

Minutes for the Lowell License Commission meeting for Thursday, June 9, 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, Nancy McGovern, and Terry McCarthy; and Deputy Superintendent Jack Webb of the Lowell Police Department.

Absent: Commissioner Kristen Hogan.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McGovern, voted to approve the minutes for the meeting of May 26, 2016.

The Commission voted, on the motion by Commissioner Krieger, second by Commissioner McCarthy, to ratify the issuance on May 26, 2016 of a special one-day all alcoholic beverages license, 57SP2016, to Thomas P. Mulligan, representative for United Way of Massachusetts Bay, Inc., UTEC, 35 Warren Street, Summer Experiences in Greater Lowell Spring Fling, Thursday, May 26, 2016, 6:00 p.m. to 10:00 p.m. Thomas Mulligan was present.

The Commission reviewed the application for special one-day license to sell/dispense all alcoholic beverages from Yun-Ju Choi, Executive Director, Coalition for a Better Acre, at 741 Merrimack Street, and the event is 6 Degrees of the Acre, Thursday, June 23, 2016, 6:00 p.m. to 8:30 p.m. Yun-Ju Choi was present. Ms. Choi explained that the event is a fundraiser, and that her office is in contact with the Office of Development Services about the building at 741 Merrimack Street as a place of public assembly for the event. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Krieger, voted to approve the license for Yun-Ju Choi for the event of June 23, 2016.

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

Elizabeth Mendonca of St. Anthony Parish, St. Anthony's Parish parking lot, 893 Central St., Saint Anthony's Feast, Saturday, June 11, 2016, 11:00 a.m. to 1:00 a.m.

Elizabeth Mendonca of St. Anthony Parish, St. Anthony's Parish parking lot, 893 Central St., Saint Anthony's Feast, Sunday, June 12, 2016, 11:00 a.m. to 12:00 midnight. Elizabeth Mendonca was present.

Peter Saing of UTEC, at UTEC, 35 Warren Street, Whole Foods Celebrates UTEC, Wednesday, June 22, 2016, 6:00 p.m. to 9:00 p.m. Peter Saing was present.

Mrs. Mendonca stated that St. Anthony's parish is having its' annual St. Anthony's Feast. Mr. Saing stated UTEC is hosting a fundraiser with the assistance of Whole Foods Market. The Commission, on the motion by Commissioner McGovern, second by Commissioner Krieger, voted to approve the licenses for Elizabeth Mendonca for June 11 and June 12, 2016; and Peter Saing for June 22, 2016.

The Commissioner reviewed the applications for special event permits for amplification of sound for outdoor public entertainment:

Theodore Panagiotopoulos of the Athenian Corner Restaurant and Lounge, Inc., sound system for musicians, June thru September 2016, Sunday to Wednesday - 10 a.m. to 10 p.m.; Thursday to Saturday - 10 a.m. to 12 a.m., on the patio at 207 Market Street. Ted Panagiotopoulos was present.

Elizabeth Mendonca, St. Anthony's Church, sound system, Saint Anthony's Feast, Saturday, June 11, 2016, 11:00 a.m. to 12:00 midnight, St. Anthony parking lot, 893 Central Street;

Elizabeth Mendonca, St. Anthony's Church, sound system, Saint Anthony's Feast, Sunday, June 12, 2016, 11:00 a.m. to 10:00 p.m., St. Anthony parking lot, 893 Central Street. Elizabeth Mendonca was present.

Elizabeth Mallon and Sarah Hartshorn, Enterprise Bank, disc jockey with sound system, for the customer appreciation cook-out, Thursday, June 23, 2016 (rain date Fri., June 24), 11:30 a.m. to 2:30 p.m., at the parking lot adjacent to Enterprise Bank, 222 Merrimack Street. Elizabeth Mallon and Sarah Hartshorn were present.

Jim Wallace, Gun Owners Action League, sound system for public address, Civil Rights Rally, Saturday, July 23, 2016, 1:00 p.m. to 3:00 p.m., at JFK Plaza, Arcand Drive. Jim Wallace was present.

Sandy McNamara, Centralville Community Coalition, sound system for outdoor movie, public address, National Night Out at St. Louis School, Tuesday, August 2, 2016, 6:00 p.m. to 9:00 p.m., outdoor grounds of St. Louis School, 77 Boisvert St. Sandy McNamara was present.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the licenses for special events for amplification of sound for Theodore Panagiotopoulos, Elizabeth Mendonca, Elizabeth Mallon and Sarah Hartshorn, Jim Wallace, and Sandy McNamara.

