

Minutes for Lowell License Commission meeting, Thursday, February 12, 2015 at 6:30 p.m., Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852

Present: John Descoteaux, Commissioner, Chairman, Commissioners Cliff Krieger, Kristen Hogan, Terry McCarthy, Nancy McGovern; and Captain Thomas Kennedy of the Lowell Police Department.

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

Tracy Martino of Aramark for Thursday, March 5, 2015 from 4 p.m. to 9 p.m. for Commonwealth Honors College Fundraiser at O'Leary Library Mezzanine, 61 Wilder St. Ms. Martino was present.

Joseph Bue of Hynes' Tavern for Sunday, March 8, 2015 from 11 a.m. to 3 p.m. for Hynes' Road Race with beer/wine concession at the parking lot of Hynes' Tavern, 465-467 Gorham St. Joe Bue was present.

The Commission voted to approve the special one-day licenses for Tracy Martino and Joseph Bue on the motion by Commissioner McCarthy, second by Commissioner McGovern.

The Commission reviewed the special events permit for amplified outdoor public entertainment by Oceanbridge Corporation, Joseph Bue, Manager, for Hynes' Road Race, Sunday, March 8, 2015 from 10 a.m. to 3 p.m., at parking lot of Hynes' Tavern, 465-467 Gorham St. Mr. Bue was present. The amplification permit was approved on the motion by Commissioner McGovern, second by Commissioner McCarthy.

The Commission reviewed the applications for special one-day licenses to sell/dispense all alcoholic beverages City of Lowell Winterfest, Robin Dupell, Manager, for the tent and enclosed outdoor area for Club Celsius, adjacent to 50 Arcand Drive, Friday, February 20, 2015, 5 p.m. to 12 midnight; and for Saturday, February 21, 2015, 12 noon to 12 midnight. Ms. Dupell was present. Captain Kennedy stated that though the closing time is 12 midnight, last call is to be 11:30 p.m., and that all patrons are to off the premises at 12 midnight. Ms. Dupell acknowledged the course of action to be followed as noted by Captain Kennedy. The Commission voted to approve the special one-day licenses for City of Lowell Winterfest, Robin Dupell, Manager, on the motion by Commissioner McCarthy, second by Commissioner McGovern.

The Commission approved the special one-day all alcoholic beverages license for Mary Ciccarelli of St. Michael Parish, St. Michael Church Hall, 24 Sixth St., St. Michael School Comedy Night, Saturday, March 7, 2015, 7:00 p.m. to 11:00 p.m. Ms. Ciccarelli was present.

The Commission reviewed the applications for public amusement licenses from Global Spectrum, LP, Keith Vaske, General Manager, Lowell Memorial Auditorium, 50 East Merrimack St. Todd Stoudenmire was present as representative. The applications are for the following events:

Show – “Stomp,” Thursday, February 19, 2015 from 7 p.m. to 9:30 p.m.

Show – Ron White, Saturday, February 21, 2015 from 8 p.m. to 10 p.m.

Show – “Women of Ireland,” Thursday, March 5, 2015 from 7 p.m. to 9:30 p.m.

Show – “Rain,” Monday, April 6, 2015 from 7 p.m. to 9:30 p.m.

Show – “Chuggington,” Thursday, April 16, 2015 from 7 p.m. to 9:30 p.m.

Show – “I Love Lucy!” Wednesday, May 27, 2015 from 7 p.m. to 9:30 p.m.

The Commission voted to approve the public amusement licenses for events at Global Spectrum, LP on the motion by Commissioner McGovern, second by Commissioner McCarthy.

The Commission opened the public hearing on the application by Slesar Bros. Brewing Company, Inc., d/b/a Lowell Beer Works, Joseph D. Slesar, Manager, all alcoholic beverages Restaurant licensee at 203 Cabot Street, for alteration of licensed premises, i.e. renovation of existing room to provide four (4) billiards tables and seating. Joseph Slesar was present. The Commission reviewed the application for Public Amusement for Billiards and Pool, four tables, by Slesar Bros. Brewing Company, Inc. for premises at 203 Cabot St. Mr. Slesar stated that there would be a conversion on the restaurant side to allow for four (4) tables; there would be no separate bar. Mr. Slesar presented a scale rendering of the design for the Commission’s review. The restaurant capacity is 360 according to Mr. Slesar; he further stated that he has been to the Building Department for their review of the proposed change. Chairman Descoteaux opened the hearing for public commentary. There was no one to address the Commission either in favor or against the application. The public commentary portion of the hearing was closed. The Commission voted to approve the application for the alteration of premises by Slesar

Bros. Brewing Company, Inc. on the motion by Commissioner Hogan, second by Commissioner McGovern. The Commission approved the license for public amusement for billiards and pool, four (4) tables, by Slesar Bros. Brewing Company, Inc.

