

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

April 15, 2021

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
Jim Racicot, Inspectional Services
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 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: 1606609360) and link (<https://cow.webex.com/meet/licensecommissionwebex>) which were publicized on the posted meeting agenda and during the video broadcast.

Call to Order – 10:00 a.m.

Minutes – April 1, 2021

Upon a roll call the Commission voted 3-0 approved the April 1, 2021 minutes.

Common Victualer Requests

1. New Wine Pizza, 974A Main Street

- Hours: Sunday – Saturday – Noon – 11:00 p.m.

Leni Contreas called in for the application. She stated that she is taking over an existing pizza restaurant.

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

List of Exhibits

Exhibit A. Application for common victualer license dated and received March 31, 2021.

Liquor Application Requests

2. Tatnuck American Legion Post #288, 570 Mill Street

- Request for change of manager

Kathleen Foley called in for the application. She stated that she will be taking over as manager of the Post.

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

List of Exhibits

Exhibit A. Application for common victualer license dated and received March 31, 2021.

3. Fatchops LLC dba Fat Chops Sportsbar, 225 Canterbury Street

- Request for general on premises all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, TV, dancing by patrons, dancing by entertainers, recorded music, live music, karaoke

Kevin Crowley and John Brower called in for the applications. Mr. Brower stated that they are opening a new sports bar establishment that previously had a license.

The Commission discussed the entertainment proposed and Mr. Brower stated that they would be removing dancing by entertainers as they will not be having that.

Upon a roll call the Commission voted 3-0 to approve:

- Request for general on premises all alcohol license
- Request for common victualer license
- Request for entertainment license for jukebox, TV, dancing by patrons, dancing by entertainers, recorded music, live music, karaoke

List of Exhibits

Exhibit A. Application for general on premises all alcohol license, common victualer license and entertainment license dated and received February 26, 2021.

4. Taqueria Del Pueblo Cantina, Inc., 57 Highland Street

- Request for restaurant all alcohol license
- Request for common victualer license
- Request for entertainment for jukebox, TV, radio, recorded music, live music, light show, karaoke, any other audio or visual show, whether live or recorded specifically

Yaribeth Guzman and Ricky Zeylanda called in for the application.

Ms. Guzman stated that her client is looking for a new restaurant liquor license and for permission for an outdoor patio.

Mr. Rolle stated that the outdoor patio would have to be limited to 12 seats and to ensure that parking in front be maintained the patio would need be 20'x14'. Ms. Guzman stated that would be fine.

The Commission discussed with Ms. Guzman the hours for the outside area. The Commission stated that the hours for the patio would need to be Sunday–Wednesday 11:00 a.m. to 10:00 p.m. and Thursday–Saturday 11:00 a.m. to 11:00 p.m. and that there be no amplification of music outside after 10:00 p.m.

Upon a roll call the Commission voted 3-0 to approve the:

- Request for restaurant all alcohol license
- Request for common victualer license
- Request for entertainment for jukebox, TV, radio, recorded music, live music, light show, karaoke, any other audio or visual show, whether live or recorded specifically;

With the following conditions:

- That the patio be limited to 12 seats and the patio area be 12’x14’.
- That the hours for the patio would be Sunday-Wednesday-11:00 a.m. – 10:00 p.m., Thursday through Saturday – 11:00 a.m. to 11:00 p.m.
- That there be no amplification of music outside after 10:00 p.m.

List of Exhibits

Exhibit A. Application for general on premises all alcohol license, common victualer license and entertainment license dated and received February 26, 2021.

5. Bay State Brewery & Tap Room, LLC, 112 Harding Street

- Request for alteration of premises(inside)

Upon a roll call the Commission voted 3-0 to postpone the application to the April 29, 2021 License Commission meeting.

6. Gupta’s Son Corporation dba Lucky Farms Variety Store, 759 Grafton Street

- Request for package store malt & wine license

Attorney Jon Aieta and Ankit Gupta called in for the application. Mr. Aieta stated that this is the Lucky Farms on Grafton Street. Mr. Gupta has been operating the store for the past three years but recently bought the property.

Mr. Aieta stated that Mr. Gupta owned a package store in Oxford so he has experience.

Mr. Aieta stated that Mr. Gupta will renovate the store and summarized the plans for the renovation and the POS system that would be used by the store.

Mr. Aieta stated that Mr. Gupta’s plan is to focus on the craft beers that are produced in City of Worcester.

Mr. Aetia stated that the neighbors of Mr. Gupta are in support or his application and a lot of the people coming in would be people from the neighborhood. He went on to state that a petition with about 170 signatures and some stand-alone letters were submitted.

People who spoke in support of application

Richard Fields

Jennifer Lynn

Mr. Gupta

People who spoke in opposition of application

Jim Vasiadis

William Kirtsy

The Commission reviewed the map provided by staff and stated that based on the neighborhood the area is already well served by existing stores and could not support an additional license.

Upon a roll call the Commission voted 3-0 to deny the package store malt & wine license based on fact that the area is already adequately served by the existing licensees in the area.

List of Exhibits

Exhibit A. Application for package store malt & wine license dated and received March 16, 2021.

7. Scott Bauman, Worcester Common

- Request for one day liquor license – outside:
 - August 3–6, 10–13, 17–19, 22, 24–27, 2021: 5:30 p.m.–8:30 p.m.
- Request for one day entertainment license for amplification system, play, theatrical exhibition
 - August 3–6, 10–13, 17–19, 22, 24–27, 2021: 5:30 p.m.–8:30 p.m.

