

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER

April 30, 2020

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 limitations on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 735751404#), which was publicized on the posted meeting agenda and during the video broadcast.

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
Lt. Kevin Vescera, Worcester Fire Department
Deborah Steele, Planning & Regulatory Services

Call to Order – 10:00 a.m.

Minutes

April 16, 2020

Upon a roll call vote the Commission voted to approve the minutes of April 16, 2020.

Common Victualer Requests

None

Special One Day Liquor & Entertainment Requests

None

Alcohol & Entertainment Requests

I-1: C&N Vietnamese Cuisine, Inc. 10 Millbury Street

- Request for restaurant all alcohol license

Attorney Hong Tran along with Tu Nguyen spoke upon behalf of the item.

Mr. Tran stated that this will be a sit-down restaurant and they would like to receive a full liquor license.

Lt. Johnson stated that he had viewed the premises and asked that the hours be limited to 11:00 p.m. and that the applicant go through the Worcester Police Department's alcohol awareness class. Attorney Tran stated that they would have no problem with that.

Commissioner Vigliotti asked about the parking for the site. Mr. Rolle stated they have checked and based on the occupancy they have sufficient parking. Commissioner Vigliotti stated that in photos provided, the paper towel hanger in the bathroom seemed high and should be moved down for accessibility. Mr. Tran stated that that would not be issue.

Lt. Vescera stated that a fire inspection would be required prior to establishment being allowed to open.

Upon a motion by Commissioner Vigliotti and seconded by Commissioner Haller, on a rollcall vote, the Commission voted 3-0 to approve the restaurant all alcohol license with the following conditions:

- Premises must close at 11:00 p.m.
- Employees of establishment must take alcohol awareness course prior to opening
- Fire inspection to be completed

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

I-2: Global Montello Group Corp dba Honey Farms, #3825, 101 Highland Street

- Request for package store malt & wine license

The application was postponed to the May 14, 2020 License Commission.

I-3: Skaff Petroleum Inc. dba Grafton Mobil Mart, 334 Grafton Street

- Request for package store malt & wine license

Attorney Jonathan Finkelstein and Jean Skaff spoke upon behalf of the application.

Mr. Finkelstein stated that since 2011 Mr. Skaff has been operating the location with family; and in 2019 he obtained a Special Permit to increase the size of the mini market to re-arrange the parking area.

Mr. Finkelstein stated that there is some road work going on in this area which is going to prevent customers from entering the business, which is the primary reason they are applying for the license. Another reason they are applying for the license is that beer is more of a grocery item and that seems appropriate for a convenience store.

Mr. Finkelstein reviewed the store layout proposed and the security proposed for the site and stated that Mr. Skaff has his own alarm service that will be connected to the beer storage area. A private company will do private stings and report to Mr. Skaff with the results.

Commissioner Haller stated that the Commission had visited the site in February and the store is well managed, but she has concerns that from her perspective the neighborhood area is already adequately served.

Mr. Finkelstein stated that this store has pedestrian traffic that comes in, and that not everyone wants to go to a liquor store. He stated that you have to give customers different options and this item can be easily controlled.

Mr. Finkelstein stated that the City has available licenses and the City should be utilizing them.

Commissioner Vigliotti asked if a marketing study had been done. Mr. Finkelstein stated that for such a small business it would not be viable to do a market study and though not provided, Mr. Skaff has a petition with over 500 signatures supporting the application. Mr. Skaff stated that he could provide that.

Commissioner Vigliotti asked Mr. Finkelstein if he could provide information on whether the area is being adequately served. Mr. Finkelstein stated that would be hard to provide as each establishment has own set of criteria and this store would be selling beer and wine in a very small quantity and that you can't compare a convenience store with a liquor store.

Commissioner Haller stated that this request had been postponed a couple times, and she believed people were at the meeting that wanted to speak and she had concerns that they were not heard.

Mr. Finkelstein stated that based on experience, generally speaking the range of comments that come in opposition are other package stores that don't want additional competition and usually not neighbors. Chair Shea stated that neighbors have come in.

Chair Shea stated that if Commissioner Haller has concerns, the Commission could continue the item to May 14 or the item could be voted.

Mr. Vigliotti stated that he would like to continue the item to May 14.

Commissioner Haller stated that she was happy to do that, but would like to somehow re-notify neighbors.

Mr. Finkelstein stated that the abutters list is about 20 and he could re-notify the abutters.

Upon a motion by Commissioner Vigliotti and seconded by Commissioner Haller, on a roll call vote, the Commission voted 3-0 to continue the item to the May 14, 2020 License Commission meeting and that Attorney Finkelstein re-notify abutters.

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

Exhibit B: Map provided by Division of Planning & Regulatory Services

Hearings

None

Other Business

None

Communications

None

Adjournment

Upon motion by Commissioner Vigliotti and seconded by Commissioner Haller, on a roll call vote, the Commission voted 3-0 to adjourn the meeting at 10:34 a.m.