

Minutes for the Lowell License Commission meeting for Thursday, March 23, 2017 at 6:00 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Cliff Krieger, Terry McCarthy, Martha Howe, and Joseph Donahue; and Deputy Superintendent Jack Webb of the Lowell Police Department.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the minutes for meeting March 9, 2017.

The Commission reviewed the applications for special one-day license to sell/dispense malt beverages & wines only, or either one filed by Patricia Donahue for events at Gallery Z, 167 Market Street:

Artist Reception, Saturday, April 1, 2017, 7:00 p.m. to 9:00 p.m.;

Silent Auction/fundraiser for Gallery Z, Saturday, April 8, 2017, 6:00 p.m. to 8:00 p.m.;

Sunday Brunch with Steve Clements, Sunday, April 9, 2017, 12:00 noon to 2:00 p.m.;

Music with David Warren, Saturday, April 22, 2017, 8:00 p.m. to 10:00 p.m.;

Sunday Brunch with Steve Clements, Sunday, April 23, 2017, 12:00 noon to 2:00 p.m.;

Opening Reception "Earth Mother", Saturday, April 29, 2017, 7:00 p.m. to 9:00 p.m.

Patricia Donahue was present. Ms. Donahue stated the event of April 8, 2017 has been postponed. The Commission, on the motion by Commissioner Krieger, second by Commissioner Donahue, voted to approve licenses for Patricia Donahue for the following event dates: April 1, April 9, April 22, April 23, and April 29, 2017.

The Commission reviewed the applications for special one-day license to sell/dispense malt beverages & wines only, or either one filed by Tabatha Garnett, Catering Manager, Aramark for the following events:

ETIC Atrium, 40 University Ave., Retirement party for Michelle Vercellin, Friday, March 31, 2017, 2:00 p.m. to 6:00 p.m.;

Faculty Showcase Dinner & Lecture, UCC 260, 220 Pawtucket Street, Thursday, May 18, 2017, 5:30 p.m. to 9:30 p.m. Tabatha Garnett was present. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Krieger, voted to approve licenses for Tabatha Garnett of Aramark.

The Commission reviewed the application for special one-day license to sell/dispense all alcoholic beverages filed by Lori E. Selstad of St. Michael School, St. Michael School Hall and Church Hall, Sixth Street, Saint Michael School Auction, Saturday, May 6, 2017, 4:30 p.m. to 12:00 midnight. Ms. Selstad was present. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, voted to approve the license for Lori E. Selstad of St. Michael School.

The Commission opened the public hearing on the application filed for change of officers, directors, shareholders, manager of record, and business name on behalf of BS Collaborative, Inc. all alcoholic beverages restaurant licensee for premises at 61 Merrimack Street. It is proposed that Ms. Yu Ping Li be approved as manager of record, corporate officer, director, shareholder; Mr. Wen Qing Chen as corporate officer, director, shareholder for BS Collaborative, Inc., d/b/a Fuji [new business name]. A legal notice had been published March 10, 2017 in Lowell Sun newspaper. The following individuals were present: Yu Ping Li, Wen Qing Chen, and Ms. Minta Lim, Assistant to Attorney Peter Lim of Boston, MA. Ms. Lim served as spokesperson. Chairman Descoteaux and Commissioner Donahue questioned Minta Lim if Yu Ping Li and Wen Qing Chen had prior experience in working in establishments licensed to sell and serve alcohol beverages; and did they understand the rules and regulations for sell and serving alcohol beverages. Ms. Lim stated that Yu Ping Li has worked at Jade Restaurant in Peabody, MA [since 2004]; that she (Ms. Lim) will review with the proposed new owners the License Commission's regulations. Chairman Descoteaux stated the restaurant is closed, and it will require the new owners to have City of Lowell inspectors check on the establishment prior to re-opening after the application is approved. Chairman Descoteaux opened the hearing for public comment. There was no one present to speak in favor of or against the application by BC

Collaborative, Inc. The hearing was declared closed, and the following action taken on the motion by Commissioner Krieger, second by Commissioner McCarthy: Yu Ping Li approved as manager of record, corporate officer, director, shareholder; Mr. Wen Qing Chen approved as corporate officer, director, shareholder for BS Collaborative, Inc. The application by BC Collaborative approved by the License Commission requires approval of the Alcoholic Beverages Control Commission.

