

Minutes for the Lowell License Commission meeting for Thursday, July 14, 2016 at 6:30 p.m., held in the Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: Commissioners Cliff Krieger, presiding, Kristen Hogan, and Terry McCarthy; and Deputy Superintendent Jack Webb of the Lowell Police Department.

Absent: John Descoteaux, Commissioner

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Hogan, voted to approve the minutes for the meeting of June 23, 2016.

The Commission voted on the motion by Commissioner Hogan, second by Commissioner McCarthy, to ratify the request of Tabatha Garnett, Catering Manager, Aramark on July 8, 2016 - the cancellation of special one-day licenses to sell/dispense malt beverages & wines only approved on June 23, 2016:

event at ETIC, 40 University Ave., UML Chemical Nuclear Institute Summer Conference, Monday, July 11, 2016, 3:00 p.m. to 8:00 p.m.

event at Allen House, 2 Solomont Way, UML Chemical Nuclear Institute Summer Conference, Tuesday, July 12, 2016, 4:30 p.m. to 10:30 p.m.

event at University Crossing, 220 Pawtucket Street, UML Chemical Nuclear Institute Summer Conference, Friday, July 22, 2016, 4:30 p.m. to 10:30 p.m.

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

Charlotte A. Parnigian of The Party Connection for an event at UTEC, 35 Warren Street, E For All - Lowell/Lawrence Gala Fundraiser @ the "UTEC" Center, Thursday, September 29, 2016, 5:30 p.m. to 8:00 p.m.

Charlotte Parnigian was present.

Manuel Silva of Portuguese American Civic League, at the club parking lot 512 Central Street, members' picnic of the Portuguese American Civic League, Saturday, July 30, 2016, 12:00 noon to 6:00 p.m. Manuel Silva was present.

Tabatha Garnett, Catering Manager, Aramark, for an event at the Allen House, 2 Solomont Way, Band Camp 20th Anniversary, Saturday, July 23, 2016, 1:00 p.m. to 6:00 p.m. Tabatha Garnett was present.

Marc Clermont for wedding/fundraiser at The Onyx Room at Western Ave., 122 Western Ave., Saturday, August 13, 2016, 2:00 p.m. to 12:00 midnight. Marc Clermont was present.

Penny K. Hamourgas of Worthen Café, enclosed parking lot at 152 Worthen Street, Lowell Folk Festival 2016, Friday, July 29, 2016, 5:00 p.m. to 1:00 a.m.

Penny K. Hamourgas of Worthen Café, enclosed parking lot at 152 Worthen Street, Lowell Folk Festival 2016, Saturday, July 30, 2016, 5:00 p.m. to 1:00 a.m. Penny Hamourgas was present.

David Cruz of DCGR, Inc., d/b/a D & G All Star Lounge, enclosed outdoor area adjacent to 177 Merrimack Street, Lowell Folk Festival 2016, Saturday, July 30, 2016, 12:00 noon to 12:00 midnight;

David Cruz of DCGR, Inc., d/b/a D & G All Star Lounge, enclosed outdoor area adjacent to 177 Merrimack Street, Lowell Folk Festival 2016, Sunday, July 31, 2016, 12:00 noon to 6:00 p.m. David Cruz was present.

Joel Asadoorian of Mill City Suds, Inc., enclosed area of Merrimack St., in front of 76 Merrimack St., Lowell Folk Festival 2016, Friday, July 29, 2016, 6:00 p.m. to 12:00 midnight

Joel Asadoorian of Mill City Suds, Inc., enclosed area of Merrimack St., in front of 76 Merrimack St., Lowell Folk Festival 2016, Saturday, July 30, 2016, 12:00 noon to 12:00 midnight

Joel Asadoorian of Mill City Suds, Inc., enclosed area of Merrimack St., in front of 76 Merrimack St., Lowell Folk Festival 2016, Sunday, July 31, 2016, 12:00 noon to 6:00 p.m. Joel Asadoorian was present.

Anthony Contarino of TreMonte Restaurant Group, LLC, enclosed outdoor area @ 44 Palmer Street, Lowell Folk Festival 2016, Friday, July 29, 2016, 6:00 p.m. to 12:00 midnight

Anthony Contarino of TreMonte Restaurant Group, LLC, enclosed outdoor area @ 44 Palmer Street, Lowell Folk Festival 2016, Saturday, July 30, 2016, 12:00 noon to 12:00 midnight

Anthony Contarino of TreMonte Restaurant Group, LLC, enclosed outdoor area @ 44 Palmer Street, Lowell Folk Festival 2016, Sunday, July 31, 2016, 12:00 noon to 6:00 p.m. Reed Enos was present as representative.

