



This meeting was held in City Council Chambers, second floor, City Hall, 375 Merrimack St. on Thursday, April 14, 2022, at 6:00 PM and remotely by Zoom
Meeting ID: _837 5167 9641 Passcode: _420026.

Video of this meeting is available: https://youtu.be/U_pik77Wnic

ROLL CALL:

On a roll call at 18:02, members present were, namely: Chairman Descoteaux, Commissioner Howe, Commissioner Donahue, Commissioner Krieger, and Commissioner Chhan.

MINUTES:

0. Acceptance of meeting minutes for March 24, 2022.

Commissioner Krieger made a motion to place minutes on file from the Lowell License Commission Meeting of Thursday, March 24, 2022; seconded by Commissioner Donahue. 5 years, APPROVED.

1. Ratification of the application by Carmen Acabbo, for a "Special One Day License to sell/dispense Wines only," for the 50 Legs in 50 Days "Big Event" fundraiser, held on Saturday April 9th, 2022 at UTEC, 35 Warren Street.

Agenda item 1 & 2 were presented together for ratification.

2. Ratification of the application by Ashley Roper, for a "Special One Day License to sell/dispense Wines only," for a Field Hockey reception, held on Saturday April 9th, 2022 at Costello Athletic Center, 175 Riverside Street:

Move approval of both agenda item 1 and 2, by Commissioner Howe; seconded by Commissioner Chhan. 5 years, APPROVED.

3. Request for hearing regarding the application by Hot Pot District LLC [d/b/a] Hot Pot, Vicki Nguyen, proposed License Manager, for a new "All Alcoholic Beverages restaurant" license, and new "Common Victualler" & "Entertainment" licenses for premises at 135 Middlesex Street, Unit 5. It is requested that legal notice be published in the local newspaper, and that a public hearing be held on April 27, 2022 at 6:00 PM.

Move approval by Commissioner Donahue; seconded by Commissioner Chhan. 5 years, APPROVED.

4. Application by Ashleigh Mutty, manager of Free Spirits Events Company, for a "Special One Day License to sell/dispense Wines and Malt Beverages only," for an 'Lowell Community Charter School fundraiser.' Event to be held on Thursday May 5th, 2022 from 6:30 to 8:30 PM at Mill No. 5, 250 Jackson Street.

Mr. & Mrs. Mutter were present. Mrs. Mutty explained that they were the two bartenders for the event and that they're both TIPs Certified. She further described the event and said that they anticipate approximately 125 participants. At Commissioner Donahue's request, they described their company, which is fully licensed in New Hampshire, but often does private events in the surrounding states.

Move approval by Commissioner Krieger; seconded by Commissioner Howe. 5 years, APPROVED.

5. Applications by Steve Syverson, for three "Special One Day License to sell/dispense Wines only." The first is for the 'Moments & Meditations' artist reception, to be held on Saturday April 30th, 2022. The second is for the 'Inappropriate: Banned, Vetoed, Cancelled' artist reception, to be held on Saturday June 4th, 2022. The third is for the '3D: Considering the 3rd Dimension' artist reception, to be held on Saturday July 9th, 2022. All events are from 3 to 5 PM at the ALL Arts Gallery, 307 Market Street.

At Commissioner Descoteaux's request, Mr. Syverson walked the Commissioners through his three events.

Move approval by Commissioner Donahue; seconded by Commissioner Chhan. 5 years, APPROVED.

6. Applications by Vinny Bounnasy for two "Special One Day Permits for Non-Profits to sell/dispense All Alcoholic Beverages" and for two "Amplified Outdoor Public Entertainment" permits, for the Wat Lao Mixayaram Annual Fundraising Event on July 2 & 3, 2022 from 12 to 8 PM at Wat Lao Temple Grounds, 45 Bernier Street.

Commissioner Descoteaux noted Mr. Bounnasy and Wat Lao's excellent history of managing the annual fundraiser, and the other commissioners agreed.

Move approval by Commissioner Howe; seconded by Commissioner Krieger. 5 years, APPROVED.

7. Applications by Constantine Tsioulis for three "Special One Day Licenses to sell/dispense Malt Beverages & Wines" and for three "Amplified Outdoor Public Entertainment" permits for the Grecian Festival. Event to be held June 2, 3, 4, 2022 from 12 to 9 PM at the Transfiguration Greek Orthodox Church, 25 Fr. Sarantos Way.

Constantine Tsioulis was present and explained that the event was back for its 12th or 13th time.

Move approval by Commissioner Howe; seconded by Commissioner Krieger. 5 years, APPROVED.

