

MINUTES OF THE PROCEEDINGS OF THE
LICENSE COMMISSION OF THE CITY OF WORCESTER
SEPTEMBER 30, 2021

Commission Members Participating: Walter Shea, Chairman
Anthony Vigliotti, Commissioner
Barbara Haller, Commissioner

Commission Members Absent:

Staff Participating:

Sergeant Thomas Needham, Worcester Police
Department
Deborah Steele, Planning & Regulatory Services

The Worcester License Commission meeting was held in person on September 30, 2021

Meeting attendees additionally had options to participate remotely by joining online or by phone using the following links;

- Use the following link to join the meeting via computer
<https://cow.webex.com/meet/licensecommissionwebex> or
- Call 415-655-0001 (Access Code: 160 660 9360) for the License Commission.

Call to Order – 10:00 a.m.

Minutes – September 2, 2021

Upon motion made and duly seconded the Commission voted 3-0 to approve the minutes of September 2, 2021.

Common Victualer Requests

1. Soho Sushi & Habachi, Inc., 580 Park Avenue

- Request for common victualer license

No one called in for the item. Staff stated that a final inspection would be need to be done before the license is issued.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the common victualer license.

List of Exhibits: Application for common victualer license received and dated September 13, 2021.

2. Steam Café WIC, 112 Harding Street

- Request for common victualer license

Christopher Besaw appeared in person for the application.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the common victualer license.

List of Exhibits: Application for common victualer license received and dated September 13, 2021.

One Day Liquor & Entertainment Requests

3. Emerald Club of Worcester, Park Avenue

Request for one day liquor license

- Sunday, October 17, 2021: 11:00 a.m. – 3:00 p.m.

Upon a motion made and duly seconded the Commission voted 3-0 to postpone the application to 2022.

4. Ecotarium, 222 Harrington Way

Request for one day liquor license

- Saturday, October 2, 2021 – 6:00 p.m. – 10:00 p.m.

Upon a motion made and duly seconded the Commission voted 3-0 to allow for Leave to Withdraw for the application.

5. Thuan Huynh, 151 Sterling Street

Request for one day liquor license

- Sunday – October 10, 2021 – 6:00 p.m. – 10:00 p.m.

No one called in for the item. Staff reviewed the application with the Commission members.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the one day liquor license.

List of Exhibits: Application for one day liquor license received and dated August 25, 2021.

6. St. Spyridon Cathedral, 102 Russell Street

Request for one day liquor license

- Saturday, Sunday – October 2 & 3, 2021-Noon-Midnight

Request for one day entertainment license for dancing by patrons, recorded music, live music

- Saturday, Sunday – October 2 & 3, 2021-Noon-Midnight

Gus Giannoakos appeared in person for the meeting. He stated that this will be for a scaled down version of the Greek festival and reviewed the security plan for the event.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the one day liquor and one day entertainment licenses.

List of Exhibits:

- a. *Application for one day liquor license received and dated August 24, 2021.*
- b. *Application for one day entertainment license received and dated August 24, 2021.*

7. Joseph Stake, 154 Shrewsbury Street – outside

- a. Request for one day liquor license
 - Sunday - October 10, 2021 – 5:00 p.m. - 10:00 p.m.
- b. Request for entertainment license for dancing by patrons, recorded music, live music
 - Sunday - October 10, 2021 – 5:00 p.m. – 10:00 p.m.

Upon a motion made and duly seconded the Commission voted 3-0 to allow for Leave to Withdraw for the applications.

Liquor & Entertainment Application Requests

8. John Travaglio, Pepe’s Trattoria, 179 Shrewsbury Street-Outside area included

- Application to transfer location from 274 Franklin Street

John Travaglio appeared in person for the meeting.

Chairman Shea stated that the Commissioner members have viewed the site prior to the meeting.

Mr. Travaglio stated that he would like to move from his Franklin Street location to Shrewsbury Street.

