

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
DECEMBER 14, 2017
LEVI LINCOLN CHAMBERS

Commission Members Present:

Walter Shea, Commissioner
Barbara Haller, Commissioner

Commission Members Absent: Anthony Salvidio, Chairman

Staff Present:

Stephen Rolle, Planning & Regulatory Services
Alexandra Kalkounis, Law Department
Deborah Steele, Planning & Regulatory Services
Lt. James Johnson, Worcester Police Department
John Biancheria, Inspectional Services

Minutes

November 30, 2017

Upon a motion the Commission voted 2-0 to approve the minutes of November 30, 2017.

NEW BUSINESS

Common Victualer Requests

I-1: Three J's Market, 90 Belmont Street

Request for common victualer license

John Robles appeared upon behalf of the application. He stated that he and his wife were getting divorced and part of the divorce agreement was that he would receive the business.

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

Exhibit A: Application for common victualer license dated November 27, 2017 and received November 27, 2017.

I-2: Grill 352, 352 Shrewsbury Street

Request for common victualer license

Nasim Hall appeared upon behalf of the application. He stated that this will be a fast food restaurant

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

Exhibit A: Application for common victualer license dated November 26, 2017 and received November 26, 2017.

I-3: Tarboush Hookah Lounge, 8 Blackstone River Road

Request for common victualer license

I-3a: Tarboush Hookah Lounge, 8 Blackstone River Road

Request for entertainment license for tv, radio, live music, play, floor show, light show, dancing by entertainers

Items #I-3, I-3a were taken contemporaneously.

Behramd Kahled appeared upon behalf of the items. He stated that he is taking over location and plans to sell food and he might want to sell breakfast thru drive such as a Honey Dew Donuts concept. Staff stated that there may be a restriction on Special Permit from Zoning Board of Appeals that does not allow use of drive thru but would follow up with the applicant.

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

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

Exhibit A: Application for common victualer license dated November 26, 2017 and received November 26, 2017.

Exhibit B: Application for entertainment license dated November 26, 2017 and received November 26, 2017.

Special One Day Liquor & Entertainment Requests

II-1: Joe Bertolotti, 1 College Street, The Hart Center, Bud Ryan Room

Request for one day liquor license

- January 2, 2018-5:00 p.m. – 10:00 p.m.
- January 5, 2018-5:00 p.m.-10:00 p.m.
- January 6, 2018-Noon-10:00 p.m.
- January 8, 2018-5:00 p.m.-10:00 p.m.
- January 11, 2018-5:00 p.m.-10:00 p.m.
- January 13, 2018-Noon-10:00 p.m.
- January 14, 2018-11:00 a.m.-4:00 p.m.
- January 17, 2018-5:00 p.m.-10:00 p.m.
- January 19, 2018-Noon-10:00 p.m.
- January 20, 2018-11:00 a.m.-10:00 p.m.
- January 24, 2018-5:00 p.m.-10:00 p.m.
- January 26, 2018-5:00 p.m.-10:00 p.m.

- January 27, 2018-11:00 a.m.-10:00 p.m.
- January 31, 2018-5:00 p.m.-10:00 p.m.
- February 3, 2018-11:00 a.m.-3:00 p.m.
- February 9, 2018-5:00 p.m.-10:00 p.m.
- February 10, 2018-11:00 a.m.-3:00 p.m.

Kevin O’Loughlin appeared upon behalf of the applications. He stated that these are for a series of basketball/hockey events.

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

Exhibit A: Application for one day liquor license dated October 24, 2017 and received October 24, 2017.

Alcohol & Entertainment Requests

III-1: Nirvan, LLC, 369 Burncoat Street

Request for change of manager

Mitali Biswas and Trikael Bhaila appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager dated November 21, 2017 and received November 21, 2017.

III-2: Worcester BBC, LLC, 225 Shrewsbury Street

Request for change of manager

Jason Narinian appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager dated November 27, 2017 and received November 27, 2017.

III-3: Great Walk, Inc. dba Great Wall, 521 Main Street

Request for restaurant malt and wine license

Item continued to the January 4, 2018 License Commission meeting.

Exhibit A: Application for restaurant malt & wine license dated October 11, 2017 and received November 1, 2017.