The Commission opened the public hearing on the application by BS Collaborative, Inc., d/b/a Delish Restaurant & Bar, Yi Wang Zhuo, President, for an all alcoholic beverages restaurant license for premises at 61 Merrimack Street. First floor restaurant occupancy in commercial building consisting approximately 8,797 SF of space; one front entrance and 3 rear exits; dining room and bar at the front and function room at the rear. It is requested that Yi Wang Zhuo be approved as manager of record for BS Collaborative, Inc. The following individuals were present: Yi Wang Zhuo, and Attorney Chris Coleman, legal counsel for BS Collaborative, Inc. Attorney Coleman filed the affidavit of notice of mailing to abutters and others. The legal notice was published May 27, 2016. Attorney Coleman stated that the restaurant hours of operation will be Monday to Saturday 11:00 a.m. to 2:00 a.m.; he spoke of Mr. Zhou's background in food service. Chairman Descoteaux opened the public hearing for those who wished to speak in favor of the application. There was no one to speak in favor, that portion of the hearing was closed. Chairman Descoteaux opened the public hearing to those who wished to speak in opposition of the application. There was no one present to speak in opposition, that portion of the hearing was closed. The hearing was declared closed, and on the motion by Commissioner McCarthy, second by Commissioner Krieger, the Commission voted to grant an all alcoholic beverages restaurant license to BS Collaborative, Inc., d/b/a Delish Restaurant & Bar, Yi Wang Zhuo, President, for premises at 61 Merrimack Street. First floor restaurant occupancy in commercial building consisting approximately 8,797 SF of space; one front entrance and 3 rear exits; dining room and bar at the front and function room at the rear. The Commission approved Yi Wang Zhuo as manager of record for BS Collaborative, Inc. The Commission did not find that the granting of said license to BS Collaborative, Inc. would be detrimental to the school activity at Lowell High Freshman Academy, Lowell High School, and the religious activity at St. Joseph The Worker Shrine.

The Commission opened the public hearing on the application by Mill City Suds Inc., d/b/a Mill City Suds, Joel Asadoorian, President, all alcoholic beverages restaurant licensee at 76-86 Merrimack Street, for the alteration of premises with the addition of a sidewalk seating area for restaurant in front of 76-86 Merrimack Street. Joel Asadoorian was present. Mr. Asadoorian filed the affidavit of notice of mailing to abutters and others. The legal notice was published May 31, 2016. A license agreement between the City of Lowell and Mill City Suds, Inc. was reviewed by the Commission. Commissioner Krieger questioned Mr. Asadoorian on two items cited in the agreement; to wit: paragraph 6, in part “possessing and retaining required licenses from the City of Lowell License Commission and the Board of Appeals relative to use of the licensed area as sidewalk seating;” and paragraph 14, in part “The hours of operation of Mill City Suds, Inc. shall be determined by existing City Ordinance entitled: “Streets, Sidewalks and Other Public Spaces.” The Executive Secretary suggested he would ask the Law department’s Contract Administrator about each item the following day. Chairman Descoteaux opened the public hearing for those who wished to speak in favor of the application. There was no one to speak in favor, that portion of the hearing was closed. Chairman Descoteaux opened the public hearing to those who wished to speak in opposition of the application. There was no one present to speak in opposition, that portion of the hearing was closed. The hearing was declared closed, and on the motion by Commissioner McCarthy, second by Commissioner Krieger, the Commission voted to grant to Mill City Suds, Inc. the alteration of premises with the addition of a sidewalk seating area for restaurant in front of 76-86 Merrimack Street. The Commission did not find that the granting of the alteration of premises to Mill City Suds, Inc. would be detrimental to the school activity at Lowell High Freshman Academy, and the religious activity at St. Joseph The Worker Shrine.

The Commission reviewed the request by Vannak Kann, d/b/a The Crown, all alcoholic beverages restaurant licensee at 74 Middlesex Street, for a promoter license for the following individual Yadira Baez of M.J. Entertainment, Lawrence, MA 01841; CROWN Saturday, every Saturday night, 9 PM to 2 AM. Vannak Kann and Yadira Baez were present. Mr. Kann stated that Yadira Baez will be trying to help the Crown; she has worked events in Boston and Manchester, NH; performers are Spanish singers. Deputy

Supt. Webb stated that The Crown is promoting an event tonight; submitted a copy of a promotion on the internet for the Commission to review. Deputy Supt. Webb asked Yadira Baez if Michael is her husband; Yadira stated that Michael is her husband. Deputy Supt. Webb stated that he is not able to disclose at this time information that relates to the matter of the request for a promoter's license by Mr. Kann. Mr. Kann was questioned by Chairman Descoteaux about this evening's scheduled event. Mr. Kann stated that the event is a fundraiser. Chairman Descoteaux expressed the Commission's concern that you [Kann] are without a license; that tonight's event is brought to the licensing board's attention by Deputy Supt. Webb. At the conclusion of discussion, the Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to continue the matter for two (2) weeks to allow time for further review by Lowell police.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to defer to a later date the matter of the License Commission 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 8, 2014, May 15, 2014, and December 4, 2014.

The Commission voted to adjourn the meeting at 7:05 p.m. on a motion by Commissioner Krieger, second by Commissioner McCarthy.

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