The Commission members and Mr. Travaglio reviewed the outside area and what barriers would be used and hours for the outside area.

Staff asked if there would be any outside entertainment to which Mr. Travaglio stated no.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the transfer of location with condition that the outdoor is closed by 9:00 p.m.

List of Exhibits: Application for transfer of location received and dated August 23, 2021.

9. Natalie Rodriguez dba Nuestra, 55 Pearl Street

- Request for restaurant all alcohol license with outdoor area
- Request for common victualer license
- Request for entertainment license for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, floor show, light show, karaoke

Natalie Rodriguez appeared in person for the meeting. Ms. Rodriguez stated that she would like to operate a restaurant at the location.

The Commission members and Ms. Rodriguez reviewed the type of entertainment and hours for the outdoor area. Dancing by entertainers was removed from entertainment request and the hours for outdoor would be limited to 10:00 p.m.

Sergeant Needham stated that Ms. Rodriguez should station someone at the outdoor area when it is being utilized to ensure that people don't leave the licensed premises with alcohol.

Upon a motion made and duly seconded the Commission voted 3-0 to approve;

- Request for restaurant all alcohol license with outdoor area-Condition – 10:00 p.m. closing
- Request for common victualer license
- Request for entertainment license for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, floor show, light show, karaoke-Dancing by entertainers removed from request

List of Exhibits:

- a. Application for restaurant all alcohol license received and dated August 30, 2021.*
- b. Application for common victualer license received and dated August 30, 2021.*
- c. Application for entertainment license received and dated August 30, 2021.*

10. 99 Restaurants of Boston, LLC, 900 West Boylston Street

- Request for change of officers/directors. LLC members

This was a reverse approval where the Alcoholic Beverages Control Commission has already signed off on the application.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the Alcoholic Beverages Control Commission letter.

List of Exhibits: Letter from Alcoholic Beverages Control Commission dated August 18, 2021.

11. 99 Restaurants of Boston, LLC, 50 Southwest Cutoff

- Request for change of officers/directors. LLC members

This was a reverse approval where the Alcoholic Beverages Control Commission has already signed off on the application.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the Alcoholic Beverages Control Commission letter.

List of Exhibits: Letter from Alcoholic Beverages Control Commission dated August 18, 2021.

12. Jolo, Inc. dba Hurricane Betty's, 350 Southbridge Street

- Request for change of manager

Pat Scorzelli appeared in person for the meeting.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the change of manager.

List of Exhibits: Application for change of manager received and dated September 10, 2021.

13. Apple New England, LLC, 632 Park Avenue

- Request for change of manager

No one appeared for the item. Sergeant Needham stated that the applicant had passed the background check.

Upon a motion made and duly seconded the Commission voted 3-0 to approve the change of manager.

List of Exhibits: Application for change of manager received and dated September 10, 2021.

14. Jay Meldi, YD Liquors ,1140 Grafton Street

- Request for transfer of package store all alcohol license from Ishwar Krupa, Inc.

Upon a motion made and duly seconded the Commission voted 3-0 to postpone the application to the October 14, 2021 License Commission meeting.

15. Worcester Marine Corps League, 181 Lake Avenue

- Request to amend entertainment license to add outside entertainment for jukebox, tv, radio, dancing by patrons, dancing by entertainers, recorded music, live music, amplification system, play, moving picture show, floor show, light show, theatrical exhibition, karaoke, any other audio or visual show whether live or recorded specifically – Sunday thru Saturday – 12:30 p.m. to 10:00 p.m.

Jon Zwirblia appeared in person for the meeting.

Mr. Zwirblia stated that since the last meeting that the Marine Corps League has reached out the neighbors and after discussing with neighbors they would like to request that they be allowed to do entertainment outside on Saturday from 5:00 p.m. to 9:00 p.m. and Sundays from 1:00 p.m. to 5:00 p.m.

