

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
May 14, 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
Jim Racicot, Inspectional Services
Deborah Steele, Planning & Regulatory Services

Call to Order – 10:00 a.m.

Minutes

April 30, 2020

Upon a roll call vote the Commission voted 3-0 to approve the minutes of April 30, 2020.

Common Victualer Requests

None

Special One Day Liquor & Entertainment Requests

None

Alcohol & Entertainment Requests

Walter Shea recused himself from item I-1

I-1: Brown Square Civic Club, 639 Franklin Street

- Request for change of manager

Mike Riccardi appeared upon behalf of the application requesting a change of manager.

Lt. Johnson stated that the application was all set with the Police Department.

Upon a roll call vote the Commission voted 2-0 to approve the change of manager.

Walter Shea returned to meeting.

List of Exhibits: Application for change of manager received April 28, 2020 and dated April 28, 2020.

I-2: Worcester Cultural Coalition dba The Jean McDonough Arts Center (JMAC), 20 Franklin Street

- Request for general on premises all alcohol license with outdoor area

Upon a roll call vote the Commission voted 3-0 to postpone the item to the May 28, 202 License Commission meeting.

I-3: Montello Group Corp dba Honey Farms, #3825, 101 Highland Street

- Request for package store malt & wine license

Attorney Jon Aeita along William Bruce and the proposed manager Michael Bierger appeared upon appeared upon behalf of the application.

Mr. Aeita stated that they are looking to apply for a new package store malt & wine license and the store has been in the area for over 20 years, and Montello Group has other package stores in the state with no violations. Mr. Aeitia stated that Honey Farms provides superior customer service and this request is driven by customers demand itself. Through staff and customers, they have been requested to carry beer and wine since they have been accustomed to this being offered in other states.

Mr. Aeitia reviewed the floor plan and stated it would not be very large beer and wine area located in the store. Mr. Aeitia stated that due to COVID-19 they did not circulate a petition to customers in support of the application, but the store has had over 500 people express interest in the store carrying beer and wine.

Mr. Aeita reviewed the staffing, hours, and the security planned for the site.

William Bruce, Regional Manager, reviewed the ID systems used in the other Honey Farm stores and stated that the customers are very happy with the product being offered, and they have had feedback from their customer base asking for beer and wine to be carried.

The proposed manager, Michael Bieger, stated that quite a few customers ask daily when they are going to start selling beer and wine, and stated that Lt. Johnson had come to the store to view the storage for the site.

Chairman Shea stated that they did received photos of the proposed site.

People who spoke in opposition to the application

Felix Piscitelli, Highland Liquors, spoke in opposition to the application stating the area is adequately well served as neighborhood is sufficiently provided for.

Sang Chooeuk, Wine Vine, stated he was in opposition to the application as it will take business away from the existing businesses.

Jim Vasiladis, noted that he owned two package stores in Worcester, and stated he would be in opposition as it is a 24-hour store and located in a college area.

Bill Kirtsy, noted that he owns a package store, and stated that he would be in opposition to the application and that the area is already well served.

Chairman Shea asked if there been a verbal campaign for beer and wine. Mr. B stated that people have asked, but they have never campaigned about it and people have just brought it up on their own.

Commissioner Haller stated that this area is sufficiently served with alcohol establishments and cannot support the application.

Commissioner Vigliotti asked that if in the other locations Global is located were there other beer and wine/alcohol package store locations, and how far from the current store are they located? Mr. Bruce stated that there is competition in the area, but would not know the exact distance from the current stores.

Mr. Aeita stated that this will not be a full package store and is just for the added convenience for the customers so they don't have to go to two or three other locations.

Commissioner Vigliotti stated he reviewed the maps provided by staff, and there are several package stores right in the current area.

Mr. Aetia stated that they do not think this addition would hurt the other stores in the area.

Chairman Shea stated that he believes the area is adequately served.

Upon a roll call the Commission voted 3-0 to deny the package store malt & wine license based on the following reasons;

The neighborhood is adequately served and it is not a necessity for another package store license in that vicinity.

List of Exhibits: Application for package store malt & wine license received April 22, 2020 and dated April 22, 2020.

I-4: Skaff Petroleum Inc. dba Grafton Mobil Mart, 334 Grafton Street

- Request for package store malt & wine license

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

Mr. Finkelstein stated that this was a continuance after being requested to re notify the abutters, which he has done.

Mr. Finkelstein stated that this morning he received a 30 page letter from a liquor store group which he has not had time to review. Mr. Finkelstein stated unless he has an idea on how the Commission wants to proceed on this item, he would ask for a continuance until the next meeting so he has time to review what was just submitted.

Mr. Vigliotti stated that the Commission could not give a decision without going through the full hearing process, and no testimony should be given until the full hearing is presented.

William Kirtsy stated he had provided the documentation and this item has been continued several times now.

Commissioner Haller expressed concern that the Commission would be setting a precedent by not going forward with the item.

Upon a roll call vote the Commission voted 2-1 (Barbara Haller voting against) to continue the item to the May 28, 2020 License Commission meeting.

I-5: Quan Com Ga LLC dba Quan Com, Ga, 895 Main Street

- Request for transfer of general on premises all alcohol license

Attorney Hong Tran stated that the applicant is looking to transfer the current Moynihan's license to Quan Com Ga, LLC dba Quan Com. Attorney Tran reviewed the proposal for the site including the parking.

Lt. Johnson stated that the background check is fine, but he will do a view of location also.

Upon a roll call the Commission voted 3-0 to approve the transfer of the general on premises all alcohol license subject to passing all city inspections.

List of Exhibits: Application for transfer of a general on premises all alcohol license license received April 22, 2020 and dated April 22, 2020.

Hearings

None

Other Business

None

Communications

None

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:05 a.m.