

**City of Somerville
Licensing Commission**

SPECIAL Meeting by Remote Participation

**DRAFT OF THE
Minutes of the Special Meeting
Posted 9/14/20 at 9:00am**

**Wednesday
June 24, 2020
2:00pm**

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*The meeting was called to order at 2:00pm. Present were Commissioners Lynch and Allen, Secretary to the Commission Lori Batzek, Lt. Timothy Mitsakis, a member of the Police Department, Lt. MacLaughlan (joined at a later time in the meeting), a member of the Fire Dept., City Clerk, John Long, Members of the City Staff, Applicants and members of the public.
The meeting adjourned at 3:03pm*

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:

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. 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.

<https://attendee.gotowebinar.com/register/1658950148755053068>

The purpose of the meeting is to consider outdoor seating applications continued from the June 15 Licensing Commission meeting and new outdoor seating applications that are compliant with Covid-19 protocols.

**TEMPORARY OUTDOOR PATIO SEATING
DUE TO GOVERNOR BAKER'S ORDER**

Requesting

**An Alteration of Premises
For TEMPORARY Outdoor Patio Seating**

Continued from Thursday, June 18, 2020

1.

Continued from Thursday, June 18, 2020							
LICENSE #	BUSINESS	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE
ALM20-000017	Rosebud	381 Summer St	CONTINUE	NEW TEMPORARY	YES	NEW	PUBLIC

This item to be discussed with the Economic Development Schematic Plan, further along in the agenda. The Commission provisionally approved this License for the Parklet Seating Schematic

NEW Applications

**TEMPORARY OUTDOOR PATIO SEATING
DUE TO GOVERNOR BAKER'S ORDER**

Requesting

**An Alteration of Premises
For TEMPORARY Outdoor Patio Seating**

2.

LICENSE #	BUSINESS NAME	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE
ALM20-000086	Café Rustica	358 Beacon St	NEW	NEW TEMPORARY	YES	NEW	PUBLIC
ALM20-000086	Café Rustica	358 Beacon St	NEW	NEW TEMPORARY	YES	NEW	PRIVATE
ALM20-000087	Beacon St Pizza	147 Beacon St	NEW	NEW TEMPORARY	NO	NEW	
ALM20-000088	La Cantina (parklet)	247 Washington St	NEW	NEW TEMPORARY	YES	NEW	PUBLIC
ALM20-000089	La Brasa (parklet)	124 Broadway	NEW	EXPANSION	NO	CURRENT	PUBLIC
ALM20-000091	Tu Y Yo	852 Broadway					
ALM20-000093	True Grounds	717 Broadway	NEW	EXPANSION	YES	CURRENT	PUBLIC

Café Rustica – Public Seating application was Withdrawn

Café Rustica – Private Seating- Cortney Kirk requested Lt. MacLaughlan analysis of the area and access is available for emergency services. Conditionally Approved pending department approvals

Beacon St. Pizza – Cortney Kirk stated this is for an existing patio and additional seating in the backyard of the property. Economic Development has reviewed the plan and approved it. Conditionally Approved pending department approvals

La Cantina (Parklet) – Chairman Lynch stated this business had previous Public Seating on the sidewalk, but failed to renew this license last year. Conditionally Approved pending department approvals, for the Parklet only, NOT the public sidewalk

La Brasa (Parklet) – This business would like to extend their outdoor seating on the public sidewalk, This is NOT a parklet. Conditionally Approved pending department approvals

Tu Y Yo - Sue Thomas stated they are working with the applicant with a translator to complete this application. Commissioner Allen asked if it was known if this is Public or Private. Sue Thomas responded that she believed it is Public Seating on the sidewalk. Conditionally Approved pending department approvals

True Grounds - Chairman Lynch asked if this was seating on the Public sidewalk. Cortney Kirk responded yes, and this will be for Covid Compliance for their existing seating. Conditionally Approved pending department approvals

3. **Agenda Item - Request** - OSPCD requests a conditional approval for the restaurants listed below from Day Street to Grove Street in Davis Square, pending staff review and compliance with the StreateryOnElm schematics.

