



This meeting was held in City Council Chambers, second floor, City Hall, 375 Merrimack St. on Thursday, March 9, 2023, at 6:00 PM and remotely by Zoom: Meeting ID: 876 2254 5886 Passcode: 452727.

Video of this meeting is available: <https://youtu.be/iZzSa68mYr4>

ROLL CALL:

On a roll call at 18:00, members present were, namely: Acting Commission Chair Howe, Commissioner Krieger, Commissioner Chhan, and Commissioner Donahue. Commissioner Descoteaux was absent.

MINUTES:

- 0 Acceptance of the meeting minutes for February 23, 2023.

Commissioner Donahue made a motion to approve the minutes and place minutes on file for the Lowell License Commission Meeting of Thursday, January 12, 2023; seconded by Commissioner Chhan. 3 yeas, 1 present (C. Krieger), APPROVED.

- 1 Application by Pauline Minch, St. Michael's School, for a "Special One Day License to sell/dispense All Alcoholic Beverages" for a Saint Michael School Auction on Saturday, May 6, 2023 from 5 to 10:30 PM at 12 Sixth Street.

Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 4 yeas, APPROVED.

- 2 Application by Suzanne Frechette, Habitat for Humanity of Greater Lowell, for a "Special One Day License to sell/dispense All Alcoholic Beverages" for the 16th Annual Dream Builders Gala on Thursday, March 23, 2023 from 6 to 9 PM at UTEC, 35 Warren Street.

Ms. Frechette described Habitat for Humanity's annual gala and the venue, noting that they anticipate around 200 attendees and that they have hired a service to provide four TIPs certified bartenders. She noted she has held this license previously.

Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 4 yeas, APPROVED.

- 3 Application by Melissa Caires, for a "Special One Day License to sell/dispense Wines and Malt Beverages only," for a Sweet 15 Party to be held on Saturday, March 11th, 2023 from 6 to 11PM at UTEC, 35 Warren Street.

Ms. Caires spoke about her Quinceanera event, stating that she would have about 130 guests, mostly minors, with separate areas for the kids and alcohol service, which is provided by two TIPs certified bartenders being provided by the venue, UTEC.

Move approval by Commissioner Chhan; seconded by Commissioner Donahue. 4 yeas, APPROVED.

- 4 Applications by Joel Mongeon for three "Special One Day License to sell/dispense Malt Beverages & Wines" for concerts that will be held from 6 to 11 PM at Mill No. 5, 250 Jackson Street, on Saturday, March 18, 25, and April 1st, 2023.

Mr. Mongeon did not appear before the Commission.

No motion was made.

- 7 Ratification of an application by Peter Lally for a "Special One Day License to sell/dispense Malt Beverages & Wines" for the "Common Thread Celebration" on Tuesday February 7, 2023 from 4 to 10:30PM at 50 E. Merrimack St.

Motion to ratify the application by Commissioner Donahue; seconded by Commissioner Chhan. 4 years, APPROVED

- 8 Application by Daniel Berube, LMG Presents, for 30 "Special One Day Licenses to sell/dispense Malt Beverages and Wines only," for performances and competitions at Lowell Memorial Auditorium, 50 East Merrimack Street.

At Commissioner Howe's request, Mr. Berube listed some of the events scheduled for the Lowell Memorial Auditorium, and confirmed that all their bartenders are TIPs certified. He further stated that LMG Presents is pursuing an annual license so that they won't need to apply for individual day licenses. Mr. Lally, also of LMG Presents, noted that they can only apply for Beer & Wine day license, so non-profits have to apply for their own All Alcoholic Beverage day license.

Move approval by Commissioner Chhan; seconded by Commissioner Donahue. 4 years, APPROVED.

- 9 Application by Christopher Hayes for a "Special One Day License to sell/dispense Wines and Malt Beverages only," for a 'DIY Lowell Community Chill Night.' Event to be held on Thursday March 30th, 2023 from 6:00 to 8:00 PM at Mill No. 5, 250 Jackson Street.

Mr. Hayes stated that they were paying for one of the two volunteer bartenders to be TIPs certified for his annual fundraiser.

Motion to approve the application on the condition that both bartenders be TIPs Certified before the event on March 30, 2023, by Commissioner Donahue; seconded by Commissioner Chhan. 4 years, APPROVED.

