

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER  
**SEPTEMBER 29, 2016**

ESTHER HOWLAND CHAMBER

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

**Commission Members Absent:** Walter Shea, Commissioner

**Staff Present:**

Stephen Rolle, Planning & Regulatory Services  
Deborah Steele, Planning & Regulatory Services  
Alexandra Kalkounis, Law Department  
James Foley, Inspectional Services  
Lt. James Johnson, Worcester Police Department  
Officer Shane Marcotte, Worcester Police Department  
Lt. Jeffrey Dubeau, Fire Prevention

**Approval of the Minutes – September 15, 2016**

Upon a motion the Commission voted 2-0 to approve the minutes of September 15, 2016.

**OLD BUSINESS**

**I-1** Proposed Amendments to Entertainment Rules & Regulations

Upon a motion the Commission voted 2-0 to postpone the item until the November 3, 2016 License Commission meeting.

**I-2:** Petitioner: Meze Greek Tapas, 156 Shrewsbury Street

Request for entertainment license for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, light show, karaoke

Exhibit A: Application for entertainment license received July 15, 2016 and dated July 15, 2016.

Upon a motion the Commission voted 2-0 to postpone the item until the October 13, 2016 License Commission meeting.

**I-3:** Petitioner: The Armenian Churches of Worcester County, 34 Boynton Street

Request for one day liquor license

- October 29, 2016 – 7:00 p.m.-Midnight-Friday

Harry Pagahnishi appeared on behalf of the item. He stated that this will be a benefit dance and a police detail will be hired for the event.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received September 1, 2016 and dated September 1, 2016.

## **NEW BUSINESS**

### **II Special One Day Liquor & Entertainment Requests**

**II-1:** Petitioner: Chartwells@WPI, 100 Institute Road-Recreation Center

Request for one day liquor license

- October 8, 2016-Noon-2:30 p.m.

Laura Luna appeared on behalf of the application. She stated that this will be for a homecoming dance and WPI security as well as a Worcester Police detail will be present.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

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

**II-2:** Petitioner: Struck Catering, 138 Green Street

Request for one day liquor license

- October 1, 2016-5:30 p.m.-10:30 p.m.

Derek Grillo appeared on behalf of the application. He stated that this will be for a wedding at Crompton Collective.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received September 18, 2016 and dated September 18, 2016.

**II-3:** Petitioner: Joe Bertoletti, 1 College Street

Request for one day liquor license

- October 15, 2016 6:00 p.m.-9:30 p.m.
- October 22, 2016 6:00 p.m.-9:30 p.m.
- October 28, 2016 6:00 p.m.-9:30 p.m.
- November 1, 2016 6:00 p.m.-9:30 p.m.
- November 3, 2016 6:00 p.m.-9:30 p.m.
- November 4, 2016 6:00 p.m.-9:30 p.m.
- November 6, 2016 11:00 a.m.-3:00 p.m.
- November 16, 2016 6:00 p.m.-9:30 p.m.
- November 19, 2016 Noon-4:00 p.m.
- November 20, 2016 Noon-4:00 p.m.
- November 25, 2016 Noon-4:00 p.m.
- November 27, 2016 11:00 a.m.-9:30 p.m.
- December 2, 2016 6:00 p.m.-9:30 p.m.
- December 3, 2016 6:00 p.m.-9:30 p.m.
- December 7, 2016 6:00 p.m.-9:30 p.m.
- December 10, 2016 Noon-9:30 p.m.
- December 11, 2016 Noon-4:00 p.m.
- December 23, 2016 11:00 a.m.-3:00 p.m.
- December 30, 2016 Noon-7:00 p.m.
- December 31, 2016 3:00 p.m.-7:00 p.m.

Keith North appeared on behalf of the application. He stated that these are for basketball games and they have the alcohol in the Hart Center and about 30 people are in attendance.

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

Exhibit A: Application for one day liquor license received August 29, 2016 and dated August 29, 2016.

**II-4:** Petitioner: Preservation Worcester, 230 Park Avenue

**II-4a:** Request for one day liquor license

- October 7, 2016-7:00 p.m.-10:30 p.m.
- October 14, 2016-7:00 p.m.-10:30 p.m.

**II-4b:** Request for one day entertainment license for live music, floor show

- October 7, 2016-7:00 p.m.-10:30 p.m.
- October 14, 2016-7:00 p.m.-10:30 p.m.

Harry Albert appeared on behalf of the applications. He stated that the dates are actually October 14 and 21, 2016 and they will have live music and a floor show.

Upon a motion the Commission voted 2-0 to approve the one day liquor and entertainment licenses.

Exhibit A: Application for one day liquor license received September 15, 2016 and dated September 15, 2016.

Exhibit B: Application for one day entertainment license received September 15, 2016 and dated September 15, 2016.

