

**City of Somerville  
Licensing Commission**

**Remote Meeting Participation**

**Regular Meeting**

**Monday**

**APRIL 21, 2020**

**6:00pm**

**Published on April 14, 2020 at 5:15pm**

***DRAFT OF THE***

***Minutes of the Regular Meeting***

***Posted 05/11/20 at 3:35pm***

***A recording of this meeting is available online***

***The meeting was called to order at 6:01pm. Present were Commissioners, Lynch and Allen, Secretary to the Commission Lori Batzek, Sgt. Warren Chaille, a member of the Police Department, Lt. MacLaughlan, a member of the Fire Dept., John Long, City Clerk, Applicants and members of the public.  
The meeting adjourned at 7:53pm***

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the Licensing Commission will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website.

Copy & paste the following link into your internet browser to view this meeting live:  
<https://attendee.gotowebinar.com/register/3132995017587209741>.

If you wish to submit comments on any item on this agenda, you may send written comments by US mail to the Secretary of the Licensing Commission, 93 Highland Avenue, Somerville, MA, 02143, or by email to [ljbatzek@somervillema.gov](mailto:ljbatzek@somervillema.gov). Your comments must arrive no later than 12 Noon on the day of the meeting, in order to be sure they are conveyed to the Commission.

***This introductory statement was read by the secretary Lori Batzek***

***Chairman Lynch expressed his apologies for last weeks' cancelled meeting, due to a technical issue.***

***Chairman Lynch spoke on behalf of the loss of Commissioner John McKenna and***

*expressed his gratitude for his service to the Licensing Commission.*

1. Minutes of February 10, 2020 Meeting

*The Commission approved these minutes*

### **Communications**

2. Cocktails, LLC, 179 West Central Street, Natick, MA notifying the Commission of an Event for 140 Guests, to be held at Warehouse XI, 11 Sanborn Court, on Wednesday, March 25, 2020 from 7:00PM-11:00PM (Alcoholic Beverages served from Cocktails, LLC)

*The Commission made a note of this past event notification.*

3. 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

*Commissioner Allen sent this Revision of the Somerville Licensing Commission Rules and Regulations to the Law Department for review. The Law Department has no legal concerns with the proposed changes. After further discussion on this matter, Commissioner Allen will request the Law Department to update Section 1.17, Permission to Close Premises Required, of the Rules and Regulations, to include Recreational Marijuana.*

*The Commission Continued this matter to the March 16, 2020 Licensing Commission Meeting*

*The Secretary has not yet received a determination on this matter.*

*The Commission continued this item to the next Licensing Commission Meeting for May 2020*

### **Special Alcohol License**

4. MSPCA-Angell Fast and Furriest, 350 South Huntington Ave., Boston requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for MSPCA-Angell Fast and Furriest 5K: Run, Walk, Wag to be held Outdoors at a Tent and Fenced off area at the Ampitheater area of DCR of Baxter Park at Assembly Row, on Sunday May 17, 2020 from 8:00am – 1:00pm (PEL20-000021)

*Canceled per Applicant's request by email*

*The Commission noted this item was cancelled due to the Mayor's emergency orders.*

5. Lindsay Griffin & Co, 106 Bristol Rd. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for the LG Prom to be held Indoors at Lindsay Griffin & Co, 106 Bristol Rd. on Saturday, May 16, 2020 from 7:00am – 11:30pm  
(PEL20-000029)

*Canceled due to State of Emergency – COVID-19 NON ESSENTIAL SERVICES*

*The Commission noted this item was cancelled due to the Mayor's emergency orders.*

6. Bantam Cider Company, 40 Merriam St. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for the 2020 Spring Block Party to be held Outdoors in a tent, across from Taza Chocolate, 561 Windsor St. on Saturday, May 2, 2020 from 12:00am – 5:00pm  
(PEL20-000038)

*Canceled due to State of Emergency – COVID-19 NON ESSENTIAL SERVICES*

*The Commission noted this item was cancelled due to the Mayor's emergency orders.*

## **MARIJUANA RETAILER LICENSES**

### **New Marijuana Retailer License**

*Continued from 10/21/19, 11/18/19, 1/13/20 and 2/10/20 Licensing Commission Meetings*

7. 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 2<sup>nd</sup> Community meeting being held on the evening of January 13, 2020. Email rec'd 12/17/19*

*The commission continued this matter until the 3/16/20 Licensing Commission meeting in order to go through all comments submitted to the commission, the Revised Traffic Study, (and the city's response to this information) and the Revised Business Plan Proposal submitted by the applicant.*

