

Minutes for the Lowell License Commission meeting for Thursday, September 1, 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, Terry McCarthy, Martha Howe, and Joseph Donahue; and Deputy Superintendent Jack Webb of the Lowell Police Department.

Absent: John Descoteaux, Commissioner, Chairman

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, voted to approve the minutes for the meeting of August 18, 2016.

The Commission reviewed the application to dispense wines only by Patricia Donahue, Gallery Z, 167 Market Street, artist opening, Friday, September 9, 2016, 7:00 p.m. to 9:00 p.m. Patricia Donahue was present. Ms. Donahue when asked by Commissioner Krieger stated that Steve Clement would be guest artist. The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve the license to dispense wines for Patricia Donahue.

The Commission did not review the applications from Steve Syverson, President, Arts League of Lowell, Inc., at 307 Market Street, for the following receptions due to his absence:

Artists reception - Letters, Numbers & Symbols, Saturday, September 10, 2016, 4:00 p.m. to 6:00 p.m.

Artists reception - City on the River, Saturday, September 17, 2016, 4:00 p.m. to 6:00 p.m.

Artists reception - Exposed 2016, Saturday, October 15, 2016, 4:00 p.m. to 6:00 p.m.

Artists reception - Small Winter Wonders, Saturday, December 3, 2016, 6:00 p.m. to 8:00 p.m.

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

Patricia Donahue, Gallery Z, 167 Market St.

Brunch with Steve Clement, Sunday, September 18, 2016, 1:00 p.m. to 3:00 p.m.;

Music with Steve Clement, Friday, September 23, 2016, 7:30 p.m. to 9:30 p.m.;

Music with "Wootan Firebox," Saturday, September 24, 2016, 7:30 p.m. to 9:30 p.m.

Patricia Donahue was present.

Tabatha Garnett, Catering Manager, Aramark, at the Allen House Gallery, 2 Solomont Way, English Department Welcome Back, Wednesday, September 7, 2016, 2:00 p.m. to 7:00 p.m.

Tabatha Garnett, Catering Manager, Aramark, at the Allen House Gallery, 2 Solomont Way, Chancellor's Music Series, Friday, September 23, 2016, 5:30 p.m. to 8:30 p.m.

Tabatha Garnett was present.

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, voted to approve licenses for malt beverages and wines only, or either one for Patricia Donahue and Tabatha Garnett of Aramark.

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

Michael Glickman of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, September 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, October 1, 2 - 2016 [20 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission; Michael Glickman was present.

Michael Glickman of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, October 12, 13, 14, 15, 16, 19, 20, 21, 22, 23 - 2016 [10 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission;

Peter Crewe of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, October 26, 27, 28, 29, 30, November 2, 3, 4, 5, 6 - 2016 [10 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission; Peter Crewe was present.

Peter Crewe of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, November 30, December 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24 - 2016 [19 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission;

Edgar Cyrus of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, January 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29 - 2017 [20 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission; Edgar Cyrus was present.

Edgar Cyrus of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, February 15, 16, 17, 18, 19, 22, 23, 24, 25, 26 - 2017 [10 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission;

John Dyson of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, March 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 - 2017 [10 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission;

John Dyson of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, March 22, 23, 24, 25, 26, 29, 30, 31, April 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16 - 2017 [20 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission; John Dyson was present.

Elizabeth Kegley of the Merrimack Repertory Theatre, at Nancy L. Donahue Theatre Liberty Hall, 50 East Merrimack St., Theatrical Performances by the Merrimack Repertory Theatre, April 26, 27, 28, 29, 30, May 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21 - 2017 [20 dates], concession sales/service for one (1) hour prior to performance, and fifteen (15) minutes intermission. Elizabeth Kegley was present.

