

**City of Somerville  
Licensing Commission**

**Remote Meeting Participation**

**DRAFT OF THE  
Minutes of the Special Meeting  
Posted 08/17/20 at 9:15am**

*A recording of this meeting is available online*

*The meeting was called to order at 1:02pm. 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, and **City Staff George Proaki, Executive Director of OSPCD and Legal Council,***

***Hannah Pappenhiem***

*Applicants and members of the public.*

*The meeting adjourned at 1:34pm*

**Special Meeting**

**Wednesday**

**June 10, 2020**

**1:00pm**

**Published June 8, 2020 1:20pm**

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/595600358664781071>.

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.

The Licensing Commission is meeting solely for the purpose of considering outdoor seating for current license holders that is compliant with Covid-19 protocols.

Note: While this Licensing Commission's meeting is open to the public, the Commission does not expect to accept testimony from the public or from current license holders.

## COMMUNICATION

### ABCC ADVISORY REGARDING LOCAL LICENSING AUTHORITIES' APPROVAL OF OUTDOOR SEATING

Pursuant to Governor Baker's June 6, 2020 Order declaring that the Commonwealth had entered Phase II of its reopening plan. According to the Governor and the Executive Office of Housing and Economic Development, licensees for on-premises consumption of alcohol may commence outdoor seated service, provided food is prepared on-site under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Indoor service remains prohibited until further order from the Governor.

Please note that establishments that do not offer seated table service of food that is prepared on-site under a retail food permit are not allowed to open in Phase II.

Please refer to your Local Board for guidance on outdoor seating.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law.

*The Commission made a note of this ABCC Communication*

### OUTDOOR SEATING FOR CURRENT LICENSE HOLDERS

The Licensing Commission will consider the approval for all current outdoor seating license holders to open with modified seating that is consistent with Covid-19 protocols as specified by the City Engineer and the Public Space and Urban Forestry Division of the Mayor's Office of Strategic Planning and Community Development. This approval is only for the placement of outdoor seating on public and private property. It does not approve any other aspect of the current license. It takes effect immediately and requires no additional payment from any current license holder. It allows current license holders to reduce their hours of operation without notification to the Licensing Commission. It includes the warning that any violation of the Covid-19 protocols or of any other term and condition of the license may result in the suspension or revocation of the license holder's license.

*George Proakis stated that the protocols for Temporary Outdoor Seating Licenses are available online at [Somervillema.gov/restaurantreopening](http://Somervillema.gov/restaurantreopening) including the Health and Safety Plan, Control Plan and Floor Plan and Covid19 compliance.*

*A discussion was held pertaining to the difference between the state and city requirements for this process.*

***Chairman Lynch stated there is no change in the hours of operation. If the hours are reduced, the commission does not require notification. If the hours are being extended, this would require commission approval with an application to be submitted. Any fees paid in error will be reimbursed by the City Clerk's Office. The next Special Meeting being held on Friday, June 12, 2020, will be for the approval of New Outdoor Seating applications.***

