

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
SEPTEMBER 17, 2020

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
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 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 after the meeting.

To participate during the public comment portion of the meeting, please call 415-655-0001 (Access Code: 1606609360). If you have difficulty accessing the call, please e-mail 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 or to submit written comments in advance of the hearing, please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Submission of comments in advance of the hearing is strongly encouraged.

September 3, 2020

Upon a roll call the Commission voted 3-0 to approve the minutes of September 3 2020.

New Business

1. License Commission Temporary Outdoor Dining - Rules and Regulations
2. Program Implementation Updates

Alteration of Premises – Temporary Outdoor Dining (New)

3. **OD-2020-103 KJN Inc. dba Greendale’s Pub, 404 West Boylston Street
Request for outdoor entertainment for live music – Wednesday, Friday, Saturday, Sunday, 5:00 p.m. – 9:00 p.m.**

Ken Nicholas called in for the item. Mr. Nicholas stated that he looking to do outside music. He liked to put 2-3 band outside.

Commissioner Haller expressed concern that outside entertainment will turn location more into bar atmosphere which is not allowed.

Mr. Nicholas stated that they do serve food and review the menu items. He stat that the entertainment will be 25 feet away from the patrons with only single or duos playing. No drum and no more than 40 persons in outdoor area who will be six feet apart.

Mr. Rolle reminded the applicant that this is only a temporary approval that goes along with the temporary outdoor dining permit previously approved by Commission.

Upon a roll call the Commission voted 3-0 to approve the request four outdoor entertainment for live music, - Wednesday, Friday, Saturday, Sunday, 5:00 p.m. – 9:00 p.m.

4. **OD-2020-104 Sanchez & Son Inc. dba Paradise Bar, 387 Cambridge Street**

Upon a roll call the Commission voted 3-0 to postpone the item to the October 1, 2020 License Commission meeting.

Common Victualer Requests

5. **Dunkin Donuts, 590 Southbridge Street
Hours – 24 hour**

No one called in for item. Staff stated that applicant had passed Worcester Police Department background check.

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

Exhibit A: Application for common victualer license dated September 3, 2020 and received September 3, 2020.

6. Caribbean Grill, 2 Chandler Street

Hours: 7:00 a.m. – 10:00 p.m.

No one called in for item. Staff stated that the applicant had passed Worcester Police background check.

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

Exhibit A: Application for common victualer license dated September 1, 2020 and received September 1, 2020.

7. Fortissimo Coffee House, 250 Commercial street

Hours: 7:00 a.m. – 3:00 p.m.

Rodrigo Borges called in for the item. Mr. Borges stated he is opening a coffee shop on Commercial Street.

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

Exhibit A: Application for common victualer license dated August 31, 2020 and received August 31, 2020.

8. 4th and 1, 7 Muskego Street

Hours: Noon – 2:00 a.m

Robert Ginisi called in for the item. Mr. Ginisi stated that he is trying to reopen location and will be applying for a liquor license.

Mr. Rolle stated that there is some concern whether the item could go forward as needs to be reviewed by Inspectional Services for the use and ADA access and suggested item be postponed to the next meeting.

Upon a roll call the Commission voted 3-0 to postpone the item to the October 1, 2020 meeting.

9. GMMA, Inc. dba Foodbeat, 667 West Boylston Street

Hours: 7:00 a.m. – 10:00 p.m.

George Maklouf called in for the item. He stated that this location is on West Boylston Street and he will be serving Mediterranean food.

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

Exhibit A: Common Victualer application dated August 31, 2020 and received August 31, 2020.

Alcohol and Entertainment Request

10. **Café Neo Inc. dba One Way Bar & Grill, 202 Millbury Street**
Request for restaurant all alcohol license – Hours: 11:00 a.m. – 2:00 a.m.
Request for common victualer license
Request for entertainment license for jukebox, tv, karaoke

Panigioutous & Katherine Tsigas called in for the item.

Ms. Tsigas stated that they are looking to do a Greek/American restaurant.

Lorraine Laurie, Green Island Resident Group called in to state opposition to the application. She stated that they feel that there are too many restaurants in the area already, parking is tight and expressed concern about hours and entertainment proposed stating that this proposal seems more like a bar than a restaurant.

Lt. Johnson stated that based on the view of the premises it doesn't look like it ready to go forward.

Mr. Tsigas stated that he currently owns Café Neo on Millbury Street but lease is going to expire in a year so looking for this new location.

Commissioner Haller stated that she believes area overserved and cannot support the application.

Commissioner Vigliotti stated that his concern was having karaoke to 2:00 a.m. and questioned the lack of parking in the area and also expressed concern that this was more of a bar concept than a restaurant and like to see a more detail plan of the business.

The Commission asked the applicants if they would like to continue the item so they could back with more detail business plan and design of how the plan would look. Ms. Tsgias stated that they would like to continue.

Upon a roll call the Commission voted 3-0 to continue the item to the October 29, 2020 License Commission meeting.

Other Business

11. **Trichome Health Corporation, 64 West Boylston Street**
Request for Modifications to Conditions on Retail Marijuana Storefront Retailer Use
Attorney Joshua Lee Smith called in for the item and gave review of the establishment.

He stated that they are looking to open November 1 but would like to change some of the conditions and stated that they have reviewed the Law and WPD have reviewed the new proposed new conditions which would be as follows;

- The hours of operation shall be 10:00am to 10:00pm Monday through Saturday and 10:00am – 8:00pm on Sundays.
- The updated Crowd Control Plan is acceptable to the Commission and hereby incorporated and made a condition of the License
- The Licensee shall provide online sales only during the first five (5) days of operation and beginning on the sixth (6th) day of operation “live” sales shall commence, as described in the Crowd Control Plan.
- One police detail shall be required beginning on the first day of “live” sales (the 6th day of operation) and shall continue for at least one (1) week thereafter unless determined otherwise by the Worcester Police Department, and as described in the Crowd Control Plan.
- The Licensee shall provide no less than ten (10) business days advanced written notice to the Worcester Police Department and the Division of Planning and Regulatory Services of the scheduled opening (soft opening) date for adult use sales.
- The Licensee may request to appear before the License Commission for modifications to the conditions on the License at any time.

Chair Shea asked if the first week of opening they would limit patrons. Mr. Smith stated yes during first week it will be on-line sales by appointment only.

Upon a roll call the Commission voted 3-0 to approve the amended conditions as follows;

- The hours of operation shall be 10:00am to 10:00pm Monday through Saturday and 10:00am – 8:00pm on Sundays.
- The updated Crowd Control Plan is acceptable to the Commission and hereby incorporated and made a condition of the License
- The Licensee shall provide online sales only during the first five (5) days of operation and beginning on the sixth (6th) day of operation “live” sales shall commence, as described in the Crowd Control Plan.
- One police detail shall be required beginning on the first day of “live” sales (the 6th day of operation) and shall continue for at least one (1) week thereafter unless determined otherwise by the Worcester Police Department, and as described in the Crowd Control Plan.
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Hearings

Communications

ABCC Communication – Advisory Regarding Extension of Allowance of Outdoor Table Service

Mr. Rolle stated that further details on this item would be discussed at an upcoming meeting.

ABCC Hearing Notice: New Direction, Inc. dba the Nines, 136 Millbury Street

ABCC Hearing Notice: Patsie Dugan's, LLC dba Patsie Dugan's Pub, 49 Millbury Street

Commissioner Haller stated that she was disappointed to see the two violations for the Nines and Patsie Dugan's.

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 10:58 a.m.