

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
JUNE 10, 2020

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

Commission Members Absent:

Staff Participating: Stephen Rolle, Planning & Regulatory Services
Lt. James Johnson Worcester Police Department
District Chief Gary Arpin, Fire Prevention Division
Alexandra Kalkounis, Law Department
Jennifer Beaton, 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 was conducted via remote participation.**

Call to Order – 12:05 PM

New Business

Alteration of Premises – Temporary Outdoor Dining

1. OD-2020-007 Greater Good, 55 Millbrook Street

Outdoor dining area with umbrellas in parking lot north of building. 11 tables with 50 seats; hours of operation: Sunday: 12 PM–7:30 PM; Monday–Tuesday: closed; Wednesday–Thursday: 3 PM–10 PM; Friday–Saturday: 12 PM–10 PM.

Mr. Rolle gave some background on the application, stating that the applicant is proposing an expansion of their patio into the parking area. He asked the applicant to address handicap parking, as the expanded outdoor dining area displaces the handicap ramp and space.

Paul Wengender, CEO spoke on behalf of the application. He stated that the handicap space has been moved and they have a temporary ramp.

Commissioner Haller asked if there would be standing service. Mr. Wengender stated that they are not encouraging standing service whatsoever.

Commissioner Vigliotti asked what the plan is for inclement weather. Mr. Wengender stated that they have portable EZ-up tents. They also have nine-foot wide umbrellas, and have some more on order.

Commissioner Vigliotti also asked if Greater Good has permission from the landlord to extend the premises. Mr. Wengender confirmed.

Mr. Rolle asked Mr. Wengender for comment on food service. Mr. Wengender described a pared down menu that they will be serving.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 3-0 to approve the temporary outdoor dining license.

2. OD-2020-011 Via Italian Table, 89 Shrewsbury Street

Outdoor dining area with umbrellas in a private way south of the building. 64 seats with 16 tables; hours of operation: Sunday–Wednesday: 11 AM–10 PM; Thursday–Saturday: 11 AM–11 PM.

Mr. Rolle briefly spoke to the application, stating that there is an existing covered patio. He stated that during this phase, the patio area must remain at least 50% open. Two additional seating areas are proposed, with one west of the building, and the other on the former East Worcester Street. Mr. Rolle stated that there are some concerns of blocking East Worcester Street, especially concerning fire access.

The applicant was not immediately available. The item was resumed after item 5.

The applicant stated that there is adequate access behind the building, and that is why they had proposed putting tables in the street.

Mr. Rolle stated that there is concern about blocking a fire hydrant.

District Chief Arpin stated that there are two fire hydrants in the vicinity, and the area where the tables are proposed is the primary access to several buildings.

Mr. Rolle recommended holding the discussion of the area in the street.

The applicant suggested eliminating one row of tables and moving the tables elsewhere to eliminate that concern. He described the proposed modified access to allow for outdoor dining to operate without traffic concerns.

District Chief Arpin stressed that fire access needs to be maintained.

Mr. Rolle suggested conditioning an approval on maintaining an 18-foot access; closing the driveway except to emergency vehicles with a moveable barrier; submitting an updated drawing of the layout as proposed; and written permission from the neighboring landlord.

District Chief Arpin stated he would also like written confirmation that the rear gate would be kept up.

Commissioner Haller asked how the covered patio would maintain airflow. The applicant stated that the patio is 75% open.

Mr. Rolle reiterated the revised proposal.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 3-0 to approve the temporary outdoor dining license on the conditions that 18 feet of space be maintained for emergency vehicles; that at all times a VIA employee would be designated to direct emergency vehicles; that updated drawings be submitted; that written permission from

adjacent landlords be obtained; and that written confirmation of the gate to be upright at all times be obtained.

3. OD-2020-014 Cedar Box Grill, 15 Hamilton Street

Outdoor dining area with umbrellas on lawn south of building. 40 seats with 10 tables; hours of operation: Sunday–Wednesday: 5 PM–10 PM; Thursday–Saturday: 5 PM–11 PM.