Peter Huynh of 1981 Ramen Bar, enclosed outdoor area @ 129 Merrimack Street, Lowell Folk Festival 2016, Friday, July 29, 2016, 6:00 p.m. to 12:00 midnight

Peter Huynh of 1981 Ramen Bar, enclosed outdoor area @ 129 Merrimack Street, Lowell Folk Festival 2016, Saturday, July 30, 2016, 12:00 noon to 12:00 midnight

Peter Huynh of 1981 Ramen Bar, enclosed outdoor area @ 129 Merrimack Street, Lowell Folk Festival 2016, Sunday, July 31, 2016, 12:00 noon to 6:00 p.m. Peter Huynh was present.

Commissioner McCarthy asked Deputy Superintendent Webb about the service of alcohol beverages within the enclosed outdoor venues during the Folk Festival. Deputy Supt. Webb stated that there will be police surveillance of the downtown venues. The Executive Secretary stated that the Business Guide issued by the Special Events Coordinator for the local businesses notes sale and service of alcohol beverages is to stop by 11 p.m. in the enclosed area.

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Hogan, voted to approve the special one-day licenses for malt beverages and wines only for Charlotte A. Parnigian of The Party Connection, Manuel Silva of the Portuguese American Civic League, Tabatha Garnett of Aramark, Marc Clermont, Penny Hamourgas of the Worthen Café, David Cruz of DCGR, Inc., Joel Asadoorian of Mill City Suds, Inc., Anthony Contarino of TreMonte Restaurant Group, LLC, and Peter Huynh of 1981 Ramen Bar.

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

Nicholas Petrakos, Blue Shamrock, Inc., 105 Market Street, sound system for live music, d. j., and radio, July, August, September - 2016, Sunday to Wednesday - 10 a.m. to 10 p.m.; Thursday to Saturday - 10 a.m. to 12 a.m., at the sidewalk seating area, Market Street and Palmer St. Nick Petrakos was present.

Alan F. Kaplan, The Middle Street Village, Inc., d/b/a The Village Smokehouse, 92-98 Middle Street, sound system for band and/or disc jockey, for the Lowell Folk Festival, Friday, July 29, Saturday, July 30, Sunday, July 31 - 2016, an enclosed outdoor area in front of 92-98 Middle Street. Alan Kaplan was present.

Penny K. Hamourgas, Worthen House Café, Inc., sound system for live music, disc jockey, July, August, September - 2016, Sunday to Wednesday - 10 a.m. to 10 p.m.; Thursday to Saturday - 10 a.m. to 12 a.m., the alley patio at 141 Worthen St. Penny Hamourgas was present.

Penny K. Hamourgas, Worthen House Café, Inc., sound system for band and/or disc jockey, for the Lowell Folk Festival, enclosed parking area at 152 Worthen St.

Ronald B. Carignan, Jr., Never Forget Entertainment, sound system, live bands, Free Concert, Sunday, September 11, 2016, 12:00 p.m. to 10:00 p.m., at the Hadley Skatepark, Middlesex St., and Pratt Ave. Ronald Carignan was not present for the meeting.

Joel Asadoorian, Mill City Suds, Inc., d/b/a Mill City Suds, sound system for band and/or disc jockey, for the Lowell Folk Festival, Friday, July 29, Saturday, July 30, Sunday, July 31 - 2016, enclosed outdoor area in front of 76 Merrimack St. Joel Asadoorian was present.

Ysabel Mansilla, Galeria Café, sound system for music, for the Lowell Folk Festival, Friday, July 29, Saturday, July 30, Sunday, July 31 - 2016, sidewalk area in front of 366 Merrimack St. Ysabel was not present.

Manuel Silva, Portuguese American Civic League, disc jockey with sound system, members' picnic, Saturday, July 30, 2016, 12:00 noon to 6:00 p.m., parking lot of club at 512 Central Street. Manuel Silva was present.

Suzanne Cromwell, Lowell Film Collaborative, outdoor movie screening, National Night Out at the Morey School, Tuesday, August 2, 2016, 7:00 p.m. to 10:00 p.m., Morey Elementary School, 114 Pine St. Suzanne Cromwell was present.

