

MINUTES OF THE PROCEEDINGS OF THE  
LICENSE COMMISSION OF THE CITY OF WORCESTER

May 13, 2021

**Commission Members Participating:** Walter Shea, Chairman  
Barbara Haller, Commissioner

**Commission Members Absent:** Anthony Vigliotti, Commissioner

**Staff Participating:** Stephen Rolle, Planning & Regulatory Services  
Lt. James Johnson, Worcester Police Department  
Jim Racicot, Inspectional Services  
Alexandra Kalkounis, Law Department  
Deborah Steele, Planning & Regulatory Services

\*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting of the Worcester License Commission will be conducted via **remote participation**.

The meeting will be livestreamed from the City Website at [www.worcesterma.gov/video-on-demand](http://www.worcesterma.gov/video-on-demand) and may be broadcast on the local government cable channel (Spectrum Channel 192). While no in-person attendance will be permitted, every effort will be made to ensure that the public can adequately access the proceedings. In addition, a video recording and meeting minutes will be posted at [www.worcesterma.gov](http://www.worcesterma.gov) after the meeting.

**To participate during the public comment portion of the meeting, you may:**

- Use the following link to join the meeting via computer <https://cow.webex.com/meet/licensecommissionwebex> or
- Call **415-655-0001 (Access Code: 160 660 9360)** for the License Commission.

If you have difficulty accessing the call, please e-mail [planning@worcesterma.gov](mailto:planning@worcesterma.gov).

Application materials may be viewed on the City Website at <http://www.worcesterma.gov/planning-regulatory/boards/license-commission>. For more information concerning this meeting, to request a reasonable accommodation or interpretation, or to **submit written comments** in advance of the meeting, please contact the Planning Division by email (preferred) at [planning@worcesterma.gov](mailto:planning@worcesterma.gov) or phone at (508) 799-1400 x 31440. Submission of comments in advance of the hearing is strongly encouraged. Note: interpretation requests must be received no later than 48 hours in advance of the meeting.

**Call to Order** – 10:06 a.m.

**Minutes** – May 6, 2021

Upon a roll call the Commission voted 3-0 to approve the minutes of May 6, 2021.

**Common Victualer Requests**

## **1. Glazy Susan, 50 Foster**

- Hours: Thursday-Sunday – 9:00 a.m. – 3:00 p.m.

Susan Scyrczk called in for the item. She stated that they are just looking to change over one of the owner's on the common victualer license.

Upon a roll call the Commission voted 3-0 to approve the common victualer license.

*List of Exhibits: Application for common victualer license received and dated May 5, 2021.*

### **Liquor Application Requests**

## **2. Scott Bauman, Worcester Common**

- Request for one day liquor license – outside  
August 3–6, 10–13, 17–19, 22, 24–27, 2021: 5:30 p.m.–8:30 p.m.
- Request for one day entertainment license for amplification system, play, theatrical exhibition

August 3–6, 10–13, 17–19, 22, 24–27, 2021: 5:30 p.m.–8:30 p.m.

Scott Bauman called in for the applications. He stated that they are looking to do a performance of Julius Caesar on the Common.

The Commission and the applicant reviewed the set up for the meeting and security planned.

Upon a roll call the Commission voted 3-0 to approve the one day liquor and entertainment licenses.

*List of Exhibits: Application for one day liquor and entertainment license received and dated March 24, 2021.*

## **3. Sampson Tona, dba Ash Liquors, 1067 Main Street**

- Request for package store malt & wine license

Attorney David Officer and Sampson Tona called in for the application.

Mr. Officer stated that Mr. Tona would like to open a small store that sells various sundries as well as offering African beers and location would also have a small pharmacy.

Mr. Officer stated that there is a large African community in this neighborhood and he would like to be able to offer the African beer and wines in the store but beer and wine would not be the main focus of the store.

### **Public comment**

No public comment.

Chairman Shea stated that he would be in favor of this petition as there looks like there is a need for this in this particular community.

The Commission and the applicant's attorney discussed what the restrictions would be if the applicant has a pharmacy also in the store.

Mr. Tona stated that all the Price Choppers in Worcester have pharmacies so this is not something new.

Commissioner Haller stated that she is not in favor of issuing a license at this location as feels area is well served.

The Commission stated that they would like more clarification on the pharmacy portion.

Commissioner Haller asked if Commission issued license could they restrict the store to just selling African alcohol products.