Mr. Rolle gave a brief introduction to the application, stating that the applicant proposed 6 tables on the right, facing the building, and 4 on the left, facing the building. He stated that in a mixed use area, the recommendation for closing time is 10 PM.

Charlie Youssef, owner, spoke on behalf of the application. He described the application.

Commissioner Haller asked for the procedure for queuing. Mr. Youssef stated that he has a waiting area covered by an awning that can hold 5 to 6 people spaced 6 feet apart.

Commissioner Vigliotti stated that he thinks 10 PM should be closing time, and suggested a reservation system rather than having people congregate to wait.

On a motion made and duly seconded, and upon a rollcall, the Commission voted 3-0 to approve the temporary outdoor dining license.

4. ~~OD-2020-015 The Woo Bar & Grill, 358 Shrewsbury Street~~

Item held.

5. OD-2020-016 Quinn’s Irish Pub, 711 West Boylston Street

Outdoor dining area in parking lot east, north, and west of building. 100 seats with 20 tables. Hours operation: Sunday: 11 AM–8PM; Monday–Saturday: 11 AM–9 PM.

Chair Shea recused himself from the item.

Mr. Rolle gave background on the application, stating that an outdoor extension along the back portion of the property is proposed. He stated only a few parking spaces would be effected. Mr. Rolle stated that staff recommends the installation of fencing between the seating and the railroad tracks.

Tim Quinn from Quinn’s stated that he will have a fence put in between the seating and the railroad tracks.

Commissioner Vigliotti asked if Quinn’s has a reservation system. He confirmed.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 2-0 to approve the temporary outdoor dining license.

6. OD-2020-019 Flying Rhino, 278 Shrewsbury Street

SW-2020-005 Sidewalk Dining License – Shrewsbury Street

Outdoor dining area to include the south eastern portion of the existing parking lot, located at 282 Shrewsbury Street, not to exceed 16 tables or 48 seats, adjacent to the existing deck, which has an allowable capacity of 12 seats with 6 tables; hours of operation: Sunday–Wednesday: 10 AM–10 PM; Thursday–Saturday: 10 AM–11 PM.

Mr. Rolle gave an overview. He stated that Flying Rhino has current outdoor dining on the sidewalk and on a patio. He stated that two extensions are proposed: one in the parking lot,

and one into the street, the latter of which will need to be held until street permitting is finalized.

Mr. Rolle stated that concerns of staff could be remedied by ensuring that the driveway from Shrewsbury Street clearly be blocked off to alert people that the parking lot may not be accessed, and restricting the use of the upper portion of the parking lot with access off of Wilson Street.

Paul Barber, owner of the Flying Rhino, spoke on behalf of the application. He addressed the concerns of staff.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 3-0 to approve the temporary outdoor dining license on the condition that the parking lot be blocked from Shrewsbury Street and that the use of the upper portion of the parking lot be limited.

7. OD-2020-024 Wormtown Brewery, 72 Shrewsbury Street

Fenced outdoor dining area with a 20'x20' open-sided tent in driveway east of building. 50 seats with 14 tables. Hours of operation: Monday–Wednesday: 4 PM–9 PM; Thursday–Sunday: 12 PM–9 PM.

Mr. Rolle gave a summary of the application, stating that the proposed area will be contiguous with existing outdoor dining. He asked that the applicant address what would be done in terms of food service, and address how Wormtown's outdoor dining would be distinguished from Volturno's outdoor space.

Scott Metzger, David Fields, and Shane Egan, all of Wormtown Brewery, were present on the line.

Mr. Metzger stated that Wormtown's space would be separated from Volturno's space by an uncovered walkway and barrier. Wormtown will be serving pretzels, sausage rolls, and pies. Volturno will be offering food service to Wormtown as well. He also listed their proposed hours.

Commissioner Vigliotti asked how Wormtown will handle patrons who are waiting. Mr. Metzger stated they would have a greeter that would seat people directly. Commissioner Vigliotti asked if they had considered a reservation system. Mr. Metzger stated that they would have call-ahead seating.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 3-0 to approve the temporary outdoor dining license.

