

**Woburn License Commission
Regular Meeting
City Council Chamber
Thursday, January 27, 2022**

Voting Members present: Chairman Thomas Skeffington and Commissioner William Pappalardo. Absent: Commissioner David Gilgun

Also present: Woburn Police Capt. John Murphy, liaison to the License Commission

Chairman Skeffington convened the regular meeting of the License Commission at 6:02 p.m.

- 1. Shallots, Inc., 920 Main St., alleged violation - M.G.L. c.138, §77 – Ceasing to Conduct the Licensed Business:** Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to take from the table the matter of Shallots from the meeting of December 16, 2021; approved, 2-0. Chairman Skeffington said Shallots has surrendered its liquor license and it is back in the possession of the License Commission. He said the commission can therefore end the hearing on the alleged violation of the cessation of the business.
- 2. Fortunato’s Restaurant, 428 Main St., Woburn, MA, application for change of category from wine and malt beverages to all alcoholic beverages:** Representing the applicant was Fortunato Conte, 428 Main St., Woburn, MA. Mr. Conte said he is applying for a full liquor license. Chairman Skeffington said Mr. Conte holds a beer and wine license. He said two years ago Rep. Haggerty sponsored special legislation that would allow Mr. Conte to increase his license to a full liquor license. He said Mr. Conte was previously unable to apply for the change in category because he did not have the required number of seats. He said Mr. Conte is now able to apply for the full liquor license because the commission reduced the number of required seats from 100 to 50. He said the special legislation is site specific for 428 Main St. He said the full liquor license will not go against the city’s quota. He said the license cannot be transferred to another site. Commissioner Pappalardo asked if the applicant meets the seating requirement. Mr. Fortunato said he is allowed to stay open until midnight but he is closing earlier now and asked if he has to obtain permission from the commission for change of hours. Chairman Skeffington said if Mr. Conte’s common victualer’s license stipulates a closing hour of midnight he can stay open until that hour, but if he wants to change the hours, he must file an application. He said Mr. Conte can close the restaurant whenever he likes as long as it is not past the hour that is allowed in his common victualer’s license. Capt. Murphy said there have been no problems associated with the beer and wine license at Fortunato’s. He said he does not think there have been any calls to police. Chairman Skeffington said if Mr. Conte has any questions, he should direct them to Capt. Murphy. Mr. Conte asked if he needs to add a sink and a dishwasher. Chairman Skeffington said any questions about appliances should be directed to the Building Dept. Capt. Murphy advised Mr. Conte to also inquire with the Board of Health about applicants. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the request for change of category; approved, 2-0. Chairman Skeffington said if the ABCC

approves the change of category, Mr. Conte must return his beer and wine license and it reverts to the city's quota.

- 3. Adega Restaurant, 229 Main St., Woburn, MA, application for change of category from wine and malt beverages to all alcoholic beverages:** Representing the applicant was Joann Ellington, Vice President, Eastern Bank, 265 Franklin St., Boston, MA. Ms. Ellington said she is substituting for Attorney Mark Salvati. Chairman Skeffington said the only difference between this petition and the last petition is Adega's license is not tied to special legislation. He said the applicant is turning in the existing wine and beer license and applying for an all-alcohol license that was issued due to the increase in quota due to the U.S. Census. Capt. Murphy said there have been no issues with the wine and beer license at Adega. Commissioner Pappalardo asked how many seats are in the restaurant. Ms. Ellington said there are 50-54 seats. Chairman Skeffington said Adega has become a very popular restaurant. He said he hopes more people will be driven to the restaurant with the change in category to all alcohol. Clerk said the applicant still has to submit a certificate of compliance from the Dept. of Unemployment Assistance and a certificate of good standing from the Dept. of Revenue. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the change of category contingent upon the submission of a certificate of compliance from the Dept. of Unemployment Assistance and a certificate of good standing from the Dept. of Revenue; approved, 2-0.
- 4. Southern Foods Inc., dba Godavari, 345 Washington St. #9, application for change of category from wine and malt beverages to all alcoholic beverages:** Representing the applicant were Attorney Thomas Truax, 530 Loring Avenue, Suite 101, Salem, MA; and Uday Gummakonda, 345 Washington St. #9, Woburn, MA. Attorney Truax said Godavari is located in the Cummings Center and opened in 2015. He said the restaurant has become popular and doubled in size in 2015, when the square footage increased from 2,468 to 5,075, with seating for 110 people. He said the food is terrific. He said there are 2,294 reviews on Google, which he said is unheard of. He said the only thing that is missing is full liquor license. He said there is a bar area already set up and ready to go. He said nothing else will be changing. He said the hours of operation will stay the same. He said a full liquor license is something that is going to help them a lot. Capt. Murphy said he has known the principals at Godavari for a long time. He said there have never been any issues. He said he does not think there has ever been a call from Godavari for law enforcement services. Commissioner Pappalardo said if Capt. Murphy says there are no issues then he has no problem voting in favor of the change of category. Chairman Skeffington said he hopes the change of category improves revenue at the restaurant. He said there has never been any issues associated with Godavari. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the change of category; approved, 2-0. Chairman Skeffington said if the change of category applications are approved by the ABCC, the city will have three beer and wine licenses and one package store license available, outside of the licenses that are available under special legislation.
- 5. Route 95 Liquors Inc., 59 Greenside Way, Methuen MA, application for transfer of package store license at 300 Mishawum Road:** Representing the applicant was

