

Minutes for the Lowell License Commission meeting for Thursday, February 25, 2016 at 6:30 p.m., held in the Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Cliff Krieger, Kristen Hogan, and Nancy McGovern; and Deputy Superintendent Jack Webb of the Lowell Police Department. Absent: Commissioner Terry McCarthy.

The Commission voted to approve the minutes for meeting of February 11, 2016 on the motion by Commissioner Krieger, second by Commissioner Hogan, with a correction, page 2, line 5, to add the letter “s” at the end of the word “room.”

The Commission reviewed applications for special one-day licenses to sell/dispense malt beverages & wines only, or either one:

Joseph Bue of Hynes' Tavern, parking lot of Hynes' Tavern, 465-467 Gorham Street, Hynes' Road Race, Sunday, March 13, 2016, 11:00 a.m. to 3:00 p.m.; special events permit for amplification of sound, for recorded music, loud speaker system, 10:00 a.m. to 3:00 p.m. Joseph Bue was present.

Marta Rodrigues of Portuguese American Lowell Youth Center, at 739 Central Street, Noite De Cantoria, Saturday, February 27, 2016, 6:00 p.m. to 1:00 a.m. Marta Rodrigues was present.

Gabby Davis, at Mill No. 5, 250 Jackson St., 4th floor, Beards & Brews, Saturday, March 19, 2016, 6:00 p.m. to 9:00 p.m. Gabby Davis was present.

Chairman Descoteaux questioned each applicant about their respective activity. Gabby Davis stated that the Beards & Brews event expected to draw 100 to 150 people. The Commission, on the motion by Commissioner Hogan, second by Commissioner Krieger, voted to approve the applications of Joseph Bue, Marta Rodrigues, and Gabby Davis. The Commission approved the special events permit for amplification of sound for the Hynes' Road Race.

The Commission, on the motion by Commissioner McGovern, second by Commissioner Hogan, ratified the issuance of the special one-day license 15SP2016, issued February 11, 2016, for malt beverages & wines only, or either one, to Orlando Borba at Holy Ghost Park, 65 Village Street, for Anniversary Party, Saturday, February 13, 2016, 7:00 p.m. to 2:00 a.m.

The Commission reviewed the application by Merrimack Repertory Theatre, Jill Meredith Vinci, Contact Person, for "Charity Wine Pouring License" for May 16, 2016 at Lowell Memorial Auditorium, Hall of Flags, Concourse, 50 East Merrimack St. Jill Meredith Vinci was present. Ms. Vinci stated the event for Monday, May 16th will draw approximately 300 people. The Commission, on the motion by Commissioner Krieger, second by Commissioner Hogan, voted to approve the Charity Wine Pouring License. The application will also need the approval of the Alcoholic Beverages Control Commission.

The Commission opened the public hearing on the application for the transfer of the all alcoholic beverages restaurant license from Resendes, Incorporated, d/b/a Redline Pub & Grill, John Resendes, President, to Renay M. Wolterding, d/b/a Mill City BBQ & Brew, for premises at 1018 Gorham Street, one unnumbered door on Gorham Street, unnumbered door north side, and unnumbered door south side of building; first floor-one room for lounge; cellar for storage. Outdoor area, east side, 50 ft. by 45 ft., and deck 26 ft. by 8 ft. Renay M. Wolterding has applied for a common victualler license, entertainment in a licensed restaurant for live music, disc jockey, juke box, and for license for automatic amusement device. Legal notice was published in Lowell Sun newspaper on February 12, 2016. The following individuals were present: Renay Wolterding and Salim R. Tabit, Esquire, legal counsel for Ms. Wolterding. Attorney Tabit stated that Ms. Wolterding was in the process of renovating the restaurant; a 12 midnight closing is planned for the restaurant. Ms. Wolterding addressed the Commission; she stated she will keep the license for 2:00 a.m. legal closing even though her plan is to close at 12 midnight. Chairman Descoteaux opened the hearing for public comment. There was no one present to speak for or against the application. The Commission closed the public hearing. The Commission, on the motion by Commissioner Hogan, seconded by Commissioner Krieger, voted to approve the transfer of the all alcoholic beverages restaurant license from Resendes, Incorporated, d/b/a Redline Pub & Grill, John Resendes, President, to Renay M. Wolterding, d/b/a Mill City BBQ & Brew, for premises at 1018 Gorham Street. The Commission voted to approve Renay M. Wolterding as manager of record. The following licenses were granted to Renay M. Wolterding, d/b/a Mill City BBQ & Brew, for premises at 1018 Gorham Street for 2016: common

