

**City of Somerville
Licensing Commission**

**Senior Center
2nd Floor
Tufts Administration Building
167 Holland Street**

**Regular Meeting
Monday**

January 13, 2020

6:00pm

Published on January 8, 2020 at 11:40AM

REVISED January 8, 2020 at 12:30PM

REVISED January 13, 2020 at 4:15PM

1. Minutes of November 18, 2019 Meeting

MARIJUANA RETAILER LICENSES

New Marijuana Retailer License

2. East Coast Remedies Corp., 76-82 Central St. requesting approval for a Group A Priority, NEW Marijuana Retailer License
Hours of Operation: Sun. - Sat. - 9AM - 9PM
This is the Notice of a Public Hearing for this Item. The Public is welcome to attend and be heard.
(ME19-000007)

By request of Attorney Di Girolamo to be continued to the January 2020 Licensing Commission Meeting. Email rec'd 10/30/19

By request of City Councilor Ben Ewen-Campen, to be continued to the February 10, 2020 Licensing Commission Meeting, due to the 2nd Community meeting being held on the evening of January 13, 2020. Email rec'd 12/17/19

Communications

3. **Notice to the Commission from the Alcoholic Beverages Control Commission for:**

River Bar, LLC DBA River Bar
661 Assembly Avenue
Somerville, MA 02143
License #: 113000162

Hearing Date: January 21, 2020 at 2:30pm

Date of Alleged Violation: Thursday, August 8, 2019 at approximately 11:45 PM

4. Communication sent from the City Clerk John Long pertaining to a proposal for the addition of Late Fees to include Amendment Applications for the Somerville Licensing Commission (*Late Application Fees were approved by the commission at the 10/21/19 Licensing Commission Meeting*).
5. Communication sent from the City Clerk John Long pertaining to Ordinance 2019-24 Wage Theft. Section 9-38 of the new Wage Theft Ordinance, appears on pages 6-7 and pertains to licenses issued by the Licensing Commission

Continued from 9/16/19, 10/21/19 & 11/8/19 Meetings

6. Commissioner Allen proposes a discussion and the adoption of the rough draft of the Standing Rules submitted by City Clerk John Long at the Somerville Licensing Commission Meeting on 4/8/19. This will be used as a starting point. Additions and finalized language will be discussed

Continued from 9/16/19, 10/21/19 & 11/8/19 Meetings

7. Commissioner Allen to propose Marijuana Policies and Procedures including a discussion of the proposed rules. A vote will be taken on this proposal to implement the adoption of these Policies and Procedures

Special Alcohol License

Continued from 11/18/19 Meeting

8. Mapou Entertainment Inc., One Marina Park Drive, Suite 1410, Boston, MA 02210 requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Griotfest to be held Outdoors at Sylvester Baxter Riverfront Park on Saturday, April 25, 2020 from 2:00pm – 10:00pm with a Rain Date of 4/26/2020
(PEL19-000238)
Applicant did not appear for 11/13/19 Licensing Commission Meeting
9. Forge Baking Company, 626A Somerville Ave. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for an In Season Dinner to be held Indoors at Forge Baking Co. on Thursday, January 30, 2020 from 6:00pm – 10:00pm
(PEL19-000248)
10. Merlin Entertainments, 598 Assembly Row, requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Adult Night at Legoland Discovery Center Boston, to be held Indoors in the Café Area at Legoland Discovery Center Boston on the following Wednesdays: 2/12/20, 3/11/20, 4/8/20,

5/13/20, 6/10/20, 7/8/20, 8/12/20, 9/9/20, 10/14/20, 11/11/20, 12/9/20 from 7:00pm – 9:00pm
(PEL20-000001)

**Common Victualler
And Entertainment by Devices**

11. JXW Davis Square, LLC
d/b/a Hulun Beir
7 Holland St.
Yingqi Qang
Hours of Operation – Mon. – Fri. 11:00am-12:00am and Sat-Sun 10:00am-12:00am

*Previously approved for a CV, Entertainment by Devices and Wine & Malt License by the Commission. ABCC returned no action on the Wine & Malt License.
(AL17-000312)*

This is a new owner, new manager and new hours of operation application, under the same Corporation name.
(AL19-000045)

This is the Notice of a Public Hearing for this Item. The Public is welcome to attend and be heard.