<b>Patio</b>	<b>DBAName</b>	<b>Location</b>	<b>BusinessName</b>
Private	AMERICAN FRESH BREWHOUSE	490 FOLEY ST	SOMERVILLE BREWING COMPANY, INC
Private	Avenue Kitchen and Bar	158 BOSTON AVE	Avenue Kitchen and Bar
Public	Ball Square Cafe & Breakfast	708 BROADWAY	Ball Square Cafe and Breakfast
Public	Boston Burger Company	37 DAVIS SQUARE	Davis Square Food Services, Inc.
Private	Bow Market Hall	337 SOMERVILLE AVE	Bow Market Entertainment, LLC
Public and Private	Brass Union	70 UNION SQ	Union Square Group, Inc.
Private	Bronwyn	255 WASHINGTON ST	AnnexTW, Inc.
Private	Bull McCabes	366A SOMERVILLE AVE	Bull McCabe Corp.
Private	Caffe Nero	375 ASSEMBLY ROW	Caffe Nero
Private	Daddy Jones	525 MEDFORD ST	Demeter Hospitality, LLC
Public	El Potro Mexican Grill	61 UNION SQ	Mariachi Foods Inc.
Public	Elm St Taproom	256 ELM ST	MD Associates LLC
Public	Five Horses Tavern	400 HIGHLAND AVE	SDH Corp.
Public	Forge Baking Company	626A SOMERVILLE AVE	Forge Baking Company
Private	Fuji at Assembly	320 CANAL ST	Fuji at Assembly, Inc.
Public	Gauchos Brazilian Cuisine	102 BROADWAY	Gauchos Brazilian Cuisine
Public	GENKI YA OF SOMERVILLE	246 ELM ST	GENKI YA OF SOMERVILLE
Public	La Brasa	124 BROADWAY	Fat Hen, LLC
Private	LA CUCINA	400 ASSEMBLY ROW	LA CUCINA
Private	Legal on the Mystic	301 GREAT RIVER RD	Legal Sea Foods, LLC
Public	Los Amigos Taqueria	424 HIGHLAND AVE	Los Amigos Taqueria
Private	LUCKY STRIKE	325 REVOLUTION DR	LUCKY STRIKE SOMERVILLE, LLC
Public	Maya Sol Mexican Grill LLC	179 BROADWAY	Maya Sol Mexican Grill LLC
Private	MIDICI	463 ASSEMBLY ROW	NEW ENGLAND NEAPOLITAN ASSEMBLY ROW LLC
Public	Mikes	8 DAVIS SQ	Terranova, Inc.
Public	Mr. Crepe	51 DAVIS SQUARE	Crispy Crepe, LLC.
Private	Neighborhood Restaurant	25 BOW ST	Borges Neighborhood Restaurant
Public	NINE BAR ESPRESSO	11 HOLLAND ST	S&H COFFEE COMPANY, INC
Public	Nu Cafe	195 WASHINGTON ST	Nu Cafe Somerville, LLC
Public	OAT SHOP	22A COLLEGE AVE	RADAR INITIATIVES INC
Public	Ola Cafe	112 BROADWAY	Ola Gifts Cafe, LLC.
Private	Oliveira	120 WASHINGTON ST	Mark Food Enterprises, Inc.
Private	Orleans	65 HOLLAND ST	DevCorp. 2, Inc.
Private	Pizzeria Posto	187 ELM ST	Alpine Restaurant Group, Inc.
Public	PJ Ryans	239-241 HOLLAND ST	KB Investments, Inc.
Private	Remnant Brewing, LLC	337 SOMERVILLE AVE	Remnant Brewing, LLC
Public	Rincon Mexicano	99 BROADWAY	Rincon Mexicano
Private	River Bar	661 ASSEMBLY ROW	River Bar, LLC
Private	Ruth's Chris Steak House	375 REVOLUTION DR	Ruth's Chris Steak House
Private	Sabroso Taqueria	475 Revolution DR	Sabroso Taqueira
Public	Sally Obriens	335 SOMERVILLE AVE	Sally O'Brien's, LLC
Private	Smoke Shop BBQ	325 Assembly Row	Smoke Shop
Public	Sound Bites	704 BROADWAY	Fakhouri, Inc.
Private	Southern Kin Cookhouse and Bar	500 ASSEMBLY ROW	BNV 6, Inc.
Public	SPOKE	89 HOLLAND ST	MKJD, LLC
Public	Taco Loco Mexican Grill	44 BROADWAY	Taco Loco Mexican Grill

Public	Taco Party	711 BROADWAY	Taco Party, LLC.
Public	The Burren	247 ELM ST	Galwegan, Inc.
Public	The Independent	75 UNION SQ	Prospect Hill Properties, Inc.
Private	THE ROW HOTEL	360 FOLEY ST	COLWEN MANAGEMENT, INC.
Public and Private	Tony Cs	699 ASSEMBLY ROW 240	Rebel Restaurants Somerville, LLC.
Public	True Grounds	717 BROADWAY	True Grounds
Private	Union Tavern	345 SOMERVILLE AVE	Portuguese-American Lounge, Inc.
Public	Vinal Bakery	222 SOMERVILLE AVE	Vinal Bakery
Private	Winter Hill Brewing Company	328 BROADWAY	Indignant Brewing Co., LLC
Private	ZO GREEK	355 REVOLUTION DR	ZO ASSEMBLY, INC.

*Chairman Lynch read these restaurants with their addresses, that have current outdoor seating into the record.*

*City Clerk John Long read this MOTION FOR APPROVAL:*

***MOTION: I move to provisionally approve the establishments just read aloud for outdoor seating service. This approval is conditional on each establishment filing a health and safety plan, and receiving City approval of its socially distant seating layout. Licensees are not permitted to begin operation until they receive written notice from the City Clerk's Office that both conditions have been met. This approval expires on November 1 at 11:59PM, unless otherwise modified by the Governor or State or City legislation, and requires no additional payment. License holders may reduce but not expand their existing hours of operation on private property, and may reduce but not expand past 10PM their existing hours of operation on public property. Finally, outdoor seating license holders are warned that any license holder who violates any Covid-19 protocols, ADA requirements, or any other terms or conditions of the license, may be subject to suspension for the remainder of 2020 and/or the revocation of the license holder's license.***

*The Commission Provisionally approved the above licenses pursuant to the motion read above.*

*Chairman Lynch recommended contacting city staff by email while City Hall is closed.*

*City Clerk John Long clarified that an amendment must be submitted in Citizen Serve to be issued a License. Separate applications are recommended for additional hours or an expanded footprint for outdoor seating, in order to expedite approval.*