victualler; entertainment in a licensed restaurant for live music, disc jockey, Juke box; and for automatic amusement device.

The Commission opened the public hearing on the application filed by Gary's Tipico, Inc., Gary De Los Santos, President, for an all alcoholic beverages restaurant license for premises at 26 Andover Street, one-story building, first and basement floors to be licensed, 1st: 2 rooms including kitchen, 1 entrance, 3 exits (2466 sq. ft.), basement: 1 room, 1 entrance, 2 exits (2340 sq. ft.), access to outdoor deck (1432 sq. ft.). It is requested that Bantroy De Los Santos be approved as manager of record for Gary's Tipico, Inc. Gary's Tipico, Inc. has applied for a common victualler license for premises at 26 Andover St. A legal notice was published in Lowell Sun newspaper on February 12, 2016. The following individuals were present: Gary De Los Santos, Bantroy De Los Santos, and Attorney Michael M. McArdle. The Commission reviewed and ordered placed on file the affidavit attesting to the mailing of the legal notice to abutters, the white postal slips, and green return receipts in accordance with M.G.L. Chapter 138, section 15A. Attorney McArdle stated that the building is vacant. There will be a restaurant first floor and downstairs; the outside deck will be replaced. Attorney McArdle stated Gary De Los Santos has operated a restaurant on Salem Street. There is parking for patrons. An application for entertainment license will be filed at a later date. Gary De Los Santos stated food will be Caribbean; there are 21 parking spaces and additional parking across the street. Chairman Descoteaux opened the hearing for public comment. There was no one present to speak for or against the application; that portion of the hearing was closed. The Commission, on the motion by Commissioner Krieger, second by Commissioner Hogan, voted to approve the application for an all alcoholic beverages restaurant license by Gary's Tipico, Inc., Gary De Los Santos, President, for premises at 26 Andover Street. The Commission voted to approve Bantroy De Los Santos as manager of record. The Commission granted to Gary's Tipico, Inc. a common victualler license for premises at 26 Andover Street.

The Commission opened the public hearing on the application filed by Navigation Brewing Company, Inc., Robert A. Johnson, President, a Farmer-Brewery licensee at 122 Western Avenue, Lowell, for a "Farmers Series Pouring Permit" for premises at 122 Western Avenue. It is requested that Robert A.

Johnson be approved as manager of record for Navigation Brewing Company, Inc. Legal notice was published in Lowell Sun newspaper on February 12, 2016. Paul A. Mercier was present. The Commission reviewed and ordered placed on file the affidavit attesting to the mailing of the legal notice to abutters, the white postal slips, and green return receipts in accordance with M.G.L. Chapter 138, section 19C. Paul Mercier stated that Robert Johnson was working at the Brewery and could not attend the public hearing. The Commission addressed the matter of the responsibility of the manager of record for a licensee. Mr. Mercier stated that he will manage the “brew house.” Chairman Descoteaux recommended the amendment to the manager of record for Navigation Brewing Company, Inc. After further discussion, the Commission voted, on the motion by Commissioner Krieger, second by Commissioner Hogan, to continue the public hearing to March 10, 2016.

The Commission voted to adjourn the meeting at 7:10 p.m. on a motion by Commissioner Krieger, second by Commissioner Hogan.

Respectfully submitted by Ryan Wynn, Executive Secretary, present at meeting.