III-4: Mercado Garcia Enterprises dba Convenience Mini Mart, 65 James Street

Request for package store malt and wine license

Attorney Mark Borstein along with the applicant, Dionne Mercado, appeared upon behalf of the application.

Mr. Bornstein stated that the site previously had a liquor license but had not been renewed and location has plenty of parking and would be a nice amenity for the plaza.

Commissioners Shea and Haller expressed concern that there are other package stores already in the location and reviewed map of package stores in the area.

Mr. Bornstein stated that this is not a full package store so different in services provided.

There was no public comment on item.

Attorney Bornstein asked that application be continued so he could some research on other areas in Worcester that may have similar neighborhood makeup and has package store located in neighborhood.

Upon a motion the Commission voted 2-0 to continue item to the first meeting in February, 2018.

Exhibit A: Application for package store malt & wine license dated November 13, 2017 and received November 27, 2017.

Exhibit B: Map dated December 12, 2017 from Division of Planning & Regulatory Services.

III-5: Pho Bowl, LLC, 580 Park Avenue

Request for restaurant all alcohol license

Exhibit A: Application for restaurant all alcohol license dated November 10, 2017 and received November 15, 2017.

III-6a: Pho Bowl, LLC, 580 Park Avenue

Request for entertainment license for tv, radio, recorded music, amplification system

Items III-5, III-6a was taken contemporaneously.

Attorney Jonathan Finkelstein along with the applicant, Thanh Phan, appeared upon behalf of the application.

Mr. Finkelstein stated that Ms. Phan has operated the location for a year now and wishes to add alcohol to accommodate her customers and would also like some entertainment and premises is small the entertainment would be limited.

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 dated November 10, 2017 and received November 15, 2017.

Exhibit B: Application for entertainment license dated November 10, 2017 and received November 10, 2017.

III-7: NAP, LLC dba Buck's Whiskey & Burger Bar, 62 Green Street

Request for restaurant all alcohol license

Attorney Paul Foley along with the applicant, Nick Panarelli, appeared upon behalf of the application.

The Commission stated that they had viewed the site prior to the meeting.

Staff reminded the applicant that if they did plan to have entertainment that an application would need to be filed for that.

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

Exhibit A: Application for restaurant all alcohol license dated November 29, 2017 and received November 29, 2017.

III-8: Price Chopper, 72 Pullman Street

Request for change of officer/directors & change of manager

Attorney Matt Fisher and Matt Carlson, the proposed new manager, appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the change of officer/directors and change of manager.

Exhibit A: Application for change of officer/directors and change of manager dated November 28, 2017 and received November 28, 2017.

III-9: Brew Garden Worcester, LLC, 66 Franklin Street

Request for restaurant all alcohol license

Frank Peace appeared upon behalf of the application.

Mr. Peace stated that this will be for the Brew Garden and there will be an inside and outside area with seating and entertainment.

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

Exhibit A: Application for restaurant all alcohol license dated December 1, 2017 and received December 1, 2017.

III-10: Revolution Pie and Pint Worcester, LLC, 50 Franklin Street

Request for restaurant all alcohol license

Frank Peace appeared upon behalf of the application. Mr. Peace stated that this will be for a pizza restaurant and will be a fast/casual concept.

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

Exhibit A: Application for restaurant all alcohol license dated December 1, 2017 and received December 1, 2017.

III-11: Craft Table and Bar, LLC, 50 Franklin Street

Request for restaurant for restaurant all alcohol license

Frank Peace appeared upon behalf of the application and stated the concept will be an American casual dining establishment.

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

Exhibit A: Application for restaurant all alcohol license dated December 1, 2017 and received December 1, 2017.

III-12: Dubai Restaurant & Lounge, Inc., 27 Pleasant Street

Request for change of manager

Julio Alcantara appeared upon behalf of the application.

Upon a motion the Commission voted 3-0 to approve the change of manager.

Exhibit A: Application for change of manager dated November 29, 2017 and received November 29, 2017.

Lodging Houses

IV-1 Hampton Properties, LLC, 7 Oak Street – Request for lodging house license

Russell Haimen appeared upon behalf of the application. Mr. Haimen stated that this is the prior Hope Lodge and it is a pre-existing non confirming use and was used as a lodging house and he hopes to use this location as a lodging house for graduate students.

