



# BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 829-1820

Daniel Sarefield, Chairman

Richard Boscardin

John Zarrella

## MINUTES OF MEETING

*A regular meeting of the Board of License Commissioners was held on September 8, 2021 over the Zoom meeting platform, and called to order by Commissioner Sarefield at 6:00 PM. Commissioners Boscardin and Zarrella were also present at the meeting. Assistant City Solicitor Pawlak was also in attendance*

### **I. REVIEW AND APPROVAL OF MINUTES OF PRIOR MEETING(S)**

*The minutes of July 19, 2021 were approved by unanimous roll call vote 3/0.*

*Commissioner Zarrella recused himself from the vote of minutes for August 2, 2021 and August 30, 2021. Minutes were approved by unanimous roll call vote 2/0.*

### **II. DISCUSSION – Lodging House Review**

*Attorney Donna Pawlak addressed the Commission and noted that the reason for the change of application was to formalize a process that hadn't been clear in the past. Applicants for a Lodging House need to have specific approvals from the Building, Fire, and Board of Health Departments. Many times the City was made aware of possible lodging house locations due to calls received by either the police or fire department for safety/health issues. Ms. Pawlak stated that she hoped to work with the Commission as they had specific powers to look at candidate suitability. Ms. Pawlak further noted that the main concern for the City is that if there are more than five unrelated tenants in a space, fire code required certain inspections to insure that the property is not overcrowded, that it is safe and properly staffed, and that it had the signoffs. Ms. Pawlak offered to forward a summary of the regulations to the Commission.*

*Commissioner Sarefield stated that the Commission would be happy to participate in the process and that they were willing to work with other City departments to ensure the public safety.*

*The Clerk stated that letters had been sent to all possible locations provided by Ms. Liz Murphy, and while some had been deemed to be approved by the State, a list would be compiled of any outstanding properties.*

*Ms. Pawlak assured the Commission that they could request inspections from City departments, which would act as agents for them.*

*Commissioner Sarefield thanked Ms. Pawlak for keeping the Commission up to date and noted that they looked forward to working together in the process.*

### III. APPLICATIONS:

#### Solicitor:

Kevin Waukowski, 38 Catherine Street, Worcester – Trinity, 2211 Allenwood Rd, Wall Township, NJ.

*As the applicant was not present, Motion to continue application to the next meeting on September 22nd was approved by unanimous roll call vote 3/0.*

#### NEW: Application for Retail General on Premise, All Alcoholic Beverages License

POS Food Services, LLC, 200 Game On Way  
(refer to Public Hearing on September 22, 2021)

*Mr. Tom Bovenzi, Attorney for the applicant, and Mr. Peter Sangermano, owner/applicant were present at the meeting. Mr. Bovenzi noted that one of the managers stated on the original application would be changing and that he would be forwarding an updated application and CORI to the Commission.*

*Commissioner Boscardin stated that he would like to walk through the property before the date of the public hearing. The other Commissioners agreed that they would welcome this opportunity. The applicant agreed that this would be acceptable.*

*Application accepted and forwarded to a Public Hearing on Wednesday, September 22, 2021.*

#### Change of Hours

Shika, LLC dba Supermart, 7 Westminster Street for Sunday hours from 12 Noon to 10 AM.

*As the applicant was not present, Motion to continue application to the next meeting on September 22nd was approved by unanimous roll call vote 3/0.*

#### Change of Manager of Record and Change of Sunday Hours

Global Montello Group Corp., dba Alltown Fitchburg, 129 Whalon Street. Change Manager Eli Houle to Brittany Bisson. Change of hours to 10AM to 11PM.

*Mr. Jon Aieta, Attorney for the applicant, and Ms. Brittany Bisson, applicant for Manager of Record, were present at the meeting.*

*Commissioner Sarefield stated that the application would be acceptable on the condition that Ms. Bisson received her TIPS certification.*

*Application approved by unanimous roll call vote 3/0.*

## **Special One Day License – Wine and Malt Beverages**

***Commissioner Sarefield recused himself from the meeting.***

Compass Group, NA dba Chartwells Dining Services, 160 Pearl Street, on the University Main Quad, between Percival Hall and Anthony Building from 12 noon to 5PM on Saturday, October 2, 2021 for a Beer Garden with a maximum 150 persons at any given time.

*Mr. Jeff McCoy, Director of Dining Services at Chartwell's, was present at the meeting. Mr. McCoy noted that this event usually took place on the field, but had moved to the campus. He further stated that there would be only one exit and that it would be manned by alumni and only those who had been carded as 21+ would receive a wrist band for admittance.*

*Application approved by unanimous roll call vote 2/0.*

Compass Group, NA dba Chartwells Dining Services, 160 Pearl Street, Hammond Building Main Lounge, 1<sup>st</sup> floor from 6PM to 9PM on Saturday, October 2, 2021 for a 50<sup>th</sup> Reunion Dinner for approximately 100 people.

*Mr. Jeff McCoy, Director of Dining Services at Chartwell's, was present at the meeting. Mr. McCoy noted that this event would be observed by campus police and handled by Atlas Distribution. He did not anticipate more than 100 people at the event.*

*Application approved by unanimous roll call vote 2/0.*

***Commissioner Sarefield rejoined the meeting.***

Holy Trinity Greek Orthodox Church, 1319 Main Street, from 5PM – 10PM on Friday, September 17, 2021 and 11AM to 11PM on Saturday, September 18, 2021 for approximately 400 people.