Mr. Zwirblia stated that they are currently working with a sound engineer to mitigate the sound and they are looking into purchasing equipment that will not allow sound to go past a certain level and prior to entertainment taking place they will take multiple sound readings from areas near the property.

Shawn Meland, Senior Vice Commandant spoke in support of the application.

The Commission and Mr. Zwirblia discussed occupancy for the outside site and barriers for the outside location as well as the number of boats that moor at location.

Tony Russell spoke in opposition and stated that he was also speaking for Alice and Celcia Johnson who live across the street.

Mr. Russell stated that this is a residential area and this should not be allowed. He stated that they can have inside entertainment outside and stated that 90% of people who attend the establishment aren't members of the armed forces.

Mr. Russell stated that the establishment is being run as a nightclub and this establishment should not be allowed to have outside entertainment 52 weeks a year. Also, the motorcycle crowd that attends the events is loud. He stated that they should only be allowed to have outside entertainment a few times a year and be required to come before the Commission for approval. He also stated that a police detail should be required for the facility.

Staff stated that they would request the item be continued to December in order that staff can confer with other departments to discuss the occupancy and zoning for the site.

Upon a roll call vote the Commission voted 3-0 to postpone the item to the December 2, 2021 License Commission meeting.

Other Business

16. 14 Oread Street – Status of license & change of manager

Michael O'Rourke appeared on behalf of the item. He stated that fencing has been ordered and will be installed for the parking lot and he is waiting to hear from National Grid before they can do any wiring in the building. The floors, walls, foyers and some bathrooms have been done.

He stated that some tenants are throwing keys out the windows to let people in which causes problems but the owner Mr. Valeri is currently in court to have more tenants evicted.

The Commission asked if a police detail would help. Mr. O'Rourke stated that if they do hire police detail they will need to come in and walk through the building.

The Commission and Mr. O'Rourke discussed what happened to the tenants when they are evicted.

Commissioner Haller stated that she would request the City Manager provide a report on what is the plan to deal with homeless population during the winter months and where they can go to get support.

Amanda Wilson from Inspectional Services gave a status report on the repairs done for the site.

Upon a motion made and duly seconded the Commission voted 3-0 to approve Mr. O'Rourke as manager.

The Commission stated that they would like this item on the next License Commission meeting also for another status hearing.

17. Excellent Investments S Corp, 137 Millbury Street

- Request for parking lot license for 27 spaces-Postpone to 10/14/2021

Violation Hearings

18. Kerkini, LLC, dba O'Hara's Liquors, 402 West Boylston Street

- Violation of Rules #6, #21

Dimitrios Vasiladis appeared to answer to the violation and waived his right to counsel.

Sergeant Needham presented the following;

On May 1, 2021, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter a package store and attempt to purchase alcohol without providing identification.

At around 11:41 a.m. the underage male entered Kerkini, LLC dba O'Hara's Liquors and purchased a six pack of Bud Light cans. The male was able to purchase the alcohol without being asked for identification.

Mr. Vasiladis stated that he had no excuse for what happened and his employees are TIPS certified and it was a mistake.

Upon a roll call vote the Commission voted 3-0 that the violation did occur.

Upon a roll call vote the Commission voted 3-0 to impose a one day suspended suspension.

List of Exhibits: Police Report dated May 11, 2021.

19. Shaani Corp. dba Big Bob's Wine and Spirits, 501 Southbridge Street

- Violation of Rules #6, #21

Upon a motion made and duly seconded the Commission voted 3-0 to postpone the hearing to October 14, 2021.

Communications

ABCC Communications: Stillman Quality Meats Appeal
 Stafford Discount Liquors
 Worcester Randell Package Store
 Shaani Corp dba Big Bob's Wine & Spirits

No comments on communications.

Adjournment

Upon a motion made and duly seconded the Commission voted 3-0 to adjourn the meeting at 11:20 p.m.