Upon a roll call the Commission voted 3-0 to postpone the applications to the May 13, 2021 License Commission meeting.

8. John Travaglio, 274 Franklin Street

- Request for one day liquor license – outside; or
- Temporary Extension of Outdoor Dining
 - May 2, 2021: Noon–8:00 p.m.

Teresa Travaglio called in for the application. Ms. Travaglio stated that this would be for a benefit for a Worcester Police officer who has been diagnosed with cancer to raise funds for the family.

The Commission and Ms. Travaglio reviewed the outdoor area and the COVID-19 protocols for the event.

Upon a roll call the Commission voted 3-0 to approve a temporary extension of the Temporary Outdoor Dining License issued to the applicant.

List of Exhibits

Exhibit A. Application for one day liquor license/Temporary Outdoor Dining Extension dated and received April 1, 2021.

9. Anokye Krom, LLC, 2 Coes Square

- Request for entertainment license for jukebox, TV, radio, dancing by patrons, recorded music, live music, amplification system, light show, karaoke, any other audio or visual show whether live or recorded specifically

Upon a roll call the Commission voted 3-0 to postpone the application to the April 29, 2021 License Commission meeting.

Retail Marijuana License

10. Munro Associates LLC dba The Vault, 15-17 Mountain Street

- Request for Retail Marijuana License

Attorney Joshua Lee Smith called in for the applicant, Munro Associates, LLC.

Mr. Smith stated that this is an existing business establishment (former Verizon store) located in a strip mall and reviewed the proposed business plan for the site.

Chair Shea stated that an abutter expressed concern about marijuana smells emitting from the location and asked Mr. Smith to review the odor controls for the establishment. Mr. Smith stated that there is no manufacturing on this site. It just a retail marijuana location and reviewed the control protocols for the site.

Chair Shea stated that they received an email in opposition to the application and read the email of opposition into the record.

Upon a roll call the Commission voted 3-0 to approve the Retail Marijuana license.

List of Exhibits

Exhibit A. Application for Retail Marijuana License dated and received March 19, 2021.

Alteration of Premises – Temporary Outdoor Dining (New)

11. OD-2020-008 – Peppercorns Park Avenue Grille & Bar, 455 Park Avenue

- Amendment to Temporary Outdoor Dining License
 - Hours: Monday: Closed, Tuesday–Saturday: Noon–10:00 p.m., Sunday: Noon–9:00 p.m.

Tom Oliveri called in for the application. He stated that he is looking to amend the license to change the size of the tent on site to 40' x 60'.

Upon a roll call the Commission voted 3-0 to approve the request to amend the Temporary Outdoor Dining License.

List of Exhibits

Exhibit A. Application for Temporary Outdoor Dining License dated and received April 2, 2021.

12. OD-2021-004, SW-2021-001 – Main South Market, 1025 Main Street

- Request for Temporary Outdoor Dining License for 3 tables with 12 seats
 - Hours: Monday–Saturday: 9:00 a.m.–6:00 p.m., Sunday: Closed

No one called in for the application. Mr. Rolle reviewed the application and Lt. Johnson stated that he had viewed the site and noted no problems. He stated that the location does have a kitchen and they serve different types of ethnic foods.

Upon a roll call the Commission voted 3-0 to approve the Temporary Outdoor Dining License.

List of Exhibits

Exhibit A. Application for Temporary Outdoor Dining License dated and received April 2, 2021.

13. OD-2021-005- 4th and 1 Club, 7 Muskeego Street

- Request for Temporary Outdoor Dining License for 9 tables with 54 seats
 - Hours: Monday–Sunday: Noon–12:30 a.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the April 29, 2021 License Commission meeting.

14. OD-2021-006, SW-002- Che Empanada, 19 Kelley Square

- Request for Temporary Outdoor Dining License for 10 tables with 20 seats
 - Hours: Monday–Saturday: 11:00 a.m.–8:00 p.m., Sunday: Closed

Alva Alvarez Cote called in for the application.

The Commission and the applicant reviewed the application and Mr. Rolle stated that a portion of this outdoor request is located in the bike lane so could not be allowed.

The Commission and the applicant discussed different options for the site. Mr. Rolle suggested a smaller area adjacent to the storefront with 7 tables with 14 seats and that staff could look at the site and continue the item to the next meeting to see if additional tables could be added.

Commissioner Vigliotti suggested 4 tables with 16 chairs out of the applicant's wish to do that and to continue the rest of the portion of the application to the April 29, 2021 License Commission meeting.

Upon a roll call the Commission voted 3-0 to approve the request for a Temporary Outdoor Dining License for 4 tables and 16 seats and to continue the application to the April 29, 2021 License Commission meeting.

List of Exhibits

Exhibit A. Application for Temporary Outdoor Dining License dated and received April 2, 2021.

15. OD-2021-007-Bay State Brewery & Tap Room 112 Harding Street

- Request for Temporary Outdoor Dining License for 64 tables and 384 Seats
 - Hours: Monday–Sunday: 11:00 a.m.–11:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the April 29, 2021 License Commission meeting.

Communications

A. Discover Central Massachusetts received electronically April 1, 2021-filed

B. Concerns/Complaints Log – April 15, 2021 – Mr. Rolle reviewed the complaint log.

Adjournment

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:45 a.m.