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

*Gladys Vega, Attorney Anne Vigorito appeared for this application. Also in attendance were David Giangrande, Scott Jenkins, Thomas Mourmouras, Leah Piantidosi, and Stephen Siragusa. A short discussion was held on the status of Chelsea and the Corona Virus. Chairman Lynch requested the Sunday hours be amended to a 10am opening. Ms. Vega states the hours were changed to 1pm-6pm. Commissioner Allen asked if any additional information was submitted by the city pertaining to the traffic study. Chairman Lynch indicated that no additional information has been received. Public comments were heard from the following individuals: Chris Guerrero asked if this meeting could be postponed. Bennett Sawyer agrees that the meeting should be postponed and commented on the public meetings. Ellen Friedman stated she is sharing a computer, because she had problems logging in. She states this decision should be postponed. Jessica Weatherbee states not all people have computer access. Also she asks the hours Monday-Friday and has concerns with Somerville residents using the parking lot or on street parking. Corinne King asked about the arms in the parking lot and customers using on street parking instead of the parking lot. Bennett Sawyer also has concerns about Central Street traffic and sparking. Chairman Lynch answered some of these questions. The state has granted authority to run meetings by remote access due to the corona virus. Mail, Email, Phone Calls or calls into the remote meeting are all available. Ms. Vega states the hours are Mon-Sat. 10am-8pm & Sun 1pm-6pm, and this change was submitted in February with the updated ownership information. The secretary states the hours submitted by the Attorney in November were Mon-Thu 10am-9pm, Fri-Sat 10am-10pm & Sun 12pm-5pm. Chairman Lynch states he is not inclined to postpone the meeting for additional in person comments, as there have been multiple venues for this process during the last 4 months. Chris Guerrero wants to know the total number of attendees of this meeting. Commission Allen states there are Staff members and Members of the Public attending. 6 attendees requested to speak with a total of 27 attendees. Sharon Lamere not a fan of this shop opening close to her home, however she is impressed with the applicant and would be happy to have her as a neighbor. Corrine King has concerns about the security cameras pointing into homes. Ellen Friedman asks about the 58 communications received pertaining to this application. How many in favor and how many opposed? Bennett Sawyer feels this type of business is not suitable. Rich Algeropolous approves of this business and the owner. Chairman Lynch states the vast majority of the emails have many concerns about traffic and parking. Approval or denial of applicants are not based solely on traffic and parking conditions. This matter would be taken up by the Zoning Board of Appeals. The issues will be summarized and submitted to the Zoning Board of Appeals by the Licensing Commission. No one is opposed to Ms. Vega, many people are opposed to an establishment in this high traffic area, very few are opposed to this being a pot shop. Permit parking is allowed by Somerville residents with stickers on a permit parking street. Commissioner Allen asked Scott Jenkins about the security camera's aiming at homes. Chairman Lynch requests Mr. Jenkins work directly with Corinne King so she can be assured of the camera's view.*

*Commissioner Allen asked about the ownership breakdown. The ownership was updated and documentation was submitted. Gladys is 51%, Leah is 46% and Tom is 3%. The signed Community Host Agreement was also submitted.*

*Chairman Lynch finds the applicant meets all the guidelines for the application process.*

*Commissioner Allen states all questions and concerns were answered in a competent manner.*

*The Commission Approved this application with the following conditions: Hours stated are Mon-Sat 10am-8pm & Sun 1pm-6pm, and Appointment only with review at 6 months and again in 1 year from commencement of the opening of business*

**Existing Alcohol License**  
**City License**  
**All Forms 7 Day Restaurant License**  
**Requesting**  
**Change of Manager**

*Continued from January 13, 2020 & February 10, 2020 Licensing Commission Meeting*

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

*No determination has been made by the City Solicitor as to how many times an agenda item can be continued (as of 4/6/20)*

*Aliya Wali appeared for this application. Commissioner Allen is an abutter, but it was determined this is not a conflict. She thought this was done earlier. Chairman Lynch states the applicant is responsible for making sure the paperwork is in order Ms. Wali states she has been the manager for 5 years*

*The Commission Approved this Change of Manger*

9. TBD Brewing LLC d/b/a Aeronaut Brewing Company, 14 Tyler St. requesting approval of a Change of Manager from Benjamin Holmes to Daniel Rassi (ALM20-000005)

*Daniel Rassi appeared for this application. He is one of the owners and the manager. Mr. Holmes no longer works for the company.*

*The Commission Approved this Change of Manger*

**NEW**  
**City License**  
**All Forms 7 Day Restaurant License, and**  
**Entertainment by Devices Licenses**  
**Enhancement Area**  
**Chapter 142, Acts of 2016**

10. Kathmandu Kitchen LLC d/b/a Himalayan Kitchen requesting an Enhancement Area All Forms 7 Day Restaurant and an Entertainment by Devices Licenses for 40 Bow St. (AL19-000044) – Already has a Common Victualler License (AL18-000002)