*Mr. John Gevrekakis was present at the meeting. Mr. Gevrekakis noted that the application was for an all alcohol license as they were a non-profit.*

*Commissioner Sarefield inquired whether any changes would be made from prior year setups. Mr. Gevrekakis said that it would be the same as before.*

*Application approved by unanimous roll call vote 3/0.*

Ipanema Productions, 567 Crawford Street, nearby the stage inside event area from 11AM to 9PM on Sunday, October 10, 2021 for approximately 300-500 people.

*Mr. Carlos Silva was present at the meeting. Mr. Silva noted for the Commission that he wished to amend the license to be entitled "Summerfest". He also noted that his application should read "3,500" people in attendance.*

*Amended application approved by unanimous roll call vote 3/0.*

Legends Bar and Grille, 68 Airport Road, # 10 for a fundraiser for Zach's Goal from 12PM – 5PM on Sunday, September 26, 2021, for approximately 80-100 people.

*Ms. Katherine Marsh was present at the meeting. Ms. Marsh noted that the application was for Zach's Goal, a non-profit, and that this would be for an all-alcohol license. She further stated that Legends would turn in their license for the day in order to hold the event.*

*Application approved by unanimous roll call vote 3/0.*

### **Sunday Entertainment Permit**

Ipanema Productions, Inc., Fitchburg Municipal Airport, 567 Crawford Street, from 11AM – 9PM for live acoustic music, live amplified music, DJ, dancing, on Sunday, October 10, 2021 (Take Off Phest)

*Mr. Carlos Silva was present at the meeting. Amended application (Summerfest) approved by unanimous roll call vote 3/0.*

Legends Bar and Grille, 68 Airport Road, # 10 for from 12PM – 4PM for amplified playlist and microphone on Sunday, September 26, 2021.

*Ms. Katherine Marsh was present at the meeting. Application approved by unanimous roll call vote 3/0.*

### **Monday through Saturday Entertainment Permit**

Annual Fitchburg Blacksmith Art & Music Festival, 65 Arbor Way, from time 2-4:30 PM for live acoustic music on Saturday, September 25, 2021.

*As the applicant was not present, Motion to continue application to the next meeting on September 22nd was approved by unanimous roll call vote 3/0.*

Finnish Center at Saima Park, 67 Scott Road, from time TBD for live amplified music on Saturday, September 25, 2021.

Mr. Mike Roberts, LUK, was present at the meeting. Mr. Roberts noted that this application was to be added to an already approved permit for a one-day license and that the application should be amended to add LUK to the title as this was for a 50<sup>th</sup> anniversary celebration for their family and community.

*Amended application approved by unanimous roll call vote 3/0.*

Holy Trinity Greek Orthodox Church, 1319 Main Street, from 5PM – 10PM for live amplified music, DJ, and dancing on Friday, September 17, 2021 and from 11AM to 11PM Saturday, September 18, 2021.

*Mr. John Gevrekakis was present at the meeting. Application approved by unanimous roll call vote 3/0.*

Riverfront Park, 51 Commercial Street from time TBD for live amplified music, other amplified music on Saturday, September 11, 2021.

*Pastor Steve Mayor was present at the meeting. Pastor Mayo noted that this would be a gathering of Christian churches to observe the 911 20<sup>th</sup> anniversary, and expected between 2-300 people from 2PM – 5:30 PM. Amended Application approved by unanimous roll call vote 3/0.*

River Styx Brewery for Fitchburg Veterans Council, 166 Boulder Drive, from 11AM to 2PM for DJ on Saturday, September 18, 2021.

*Application approved by unanimous roll call vote 3/0.*

#### **IV. CORRESPONDENCE**

ABCC Actions

*Placed on file at the City Clerk's Office*

Complaint, M&M Variety at 330 Water Street

*Mr. Kenneth Legay, complainant, was present at the meeting. Mr. Legay stated that he had noted that there had been single beers, cigarettes without tax stamps, and nips being sold and then consumed on the premises of the store. He stated that there were open beer cans and they were left on the street. He further noted that there seemed to be public urination on the walls behind the business, and that rubbish was being left on 3<sup>rd</sup> and Water Street.*

*Mr. Legay said that he had made numerous police reports to the police department concerning the establishment and had come to the License Commission to see if they could assist.*

*Commissioner Sarefield stated that while the Commission had no authority over cigarettes, the police liaison for the Commission had been out to inspect the property and would be present at the next meeting to give the Commission a follow-up report. Commissioner Sarefield said that the Commission found it troubling that some of Mr. Legay's complaints could be happening and that his quality of life and enjoyment of his property were being affected.*

*Commissioner Boscardin noted that he had visited the property and watched it over a week but had not seen anything amiss during that time.*

*Mr. Legay said that most of the activity seemed to happen between 10AM and 3PM, and that some residents sat with empty beer cans next to them in black bags from the establishment. He questioned whether open container laws would apply in this situation.*

*Commissioner Zarrella noted that during neighborhood cleanups, a large percentage of the trash picked up were nips.*

*Commissioner Boscardin stated that he would like to summons the business to come to the next meeting in order to discuss the situation.*

*Commissioner Sarefield noted that this would be helpful with the report that Lieutenant Howe would present at the next meeting.*

*The Commission agreed to summons M&M Variety to the meeting of September 22<sup>nd</sup>.*

**V. NEW BUSINESS - None**

The meeting adjourned at 8:02 PM

Respectfully submitted,

Mary de Alderete, City Clerk

Approved:



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Daniel Sarefield



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Richard Boscardin



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John Zarrella