



Haverhill

License Commission, Room 118  
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Amended

**LICENSE COMMISSION MINUTES**  
**Thursday, December 5, 2024, at 6pm-Room 202**  
**VIRTUAL and in person meeting**

Attending: Commissioner Linda Koutoulas, Commissioner Patrick Driscoll, Sergeant Kevin Lynch, HPD. Lic. Comm Clerk Jennifer Sanchez

- 1) PLEDGE OF ALLEGIANCE
- 2) APPROVAL OF THE MINUTES

2.1 Approval of the minutes of November 7, 2024

Chairperson Koutoulas said corrections have been made to the minutes as requested.

**Motion: Commissioner Driscoll made a motion to approve the minutes from November 7, 2024.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

2.2 Approval of the minutes of November 20, 2024

**Motion: Commissioner Driscoll made a motion to approve the minutes of November 20, 2024.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

- 3) CONTINUED BUSINESS

3.1 Approval of the 2025 License Commission Meeting Schedule

Chairperson Koutoulas made a request to Amend the schedule from July 3 to July 10.

**Motion: Commissioner Driscoll made a motion to approve the 2025 License Commission meeting schedule with the change of July 3, 2025, to July 10, 2025.**

**Second: This was seconded by Chairperson Koutoulas**

**Vote: 2-0-0 vote unanimous, motion passed.**

- 4) MISCELLANEOUS APPLICATIONS/ REQUESTS  
No Schedule
- 5) ONE DAY APPLICATIONS  
No Schedule
- 6) BUSINESS CERTIFICATES  
No Schedule
- 7) ENTERTAINMENT APPLICATIONS



7.1 Approval of all 2025 Entertainment renewal licenses upon compliance.

**Motion: Commissioner Driscoll made a motion to approve all 2025 entertainment renewal applications upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**7.2 Xunwang Liu, Manager**

John Li Asian Bistro Inc.

d/b/a O'Yummy Asian Bistro

223 Lincoln Avenue #253

**-Amendment of entertainment License. Current hours are Sunday 12pm-10pm, Monday - Thursday 11am-10pm, Friday and Saturday 11am-11pm for Radio and Tv. They are requesting to add Karaoke for the same hours.**

**-Has Police, Water and Treasurer approval.**

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve the amendment to include karaoke.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 Vote unanimous, motion passed.**

**7.3 John Vargas, Manager**

The Ella and John V LLC

d/b/a The Lasting Room

122 Washington Street

**-Application for new entertainment license for amplifiers, D.J., Karaoke, Amplified music, dancing by patrons only, Radio, T.V., Performers (4), Vocalists (1), for the hours of Sunday 10am-1am, Monday -Thursday 8am-1am, Friday 8am-2am, and Saturday 8am-1am.**

**-Has Police, Treasurer, water and entertainment zoning approval.**

John Vargas was present for the application. Chairperson Koutoulas told him there is no amplified music outside on the deck at all. John said that he understands this.

Chairperson Koutoulas asked if he had any alcohol on the premises. John said he did not have any alcohol on the premises. Chairperson Koutoulas asked if Sergeant Lynch could do a walk through. John said yes.

Chairperson Koutoulas said we requested a letter from Jim Tomacchio but we did not get it.

John said he is aware of the signage and getting historic approval.

There was no public participation.

The Commission told John they got a return no action from the ABCC on liquor license. They also told John that the downtown is a tight knit community and to be a good neighbor.