Mary W. Hart, Downtown Lowell First Thurs./Arts League of Lowell, d.j. music, First Thursday, Thursday, August 4, 2016, 6:00 p.m. to 8:00 p.m., Market Mills Courtyard, Lowell Nat'l. Historical Park. Mary Hart was present.

William M. Taylor, Lowell Police Department, Movie Showing (Zootopia), Lowell Police Department's #LPDSafeSummer Movie Night, Deputy Supt. Jack Webb, representative

- (a) Wednesday, July 20, 2016, 7:00 p.m. to 10:15 p.m., St. Louis School, 77 Boisvert Street
- (b) Tuesday, August 9, 2016, 7:00 p.m. to 10:15 p.m., South Common
- (c) Monday, August 22, 2016, 7:00 p.m. to 10:15 p.m., Stoklosa School Field
- (d) Thursday, July 21, 2016 [rain date July 20th], 7:00 p.m. to 10:15 p.m., St. Louis School, 77 Boisvert St.
- (e) Wednesday, August 10, 2016 [rain date for August 9th], 7:00 p.m. to 10:15 p.m., South Common
- (f) Tuesday, August 23, 2016 [rain date for August 22nd], 7:00 p.m. to 10:15 p.m., Stoklosa School Field

The Commission, on the motion by Commissioner Hogan, second by Commissioner McCarthy, voted to approve special event permits for amplification of sound for the following applicants: William M. Taylor of Lowell Police Dept., Nick Petrakos of Blue Shamrock, Alan Kaplan of Village Smokehouse, Penny Hamourgaz of Worthen

House Café, Joel Asadoorian of Mill City Suds, Ysabel Mansilla of Galeria Café, Manuel Silva of Portuguese American Civic League, Suzanne Cromwell of Lowell Film Collaborative, and Mary Hart of Downtown Lowell First Thurs. The Commission did not act upon the request by Ronald Carignan for a special event permit due to his absence from the meeting.

The Commission reviewed the applications for Sidewalk Stand license.

Ysabel Mansilla, d/b/a Galeria Café, 366 Merrimack Street, for July 29, 30, 31, 2016 – Ariana, as representative, was present.

Jeremy McKenna of Persona, 57 Market Street, for July 29, 30, 31, 2016 – Jeremy McKenna was present.

Samantha Cail of HyperText, Inc., d/b/a HyperText Bookstore & Café, 107 Merrimack Street, July 29, 30, 31, 2016. Samantha Cail was not present for the meeting.

Mina Rezkalla, President,, Market St Market, Cyrus Enterprises, Inc., 95 Market Street, July 29, 30, 31, 2016 – Mina Rezkalla was present.

Jeff Engel of The Lowell Gallery, 219 Central St., seasonal April to October 2016 – Jeff Engel was present.

Tanya Ayala, Branch Manager, Wicked Staffing Solutions, LLC, 45 Middle Street, July 29, 30, 31, 2016 – Tanya Ayala was present.

Kevin C. Meagher of Century 21 North Shore, 262 Merrimack Street, July 29, 30, 31, 2016 – Kevin Meagher was present.

Nadia DeLima, I Happy Event Décor, 66 Merrimack Street, seasonal April to October 2016 – Nadia DeLima was present.

The Commission, on the motion by Commissioner Hogan, second by Commissioner McCarthy, voted to approve sidewalk stand license for the following applicants: Ysabel Mansilla, Jeremy McKenna, Mina Rezkalla, Jeff Engel, Tanya Ayala, Kevin Meagher, and Nadia DeLima. The Commission did not act upon the request by Samatha Cail for a sidewalk stand license due to her absence from the meeting.

The Commission reviewed the application by Platinum Cars, Inc., Juan M. Figuereo, President, for a second hand motor vehicles license, class II, used car dealer, for premises at 1582 Middlesex Street, an open lot, approximately 7,400 square feet and a two-story commercial office building. Smith Kids, LLC, Philip Smith, Manager, presently is licensee for premises at 1582 Middlesex St., license # 751-B. The following individuals were present: Juan

Figuerero, Bruno Henrique Sales, and Attorney Phil Nyman, legal counsel for Platinum Cars, Inc. Attorney Nyman made the presentation, stating that Mr. Figuerero and Mr. Sales have a lease, financing, and surety bond. On the lot as many as twenty-two (22) cars may be stored for sale according to Attorney Nyman. The Commission, on the motion by Commissioner Hogan, second by Commissioner McCarthy, voted to approve the application for second hand motor vehicles: used car Dealer license, Class II, by Platinum Cars, Inc. for premises at 1582 Middlesex Street. The Commission vote to cancel the used car Dealer license, # 751-B, granted and issued to Smith Kids, LLC for premises at 1582 Middlesex Street.