The Commission reviewed the application by Lucky Lantern, Inc., d/b/a Mandarin Asian Bistro, Yu Zhou, Manager, all alcohol beverages Restaurant license for premises at 24 Market St., for the annual license for entertainment in a licensed restaurant for live music, disc jockey, juke box. Yu Zhou was present. Mr. Zhou stated to the Commission that he would have live music for the bar. The business opened on January 15, 2015. The Commission voted to approve the entertainment license for Lucky Lantern, Inc. on the motion by Commissioner McCarthy, second by Commissioner Hogan.

The Commission reviewed the application by Aaronap Cellars LLC, Noel A. Powell, Manager, an A.B.C.C. Farmer Winery licensee, for license to sell at a Farmer's Market in accordance with Massachusetts law chapter 138, section 15F on Sunday, February 22, March 1, 8, 15, 22, 29, April 5, 12, 19, 26, May 3, 10, 17, 24, 31, June 7, 14, 21, 28 – 2015, from 10 a.m. to 2:30 p.m. each date, at The Farm Market, Mill No. 5, main corridor of 4th floor, 250 Jackson St., vendor space for wine sales [and wine sampling] 10 feet by 10 feet as assigned within the market space. Noel Powell was present. Chairman Descoteaux noted the number of dates. Commissioner Hogan questioned the matter of ID checking. Mr. Powell stated that he has had licenses in Westford, Worcester, and Chelmsford. He explained the product of wines he has, and that checking IDs has not been an issue when selling wine and when serving samples at a farmers market. The Commission voted to approve special farmer winery license on the motion by Commissioner Hogan, second by Commissioner McCarthy. The Commission voted to set the license fee at \$50.00 in accordance MGL c. 138, s. 15F.

The Commission reviewed the applications by Untame, LLC, Daniel Krikorian, Manager, for special events permit for amplified outdoor public entertainment, and for public amusement for concert license, for the event "Spring Hop Music Festival" for Saturday, April 25, 2015 from 12 p.m. to 11 p.m. at Anne Welcome Field, 381-501 Pawtucket Blvd. Mr. Krikorian was not present. The Commission took no action on the applications by Untame, LLC.

The Commission reviewed the status of inquiry from Donald Sterling and Shirley Blanchard of 8 Wamesit Ct., Lowell on January 29, 2015 regarding allegation of license violations at 705 Dutton St. Donald Sterling and Shirley Blanchard were present. Mr. Sterling stated that he called Eric Slagle, and left a message, but Mr. Slagle has yet to call back. Mr. Sterling stated that there is a real mess, serious problems; Kazanjian has been operating the last 18 years. Commissioner Krieger questioned the use of the lot. A discussion followed on the City contract for towing. Chairman Descoteaux questioned the use of the junk yard at 651 Dutton St. Mr. Sterling cited a situation when a University official dropped off a truck load of junk. Chairman Descoteaux stated the Commission is hoping for a report from Mr. Slagle. Commissioner Krieger requested a map of the area from the City Engineer. Commissioner McCarthy stated the Commission may talk to Mr. Kazanjian. Chairman Descoteaux stated if there is something wrong, we will want to know about it. Captain Kennedy stated there was no crime, possibly civil violations in response to Commissioner Krieger's question about the January 20 report. The Commission voted to continue the matter for two weeks on the motion by Chairman Descoteaux, second by Commissioner Hogan.

The Commission reviewed the application by Diamond Action, Inc., d/b/a Lowell Spinners, Drew Weber, Manager, for all alcoholic beverages Restaurant license for premises at 450 Aiken Street. Diamond Action, Inc. is currently licensed for malt beverages and wines only as Restaurant. On the motion by Commissioner Krieger, second by Commissioner Hogan, the Commission ratified the publication of legal notice for Friday, February 27, 2015 for said application, and that the public hearing to be held on March 12, 2015.

The Executive Secretary informed the Commission of the payment via postal money order in the amount of \$300.00 by Rey Serrano, Manager of TR Enterprises on February 11, 2015. The Commission voted to place on file on the motion by Commissioner Krieger, second by Commissioner Hogan, the agenda item of the hearing for TR Enterprises, Inc., d/b/a El Rincon, all alcoholic beverages Restaurant licensee at 135 Central St., regarding notification from City Treasurer's Office that business check in the amount of \$275.00 submitted for licenses Common Victualler; Entertainment in a Licensed Restaurant; and Automatic Amusement Device did

not have sufficient funds. License Commission shall determine if there is a violation of Regulation 1.04 Annual License Fees of the Alcohol Beverages Regulations for Licenses Issued by the Lowell License Commission.

The Commission voted to schedule the public hearing on amendments to Alcohol Beverages Regulations for Licenses Issued by the Lowell License Commission to February 26, 2015 on the motion by Commissioner Krieger, second by Commissioner McCarthy.

The Commission reviewed the minutes for meeting January 29, 2015. Motion to approve minutes by Commissioner Krieger, second by Commissioner McCarthy, with two (2) changes, to wit: page 2, line 24 “their quality of life having been disrupted;” page 4, line 14 “identified the licensee Camila, LLC *as having . . .*” so voted.

The Commission voted to adjourn the meeting at 7:15 p.m. on a motion by Commissioner Hogan, second by Commissioner Krieger.

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