



March 8, 2016

Michael Q. Geary
City Clerk
Lowell, Massachusetts

Dear Sir:

In compliance with Massachusetts General Law chapter 30A, sections 18–25, notice is hereby given that a meeting of the License Commission of the City of Lowell is scheduled to take place in the Council Chamber, second floor, City Hall, 375 Merrimack St. on Thursday, March 10, 2016 at 6:30 p.m.

Ryan J. Wynn
Executive Secretary

1. Minutes for meeting February 25, 2016
2. Application for public amusement license for carnival by Dean & Flynn Inc., d/b/a Fiesta Shows of Seabrook, NH, John A. Flynn, representative, at Welcome/Festival Field, 381-501 Pawtucket Blvd., Fiesta Shows Carnival, Wednesday, May 25, 2016 to Saturday, May 28, 2016, and Monday, May 30, 2016.
3. Applications for special one-day license to sell/dispense malt beverages & wines only, or either one:

Richard S. Barrett of Kilkenny Pub, for an enclosed area at parking lot adjacent to Kilkenny Pub, 660 Rogers Street, for St. Patrick's Day, Thursday, March 17, 2016, 1:00 p.m. to 12:00 midnight.

Marc Clermont of Miracle Providers Northeast, Inc., 122 Western Ave., wedding/fundraiser, Friday, April 1, 2016, 6:00 p.m. to 12:00 midnight

Marc Clermont of Miracle Providers Northeast, Inc., 122 Western Ave., wearable art extravaganza, Friday, May 6, 2016, 12:00 noon to 11:00 p.m.

Marc Clermont of Miracle Providers Northeast, Inc., 122 Western Ave., wearable art extravaganza, Saturday, May 7, 2016, 12:00 noon to 11:00 p.m.

Tabatha Garnett, Catering Manager, Aramark, at ETIC - Atrium, 40 University Ave., for Foster-Miller Reunion, Monday, March 14, 2016, 4:00 p.m. to 9:00 p.m.

Tabatha Garnett, Catering Manager, Aramark, at Cumnock Hall, 31 University Ave., for graduate student event, Thursday, March 31, 2016, 4:00 p.m. to 8:30 p.m.

Tabatha Garnett, Catering Manager, Aramark, at ETIC - Atrium, 40 University Ave., for Engineering event workshop, Wednesday, May 11, 2016, 4:30 p.m. to 8:30 p.m.

4. Special event permit for amplification of sound for outdoor public entertainment:

Richard S. Barrett, Kilkenny Pub, Inc., sound system for band, disc jockey, St. Patrick's Day, Thursday, March 17, 2016, 4:00 p.m. to 10:00 p.m., in an enclosed area at the parking lot adjacent to Kilkenny Pub, 660 Rogers St.

5. For License Commission ratification amended 3-1-2016 special one-day license 6SPW2016 granted and issued to dispense wines only to Patricia Donahue, Gallery Z, 167 Market Street, for art opening reception from the date of March 6, 2016 to the date of Friday, March 4, 2016 from 6:30 p.m. to 8:30 p.m.
6. Application by Patricia DeStefano Donahue, d/b/a Gallery Z, for a common victualler license for premises at 167 Market Street. Applicant has interest in having entertainment, e.g. live acoustic music, literature readings, and theatrical performances.
7. Continued from February 25, 2016 a 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. Amendment filed requesting Paul (PJ) Mercier Jr. be approved as manager of record for Navigation Brewing Company, Inc. Legal notice was published in Lowell Sun newspaper on February 12, 2016. Applicant sent notice to abutters of public hearing in accordance with M.G.L. Chapter 138, section 19C.
8. Application by Routha Sim, d/b/a Jimmy's Auto, for a license to buy and sell Second Hand Motor Vehicles, used car Dealer, Class II, for premises at 45 Marshall St., 12-16 Carlton St., Open lot approx. 4,490 sq. ft., two (2) single story buildings, approx. 1,200 sq. ft., and 1,500 sq. ft., for auto body and repair, office. The licensee for 2016 is Cuc Van Le, d/b/a Jimmy's Auto Sale. Conditions governing licensed premises: maximum number of motor vehicles for sale/storage is 8 per License Commission; no junk motor vehicles or parts thereof on the premises.
9. Public hearing regarding Vannak Kann, d/b/a The Crown, 74 Middlesex St., to consider the public need in accordance with Massachusetts General Laws Section 12, Chapter 138, to review the License Commission's decision of February 11, 2016 to decrease the closing time of operation of The Crown, located at 74 Middlesex Street, from 2:00 a.m. to 12:30 a.m. for the sales of alcoholic beverages during the calendar week (Sunday to Saturday); to review the revised business plan for The Crown.
10. Communication from William M. Taylor, Superintendent of Police, dated February 24, 2016, regarding allegations of misconduct against Mill City Ballroom Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St. for violations of regulations which took place on the licensed premises at 74 Merrimack St. on February 19-20, 2016, to wit:
 - (a) Failure to maintain order and decorum in the licensed premises and in the immediately surrounding area adjacent to the licensed premises, in violation of Section 1.16 of the Regulations of the Lowell License Commission;
 - (b) Allowing patrons to enter, or re-enter, the licensed premises less than one-half (½) hour prior to closing time, in violation of Section 2.02 of the Regulations of the Lowell License Commission;
 - (c) Use of a promoter without obtaining a separate promotion license from the Lowell License Commission, in violation of Section 2.12 of the Regulations of the Lowell License Commission, and;
 - (d) Violation of 204 CMR 2.05(2): No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance, or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefore, whether present or not.
11. Communication from William M. Taylor, Superintendent of Police, dated February 25, 2016, regarding allegation of misconduct against Mill City Ballroom Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St. for violation of regulation which took place in front of 74 Merrimack St. on January 1, 2016, to wit: failure to maintain order and decorum in the immediately surrounding area adjacent to the licensed premises, in violation of Section 1.16 of the regulations of the Lowell License Commission.

12. Executive Secretary report:

- (a) Gary's Tipico, Inc., Gary De Los Santos, President, filed application on March 2, 2016 for entertainment in a licensed restaurant for live music, disc jockey, juke box for 2016 for premises at 26 Andover St.; application for all alcoholic beverages restaurant license approved 2-25-2016, ABCC approval pending.
- (b) The following licensees, Reservations and El Rincon, have not been issued certificates of inspection by the Department of Development Services, the renewal of the certificate of liquor liability insurance has not been filed, and the all alcohol beverages restaurant licenses have not been issued for 2016: Camila, LLC, d/b/a Reservations, Mariano Centeno, Manager, 179 Central Street; and TR Enterprises, Inc., d/b/a El Rincon, Rey Serrano, Manager, 135 Central Street.
- (c) Massachusetts State Fire Marshall's Office cited Back Page Jazz & Comedy Club LLC, d/b/a The Back Page, Robert J. Ramirez, Manager, 15 Kearney Square, unit # 2, for fire code violations on February 26, 2016.

13. The License Commission will vote on whether to enter into executive session to comply with, or act under the authority of, MGL Chapter 30A, Section 22, in light of Motion by Commissioner Krieger to review License Commission executive session minutes for executive sessions of May 7, 2014, May 15, 2014, and December 4, 2014.

14. Motion to adjourn.

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