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

*Attorney Megan Kemp and Jeremy Lockett appeared for this application. Mr. Lockett has been the manager since the new owners took over in 2016. There have been letters sent and a petition signed in support of this application. Hours will remain the same. Staff will be tips certified. Chairman Lynch reminded Attorney Kemp that the manager must be certified in alcohol training. Jessica Eshleman of Union Square Main Streets spoke in support of this application.*

*The Commission Approved this All forms 7 Day Restaurant License and Entertainment by Devices License*

**NEW**  
**Common Victualler, Entertainment by Devices**  
**And Outdoor Public Seating Licenses**

11. Yves Elysse  
d/b/a Sisters Caribbean Restaurant  
83 Broadway  
Yves Elysse and Rosedalie Elysse  
(AL20-000002)

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

*No one appeared for this application.*

*The Commission continued this item to the May, 2020 Licensing Commission Meeting*

**NEW**

**Common Victualler and Entertainment by Devices Licenses**

12. Waikiki Inc.  
d/b/a Waikiki Sushi and Poke  
27 Holland St.  
Wei Zheng  
(AL20-000003)

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

*Wei Zheng appeared for this application. This is a new building.*

*The Commission Approved this Common Victualler License and Entertainment by Devices License*

**Common Victualler  
And Entertainment by Devices**

***Continued from January 13, 2020 Licensing Commission Meeting***

13. 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.

CLOSED this application, see new Owner/Corporation below:

**NEW**

**Common Victualler  
And Entertainment by Devices**

14. Tengbin Corp.  
d/b/a Mala Thumb  
5 Holland St.  
Tengfei Chen  
(AL20-000004)

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

*Attorney Wei Jia appeared for this application. There will be 32 seats. The address is 5-7 Holland St.*

*The Commission Approved this Common Victualler License and Entertainment by Devices License*

**NEW  
Common Victualler License  
\*With a New Manager**

15. Younis Inc.  
d/b/a Alfredo's Italian Kitchen  
288 Broadway  
Emadeldine A. Derebala  
(AL20-000006)

*Emadeldine Derebala appeared for this application. New Owner. He has 30 years experience. No change to hours, currently as Sun-Thu 10am-10-pm & Fri-Sat 10am-11pm.*

*The Commission Approved this Common Victualler License with a New Manager*

**Chairman Lynch requests a status determination or a follow up  
From the February 10, 2020 Licensing Commission Meeting on the following items:**

16. *Commissioner Allen has asked how many times we can carryover (continue to the next meeting) agenda items. Chairman Lynch suggests we should carryover agenda items for 2 months. The Secretary stated we have been continuing no show applications indefinitely. Chairman Lynch requests the Secretary send this to the Law Department, stating the applicant is not responding to the commission's request to attend the meeting for a determination on this matter.*

***The Secretary sent this matter to the Law Department on 2/27/20***

***The City Solicitor's office has not yet received a determination on this matter (as of 4/6/20).***

***The Commission requested the secretary follow up with the Law Dept. on this matter for the May 2020 meeting.***

17. *Commissioner Allen has asked for an inquiry of establishments that have closed and not notified the commission, and that he considers these licensees not to be in good standing. Chairman Lynch asked the Secretary if these establishments have been notified that they need to notify the commission of their closure. The secretary stated that when she becomes aware of an establishment closure, without the commission being notified, she does contact the licensee. Chairman Lynch has requested a list of all Business Licenses that the City knows has closed, but have not returned their licenses pertaining to All the Alcohol Licenses and Common Victualler Licenses.*

***The Secretary reports one establishment closed for renovations. She received a telephone call on 3/9/20 inquiring about this license. A notice was sent to the business requesting a workers compensation insurance coverage selections page or insurance affidavit. The gentleman said he came in and explained they were closed (he spoke to someone in the department, not the secretary), and explained they would be closed for approx.. 2 years for renovations. The secretary instructed him to submit this in writing to the Licensing Commission. She also explained that he may need to appear at a meeting to explain this matter.***

***The Commission took note and closed this matter.***

18. *Lt. MacLaughlan brought up a concern about an emergency situation that may arise in the Recreational Marijuana Establishments and how the Fire Department would be able to access the building. Chairman Lynch stated that if additional questions come up after the hearing, this is fine, as long as it is entered into the record. Lt. MacLaughlan will bring this matter up at the next meeting for the application. Chairman Lynch requested any documentation should be submitted to the secretary, and that the commission needs to be made aware of this.*

***The secretary has not received any additional information or documentation at this time.***

***The Secretary has not received any additional information or documentation (as of 4/6/20).***

*Lt. MacLaughlan will submit information on access to the building for emergency matters to the secretary. The commission closed this matter.*