

Minutes for the Lowell License Commission meeting for Thursday, July 11, 2019 at 6:00 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: Commissioners Clifford Krieger, presiding, Terry McCarthy, Martha Howe, and Joseph Donahue; Captain James Hodgdon of the Lowell Police Department.

Absent: John Descoteaux, Commissioner

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve meeting minutes for June 20, 2019.

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

Ashley Roper appeared before the Commission. On the motion by Commissioner Donahue, second by Commissioner Howe, the Commission ratified the issuance of license on July 8, 2019 to Ashley Roper, Catering Manager of Aramark, for the Ed. D Summer Residency Welcome, held Tuesday, July 9, 2019, 2:30 p.m. to 8:30 p.m. at the Allen House, 2 Solomont Way;

Stephen Sartori of Greater Lowell Road Runners appeared before the Commission for the Greater Lowell Road Runners Annual Family Picnic, Sunday, July 21, 2019, 11:00 a.m. to 4:00 p.m., at the Shedd Park Pavilion; the Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve a license for Stephen Sartori of Greater Lowell Road Runners for July 21, 2019;

Heather Austin of Coco Luna LLC appeared before the Commission for the event at Mill No. 5, 250 Jackson St., 4th floor hallway/Hi hat stage area, the promotion "Hotter Than July," Saturday, July 20, 2019, 12:00 p.m. to 5:00 p.m.; the Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve license for Heather Austin of Coco Luna LLC for July 20, 2019.

Edgar Cyrus of Merrimack Repertory Theatre appeared before the Commission for applications of special one-day licenses for theatrical performances to be held at Liberty Hall, 50 East Merrimack St., "First Night" performance, Friday, July 19, 2019, 7:15 p.m. to 8:00 p.m., and 15 minutes intermission; Saturday, July 20, 2019, 7:15 p.m. to 8:00 p.m., and 15 minutes intermission, and; Sunday, July 21, 2019, 2:15 p.m. to 3:00 p.m., and 15 minutes intermission. The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve licenses for Edgar Cyrus of the Merrimack Repertory Theatre.

Gardy Desrouleaux of Craft Food Hall Project appeared before the Commission for Lawn Games & Laughs Tenant Event and Comedy Show, Friday, July 26, 2019, 4:00 p.m. to 10:00 p.m. at 900 Chelmsford St., Craft Food Hall Project, Tower 3, floor 1 (ground). The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve the license for Gardy Desrouleaux of Craft Food Hall Project for the event of July 26, 2019.

Penny K. Hamourgas of Worthen Café appeared before the Commission for her application for the enclosed parking lot at 152 Worthen Street, Lowell Folk Festival 2019, Friday, July 26, 2019, 6:00 p.m. to 1:00 a.m.; and for Saturday, July 27, 2019, 3:00 p.m. to 1:00 a.m. The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve licenses for Penny K. Hamourgas of Worthen Café.

Scott Pelletier of G & AA, LLC, d/b/a Fuse Bistro appeared before the Commission for extension of patio for beverage service at Palmer St. @ corner of Middle St., Lowell Folk Festival 2019, Friday, July 26, 2019, 5:00 p.m. to 12:00 a.m.; for Saturday, July 27, 2019, 12:00 noon to 12:00 a.m.; and for Sunday, July 28, 2019, 12:00 noon to 5:00 p.m. The Commission, on

the motion by Commissioner Howe, second by Commissioner McCarthy, voted to approve licenses for Scott Pelletier.

Reed Enos appeared before the Commission on behalf of Anthony Contarino of TreMonte Restaurant Group, LLC, for the enclosed outdoor area @ 44 Palmer Street, Lowell Folk Festival 2019, Friday, July 26, 2019, 6:00 p.m. to 11:00 p.m.; Saturday, July 27, 2019, 12:00 noon to 11:00 p.m.; Sunday, July 28, 2019, 12:00 noon to 6:00 p.m. Commissioner McCarthy made the motion to approve licenses for Anthony Contarino of Tremonte Restaurant for July 26, 27, 28, 2019, second by Commissioner Donahue, so voted.

Craig Faulkner of Warp & Weft appeared before the Commission for the enclosed outdoor area at 197 Market Street, Lowell Folk Festival 2019, Friday, July 26, 2019, 5:00 p.m. to 12:30 a.m.; Saturday, July 27, 2019, 11:00 a.m. to 12:30 a.m.; and Sunday, July 28, 2019, 11:00 a.m. to 6:00 p.m. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve licenses for Craig Faulkner.