Commissioner Krieger asked Deputy Supt. Webb if there were any problems; Deputy Webb stated no problem. Commissioner Howe spoke favorably for the schedule of plays. The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve licenses for Michael Glickman, Peter Crewe, Edgar Cyrus, John Dyson, and Elizabeth Kegley of the Merrimack Repertory Theatre for the dates of scheduled performances, one hour prior to each performance and at the fifteen minutes intermission.

The Commission reviewed the applications for special one-day licenses to sell/dispense malt beverages & wines only, or either one by Allison Turcotte. Allison Turcotte was present.

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, The Flea III (a market), Saturday, September 3, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th floor, That Hole Thing (a record show), Saturday, September 17, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, Oddity & Curiosity Marketplace, Saturday, October 1, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th floor, Lux/Planet Radio Performance, Friday, October 14, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th floor, Root Note Studio performance (and special Oktoberfest Farm Market), Sunday, October 16, 2016, 11:00 a.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, Monster Madness marketplace, Saturday, October 29, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, Hibernate Marketplace, Saturday, November 5, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th floor, Plaid Friday, Saturday, November 25, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th floor, Small Business Saturday, Saturday, November 26, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, Totally Bazaar IV, Saturday, December 3, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, The Otherwhere Holiday Affair, Saturday, December 10, 2016, 12:00 p.m. to 1:00 a.m.;

Allison Turcotte, Mill No. 5, 250 Jackson St., 4th and 5th floors, It's a Wonderful Weekend, Saturday, December 17, 2016, 12:00 p.m. to 1:00 a.m.

Commissioner Donahue questioned Ms. Turcotte about the 5th floor; Ms. Turcotte stated that the 5th floor has been under renovation and will open for Saturday's market. Commissioner McCarthy questioned what is there to do; Ms. Turcotte stated visitors will be able to "sip and shop" at the market.

The Commission, on the motion by Commissioner Howe, second by Commissioner McCarthy, voted to approve licenses for Allison Turcotte at Mill No. 5, 250 Jackson St., 4th and 5th floors, for the following dates: September 3, 17, October 1, 14, 16, 29, November 5, 25, 26, December 3, 10, and 17, 2016.

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

Renay M. Wolterding, d/b/a Mill City BBQ & Brew, sound system for music by DJ lu-minati, Grand opening event for Mill City BBQ & Brew Outdoor BBQ and Music, Friday, September 2, 2016, 8:00 p.m. to 12:00 a.m., 1018 Gorham Street, outdoor area, east side, 50 ft. by 45 ft., and deck 26 ft. by 8 ft.

Nicholas Petrakos, Blue Shamrock, Inc., 105 Market Street, sound system for live music, d. j., and radio, Friday, September 30 to Monday, October 31, 2016, Sunday to Wednesday - 10 a.m. to 10 p.m.; Thursday to Saturday - 10 a.m. to 12 a.m., 10:00 p.m., October 31, 2016, at the sidewalk seating area, Market Street and Palmer St.

Bianca R. Mauro, sound system for race announcer, and rock/blues trio band (guitars & drums), Lowell Kinetic Sculpture Race, Saturday, September 24, 2016, 10:00 a.m. to 5:00 p.m., on Market Street @ the intersection of Palmer St.

Bianca R. Mauro, sound system for race announcer, and iPod music, Lowell Kinetic Sculpture Race, Saturday, September 24, 2016, 10:00 a.m. to 2:00 p.m., at the Tsongas Center parking lot B.

Bianca Mauro appeared before the Commission, explaining what the Lowell Kinetic Sculpture Race is; that it has become a national event, but will be a first time occurrence in Lowell. The sound system will entail one amplified speaker at Market and Palmer Streets, and at lot B of the Tsongas Center. Nick Petrakos appeared before the Commission, explaining that his request is to continue the outdoor amplification permit from September 30th to October 31st. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve the amplification permits for Bianca R. Mauro for the event venues of the Lowell Kinetic Sculpture Race, and Nick Petrakos for Blue Shamrock, Inc., 105 Market St.