**Motion: Commissioner Driscoll made a motion to approve the entertainment license for The Ella and John V LLC as stated.**



**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**8) COMMON VICTUALLER APPLICATIONS**

**8.1 Approval of all 2025 Common Victualler renewal applications upon compliance.**

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve all 2025 Common Victualler renewal applications upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**9) OUTDOOR DINING APPLICATIONS**

**9.1 Approval of all 2025 outdoor dining renewal applications upon compliance.**

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve all 2025 outdoor dining renewal applications upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**10) ALCOHOL/ ABCC APPLICATIONS**

**10.1 Approval of all 2025 § 12 and § 15 Liquor License Renewal applications upon compliance.**

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve all § 12 and § 15 liquor license renewal applications upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**10.2 Walter Gorrell, Manager**

Damgeuda Food LLC

d/b/a Damgeuda

21 Washington Street

**-Application for new §12 restaurant all alcohol license for the hours of Sunday-Saturday 9am-10pm.**

**-Pending ABCC approval, 304 inspections, TIPS and Liquor Liability insurance, updated lease.**

A letter from the leasing company was received.



Walter was present for this application. Walter said he wants to add alcohol to his restaurant. He said he has a lot of experience working in restaurants, but he not been a bar tender. Chairperson Koutoulas told Walter that anyone who serves alcohol must be TIPS certified. She also told him that he must be there 40 hours per week. Walter said he is able to do that. Commissioner Driscoll reminded Walter to use best practices when serving alcohol, have tips certification, make sure to card everyone and do not overserve.

**Motion: Commissioner Driscoll made a motion to approve the § 12 all alcohol application for the hours of 9am-10pm and starting at 10am Sunday, pending ABCC approval, 304 inspection, liquor liability, tips certificates.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

#### **11) MOTOR VEHICLE APPLICATIONS**

11.1 Approval of all 2025 MVI, and MVII, and MVIII renewal applications upon compliance.

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve all 2025 renewal applications for MVI, MVII, and MVIII licenses upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

#### **12) CARRY IN LICENSE APPLICATIONS**

12.1 Approval of all 2025 Carry in renewal applications upon compliance.

There was no public participation.

**Motion: Commissioner Driscoll made a motion to approve all 2025 carry in renewal applications upon compliance.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

#### **13) ITEM FOR DISCUSSION**

#### **14) SHOW CAUSE HEARING**

##### **14.1 Panayiotis Panourgias, Manager**

The Fat Greek LLC

d/b/a The Fat Greek

15 Washington Street

**-Show cause hearing: Failure to attend the mandatory liquor license renewal meeting and failure to attend the meetings on October 3, 2024, and November 7, 2024.**

Chairperson Angus requested that this item be dismissed as this license was not renewed



therefore there was no failure to renew because he currently does not have a license.  
There was no public participation.

**Motion: Commissioner Driscoll made a motion to dismiss the show cause hearing for The Fat Greek LLC.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**14.2 Jessica Williams, Manager**

ACF LLC

d/b/a 978 Lounge

103 Washington Street

**-Show cause hearing: Alleged violation of 204 CMR 2.05 (2) incident that occurred on or about October 31, 2024, at approximately 19:02.**

Sergeant Lynch said on October 31, 2024, at 1900 hours the Haverhill Police Department Narcotics unit conducted a search warrant at 978 Lounge. The search warrant was the result of an investigation which involved an employee of 978 Lounge selling cocaine and fake Adderall out of the establishment.

Detective Dana Burrill, Jr. was present. He was the detective that was involved in the investigation. He said it was an investigation with a confidential informant. The CI purchased narcotics from an employee inside of the establishment.

Attorney Fallon asked the detective how long he has been a Police Officer.

Detective Burrill said 18 years. He said he has been a detective for 10 years.

He said he has worked with this CI before. He has known this informant for 6 months.

The informant has given information before, and he has found the information to be trustworthy. He believes the information to be true.

Attorney Cherms asked the Detective if any contraband was recovered as a result of executing the search warrant. Detective Burrill said no.

Attorney Cherms asked if any packaging supplies for narcotics were found. Detective Burrill said no. Attorney Cherms asked if any scales were found inside of the establishment. The Detective said no.

Attorney Cherms asked if the Detective had the assistance of a drug sniffing dog. The Detective said yes, and the dog did not find any narcotics.

Attorney Cherms asked if this search warrant resulted in any criminal charges. Detective Burrill said no.

