

Minutes for the Lowell License Commission meeting for Thursday, September 26, 2019 at 6:00 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Clifford Krieger, Martha Howe, and Joseph Donahue, and Captain James Hodgdon of the Lowell Police Department.

Absent: Terry McCarthy, Commissioner

The Commission, on the motion by Commissioner Donahue, second by Commissioner Krieger, voted to approve meeting minutes for September 12, 2019.

The Commission reviewed the application for special one-day license to sell/dispense malt beverages and wines only, or either one from Ashley Roper, Catering Manager, Aramark, for the Hall of Fame Dinner, Friday, October 18, 2019, 4:00 p.m. to 8:00 p.m., at University Crossing, 220 Pawtucket St. Ashley Roper was present. The Commission, on the motion by Commissioner Howe, second by Commissioner Krieger, voted to approve license for Ashley Roper of Aramark for October 18, 2019.

The Commission reviewed the communication from Raymond Kelly Richardson, Superintendent of Police, dated September 19, 2019, regarding allegation of misconduct charged against the licensee LD Holdings, LLC, d/b/a Revolution, 74 Merrimack St., Jeffrey Torres, Manager of Record, all alcohol beverages restaurant licensee. Allegation of misconduct occurred July 27, 2019; licensee failed to notify Lowell Police of altercation reported by patron to Lowell Police on July 29, 2019. Commissioner Krieger made the motion to schedule the disciplinary hearing for LD Holdings, LLC for Thursday, October 10, 2019 at 6:00 p.m. in the City Council Chamber. Commissioner Howe objected to the motion, requesting a substitute motion to schedule a public hearing to roll-back the hours for the sake of public safety for LD Holdings, LLC, d/b/a Revolution, for Thursday, October 24, 2019 at 6:00 p.m. in the City Council Chamber, second Commissioner Donahue. Commissioner Krieger questioned if the charge alleging misconduct would be heard on October 24th. Chairman Descoteaux stated the charge of misconduct would

be heard on October 24th. The Commission voted to approve the public hearing for roll-back of hours, and to hear the charge alleging misconduct by the Superintendent of Police.

Commissioner Howe recused herself from the next agenda item.

The Commission opened the hearing for Yates Realty, Inc., Paul Yates, Vice Pres., applicant for lodging house license for property at 278-280 Central Street. Applicant failed inspections - reference communication from City of Lowell Building Commissioner, August 27, 2019, and communication from City of Lowell Fire Chief, August 28, 2019. The following individuals were present: Paul Yates, and Attorney John J. Hartigan, legal counsel for Yates Realty, Inc. Chairman Descoteaux and Attorney Hartigan discussed the inspectional reports from the Building Commissioner and the Fire Chief, to wit: eleven (11) vacant units while construction is taking place. Mr. Yates addressed the inspectional issues, tenants have moved out; sprinklers were installed. Commissioner Donahue, noting the comment of Atty. Hartigan that the building is 200 years old, stated his concern of fire, asked about the review by the Commission a year ago. Attorney Hartigan stated that it was in April 2018 when he and Mr. Yates appeared regarding the renewal of license for lodging house. Atty. Hartigan explained that subsequent to the meeting a series of issues arose as a result of trying to replace the doors for each of the 27 units. Chairman Descoteaux requested the Executive Secretary forward to the Commission an update from the City's Building Commissioner and Fire Chief after a scheduled follow-up inspection of the building on or about November 8, 2019.

The Commission, on the motion by Commissioner Krieger, second by Commissioner Donahue, voted to adjourn the meeting at 6:10 p.m.

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