8. OD-2020-025 Rosalina's Kitchen, 83 Hamilton Street

SW-2020-008 Sidewalk Dining License – Hamilton Street & Ingleside Avenue

Chair Shea recused himself from the item.

Common Victualer (Non-Pouring) License. Outdoor dining area on sidewalks adjacent to Hamilton Street and Ingleside Avenue, south and west of the building respectively. 12 seats with 8 tables. Hours of operation: Sunday–Tuesday: Closed; Wednesday–Saturday: 5 PM–8 PM.

Mr. Rolle gave a summary of the application, noting that no alcohol is served on the premises. He stated that the Hamilton Street sidewalk is fairly narrow, so he was unsure that the applicant would be able to fit four-seat tables. He also stated that BYOB would not be allowed.

Angela Padavano spoke on behalf of the application. She stated that she could put two-seat tables along the sidewalk to allow for handicap accessibility.

Commissioner Vigliotti asked how the owner would handle not allowing people to bring their own alcohol. She stated that she would post a notice on Facebook. Commissioner Vigliotti asked if Rosalina's would have a reservation system. She stated that they would.

Upon a motion made and duly seconded, and upon a rollcall, the Commission voted 2-0 to approve the temporary outdoor dining license.

9. OD-2020-027 Redemption Rock Brewery, 333 Shrewsbury Street

Contiguous outdoor dining area west of the building incorporating space on the existing patio, a raised deck, and the parking lot, enclosed by a fence. The area will be covered by a corrugated plastic roof with structural supports to protect patrons from weather. 38 seats with 7 tables. Hours of operation: Sunday & Wednesday: 11 AM–10 PM; Monday & Tuesday: 3 PM–9 PM; Thursday & Friday: 11 AM–11 PM; Saturday: 10 AM–11 PM.

Mr. Rolle briefly summarized the application. He asked for clarification on coverings over tables.

Dan Carlson, co-founder of Redemption Rock spoke on behalf of the application. He stated that the seating would be covered by a corrugated plastic roof. Mr. Carlson reviewed the food he planned to serve in the outside area.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

10. OD-2020-028 Valentino's, 154 Shrewsbury Street

Joseph Stake called in for the item.

Outdoor dining area in fenced and gated parking lot west of building. 48 seats with 8 tables. Hours of operation: 12:00 PM–10:00 PM daily.

Mr. Stake stated that people need to make reservations for the outdoor dining and have to remain in their car prior to being seated.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

11. OD-2020-030 Miss Worcester Diner, 300 Southbridge Street

SW-2020-009 Sidewalk Dining License – Quinsigamond Avenue

Common Victualer (Non-Pouring) License. Outdoor dining area in 20'x32' section of the parking lot, southeast of the diner office, covered by an open-sided tent; and on the sidewalk on the southeast side of Shrewsbury Street, northwest of the building. There will be 12 tables total (9 in the parking lot and 4 on the sidewalk) with a maximum of 40 seats. Hours of operation: Sunday–Wednesday: 8 AM–10 PM; Thursday–Saturday: Upon a motion made and

duly seconded, and upon a roll call, the Commission voted 2-0 to approve the temporary outdoor dining license 8 AM–11 PM.

Karen George called in for the item.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

12. OD-2020-031 Nuovo, 92 Shrewsbury Street

SW-2020-010 Sidewalk Dining License – Shrewsbury Street

Outdoor dining area on the sidewalk on the north side of Shrewsbury Street, south of the building, and in the parking lot to the north of the building. Large umbrellas are to cover sidewalk tables to protect from weather, and one 30'x30' and three 10'x10' tents are to be erected in the parking lot. 52 seats with 13 tables total (40 seats with 10 tables in the parking lot, and 12 seats with 3 tables on the sidewalk). Hours of operation: Sunday: 12 PM–10 PM; Monday–Wednesday: 3 PM–10 PM; Thursday–Friday: 3 PM–11 PM; Saturday: 12 PM–11 PM.

Loreta Gjonca called in for the item.

Ms. Gjonca stated that a tent has now been erected so they will be prepared for inclement weather and they will have a staff person showing people where to park and a hostess will be inside to seat people.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

~~**13. OD-2020-032 3 G's Sports Bar, 152 Millbury Street**~~

Item held.