Sergeant Lynch said they conducted a search warrant, and nothing was found. He said the search warrant was the result of a narcotics purchase that a clerk magistrate determined to have some validity. HPD is concerned because 978 Lounge has been before the Commission numerous times. They had probation, early closing, weekends closing, and lastly the last month. With the fact that they have an employee selling illegal substances out of the establishment they recommend that the license be revoked.

Attorney Fallon asked if 978 Lounge was on probation prior to this incident occurring. The Commission said yes. They were put on probation in September of 2024. Their probation term was 8 months.

Attorney Cherms asked if anyone could verify if that employee is on the payroll at 978 Lounge.



Sergeant Lynch said at past meetings they were told that this person does work at the establishment.

Attorney Cherms said this individual had been the source for a number of the violations. He said the domestic a/b did not result in a conviction. He said it was dismissed. He said the individual and the company parted ways in October of 2024. He is no longer in his promotional role. He said the issue was that he was dating an employee that was still employed there. He said she is no longer an employee there. He said they have taken proactive steps to keep the individual out of the establishment. They told him he was banned from the establishment, and they are willing to trespass him from the establishment. He said they have parted all ways completely and the problem is there was a probable cause determination that a CI made a purchase there. He said there is nothing tying 978 Lounge to the sale. He noted nothing was recovered and no charges issued.

Chairperson Koutoulas said it is December 5 and this happened in October. She asked the Sergeant if the drugs were purchased on the premises. Detective Burrill said yes.

Chairperson Koutoulas said it was an illegality that took place on the premises while it was on probation. She said if the person is an employee or not it not relevant. The fact is that drugs were being sold in the establishment.

Attorney Fallon said this employee was an employee in the past. Attorney Cherms said he had a loose affiliation through the girlfriend that was an employee there.

Jessica said since they opened, he has been an employee there.

Attorney Cherms said he is not an employee, but he is a promoter. His function was to schedule the entertainment and then pay out the entertainment at the end of the night.

He said the girlfriend was a bartender since they opened, and they parted ways with him after the October meeting.

Chairperson Koutoulas said there is long standing detective that has a relationship with an informant. He trusts what occurred. He testifies to what happened and she is not going to question if it happened. She believes that it did happen.

Detective Burrill said he has received numerous sources of information that this individual runs the bar and that he sells drugs out of it. HPD has received numerous anonymous tips about this regarding the same individual. He said the reason why there were no charges brought forward is because the confidential informant is protected. It is for their safety. He said the confidential informant prior to going into the bar was searched head to toe. No drugs were located during the search. They go in with the Police Department's money and come out with the narcotics.

It was determined that the owner of the LLC is Ana Frietas.

There was no public participation.

Attorney Cherms objects to the findings for the record.

**Motion: Commissioner Driscoll made a motion that an illegality occurred on October 31, 2024, and it was a violation of 204 CMR 2.05 permitting an illegality on the licensed premises to wit, and this happened while they were on probation.**

**Second: This was seconded by Chairperson Koutoulas.**

**Vote: 2-0-0 vote unanimous, motion passed.**

**Motion: Commissioner Driscoll made a motion to revoke the Liquor License for ACF LLC**



d/b/a 978 Lounge at 103 Washington Street.

Second: This was seconded by Chairperson Koutoulas.

Vote: 2-0-0 vote unanimous, motion passed.

Chairperson Koutoulas said the license has been revoked and must be turned in to the License Clerk tomorrow. She said all alcohol must be taken off of the premises.

Sergeant Lynch said they have to call the vendors they purchased it from and have it removed.

Chairperson Koutoulas asked for the receipt of removal as well.

**15) COMMUNICATIONS**

No Schedule

**16. PUBLIC PARTICIPATION**

No Schedule

**17. OTHER BUSINESS**

No Schedule

**18. ADJOURNMENT**

Commissioner Driscoll made a motion to adjourn at 6:48pm, Commissioner Driscoll seconded this item. No public comment. Vote unanimous. Motion passed.