Common Victualler

12. Bozfam LLC
d/b/a Manoa Poke Shop
296 Beacon St.
Jacob Aloa, Josiah Bonz, Devynne Fuga & Sonny Langford
Hours of Operation: Sat–Sun 11:00am–9:00pm
(AL19-000047)

An amendment was filed for Bozfam LLC d/b/a Manoa Poke Shop at 300 Beacon St. under the same Corporation Name, but different owners and a different address number. This appears to be a new application under a different address with different hours of operation. See information below from 10/21/19 & 11/13/19 Licensing Commission Meetings:

Existing Common Victualler

Reopening (closed January 2019 without notification),

Change of Hours & Change of Manager

Bozfam LLC
d/b/a Manoa Poke Shop

300 Beacon St.

Josiah Bonsey & Sam Bonsey

Current Hours on License are listed as: Mon.–Sun. 11:30am–9:30pm (AL17-000333)

Amendment application states current hours as – Fri. 5pm-9pm & Sat.-Mon. 11am-9pm

Proposed Hours – Tues.– Sun. 11:30am-9pm (ALM19-000025)

Change of Manger– current license lists Armodo Leopardi as Manager (AL17-000333)

Amendment indicates current Manager is James Acer

Change of Manager should be from Armodo Leopardi to Jacob Afoa

(ALM19-000025)

Continued from 10/21/19 & 11/13/19 Licensing Commission Meetings

The applicant failed to appear for the October 21, 2019 or the November 18, 2019

Licensing Commission Meeting.

A Certified Letter was mailed to the applicant on December 12, 2019 pertaining to this

amendment application, instructing them to appear at the January 13, 2020 Licensing

Commission Meeting.

Applicant submitted a new application with new owners on 12/19/19 – see AL19000047

13. Relentless Sub, LLC
d/b/a Subway
271 Broadway
Christopher Allen & Vinny Mosconi
Hours of Operation: Sun–Sat 9:00am–8:00pm
(AL19-000048)

Existing Alcohol License
City License
All Forms 7 Day Restaurant License

Requesting
Change of Manager

14. Tamario Inc. d/b/a Dali Restaurant, 415 Washington St. requesting approval of a Change of Manager from Mario Leon to Aliya Wali
(ALM19-000033)

Existing Alcohol License
City License
All Forms 7 Day Restaurant License

Requesting
Change of Manager

ASSEMBLY ROW Area
Chapter 142, Acts of 2016

15. The Smoke Shop BBQ Co., LLC d/b/a Smoke Shop BBQ, 325 Assembly Row requesting approval of a Change of Manager from Ian Grossman to Aimee Magner (ALM19-000034)

Existing Alcohol License
Private License
All Forms 7 Day Restaurant License

Requesting
Change of Manager

16. Fakhouri Inc. d/b/a Sound Bites, 704 Broadway requesting approval of a Change of Manager from Greg Beadle to Patricia Oppedisano (ALM19-000035)

Existing Alcohol License
City License
All Forms 7 Day Restaurant License

ENHANCEMENT Area
Chapter 142, Acts of 2016

Requesting
Change of Hours

17. Happy Crab of Chen, LLC d/b/a Happy Crab requesting approval of a Change of Hours from:
Current Hours for Food & Alcohol Service:
Mon-Fri - 3pm-10pm, Sat – 12pm-11pm & Sun – 12pm-10pm (appl. Indicates incorrect hours)
Proposed Hours for Food & Alcohol Service:

Mon.-Thu-3pm-1am, Fri-Sat-12pm-1am & Sun-12pm-12pm (Everyday hours change)
(ALM19-000036)

Existing Alcohol License
City License
For the Quota
All Forms 7 Day Restaurant License

Requesting
Alteration of Premises & Outdoor Patio Seating (Private Property)

Continued from 11/18/19 Meeting

18. Federal Wine & Spirits Belmont, Inc. d/b/a Field & Vine (& Back Bar), 9 Sanborn Ct. requesting approval for an Alteration of Premises from 34 Indoor Seats to 54 Indoors Seats in Field & Vine and 12 Outdoor Private Patio Seats for Field & Vine (no change to Back Bar Seats of 39), Total Seats for both establishments, Indoors & Outdoors will be 105.
(ALM19-000024)

Applicant requested this to be continued to the January 2020 Licensing Commission Meeting to comply with Abutter's Notice Requirement

This is the Notice of a Public Hearing for this Item. The Public is welcome to attend and be heard.