14. OD-2020-033 Park Grill, 255 Park Avenue

Outdoor dining area with pop-up open-sided tents and large umbrellas in parking lot west of building, as an extension of a licensed patio. 100 seats with 30 tables. Hours of operation: Sunday–Wednesday: 11 AM–10 PM; Thursday–Saturday: 11 AM–11 PM.

Nancy Cotter-Pearson called in for the item. Ms. Pearson stated that a fence has been put up around the perimeter of the outdoor area.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

15. OD-2020-034 Altea's Eatery, 259 Park Avenue

SW-2020-012 Sidewalk Dining License – Park Avenue

Outdoor dining area in sidewalk on the east side of Park Avenue, west of the building. 24 seats with 6 tables with umbrellas. Hours of operation: 8 AM–3 PM daily.

Oriola Koci called in for the item.

Commissioner Haller requested that Ms. Koci to review the reservation system. Ms. Koci stated that they have a phone app and people will make reservation and then wait in their car until they receive a text that the table is ready.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

~~16. OD-2020-035 Leo's Ristorante, 11 Leo Turo Way~~

Item held.

~~17. OD-2020-036 Cicero's, 17 Suffolk Street~~

Item held.

18. OD-2020-037 Suney's Pub, 216 Chandler Street

SW-2020-013 Sidewalk Dining License – Chandler Street & Mason Street

Outdoor dining area in sidewalk on the south side of Chandler Street, north of the building, and on the west side of Mason Street, east of the building. 28 seats with 8 tables. Hours of operation: Sunday–Wednesday: 11 AM–10 PM; Thursday & Friday: 11 AM–11 PM; Saturday: 4 PM–11 PM.

No one called in for the item.

Mr. Rolle stated that the city does not recommend that the outdoor dining extend into the neighboring market.

Item continued.

19. OD-2020-038 Maddi's Cookery & Tap House, 64 Water Street

Outdoor dining area with 20'x30' open-sided tent in the parking lot of 56 Water Street, northeast of the building (64 Water Street). 28 seats with 8 tables. Hours of operation: Thursday–Saturday until 11 PM.

Adam Hicks called in for the item.

Commissioner Haller asked if Queen's Cups would be impacted. Mr. Hicks stated no as Queen's Cups will be doing curbside pickup.

Commissioner Vigliotti asked if there a written agreement to use the space. Mr. Hicks stated yes.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

20. OD-2020-039 Wicked Wing Co, 321 West Boylston Street

Outdoor dining area in parking lot east, north, and west of building. 100 seats with 20 tables. Hours of operation: Sunday: 11 AM–8PM; Monday–Saturday: 11 AM–9 PM.

Nicholas Norton called in for the item.

Mr. Norton reviewed the size of the outdoor area and stated that there would be six feet between in each table. Mr. Norton stated that people would need to make reservations and that they will receive a text when their table is ready.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

21. OD-2020-040 Breen's Café, 18 Cambridge Street

Outdoor dining area in parking lot southwest of building with open-sided 20'x40' tent. 36 seats with 6 tables. Hours of operation: 10:30 AM–8:00 PM daily.

Maureen Hanlon called in for the item.

Ms. Hanlon stated that people waiting for a table will be told to wait across the street and that they would receive a text when their table is ready.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

22. OD-2020-041 Dell'Ovo's Kitchen, 257 Shrewsbury Street

SW-2020-007 Sidewalk Dining License – Shrewsbury Street

Common Victualer (Non-Pouring) License. Outdoor dining area under an awning or with umbrellas in the sidewalk on the southeast side of Shrewsbury Street (northwest of the building) and the southwest side of Muskeego Street (northeast of the building). 14 seats with 7 tables. Hours of operation: Monday–Friday: 10 AM–3 PM; Saturday & Sunday: no outdoor service.

Anthony Dell'Ovo called in for the item.

Upon a motion made and duly seconded, and upon a roll call, the Commission voted 3-0 to approve the temporary outdoor dining license.

Adjournment

Upon a roll call the Commission voted to adjourn the meeting at 2:09 p.m.