Chair Shea asked if Lt. Johnson would visit other package stores and see if they have products that Mr. Tona plans to sell and asked if law department would look into pharmacy question that had arisen during the meeting.

Upon a roll call the Commission voted 3-0 to continue the application to the May 27, 2021 License Commission meeting.

*List of Exhibits: Application for package store malt & wine license received and dated March 15, 2021.*

#### **4. Stillman Quality Meats, LLC, 157 Harding Street**

- Request for package store malt & wine license

Kate Stillman called in for the application.

Ms. Stillman stated that she has small butcher shop and they are looking to add a small section of beer and wine to the store.

#### Public Comment

No Public comment

Chair Shea asked Ms. Stillman to describe the store. Ms. Stillman stated the beer and wine section would be 10x20 foot section and there would be one refrigerator glass case and they would be selling craft beer and some specialty bottles of wine and this is just for people who want to buy something to go along with products they sell.

Commissioner Haller stated that she feels that the area is already adequately served.

Commissioner Vigliotti stated that usually he would say the same but this is going to be a limited area and limited amount of product sold so he would not have problem with this application.

Chair Shea stated that looking at area he also feels area is adequately served.

Upon a roll call the Commission voted 2-1 (Commissioner Vigliotti voting in support) to deny the package store malt & wine license.

*List of Exhibits: Application for package store malt & wine license received and dated March 24, 2021.*

#### **5. Mac's Diner, In., 185 Shrewsbury Street**

- Request for restaurant malt & wine license with sidewalk dining –Beer and Wine will be served during lunch and dinner hours Wednesday-Saturday – 11:00 a.m. – 9:00 p.m.

Christopher McMahon called in for the application. Mr. McMahon stated that the business has been in business for over 80 years and would like to add beer and wine to location.

Lt. Johnson stated the police have no issue with the application.

Upon a roll call the Commission voted 3-0 to approve the restaurant malt & wine license.

Upon a roll call the Commission voted 3-0 to continue the outdoor portion of the application to the May 27, 2021 License Commission meeting.

*List of Exhibits: Application for restaurant malt & wine license received and dated April 12, 201.*

#### **6. Dubai Restaurant & Lounge dba Mexi Town Bar & Grill, 27 Pleasant Street**

- Request to transfer restaurant all alcohol license to 105 Water Street

Upon a roll call the Commission voted 3-0 to postpone the application to the May 27, 2021 License Commission meeting.

#### **7. Chashu Ramen & Izakaya, 38 Franklin Street**

- Request for entertainment license for live music  
Hours: Thursday-Saturday – 5:00 p.m. – 1:00 a.m.

Son Vo called in for the application.

The Commission and the applicant discuss the type of entertainment and hours for the location.

Upon a roll call the Commission voted 3-0 to approve the entertainment license for live music as well as addition of DJ.

*List of Exhibits: Application for entertainment license received and dated May 5, 2021.*

**8. Iconlabel, LLC, 91 Stafford Street**

- Request for entertainment license for dancing by patrons, amplification system  
Hours: Tuesday, 10:00 p.m. – 2:00 a.m., Thursday, Friday, Saturday, 8:00 p.m.-2:00 a.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the May 27, 2021 License Commission meeting.

**Retail Marijuana License**

**9. Nature’s Remedy of Massachusetts, Inc., 142 (aka 148) Southbridge Street**

- Request to transfer retail marijuana license to Life Essence, Inc. dba Trulieve

Attorney Joshua Lee Smith and representatives from Life Essence, Inc. dba Trulieve called in for the applicant.

Mr. Smith stated that they are looking to transfer a previously granted license to the new owners Life Essence, Inc. dba Trulieve.

Upon a roll call the Commission voted 3-0 to approve the transfer of the retail marijuana license.

*List of Exhibits: Application for transfer of retail marijuana license received and dated April 22, 2021.*

**Alteration of Premises – Temporary Outdoor Dining (New)**

**10. OD-2021-003 El Basha, Inc., 424 Belmont Street (alcohol & food)**

- Request for outdoor dining permit for 4 tables with 16 seats  
Hours: Monday-Thursday – 4:00 p.m. – 8:00 p.m.  
Friday & Saturday – 4:00 p.m. - 9:00 p.m.

Upon a roll call the Commission voted 3-0 to postpone the application to the May 27, 2021 License Commission meeting.