8. Applications by Sarah Atherton for a "Special One Day License to sell/dispense Malt Beverages & Wines" and for an "Amplified Outdoor Public Entertainment" permit, for the 2022 Points of Light Lantern Celebration on Saturday April 30, 2022 from 6 to 10 PM at Ecumenical Plaza and Jefferson

Street.

Commissioner Descoteaux asked Ms. Atherton to describe her events, which she did. She noted that Points of Light 2022 would attract a crowd of about 1500, and will have LFD on hand as well as 3 police detail.

Agenda Item 8 was presented together with Agenda Item 9 and Agenda Item 10.

9. Applications by Sarah Atherton for a ~~"Special One Day License to sell/dispense Malt Beverages & Wines"~~ and for an "Amplified Outdoor Public Entertainment" permit, for the Project LEARN Fundraiser on Wednesday May 11, 2022 from 5:30 to 7:30 PM at Middlesex Community College Courtyard behind building at 33 Kearney Square.

Ms. Atherton continued to describe the Project LEARN event, for which they changed their mind and no longer need the alcohol permit – but still needed an amplification permit. The event is a small, closed and ticketed reception. She stated Fuse Bistro will be separately seeking the “one-day license” for beer and wine service at this event.

Agenda Item 9 was presented together with Agenda Item 8 and Agenda Item 10.

10. Applications by Sarah Atherton for three "Amplified Outdoor Public Entertainment" permits, for the 2022 Lowell Kinetic Sculpture Race on Saturday September 17, 2022 at Sampas Pavilion, Lot A off Hall Street, and Market Street at Palmer Street.

Ms. Atherton stated that the LKSR was back for its fifth year and Bianco Mauro, owner of BRM, described the route for the race and the three “areas.” The Commissioners each commented on the events and the great job BRM does with managing the events.

Move approval by Commissioner Chhan; seconded by Commissioner Donahue. 5 years, APPROVED.

11. Applications for public amusement licenses for carnival by Fiesta Shows, John Flynn, representative, at Regatta Field, 381-501 Pawtucket Blvd., Thursday, May 26th through Monday, May 30th and Thursday June 2nd through Sunday June 5th, 2022. Hours for all dates are 1 PM to 11 PM.

John Flynn was present. Mr. Flynn noted that 2022 is the thirty-sixth annual carnival he’s brought to Lowell. Commissioner Donahue asked if Mr. Flynn would be providing the updated annual state inspection before the carnival – to which Mr. Flynn agreed he would. Mr. Flynn also acknowledged that once he had the License Commission’s approval and the public amusement license for the carnival, he would complete the rest of his state & local permitting for the event.

Move approval by Commissioner Krieger; seconded by Commissioner Donahue. 5 years, APPROVED.

12. Discussion regarding Alcoholic Beverage Licensing for Temporary Outdoor Seating for all or part of 2022, in the event that Temporary Outdoor Seating is approved at the City Council hearing on April 26, 2022.

Chairperson Descoteaux recognized Secretary Pyers, who presented a summary of the question at hand and the ABCC position on the matter: "As you know, the city council is supposed to have a hearing on 4/26 about this seating, and it's expected that they'll approve it to go from May 1 through November. According to the ABCC, it's up to the license commission to decide how alcohol for this space will be handled, you have the option to continue the program that was used last year for temporary outdoor seating this year, simply by making a motion and voting to continue the program on prior terms."

Last year, there were no additional fees, there were no additional "formal" application forms. Current On-Premises licensees applied to the City to use City property as temporary outdoor seating; then those licensees were required to provide additional information to the License Commission: Namely, anytime that someone does wish to serve alcohol in an additional space (outside their legal premises), they must adjust their insurance to specifically include that space and must show proof to the License Commission. They also must create a description of the space and draw a scale diagram of the space. All of this is kept on file, the liquor licenses are updated to reflect the temporary outdoor seating and terms, and the ABCC is provided with all details.

Commissioner Krieger asked if "takeout/delivery alcoholic beverages" were also a part of this package, and Secretary Pyers replied that it was last year and is available to continue this year as well: On-premises licensees are allowed to serve mixed drinks to go and for delivery.

Motion to continue to allow alcohol service by on-premises licensees in temporary outdoor seating, and for delivery/takeaway on prior terms by Commissioner Descoteaux; seconded by Commissioner Krieger. 5 years, APPROVED.

ADJOURNMENT:

Commissioner Chhan made a motion to adjourn at 18:20; seconded by Commissioner Donahue. 5 years, APPROVED.

*Submitted by: John Pyers
Executive Secretary*

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