**II-5:** Petitioner: Paul Barber & Pagio, Inc., Worcester Auditorium

**II-5a:** Request for one day liquor license

- October 2, 2016-8:00 p.m.-1:30 A.m.

**II-5b:** Request for one day entertainment license for dancing by patrons, recorded music, live music, amplification system, light show

- October 2, 2016 8:00 p.m.-1:30 a.m.

Paul Giorgio appeared on behalf of the applications. He stated that the actual date of the event will be October 1, 2016 and the event will be held in the Worcester Auditorium and Paul Barber from the Flying Rhino will handle the sale of the alcohol.

Upon a motion the Commission voted 2-0 to approve the one day liquor and entertainment licenses.

Exhibit A: Application for one day liquor license received September 15, 2016 and dated September 15, 2016.

Exhibit B: Application for one day entertainment license received September 15, 2016 and dated September 15, 2016.

**II-6:** Petitioner: Javier Sanchez, LaRaza, 387 Cambridge Street

Request for one day entertainment license for car show, dj in parking lot

- October 1, 2016 – Noon-7:00 p.m.

Javier Sanchez appeared on behalf of the application. He stated that he would like to have a car show in the parking lot of his premises.

Lt. Johnson expressed concern the establishment previously held a car show in the spring and the Worcester Police Department had received complaints from the neighbors about the noise level and there was increased traffic in the area which caused back up on Cambridge Street.

Lt. Johnson reminded the applicant to keep the noise level down and recommended that three off duty detail police be hired for the event but suggested that he talked to Mr. Sanchez after the meeting and they could discuss whether three or two police details would be sufficient.

Upon a motion the Commission voted 2-0 to approve the entertainment license subject to the Worcester Police approving the number of off-duty police to be hired for the event.

Exhibit A: Application for one day entertainment license received September 1, 2016 and dated September 1, 2016.

**II-7:** Petitioner: Alec Lopez, 134 Main Street, parking lot

Request for one day liquor license

- October 1, 2016- 1:00 p.m.-4:00 p.m.

Alec Lopez appeared on behalf of the item. He stated that this is his eighth year doing the event and due to the popularity of the event he is moving the event into the parking lot next door. He stated that the event will be under a tent in the parking lot and four security people will check identifications as people enter.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

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

**II-8:** Petitioner: Chartwells at WPI, 100 Institute Road

Request for one day liquor license

- October 8, 2016-4:00 p.m.-6:00 p.m.

Laura Luna appeared on behalf of the application. She stated that this will be for a homecoming dance and WPI security as well as a Worcester Police detail will be present.

Upon a motion the Commission voted 2-0 to approve the one day liquor license.

Exhibit A: Application for one day liquor license received September 20, 2016 and September 20, 2016.

**II-9:** Petitioner: Holy Family Parish/St. Joseph Church, 10 Dupont Street

Request for one day liquor license

- October 1, 2016 – 6:00 p.m.-9:00 p.m.

Edwin Brent appeared on behalf of the application. He stated that this is for their second annual fundraiser and they expect about 90 people.

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

Exhibit A: Application for one day liquor license received September 26, 2016 and dated September 26, 2016.

### **III Common Victualer Requests**

**III-1** Petitioner: First Class Pizza, Inc. 153 Stafford Street  
Request for common victualer license

Arbio Gearado and Victor Morias, Jr. appeared on behalf of the application.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received September 13, 2016 and dated September 13, 2016.

**III-2:** Petitioner: Jimmy John's, 1 Mercantile Street  
Request for common victualer license

Jeff Stanek and Dan Brunner appeared on behalf of the application.

They stated that this is a franchise that will be on the first floor of the building.

Upon a motion the Commission voted 2-0 to approve the common victualer license.

Exhibit A: Application for common victualer license received September 9, 2016 and dated September 9, 2016.

## **IV Alcohol & Entertainment Requests**

**IV-1:** Petitioner: Wormtown Brewery, 72 Shrewsbury Street, Unit 4

Indoors:

Request for entertainment license for radio, dancing by patrons, recorded music, live music, amplification system, light show, any other audio or visual show, whether live or recorded specifically

Outdoor entertainment patio request:

- Radio - Monday thru Saturday Noon to 11:00 p.m.
- Live music - Wednesday-6:00 p.m.-8:00 p.m.
- Live music - Sunday-1:00 p.m.-3:00 p.m.

Upon a motion the Commission voted 2-0 to postpone the item until the October 13, 2016 License Commission meeting.

Exhibit A: Application for entertainment license received September 15, 2016 and dated September 15, 2016.

**IV-2:** Petitioner: The Ballot Box Bar, LLC, 9-17 Kelley Square

**IV-2a:** Request for restaurant all alcohol license

**IV-2b:** Request for entertainment license for tv, radio, dancing by patrons, recorded music, live music, amplification system, light show, karaoke-Indoors only

Guy Glodis along with Janet Lauziere and Attorney Jeffrey Turco appeared on behalf of the applications.

