcohol license, common victualer license and entertainment license received and dated May 3, 2021.*

**11. Iconlabel, LLC, 91 Stafford Street**

- Request for entertainment license for dancing by patrons, amplification system
- Tuesday: 10:00 p.m.–2:00 a.m., Thursday–Saturday: 8:00 p.m.–2:00 a.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting.

**12. Canal District Wines, 160 Green Street Unit TG-3**

- Request for package store malt and wine license

Attorney Howard Stempler along with Oliver D’Ambrosio and Rachel Scanlon logged in for the meeting.

Mr. Stempler stated that this is a specialty wine store and will only be selling wine. He stated that the applicant will be located in a very small footprint in the Worcester Public Market and it will serve a need in the area.

Mr. Stempler stated that their survey of the neighborhood show most people drive into Shrewsbury for specialty wines and they would like to offer this specialty niche business which has the support of the local businesses and neighbors.

Chairman Shea stated that they have received the letters of support and one letter of opposition from the package store across the street for the application.

Commissioner Haller stated that she has problem supporting the application as in her opinion this neighborhood is adequately served.

Mr. Stempler stated that the wines that would be sold are specialty wines and people are not going to the package stores to buy these types of wines and this store is a very specific business that doesn’t compete with a package store.

Domenic Mercurio, Executive Director of the Worcester Public Market, stated that he has been working with the applicants and stated that he can work with the package store across the street to ensure that any wine sold in Canal District Wines would also not be sold at the package store so there would not brand overlap.

Mr. Stempler stated that his clients is working with two local distributors so that local business can support each other.

Commissioner Vigliotti asked Mr. Mercurio if the wines sold at the Market would not be sold in the package stores.

Mr. Mercurio stated that he can investigate and ensure that wine that would be sold in the market would not be sold in the package stores.

Commissioner Haller stated that doesn't know how that can be done as inventory changes all the time.

Ms. D'Ambrosio stated that they are only looking to carry 20/30 bottles of wine at any time and they are very confident they can find a way to pick products that will allow them to co-exist with other businesses.

Mr. Stempler stated that this is a growing demographic in the area and this applicant can co-exist with other package stores in the area.

Chairman Shea stated that he does have concern with the application but asked Mr. Mercurio to confirm he would be checking with other package stores in the area on what they sell.

Mr. Stempler stated that would be correct and the goal is not to compete.

Commissioner Haller stated that her concern is not competition. It's a question whether the area is adequately served and as far as she can see this area is already well served.

Commissioner Vigliotti stated that he feels that this is unique and they will only be carrying 20 bottles of wine and he doesn't see that the area is being adequately served with the product being sold.

Elias Zeena, Grafton Hill Package Store, stated that when a customer comes into their store and they don't have product they refer it to the closest package store or order it. They can obtain the product and the area is adequately served.

Mr. Mercurio stated that this store is mainly live above the public market.

Mr. Stempler stated that based on letters of support are not people driving in the car to package stores. This is a niche store.

Kurt Patel from Kelley Square Liquors stated that his store is right across the street and they don't have a product the customer can go to another package store or they can order the wine and the area is adequately served.

Commissioner Vigliotti stated that he would like to motion for approval.

Ms. D'Ambrosio stated that she like to reiterate they will only be selling wine and only 20/30 bottles and there are hundreds of new of residents that will soon be coming into the neighborhood with the new construction taking place.

Mr. Rolle stated that this is Worcester fastest growing neighborhood and think would be important fact that the Commission may want to consider.

Chairman Shea stated that both parties made compelling arguments but the neighborhood is adequately served.

Upon a roll call vote the Commission voted 1-2 (Commissioner Vigliotti voting in support) to approve the package store malt & wine license.

*List of Exhibits:*

- A. Application for package store malt & wine license received and dated May 17, 2021.*
- B. Letter of Support of application from Allen W Fletcher received and dated June 8, 2021*
- C. Letter of Support of application from Heather Christian received June 8, 2021 and dated June 7, 2021*
- D. Letter of Support of application from Jennifer Riley received June 8, 2021 and dated June 7, 2021.*
- E. Email Letter of Support of application from Kelsey Murray received June 7, 2021.*
- F. Email Letter of Opposition from Kelly Square Liquors received June 4, 2021.*
- G. Liquor Map dated June 2, 2021.*

**13. Paris Café, 255 Main Street**

- Request for change of manager

Gina Migliozi called in for the application. She stated that Jennifer Rosado would be new manager.