The Commission opened the public hearing on the application filed by The Liquor Shack, Inc., Theanseng T. Cheam, Manager, 815 Lakeview Ave., for alteration of premises, i.e. first floor 2 rooms, 2,225 sq. ft.; basement 2 storage rooms, 1,810 sq. ft. Legal notice published March 10, 2017 in Lowell Sun newspaper. The following individuals were present: Theanseng Cheam and Attorney Catherine Flood, legal counsel for The Liquor Shack, Inc., were present. The Commission reviewed affidavit of notice to abutters, green return receipts and white postal slips. Atty. Flood addressed the Commission, stating the property owner has added 1,810 sq. ft. Chairman Descoteaux requested a review of the plan of the premises; Atty. Flood approached the Commissioners' table to describe the layout of the package store. Commissioner Donahue stated the licensee has "jumped the gun" having construction of the addition without [licensing authority approval]. Atty. Flood stated the store has not opened. Commissioner Krieger stated the on-going construction will keep the store from being occupied. Chairman Descoteaux opened the hearing for public comment. There was no one present to speak in favor of or against the application by The Liquor Shack, Inc. The hearing was declared closed, and the following action taken on the motion by Commissioner McCarthy, second by Commissioner Donahue, to approve the application for the alteration of premises for The Liquor Shack, Inc.

The Commission reviewed the application by Courtyard Management Corporation, d/b/a Courtyard by Marriott, Margery A. Breneman, Assistant Secretary, all alcoholic beverages hotel licensee at 30 Industrial Ave., East, for the alteration of licensed premises, as follows: remodeling existing licensed space into a bistro, new plumbing and electrical for refrigeration, food preparation, adding

architectural finishes. On the motion by Commissioner Howe, second by Commissioner Donahue, the Commission voted to ratify the publication of a legal notice on March 24, 2017 in the Lowell Sun newspaper, and to hold the public hearing for April 6, 2017 at 6:00 p.m. to be held in the City Council Chamber.

The Commission reviewed the application filed by MBOA Alliance, LLC, Stanley T. Tabi, LLC Manager, for an all alcoholic beverages restaurant license for premises at 135 Central Street, two rooms on first floor, one room in basement, total square footage 3500, two entrances, three exits. On the motion by Commissioner Krieger, second by Commissioner McCarthy, the Commission voted to ratify the publication of a legal notice on March 24, 2017 in the Lowell Sun newspaper, and to hold the public hearing for April 6, 2017 at 6:00 p.m. to be held in the City Council Chamber.

The Commission reviewed the application filed by Main Street Massachusetts, LLC, David J. Heller, LLC Manager, for the transfer of the all alcoholic beverages restaurant license from Diamond Action, Inc., d/b/a Lowell Spinners, Brian C. Lindsay, Manager, for premises 450 Aiken Street, Edward A. LeLacheur Park, an open air baseball stadium, 243,271 square feet, seven entrances, fifteen exits. On the motion by Commissioner Donahue, second by Commissioner Howe, the Commission voted to ratify the publication of a legal notice on March 24, 2017 in the Lowell Sun newspaper, and to hold the public hearing for April 6, 2017 at 6:00 p.m. to be held in the City Council Chamber.

The Commission reviewed the communication from William M. Taylor, Superintendent of Police, to License Commission dated March 20, 2017, alleging misconduct by LD Holdings, LLC, d/b/a Revolution, Sean Brine, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St. On the motion by Commissioner Howe, second by Commissioner Donahue, it was voted to schedule the hearing for LD Holdings, LLC for Thursday, April 6, 2017 at 6:00 p.m.

Commissioner Krieger initiated a discussion on his motion for a review of alcohol beverages regulations, to make the regulations clear with managers, and to have the Executive Secretary conduct a morning and an afternoon session with the licensees' managers, offering a [Microsoft] PowerPoint

presentation; an open session would follow later. Commissioner McCarthy stated a copy of the rules and regulations to be given to each manager, and there would be a sign-up sheet for each manager who received a copy. Commissioner Howe stated it is a great idea. Commissioner Donahue, noting the sign-up by managers, expressed concern about the attendance of managers. Chairman Descoteaux and Commissioner McCarthy suggested a representation of the Lowell Police at the morning and afternoon sessions.

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to adjourn the meeting at 6:35 p.m.

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

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