Corey Belanger appeared before the Commission on behalf of Lowell Festival Foundation, for Lowell Folk Festival 2019, for the following venues: foot of John Street adjacent to Boarding House Park, 40 French St., Friday, July 26, 2019, 6:00 p.m. to 10:00 p.m., Saturday, July 27, 2019, 12:00 noon to 10:30 p.m., Sunday, July 28, 2019, 12:00 noon to 6:00 p.m.;

Dutton St. Dance Pavilion, Friday, July 26, 2019, 6:00 p.m. to 10:00 p.m., Saturday, July 27, 2019, 12:00 noon to 10:30 p.m., Sunday, July 28, 2019, 12:00 noon to 6:00 p.m.;

JFK Civic Plaza, Arcand Drive, Saturday, July 27, 2019, 12:00 noon to 6:00 p.m., Sunday, July 28, 2019, 12:00 noon to 7:00 p.m. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve licenses for Corey Belanger of the Lowell

Folk Festival for the venues at Boarding House Park, Dutton Street Dance Pavilion, and JFK Civic Plaza.

The Commission reviewed applications for special events permit for the amplification of sound from the following individuals:

Raymond Kelly Richardson, Lowell Police Department, Movie Screening, Lowell Police Department's Safe Summer Movie Night, Captain James Hodgdon, representative.

Tuesday, July 16, 2019 [rain date July 18, 2019], 7:00 p.m. to 10:00 p.m., Rogers STEM Academy, 43 Highland St.; Tuesday, July 23, 2019 [rain date July 25, 2019], 7:00 p.m. to 10:00 p.m., Eagle Park, 66 Jewett St.; Wednesday, July 31, 2019 [rain date August 1, 2019], 7:00 p.m. to 10:00 p.m., Stoklosa School, 560 Broadway; and Wednesday, August 14, 2019, 7:00 p.m. to 10:00 p.m., Boys and Girls Club, 657 Middlesex St. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, voted to approve amplification of sound permits for Lowell Police Department's Safe Summer Movie Night.

Penny K. Hamourgas present, the Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve amplification for sound permits for the Worthen House Café, Inc., 141 Worthen St., sound system, for the Lowell Folk Festival, enclosed parking area at 152 Worthen St.; and Penny K. Hamourgas, Worthen House Café, Inc., sound system, for July, August, September, October - 2019, Sunday to Wednesday - 10 a.m. to 10 p.m.; Thursday to Saturday - 10 a.m. to 12 a.m., on the alley patio at 141 Worthen St.

Bianca Mauro was present for the 2019 Lowell Kinetic Sculpture Race, for Saturday, September 21, 2019, at three (3) venues:

Lot A off Hall Street with iPod-speakers on sticks, announcers; Market St. @ Palmer with iPod playlist, announcer-speakers on sticks; and, Sampas Pavillion with local band, announcers, DJ. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve the amplification permits for the 2019 Lowell Kinetic Sculpture Race.

Carolyn Delehanty appeared before the Commission for Movie in the Park, Wednesday, August 21, 2019, 5:30 p.m. to 9:30 p.m., Movie Screening at the John Delehanty Skate Park, 1650 Middlesex St. The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve the amplification for sound permit for Carolyn Delehanty for the event on August 21, 2019.

Kevin Duggan appeared before the Commission for the Art Show, Saturday, July 27, 2019, 2:00 p.m. to 6:00 p.m., acoustic music at Appleton Mills, 219 Jackson St. The Commission approved the special events permit for amplification for Kevin Duggan on July 27, 2019.

Robin E. Dupell of ATP Restaurant Inc., d/b/a Cobblestones, appeared before the Commission for the sound system, for the Lowell Folk Festival, July 26, 27, 28, 2019 for outdoor area at 91 Dutton St. Commissioner Howe made the motion to approve the special events permit for amplification for Robin E. Dupell of Cobblestones for Folk Festival July 26, 27, 28, 2019.

Jerry Murphy of Kandon, Inc., d/b/a Old Court, 29-31 Central Street, appeared before the Commission for the applications for special one-day licenses to sell/dispense malt beverages and wines only, or either one, and for the special events permit for amplification of sound for the enclosed outdoor area Middle St. @ corner of Central St., Lowell Folk Festival 2019, Friday, July 26, 2019, 6:00 p.m. to 12:00 a.m.; and for Saturday, July 27, 2019, 12:00 noon to 12:00 a.m.