- 10 Applications by Christopher Hayes for a "Special One Day License to sell/dispense Malt Beverages & Wines" and for an "Amplified Outdoor Public Entertainment" permit, for the 2023 Points of Light Lantern Celebration on Saturday April 29, 2023 from 6 to 10 PM at Ecumenical Plaza and Jefferson Street.

Mr. Hayes noted that this is the 6th annual Lantern Celebration, and that they always had two TIPS certified bartenders. Lowell Police Captain Peaslee confirmed that there have not been any incidents at prior Points of Light Celebrations.

Move approval by Commissioner Chhan; seconded by Commissioner Krieger. 4 years, APPROVED.

- 11 Application for a Charity Wine Pouring License & Charity Wine Auction by Stacy Marshall for the American Lebanese Syrian Associated Charities, Inc. (ALSAC) of Memphis, TN, for the event “Fitness for a Cure benefiting St. Jude Children’s Research Hospital” to be held at Lowell Memorial Auditorium, 50 East Merrimack St., Saturday, March 25, 2023.

Ms. Marshall joined the meeting on Zoom. She spoke about the event, noting it is the 24th anniversary of “Fitness for a Cure.” Ms. Marshall stated that she’d hired a 12C caterer to handle the alcohol service, and that they would provide 8 TIPS certified bartenders.

Move approval by Commissioner Donahue; seconded by Commissioner Chhan. 4 years, APPROVED.

- 12 Public hearing for the application by Fortune Restaurant Group Inc. [d/b/a] Jade Lowell, Kong Yew Foo, proposed license manager, for a new "All Alcoholic Beverages" restaurant license and Common Victualler for premises at 165 Thorndike Street.

Attorney Kate Bargnesi of Smolak & Vaughan spoke for the applicants, along with proposed license manager, Kenny Foo and Sally Foo, president of the Corp. Ms. Bargnesi described the concept of the restaurant as well as the floor plan. Mr. Foo described the available amenities and the possibility of a shared roof deck.

At the hearing, no one spoke in favor or against the application for transfer of license.

Move approval by Commissioner Donahue; seconded by Commissioner Chhan. 4 years, APPROVED.

- 13 Public hearing regarding an application to amend the "D/B/A" for the "Wines and Malt Beverages Package Store" license for Roshani Enterprises Inc., 299 Chelmsford Street.

Vinod Zaveri, Corporate President spoke to the Commissioners. He clarified that the company is adding a Business name to the Entity’s legal name, and that this process was to inform the ABCC.

At the hearing, no one spoke in favor or against the application for transfer of license.

Move approval by Commissioner Krieger; seconded by Commissioner Chhan. 4 years, APPROVED.

- 14 Application for Second Hand Motor Vehicles – Used Car Dealer, Class II, for Ilyasse Elbahi [d/b/a] Elyaz Automotive, Ilyasse Elbahi, President, for premises at 16 Stedman Street Unit 9-B, an open lot, approx. 2700 sq. ft. with a 250 sq. ft. office. Conditions: Maximum of seven cars for sale and two parking spaces for customer/employee; no junk motor vehicles or parts thereof on the premises.

Mr. Ilyasse Elbahi reviewed his business plan and the details of his lease with the Commission. Commissioner Donahue asked clarifying questions about the number of cars for sale and the location and street traffic at the location. Commissioner Howe noted that the bond and (zoning) space requirements were met.

Move approval by Commissioner Chhan; seconded by Commissioner Donahue. 4 yeas, APPROVED

- 15 Communication from Barry Golner, Interim Superintendent of Police, dated March 1, 2023, regarding allegations of misconduct charged against MBOA Alliance LLC, d/b/a Sahel Restaurant & Lounge, 135 Central Street, Peter Tamajong, License Manager, all alcoholic beverages restaurant licensee. Allegations of misconduct occurred Sunday, February 26, 2023, and are namely: 1) failure to comply with general conditions for an alcoholic beverages License, including crowd control, closing hours, and re-entry hours. 2) failure to promptly notify Lowell Police of the developing situation on the premises.

Motion made by Commissioner Chhan to hold a public hearing at the April 13, 2023 meeting of the Lowell License Commission, seconded by Commissioner Donahue. 4 yeas, APPROVED

ADJOURNMENT:

Commissioner Chhan made a motion to adjourn at 18:32, seconded by Commissioner Donahue. 4 yeas, APPROVED.

*Submitted by: John Pyers
Executive Secretary*

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