**11. OD-2021-010 – Golden Pockets Restaurant, 11-17 Kelley Square (alcohol & food)  
SW-2021-003**

- Request for outdoor dining permit for 5 tables with 20 seats

Upon a roll call the Commission voted 3-0 to postpone the application to the May 27, 2021 License Commission meeting

**12. OD-2021-008 – Acacia Grill, 1105 West Boylston Street (food only)**

- Request for outdoor dining permit for 2 tables with 8 seats  
Hours: Monday, Tuesday-Thursday, 11:00 a.m.-8:00 p.m., Friday, Saturday, 11:00 a.m. – 9:00 p.m., Sunday, 11:00 a.m. – 8:00 p.m.

Peter Karanja called in for the application.

Mr. Rolle asked if the tables/chairs could be put on the Kennebec north side of building as it would be safer than putting in front.

Mr. Karanja stated he would agree to that.

Upon a roll the Commission voted 3-0 to approve the temporary outdoor dining permit with change that tables/chairs would be put on the Kennebec north side of building.

*List of Exhibits: Application for alteration of premise received and dated April 6, 2021.*

**Parking Lot Applications**

**13. Fidelity Bank, Worcester Ice Center, 112 Harding Street, Lot A,B,C,**

- Request for Parking lot license for 345 cars

Steve Quist called in for the application. Mr. Quist stated that he is representing Cliff Rucker.

Mr. Quist stated that he has worked with Mr. Rolle on upgrading the lots and added necessary signage.

Mr. Rolle stated that he would like to hold Lot C to the next meeting as applicant needs to get permission from WBDC to use that particular lot.

Upon a roll call the Commission voted 3-0 to approve the parking lots for Lots A and B and postponed Lot C to May 27, 2021.

*List of Exhibits: Application for parking lot license received/dated May 5, 2021.*

#### **14. Canal District Parking, LLC, 9 Langdon Street**

- Request for Parking Lot license for 150 cars

Upon a roll call the Commission voted 3-0 to postpone the application to the May 27, 2021 License Commission meeting.

#### **Violation Hearings**

#### **15. Worcester Randell Package Store, Inc., dba Randell Package Store, 108 Canterbury Street**

- Violations of Rules #6, #21- Sale to minor

Upon a roll call the Commission voted 3-0 to postpone the hearing to the June 10, 2021 License Commission meeting.

Chairman Shea recused himself from Item #16

#### **16. Drew Food Mart, Inc. dba Drew Food Mart, 82 Thomas Street**

- Violations of Rules #6, #21- Sale to minor

Bharatkumar Patel called in for the meeting. Mr. Patel waived his right to counsel.

Lt. Johnson presented the following;

On April 3, 2021, Officers of the Worcester Police Department Alcohol Unit conducted compliance checks at various package stores throughout the city of Worcester. An underage male accompanied the officers and was instructed to enter Drew Food Mart and attempt to purchase alcohol without providing identification.

At around 2:52 p.m. the underage male entered the Drew Food Mart and purchased a six pack of Bud Light cans. The male was able to purchase the alcohol without being asked for identification.

Members of the Alcohol Unit notified the store manager of the violation.

Mr. Patel admitted that the violation had occurred.

Mr. Patel stated that he had a new employee that just started that week and he was busy stocking when she sold to the underage person.

Commissioner Haller stated that there was one previous violation for this establishment.

Upon a roll call the Commission voted 2-0 that the violation did occur.

Upon a roll call the Commission voted 2-0 to issue a one day suspended suspension.

*List of Exhibits: Police report dated April 3, 2021.*

### **Other Business**

#### **17. 4<sup>th</sup> and 1 Club, 7 Muskeego Street**

- Status hearing

Attorney Hector Pinero called in for the item. Mr. Pinero stated that he is working with the license holder and one of the things he would like to do is gather information from the city including police reports and calls regarding the concerns at the establishment.

Mr. Pinero stated that he would like to request to postpone the item so he can review material and also give time for his client to speak with the neighbors to discuss some of the neighborhood concerns.

Upon a roll call the Commission voted 3-0 to continue the item to the May 27, 2021 License Commission meeting.

#### **18. Discussion of Temporary Outdoor Dining Hours**

Mr. Rolle review the temporary dining program and stated that some applicants may come forward asking to extend hours at some point but each application would be taken on a case by case basis.

### **Communications**

ABCC communication – Electric Haze, Inc. dba Electric Haze, 26 Millbury Street-No comment.

ABCC communication – Increased Capacity –No comment.

### **Adjournment**

Upon a roll call the Commission voted 3-0 to adjourn the meeting at 11:49 a.m.