Mr. Glodis stated that he is requesting a full liquor license and entertainment license and Janet Lauziere would be the manager of the premises.

Chair Shea stated that the Commissioners had view the premises this a.m. and a nice job has been done in cleaning up the building.

Upon a motion the Commission voted 2-0 to approve the restaurant all alcohol license.

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

Exhibit A: Application for restaurant all alcohol license received September 1, 2016 and dated September 1, 2016.

Exhibit B: Application for entertainment license received September 1, 2016 and dated September 1, 2016.

## **V Other Business**

**V-1:** Petitioner: International Restaurant & Lounge

Request to change condition on license to stay open to 2:00 a.m.

Luis Roman and Noel Nevez appeared on behalf of the item.

Mr. Nevez stated that the International has hired a new manager for the operation and have been closed for the past few months as they are redecorating the interior.

Lt. Johnson expressed concern due to the number of calls to the area and the numerous complaints that had been filed regarding noise since the present license holder has held the license.

Commissioner Salvidio suggested that the Commission and the Worcester Police view the premises to see the renovations and stated that maybe the license holder think about ending the music earlier as there are neighbors very close.

Mr. Nevez stated that the feel of the establishment is turning more into a sit down restaurant where people can eat.

Upon a motion the Commission voted 2-0 to continue the item until the October 13, 2016 License Commission meeting.

Exhibit A: Letter request to change conditions of license received

**VI Violations**

**VI-1:** Lotus & Son, Inc. dba London Billiards, 70 James Street

Violation of Rule #14 – Manager responsible for all violations on the premises

Thamarai Chelvan along with Roberto Mercado appeared on behalf of the violation. Mr. Chelvan waives his right to have legal counsel present.

On August 2, 2016 the Alcohol Enforcement Unit was made aware of an event that was to be held at the Licensed Premises on August 12, 2016. A flyer had been posted on social media promoting a DJ and the same flyer was observed affixed to the Licensed Premises during the week of August 7, 2016.

On August 12, 2016 Sergeant Thomas Needham and Officer Shane Marcotte went to the Licensed Premises to conduct a compliance check and observed that there was no off duty police officer on the premises which is a condition on the liquor license. The Officers spoke with Mr. Chelvan who stated that he did request an officer earlier that day. The Officers informed Mr. Chelvan that they would return later to see if the officer was present.

At 11:15 p.m. Officer Marcotte and Officer Harrington went back to the Licensed Premises and observed that no off-duty police officer was present. Mr. Chelvan stated that he had called at Noon in an attempt to get a detail officer. Officer Marcotte explained that the event had been promoted for at least eleven days and asked Mr. Chelvan why he waited until last minute to request a detail. Mr. Chelvan stated he was unaware of the DJ appearing until that morning when he was informed by the promoter.



Mr. Chelvan stated that he was away and his wife was sick the week this happened and Mr. Mercado had been advertising on social media that a DJ was going to appear on August 12, 2016 and was unaware of that until he came back that day. He stated that when he found out he called the off duty detail and they said they would try to obtain an off-duty officer for that evening.

Chair Shea stated that the condition of license is that an off duty detail officer needed to be hired for the evening and as a license holder he needs to be aware of what is being promoted at his own establishment.

Commissioner Salvidio stated as license holder he is responsible for what happens at the licensed premises and the conditions on the license were put there due to the violations that had occurred on the premises.

Mr. Chelvan stated he that talked to the off-duty cop that evening and didn't think he was going to receive a violation as he tried to obtain an off-duty police officer for that night.

Upon a motion the Commission voted 2-0 that the violation had occurred.

Upon a motion the Commission voted 2-0 to issue a two day suspended suspension.

Exhibit A: Police report dated August 16, 2016.

**V-2:** Petitioner: Lotus & Son, Inc. dba London Billards, 70 James Street

Request to lift conditions imposed by License Commission specifically

- a. Establishment is to close at 1:00 a.m.
- b. One police detail every Friday and Saturday
- c. When there is a special (or a promoted event), two police details are required

Thamarai Chelvan stated that establishment is not doing well and people are not coming to his establishment as he needs to close early.

The Commissions reminded Mr. Chelvan that the conditions were placed on the licensed due to the previous violations.

Upon a motion the Commission voted 2-0 that the conditions remain on the license but that Mr. Chelvan could meet with the Worcester Police Department to discuss other alternatives and then come back before the Commission on a status hearing.

Exhibit A: Electronic communication requesting change on license conditions received September 9, 2016.

**V1-2:** Takara Restaurant, Inc., 10 Millbury Street-**Request to postpone to October 13, 2016**

Violation of Rules #7, #14- Sales to person under 21, Manager responsible for all violation on the premises

Exhibit A: Police report dated August 23, 2016.

**Communications**

ABCC Advisory – Section #12, #15 licenses-No comment.

**ADJOURNMENT**