Upon a roll call vote the Commission voted 3-0 to approve the change of manager.

*List of Exhibits: Application for change of manager received and dated May 24, 2021.*

**14. Oasis Theater, Inc., 261 Main Street**

- Request for change of manager

Gina Migliozi called in for the application. She stated that she will be the new manager for Oasis Theater.

Upon a roll call vote the Commission voted 3-0 to approve the change of manager.

*List of Exhibits: Application for change of manager received and dated May 24, 2021.*

**15. Off The Rails, LLC, 90 Commercial Street**

- Request for restaurant all alcohol license with outside patio area and sidewalk cafe
- Request for common victualer license
- Request for entertainment license for jukebox, TV, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, paly, moving picture show, floor show, light show, theatrical exhibition, karaoke, any other audio visual show whether live or recorded specifically

Chris Besaw called in the application and stated that this will a country music and southern food restaurant.

Mr. Besaw stated that he was the manager at the Palladium for past 20 years.

Mr. Besaw and the Commissioners reviewed the outdoor seating area.

Upon a roll call the Commission voted 3-0 to approve;

- Request for restaurant all alcohol license with outside patio area and sidewalk cafe
- Request for common victualer license
- Request for entertainment license for jukebox, TV, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, paly, moving picture show, floor show, light show, theatrical exhibition, karaoke, any other audio visual show whether live or recorded specifically

*List of Exhibits: Application for restaurant all alcohol license, common victualer license and entertainment license received and dated May 21, 2021.*

**16. Hillcrest Apiary, LLC, Worcester Public Market, 160 Green Street**

- Request for general on premises all alcohol license

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting.

**17. Mercury Media & Entertainment, Inc. dba Narwhal, Worcester Public Market, 160 Green Street**

- Request for restaurant all alcohol license

Domenic Mercurio called in for the application. Mr. Mercurio stated that this will be a seafood restaurant.

Upon a roll call the Commission voted 3-0 to approve the restaurant all alcohol license.

*List of Exhibits: Application for restaurant all alcohol license received and dated May 26, 2021.v*

**18. Nicole's Lounge, dba Nick's, 124-128 Millbury Street**

- Request to amend entertainment license to have live music, karaoke outside until 10:00 p.m.



Vincent Hemmeter logged in for the application. He stated he would like to take out the karaoke and just do live music.

Commissioner Haller reminded him that be cognizant of neighbors and noise.

Upon a roll call the Commission voted 3-0 to approve the outside entertainment for live music to 10:00 p.m.

*List of Exhibits: Application for amendment to entertainment license received and dated June 1, 2021.*

**19. Vincent's, 49 Suffolk Street**

- Request to amend entertainment license to have live music outside until 10:00 p.m.

Vincent Hemmeter logged in for the application. He stated that this would just be on Sunday and just a single soloist guitar.

Upon a roll call the Commission voted 3-0 to approve the outside entertainment for live music outside until 10:00 p.m.

*List of Exhibits: Application for amendment to entertainment license received and dated June 1, 2021.*

**20. Ralph's 95 Prescott Street**

- Request to amend entertainment license to have live music, karaoke outside until 1:00 a.m.

Vincent Hemmeter logged in for the application. He stated that he would like this entertainment request to go to 1:00 a.m. as there are no residential neighbors.

Upon a roll call the Commission voted 3-0 to approve the outside entertainment to have live music, karaoke outside until 1:00 a.m.

*List of Exhibits: Application for amendment to entertainment license received and dated June 1, 2021.*

**21. Thacura, Inc., dba One Eyed Jack's, 433 Park Avenue**

- Request to amend entertainment license to have jukebox speakers, live acoustic guitar music outside. Tuesday–Sunday: 1:00 p.m.–10:00 p.m.
- Request to amend entertainment license for live music show on patio (June 19, 2021 11:00 am. –11:00 p.m.)

David Thacura called in for the application. He stated he would be withdrawing the June 19, 2021 request.

Mr. Thacura and the Commission reviewed the outside entertainment.

Upon a roll call the Commission voted 3-0 to approve the outside entertainment for jukebox speakers, live acoustic guitar music outside. Tuesday–Sunday: 1:00 p.m.–10:00 p.m.

Upon a roll call the Commission voted 3-0 to approve Leave to Withdraw for the June 19, 2021 request.