Attorney Arthur Pearlman, 855 Worcester Road, Framingham, MA. Attorney Pearlman said his client is seeking a transfer of the license that is currently granted to Colonial Liquors. He said his client is also seeking a pledge of inventory to Rockland Trust. He said his client has a corporation in Massachusetts. He said his client has owned and operated a package store in Windham, N.H., for a number of years. He said the currently operation will not change and to start the hours of operation will be 8 a.m. to 11 p.m. Monday-Saturday and 10 a.m. to 6 p.m. on Sunday. He said the layout of the store is reflected in the floorplan. He said the manager has completed a Tips program. Chairman Skeffington asked Attorney Pearlman what the significant is of the written comments on the ABCC's filing fee receipt. Attorney Pearlman said he paid the \$200 filing fee to the ABCC from a previous application. Capt. Murphy said the police department has never had a problem with the current license holder. Chairman Skeffington said there have been a number of changes in the Woburn Village area. He said the current license holder has been steadfast in making sure IDs were checked. He said he hopes that stays the same under the new license holder. He said the new management needs to be vigilant. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the license transfer; approved, 2-0.

6. **TB Restaurant Woburn LLC, 300 Mishawum Road, application for change of corporate name and change of DBA:** Clerk said the applicant has a schedule conflict and cannot attend tonight's meeting. Chairman Skeffington said the applicant made a good presentation for the new liquor license and he does not have any issues with the change of corporate name or change of DBA. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the application for change of corporate name and change of DBA; approved, 2-0.
7. **Surf Seafood Inc. dba Surf Restaurant, 300 Mishawum Road, Suite 330, application for a new on-premises all alcohol license and a common victualer's license:** Representing the applicant was Ian Buckley, 207 Main St., Suite 3, Nashua, N.H. Mr. Buckley said they are hoping to open in June or July. He said the restaurant will have 8,000-square-feet and 330 seats. He said the applicant currently operates two restaurants in New Hampshire. He said the new liquor license is being sought under special legislation for Woburn Village. Chairman Skeffington said there are licenses available at Woburn Village that were designated for the site. Capt. Murphy said he has been to the Surf Restaurant in Portsmouth, N.H., and it is a well-run operation. Chairman Skeffington said he has also been to the restaurant in Portsmouth and commended the applicant on the organized application that was submitted to the commission. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the new liquor license and the Common Victualer's license; approved, 2-0.
8. **Elenis Grille Inc., dba Elenis Restaurant, 920 Main St., application for a new on-premises all alcohol license and a common victualer's license:** Representing the applicant was Attorney James Kafkas, C1 Shipway Plaza, Boston, MA; and Enkelejda Pleqi, 920 Main St., Woburn, MA. Attorney Kafkas said his client is seeking a new liquor license at 920 Main St., the former site of Shallots restaurant. He said his client entered into a lease on December 6, 2021. He said the restaurant will have a seating capacity of

104. He said there will be no changes to the dining room. He said there will be a full bar. He said there is a tradition of there being a restaurant on the site. He said Ms. Pleqi will prepare Mediterranean food. Chairman Skeffington said he is disappointed at the way Shallots closed but that has nothing to do with the current applicant. He said he is concerned that the applicant signed a lease on December 6. He said Shallots had been there for a while. He asked why this isn't a transfer of the license. Attorney Kafkas said his client spoke to the landlord and there was an agreement to maintain some of the furnishings but there is no relationship with Shallots. Chairman Skeffington said the commission was told the landlord does not want a restaurant there. He said he does not like the way the principals who ran Shallots were treated at the end. He said he understands that has nothing to do with the applicant and he won't hold it against her in any way. Attorney Kafkas said Shallots could not transfer the liquor license because the restaurant closed. He said after Shallots closed his client decided to move forward with an application for a new license. Chairman Skeffington said there are people the commission sees every year, and in his opinion the principals from Shallots were not treated the right way by the landlord. Motion made and seconded by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the new license; approved, 2-0.