The Commission opened the public hearing on the application by Lowell Steakhouse, Inc., d/b/a Bob's Bar & Grill, Robes Barboza, President, for an all alcoholic beverages restaurant license for premises at 490 Central Street – two floors and a basement of a two-story building (+/- 5,583 SF) including: basement (+/- 1,535 SF) for storage; first floor (+/- 2,024 SF) including dining area, bar, bathrooms, kitchen area, one (1) entrance and three (3) exits; and second floor (+/- 2,024 SF) including function hall, kitchen, bathrooms and bar area. It is requested that Robes Barboza be approved as manager of record for Lowell Steakhouse, Inc. Lowell Steakhouse has filed applications for license for common victualler and for entertainment in a licensed restaurant for live music, disc jockey, juke box for premises at 490 Central St. The following individuals were present: Robes Barboza, and Attorney Karen Simao, legal counsel for Lowell Steakhouse, Inc. The Commission reviewed and ordered placed on file the “affidavit of notice of mailing to abutter and others,” white postal slips, and return receipts. Attorney Simao made the presentation, stating that a previous licensee in 2014 did not renew the license; Mr. Barboza has ten (10) years’ experience in the restaurant business; plans for the menu were addressed. Mr. Barboza is looking to invest in the City of Lowell; there will be five (5) to seven (7) jobs created; the staff will be trained in-house. There will be different dining options, and will be available for private functions. Commissioner Krieger asked about the parking lot for customers. Attorney Simao stated that Mr. Barboza is looking to lease the space for customer parking. Commissioner Krieger opened the hearing for public comment; there was no one to speak in favor of the application, that portion of the hearing was closed; there was no one to speak in opposition to the application, that portion of the hearing was closed. The Commission, at the conclusion of the public hearing, on the motion by Commissioner McCarthy, second by Commissioner Hogan, voted to grant an all alcoholic beverages restaurant license to Lowell Steakhouse, Inc. for premises at 490 Central Street; Robes Barboza was

approved as manager of record for Lowell Steakhouse, Inc. The Commission voted to grant a license for common victualler, and for entertainment in a licensed restaurant – live music, disc jockey, juke box to Lowell Steakhouse, Inc. for premises at 490 Central St.

The Commission did not find that the granting of the all alcoholic beverages restaurant license to Lowell Steakhouse, Inc. for premises at 490 Central Street would be detrimental to the religious activity of the Southern New England Conference Association of 7<sup>th</sup> Day Adventists, 211 Charles St.

The Commission opened the public hearing on the application by RKRK Corp., d/b/a Holly Crab, Ryan Kim, President, for the transfer of the malt beverages & wines only restaurant license from Rising Sun Super Corporation, d/b/a Miya Asian Cuisine, Cuifeng Xie, President, for premises at 16 Merrimack Street, on one floor with first floor dining room, service area, cooler/freezer area, office and storage. It is requested that Myong Kim as manager of record for RKRK Corp. RKRK Corp. has applied for a license for common victualler for premises at 16 Merrimack St. The following individuals were present: Myong Kim, and Attorney Andrew Upton, legal counsel for RKRK Corp. Attorney Upton made the presentation, stating that Myong Kim is T.I.P.S. trained. Commissioner Krieger opened the hearing for public comment; there was no one to speak in favor of the application, that portion of the hearing was closed; there was no one to speak in opposition to the application, that portion of the hearing was closed. The Commission, at the conclusion of the public hearing, on the motion by Commissioner Hogan, second by Commissioner McCarthy, voted to approve the transfer of the malt beverages and wines only restaurant license from Rising Sun Super Corporation to RKRK Corp. for premises at 16 Merrimack Street; Myong Kim was approved as manager of record for RKRK Corp. The Commission voted to grant a license for common victualler to RKRK Corp. for premises at 16 Merrimack St.

Commissioner Krieger, in behalf of Chairman Descoteaux, Commissioner McCarthy, and Secretary Wynn, thanked Commissioner Hogan for her friendship and service as a member of the License Commission.

On a motion by Commissioner McCarthy, second by Commissioner Hogan, the Commission voted to adjourn the meeting at 7:18 p.m.

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