Commissioner Haller stated that Mr. Haimen has set a very high standard for running lodging houses in the city of Worcester so will support his request.

Exhibit A: Application for lodging house license dated November 27, 2017 and received November 27, 2017.

IV-2: Square Assets, LLC, 184 Highland Street – Request for lodging house license

Application has been withdrawn.

Exhibit A: Application for lodging house license dated November 28, 2017 and received November 28, 2017.

Exhibit B: Electronic communication dated December 5, 2017 requesting Leave to Withdraw

IV-3: Worcester Community Housing Resources, 32 Irving Street

Request for change of manager

Jenni Henderson and Wesley Vernin appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager dated November 10, 2017 and received November 10, 2017.

IV-4: Worcester Community Housing Resources, 2 Oread Street

Request for change of manager

Jenni Henderson and appeared upon behalf of the application.

Upon a motion the Commission voted 2-0 to approve the change of manager.

Exhibit A: Application for change of manager dated September 20, 2017 and received November 10, 2017.

Other Business

V-1: The Broadway Catering Restaurant, Inc. 100 Water Street

Request to open at 8:00 a.m. on Sundays for breakfast

Bill Islidakila appeared upon behalf of the item. He stated that he would like to serve alcohol at 8:00 a.m. on Sunday as it has been requested by customers. The Commission explained that the law would not allow that but could allow him to open at ten a.m. as that would be allowed.

Upon a motion the Commission voted 2-0 to allow The Broadway Catering Restaurant, Inc. to serve liquor at 10:00 a.m. on Sunday.

Exhibit A: Letter dated November 1, 2017 and received November 1, 2017.

V-2: Mambo Drinks, Inc.,

Request from licensee to amend hours of operation

Juan Pena along with other representatives from Mambo Drinks appeared upon behalf of the request.

Commissioner Shea explained that Chair Salvidio had a death in the family and could not be present at meeting today and Commissioner Haller was away for month of January so asked if the applicant wanted to continue request to the February meeting.

Mr. Pena stated that the establishment has been losing a lot of money since condition imposed and could not wait that long as it would be financial burden on the premises and also didn't understand why the condition was imposed over one violation and establishment was being required to close on Monday and Tuesday.

Mr. Rolle reminded the Commission that the condition was placed on the premises by the Commission as a result of a violation hearing.

The Commission stated that they could continue the item to the January 4, 2018 meeting so the Chairman could be present for the meeting but Commissioner Haller would not be available.

Lt. Johnson stated that if item is continued then he would request financials from establishment showing the loss of revenue since the condition imposed compared to the revenue prior to the condition being placed on license.

Commissioner Haller suggested that since Mr. Pena did bring up issue of Monday and Tuesday being a problem for them then the Commission would hold a special meeting relative to that matter prior to the end of the year and that Mr. Pena would need to send a request to staff requesting the change in that condition.

V-3: Liquor Renewals 2018

Upon a motion the Commission voted 2-0 to approve the renewals for 2018.

- Danana, 387 Cambridge Street

Attorney Robert Hennigan along with Javier Sanchez appeared upon behalf of the item.

Mr. Hennigan stated that the issue is that he has been trying to file a transfer of this license from the previous owner who sold the business to Mr. Sanchez but the prior owner cannot be located. So one option they are considering is just allowing Danana license not to be renewed and Attorney Hennigan will file a new liquor license request for Mr. Sanchez.

The Commission agreed that would be the best option and stated that if application is filed by next week it could be heard at the January 4, 2018 meeting and then it would take a few more weeks for the state to approve.

Upon a motion the Commission voted 2-0 not to renew the liquor license for Danana.

Public Hearing

VI-1: Bottle Service Rule

Item postponed to February.

Violations

None

Communications

Meeting schedule 2018

Upon a motion the Commission voted 2-0 to approve the schedule for 2018.

Price Chopper, 72 Pullman Street – Updated to plan – dated November 28, 2017-No comment.

Adjournment

Upon a motion the Commission voted 2-0 to adjourn the meeting at 11:10 p.m.