- 9. WWS Liquors Corp. 2 Elm St., Woburn, MA 01801, application for a transfer of license for an off-premises package store license:** Representing the applicant were Dipan Shah, Chirag Patel and Bhavin Patel, of 2 Elm St., Woburn, MA. Chairman Skeffington asked if the present license holder was in attendance. Mr. Shah replied the present license holder is not here. Capt. Murphy said there were a couple of incidents under the current management, but the commission and the police department worked through those. He said hopefully there will not be any issues under the new management. He said his job is to help management comply with the rules. He said cooperation is the key. Mr. Shah said he looks forward to working with the city. Chairman Skeffington said Woburn is located near the confluence of Routes 93 and 95, and in proximity to Route 3. He said the package store will be getting a lot of business from people who are getting off the highway. He asked the management to be diligent about checking identification. He said the package store is located in a popular spot. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the transfer of license; approved, 2-0.

- 10. Grainmaker, 300 Mishawum Road, Suite 510, application for a new common victualer's license:** Representing the applicant was Christopher Freeman, 91 Summer St. Boston, MA. Mr. Freeman said he is the founder of Grainmaker, which opened in Boston in 2017. He said he is seeking a Common Victualer's license to open a new location in Woburn Village. He said the restaurant will be 1,100-square-feet, with 18 seats. He said alcohol will not be served. He said they are hoping to open next week. He said they are 75 percent of the way there. Chairman Skeffington asked if anyone in the audience wished to address the commission about the petition. There were no respondents. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the Common Victualer's license, conditioned upon receipt of all paperwork; approved, 2-0.

11. On The Border, 19 Commerce Way, application for change of manager:

Representing the applicant was Angel Vidals, 19 Commerce Way, Woburn, MA. Mr. Vidals said he is the new general manager. He said he believes all the paperwork was sent to the commission from the corporate office. He said he has three years of experience as a manager. He said this will be his first time as a general manager. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to grant the application for change of manager; approved, 2-0.

12. Discussion of new Section 15 package store license available due to increase in

quota: Chairman Skeffington said he has talked to numerous members of the City Council and various municipal department heads. He said when it comes down to it, the License Commission will make the determination whether there is a need to issue the license, and at what location. He said the commission has already received an application for a location in Woburn Center, which he said is not an ideal site. He said there is already a package store about a ¼-mile north on Main Street, and there is another package store about a mile up the road from that on Elm Street in North Woburn. He said there are two other package stores in West Woburn – Colonial and Giles, a package store in the South End and another on Montvale Avenue that is about 1.5 miles from Woburn Center. He said his opinion is there is not a need for a package store in Woburn Center. He said parking is difficult in that area. He said there are numerous restaurants in Woburn Center that already serve alcohol. He said if the commission determines there is a need for a new package store, he would prefer it to be in the Commerce Way area. He said in his opinion that would probably be the best place for it. He said there are people moving in to new housing units on the northern end of Commerce Way. He said he does not think those people will travel to Woburn Village to buy liquor. Commissioner Pappalardo said he generally concurs. He said there is no need for a package store downtown. He said the Commerce Way area is probably the best area for a package store. He said the commission will review applications for the license on a case-by-case basis. Chairman Skeffington asked if anyone in the audience wished to address the commission about the topic of the new package store license. Frank Ryan, no address given, asked if the appeal of the new housing developments in the Commerce Way is a factor in the commissioners' comments about the package store license. Commissioner Pappalardo said there is also new housing being built in East Woburn at the old Kraft Foods site. Chairman Skeffington said he is aware the Kraft Foods site is trending more toward biotech uses. He said there is already a liquor store in Stoneham near the Kraft Foods site, as well as the package store in East Woburn. He said that site is covered on both sides. He said he would prefer if the new package store were located on Commerce Way near the Target store. Mr. Ryan said there is a vacant store there at the former Gamestop location. Chairman Skeffington said that site is available. He said that would be a perfect place. He said he is aware there is a new Italian restaurant going in there. He said that area is about to take off. Mr. Ryan said is it easy to get on and off Route 93 from there. Chairman Skeffington said that was in his train of thought. He said from tonight's discussion it appears there is no willingness among the commission members for a package store in Woburn Center. Mr. Ryan said his brother David is in the process of transferring his current package store license and may be interested in the new license. Dev Khambhati, 59 Greenside Way, Methuen, MA, said he was the applicant who sought the new license

for the location in Woburn Center. He said he is here to see what happens. Chairman Skeffington said he does not see the commission issuing the package store license for a site in Woburn Center. Mr. Khambhati said his rationale for selecting that site was because there is a municipal parking lot in back of the building. Chairman Skeffington said parking can be difficult to find in that lot. Mr. Khambhati said he considered a site on Commerce Way before they looked at Woburn Center. He said the reason he chose Woburn Center was because there is a package store on Mishawum Road and another on Washington Street.

13. Approval of meeting minutes from November 18, 2021, and December 16, 2021:

Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to approve the minutes of the meetings of November 18, 2021, and December 16, 2021; approved, 2-0.

14. Any other matters that may be legally before the Commission: None

15. Motion made by Commissioner Pappalardo and seconded by Chairman Skeffington to adjourn; approved, 2-0. Chairman Skeffington adjourned the meeting at 6:59 p.m.

A TRUE RECORD

Gordon Vincent
Clerk of Committees