Executive Secretary stated that Max Goransson had sent an email on August 30th to write he is not pursuing the Lowell market, and is not planning to attend tonight's meeting. The Commission took no action on the application by Downeast Cider House LLC, Max Goransson, Manager of Record, a Farmer Winery for License to sell at a Farmer's Market, for Farmer's Market at Mill No. 5, 250 Jackson Street, 4th floor, Sundays from August 18 to December 25, 2016, 11:00 a.m. to 3:00 p.m.

Executive Secretary reported that the following public hearing has been rescheduled to September 15, 2016:

Application by Mariachi Foods Inc., d/b/a El Potro Mexican Grill, Joseph M. Carreiro, Jr., Director, Manager, all alcoholic beverages restaurant licensee at 124 Merrimack Street, for new officer/director, transfer of stock. The Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted to ratify the publication of the legal notice on Friday, September 2, 2016, Lowell Sun newspaper, and to schedule the public hearing for Thursday, September 15, 2016 at 6:30 p.m., City Council Chamber.

The Commission ratified the re-scheduling of public hearings regarding allegations of misconduct for September 15, 2016 at 6:30 p.m., City Council Chamber; notices of the date and time have been given to the respective licensees:

Allegation of misconduct as charged by William M. Taylor, Superintendent of Police, against LCRC, Inc., d/b/a Dudley's, Matthew J. Murphy, Interim Manager, all alcoholic beverages restaurant licensee at 19 Merrimack St., as set out in Superintendent Taylor's communication dated August 2, 2016.

Allegation of misconduct as charged by William M. Taylor, Superintendent of Police, against Mill City Ballroom, Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St., as set out in Superintendent Taylor's communication dated August 9, 2016.

Allegation of misconduct as charged by William M. Taylor, Superintendent of Police, against Mill City Ballroom, Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St., as set out in Superintendent Taylor's communication dated August 10, 2016.

Allegation of misconduct as charged by William M. Taylor, Superintendent of Police, against Mill City Ballroom, Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St., as set out in Superintendent Taylor's communication dated August 11, 2016.

Allegation of misconduct as charged by William M. Taylor, Superintendent of Police, against Mill City Ballroom, Inc., d/b/a Mill City Ballroom, Joel Asadoorian, Manager, all alcoholic beverages restaurant licensee at 74 Merrimack St., as set out in Superintendent Taylor's communication dated August 12, 2016.

The Commission reviewed the application by New Excel Package Store, Inc., Himansu Patel, President, for the transfer of the all alcoholic beverages package store license from Excel Package Store, Inc., John N. Tavoularis, President, for premises at 611-613 Merrimack St., one unnumbered door; first floor-one room, two rooms for storage, approximately 2,367 sq. ft.; cellar for storage. The Commission ratified the publication of the legal notice

on Friday, September 2, 2016, Lowell Sun newspaper, and to schedule the public hearing on Thursday, September 15, 2016 at 6:30 p.m., City Council Chamber.

Renay Wolterding appeared before the Commission; she explained that she is having a one-time outdoor event, a grand opening, on September 2, 2016 at her restaurant Mill City BBQ & Brew, 1018 Gorham Street. The amplification would be for a speaker from her computer to outdoor restaurant seating area. Commissioner Krieger noted that the outdoor area is adjacent to railroad tracks. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, approved the amplification permit for Renay M. Wolterding, d/b/a Mill City BBQ & Brew, September 2, 2016, 8:00 p.m. to 12:00 midnight.

The Executive Secretary addressed the absence of Steve Syverson, President, Arts League of Lowell, Inc. from the meeting. After some discussion, the Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve the special license to dispense wines only for Steve Syverson for the Artists reception - Letters, Numbers & Symbols, Saturday, September 10, 2016, 4:00 p.m. to 6:00 p.m.

On a motion by Commissioner McCarthy, second by Commissioner Howe, the Commission voted to adjourn the meeting at 7:00 p.m.

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