The Commission, on the motion by Commissioner Donahue, second by Commissioner McCarthy, voted to approve licenses for special one-day licenses for malt beverages and wines only, or either one, and for special events permit for amplification of sound for Jerry Murphy for the enclosed outdoor area at the corner of 29-31 Central St., and Middle St. on Friday, July 26, and Saturday, July 27, 2019.

The Commission reviewed Sidewalk Stand applications from the following individuals:

Mark Coddair [present], d/b/a Marx Running, 118 Merrimack Street, Seasonal April to October 2019;

Eleanor Toscano [present], MetroPCS, 117 Merrimack Street, Lowell Folk Festival July 26, 27, 28, 2019;

Tigran Avetisyan [present], United Dental, Avetisyan DMD PC, 131 Merrimack Street, Lowell Folk Festival July 26, 27, 28, 2019.

The Commission voted to approve the Sidewalk Stand licenses for Mark Coddair, Eleanor Toscano of Metro PCS, and Tigran Avetisyan of United Dental on the motion by Commissioner McCarthy, second by Commissioner Howe.

The Commission reviewed the application by MAG Retail Holdings – FRD, LLC, d/b/a McGovern Ford, Matt McGovern, LLC Manager, for a Second Hand Motor Vehicles license, Class I, used car Agent, for premises at 1212 Westford St., five (5) acres of land with building approx. 30,000 sq. ft. for office, showroom, and service area. Presently, the licensee is Drum Hill Ford, Inc., Bernard J. Ristuccia, Jr., Treasurer, is the Class I licensee of record, # 192-A. Ford Motor Company is the motor vehicle manufacturer. Matt McGovern of McGovern Ford was present. Mr. McGovern stated that he is in the process of acquiring the Ford dealership at 1212

Westford Street. Commissioner Howe asked Mr. McGovern about his experience in the retail business of motor vehicles. Mr. McGovern stated it will be his tenth (10th) motor vehicle dealership. Commissioner Krieger asked if he had an environmental study of the site. Mr. McGovern stated he had, and stated that the results do not indicate contamination of soil or ground water. At the conclusion of questions for Mr. McGovern, the Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to grant a Second Hand Motor Vehicles: Used Car Agent, Class I, license [# 209-A] to MAG Retail Holdings – FRD, LLC, d/b/a McGovern Ford, Matt McGovern, LLC Manager, for premises at 1212 Westford Street. Drum Hill Ford, Inc., Class I Agent, license # 192-A, for license year to expire January 1, 2020 shall be cancelled effective upon issuance of the license for MAG Retail Holdings – FRD, LLC per order of the License Commission.

The Commission opened the public hearing on the application by Renay M. Wolterding, d/b/a Mill City BBQ & Brew, an all alcoholic beverages restaurant licensee at 1018 Gorham Street, for change of location to 11 Kearney Square, 3,750 square feet, 2 entrances, 2 exits, first floor dining and kitchen, basement storage only. Renal Wolterding was present .Ms. Wolterding confirmed for the Commission that she had sent legal notice to the abutters of premises at 11 Kearney Square by first class postage via United States Postal Service. After a discussion, the Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to continue the public hearing to the next scheduled meeting to be held on July 25, 2019 at 6:00 p.m. in the City Council Chamber; that Ms. Wolterding is to send the published legal notice in the lowell *Sun* newspaper on June 28, 2019 with a cover letter to each abutter, which is to

read, in part, that the public hearing is continued to said date. Abutters are to be sent notice in accordance with section 15A of Chapter 138, M.G.L.

The Commission reviewed the communication from Raymond Kelly Richardson, Superintendent of Police, dated July 9, 2019, re: allegations of misconduct charged against the licensee LD Holdings, LLC, d/b/a Bar 74 Lounge & Grill, Abigail Murphy, Manager, all alcoholic beverages restaurant at 76-78 Merrimack St. Abigail Murphy was present. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to schedule a hearing on the allegations of misconduct against LD Holdings, LLC, d/b/a Bar 74 Lounge & Grill, for Thursday, July 25, 2019 at 6:00 p.m. to be held in the City Council Chamber.

The Commission, on the motion by Commissioner Howe, second by Commissioner McCarthy, voted to adjourn the meeting at 6:30 p.m.

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