NEW Alcohol License
City License
All Forms 7 Day Restaurant License

ENHANCEMENT Area
Chapter 142, Acts of 2016

19. Olive, Viola and Will Inc. d/b/a Dragon Pizza, 233 Elm St. requesting approval for a 7 Day All Forms Alcohol License
Proposed Hours for Food & Alcohol Service: Mon-Wed – 12pm-10pm, Thu-Sat – 12pm-12am & Sun – 11am-8pm
Already has a CV License (AL18-000034)
(AL19-0000)

This is the Notice of a Public Hearing for this Item. The Public is welcome to attend and be heard.

Existing Alcohol License
Private License
All Forms 7 Day Restaurant License

Requesting
Change of Officers/Directors/LLC Managers & LLC Manager

20. 99 Restaurants of Boston, LLC d/b/a 99 Restaurant & Pub, 20 Cummings St. requesting approval for a Change of Officers/Directors/LLC Manager

FROM:

Charles O. Noyes—LLC Manager, President

Goodloe M. Partee - General Counsel, Secretary

REMOVE: Timothy T. Jansen-LLC Manger, Brent B. Bickett-LLC Manager & Gregory Hays-Treasurer

TO:

Charles O. Noyes—LLC Manager, President (no change)

Goodloe M. Partee-LLC Manger, General Counsel, Secretary (adding as LLC Manager)

ADD: Kurth Schaubelt-LLC Manager, CFO

W. Craig Barber-LLC Manager, CEO

Beneficial Interest Change:

As a result of a reorganization, Fidelity National Financial Ventures, LLC, owned 55%, created a new publicly traded company with the exact same stockholders, Cannae Holdings, Inc., and transferred all of its ownership in the 99 Restaurants, to CNNE. The other previously approved stockholders also transferred a share of their stock to the new publicly traded company, so that CNNE now owns 88.5% and the remaining owners hold a smaller ownership percentage (see chart in the application)
(ALM20-)

This is the Notice of a Public Hearing for this Item. The Public is welcome to attend and be heard.

Attorney Devlin's office requested a continuance on this item until the February 10, 2020 Licensing Commission Meeting, due to issues with Citizen Serve application process

VIOLATION

21. Ball Square Café & Breakfast 708 Broadway to show cause why the Common Victualler license issued to the above-referenced establishment should not be modified, suspended or revoked, for alleged violation of Massachusetts General Laws Chapter 140 §§ 2,9 and Somerville Licensing Commission Rules 1.04a and 1.12a to wit:

Somerville Licensing Commission Rule 1.04. a.- No licensee may permit any rule, policy, or action, express or implied, which makes any distinction, discrimination, or restriction on account of race, color, religious creed, national origin, sex, physical or mental disability, ancestry, sexual orientation or any other group protected by law relative to the admission or treatment of persons from the general public or employees at the licensed premises; provided, however, that premises licensed pursuant to section 12 of the General Laws, Chapter 138, may make rules regulating the admission of minors to the premises when such rules are not inconsistent with other rules and regulations stated herein; provided further that private club licensees may not discriminate, as aforesaid, with regard to guests at the licensed premises or with regard to who may be invited to the premises as a guest.

Somerville Licensing Commission Rule 1.12 a- Premises licensed for the consumption of food or beverages at the premises are public places where members of the public are invited and expect to be treated in the same manner as in other public places with regard to the provision of a decent and non-offensive environment. Food and beverage licensees are not permitted to have, create, produce, or tolerate any environment at the premises which is intended to hold any person or any group of people up to ridicule or derision such that said person or said group of persons would not feel comfortable at the premises.

The date of the alleged offense is August 2, 2019.

Status Report of Incomplete 2020 Alcohol License Renewals

22. Incomplete 2020 Alcohol License Renewals