## **Alteration of Premises – Temporary Outdoor Dining (New)**

### **22. OD-2021-011 JC Mason LLC, 389 Franklin Street (alcohol & food)**

- Request for temporary outdoor dining license for 6 tables with 12 seats
- Monday: 11:30 a.m. – 9:00 p.m., Wednesday–Sunday: 11:30 a.m. – 9:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting

### **23. OD-2021-015 & SW-2021-007 – Bean Counter Bakery, 270 Grove Street (food only)**

- Request for temporary outdoor dining license for 4 tables with 10 seats

No one called in for the application.

Mr. Rolle stated that this is on their own property and food only.

Upon a roll call the Commission voted 3-0 to approve the outdoor dining license for 4 tables with 10 seats.

*List of Exhibits: Temporary Outdoor dining application received and dated May 21, 2021.*

### **24. OD-2021-016 & SW-2021-008 – Fantastic Pizza, 910A Main Street (food only)**

- Request for temporary outdoor dining license for 3 tables with 9 seats
- Monday–Thursday: 11:00 a.m. – 9:00 p.m., Friday–Sunday: Noon – 9:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting.

### **25. OD-2021-017 & SW-2021-009 – The Muse Bar & Kitchen, 536 Main Street (alcohol & food)**

- Request for temporary outdoor dining license for 4 tables with 20 seats
- Wednesday & Thursday: 5:00 p.m. – 10:00 p.m., Friday & Saturday: 5:00 p.m. – 11:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the June 24, 2021 License Commission meeting.

## **Retail Marijuana License**

### **26. Cultivate Leicester, Inc., 1023 Southbridge Street**

- Request for Retail Marijuana License

Attorney Daniel Glissman called in for the application.

Mr. Glissman reviewed the proposed facility.

Upon a roll call the Commission voted 3-0 to approve the Retail Marijuana License.

*List of Exhibits: Application for Retail Marijuana License received and dated May 20, 2021.*

**27. Evergreen Strategies, LLC, 143 Southwest Cutoff**

- 30 day opening plan

Attorney Michael Brangwynne called in for the application. He stated that at the end of 2020 they received License Commission approval and they are looking to open in July 2021 and back before the Commission with their 30 day opening plan.

Upon a roll call the Commission voted 3-0 to approve the 30 day opening plan.

*List of Exhibits: Application for Retail Marijuana License received and dated May 20, 2021.*

**Parking Lot Applications**

None

**Violation Hearings**

**28. Randell Package Store, 108 Canterbury Street**

- Violation of Rules #6, #21 – April 3, 2021
- Violation of Rules #6, #21- May 1, 2021

Rajnikant Patel called in for the meeting. Mr. Patel had submitted form waiving his right to counsel.

Sgt. Needham presented the following;

On April 3, 2021, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 3:10 p.m. the underage male entered the Licensed Premises and purchased a six pack of Bud Light cans. The male was able to purchase the alcohol without being asked for identification.

Members of the Alcohol Unit notified the store manager of the violation.

On May 1, 2021, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 12:58 p.m. the underage male entered the Licensed Premises and purchased a six pack of Bud Light cans. The male was able to purchase the alcohol without being asked for identification.

Members of the Alcohol Unit notified the store manager of the violation.

Mr. Patel stated that he was out of work due to COVID and he had new people who did not check the identifications.

Mr. Patel stated that he is TIPS certified and he met with Worcester Police after the violations last year.

Mr. Patel stated that the employees who served the minors are no longer employed at the store.

The Commission noted that there were two previous violations on file.

Upon a roll call the Commission voted 3-0 that the violations occurred on April 3, 2021 and May 1, 2021.

Upon a roll call the Commission voted 3-0 to impose a five day suspension with two days served – July 9, 10, 2021 and three days suspended.

*List of Exhibits:*

*A. Police Report dated April 14, 2021*

*B. Police Report dated May 11, 2021*

**29. RSL Enterprises dba Harrahy's, 107 Ward Street**

- Violation of Rules #6, #21

Upon a roll call the Commission voted 3-0 to postpone the hearing to the June 24, 2021 License Commission meeting.

**30. Mansi Vijay Corp dba McGovern's Package Store, 82 Millbury Street**

- Violation of Rules #6, #21

Upon a roll call the Commission voted 3-0 to postpone the hearing to the June 24, 2021 License Commission meeting.

**Communications**

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:59 a.m.