<https://bit.ly/StreateryOnElm>

Sue Thomas stated the schematics will be placed on the City Website for public viewing. A blanket approval is being requested. 22 establishments could be included for this plan. One lane will be open for driving. The same types of vehicles will be able to take the new turn instead of the closed slipway. These plans will be employed on Monday. Some of these plans are flexible and may be changed. Some establishments have outdoor seating in the back. Chairman Lynch requested the Bike Rack be moved to a side street. Justin Schreiber stated the businesses are happy with the current position of the rack. Chairman Lynch asked how bikers would access the bike rack. Justin Schreiber stated they need to access through the cordoned off area, and this may need to be flipped around in the other direction. Chairman Lynch stated this may interrupt the flow of outdoor seating, and how would bicyclists be passing by outdoor diner and would they be in the street to park bikes. A discussion was held about businesses that have not applied for this parklet seating and how additional parking would be handled. Chairman Lynch asked about side streets restaurants, off of Elm St. Sue Thomas stated some parklet seating may be placed on the side streets. Commissioner Allen expressed concern about barriers between the outdoor establishments, in case of any issues which may arise. Justin Schreiber stated that the approach lanes off of College Ave and Holland St., the right lane will be a right turn only. Chairman Lynch recommended that Economic Development ensure that restaurants know their boundaries and expressed concern about the movement of chairs and barriers beyond what has been approved. Sanitation was discussed about additional barrels and how often the space is cleaned. Sue Thomas stated this would be required after the patrons leave the table.

Businesses:

	LICENSE #	BUSINESS NAME	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE
1	ALM20-000017	Rosebud	381 Summer St	CONTINUED FROM 6/18	NEW TEMPORARY	YES	NEW	PUBLIC
2	ALM20-000021	Painted Burro	219 Elm St	SIGNOFFS	NEW TEMPORARY	YES	NEW	PUBLIC
	ALM20-000021	Painted Burro	219 Elm St	APPROVED	NEW TEMPORARY	YES	NEW	PRIVATE
3	ALM20-000036	Out of the Blue	215 Elm St	APPROVED	NEW TEMPORARY	YES	NEW	PUBLIC
4	ALM20-000078	The Burren	247 Elm St	SIGNOFFS-Fire	NEW TEMPORARY	YES	NEW	BOTH
5	ALM20-000081	Dragon Pizza	233 Elm St	SIGNOFFS	NEW TEMPORARY	YES	NEW	PRIVATE
6	ALM20-000023	Grainmaker	248 Elm St	SIGNOFFS	NEW TEMPORARY	YES	NEW	PUBLIC
7	ALM20-000080	Foundry on Elm	255 Elm St	SIGNOFFS	NEW TEMPORARY	YES	NEW	PUBLIC
8	ALM20-000010	Mike's	8 Davis Sq	APPROVED	EXPANSION	YES	CURRENT	PUBLIC
NO APPLICATION RECEIVED FOR TEMPORARTY OUTDOOR SEATING								
1	NO APPL. SUBMITTED	ANNA'S TAQUERIA	236 ELM ST.					
2	NO APPL. SUBMITTED	CHIPOTLE	274 ELM ST.					
3	NO APPL. SUBMITTED	DARBAR GRILL	236 ELM ST.					
4	NO APPL. SUBMITTED	DIESEL	257 ELM ST.					
5	NO APPL. SUBMITTED	ELM STREET TAP ROOM	256 ELM ST.					
6	NO APPL. SUBMITTED	GENKI YA	246 ELM ST.					
7	NO APPL. SUBMITTED	KUNG FU TEA	GOOGLE ADDRESS: 237 ELM ST., HEALTH LIC ADDRESS: 233 ELM - NO CV LIC.					
8	NO APPL. SUBMITTED	MARTSA ON ELM	233 ELM ST.					
9	NO APPL. SUBMITTED	O'GINGER	234 ELM ST.					
10	NO APPL. SUBMITTED	POKEWORKS	261 ELM ST.					
11	NO APPL. SUBMITTED	PUNJABI GRILL IS NOW DARBAR GRILL	236 ELM ST.					
12	NO APPL. SUBMITTED	REDBONES	55 CHESTER ST.					
13	NO APPL. SUBMITTED	SNAPPY KITCHEN (S/B SNAPPY RAMEN)	263 ELM ST.					
14	NO APPL. SUBMITTED	STARBUCKS	260 ELM ST.					

Rosebud – This application was discussed earlier in the meeting, under Item # 1. The Commission provisionally approved this License for Parklet Seating Schematic

Painted Burro (Public) - Conditionally Approved pending department approvals

Painted Burro (Private) – This license was already approved at a previous meeting.

Out of the Blue - Conditionally Approved pending department approvals

The Burren - Conditionally Approved pending department approvals

Dragon Pizza – This application is not part of the Economic Development Schematic. They will be using the back parking lot for outdoor seating. Conditionally Approved pending department approvals

Grainmaker - Conditionally Approved pending department approvals

Foundry on Elm - Conditionally Approved pending department approvals

Mike’s - Conditionally Approved pending department approvals

NO APPLICATIONS RECEIVED FOR TEMPORARY OUTDOOR SEATING FOR THE FOLLOWING:

Anna’s Taqueria - Conditionally Approved pending submission of application and department approvals

Chipotle - Conditionally Approved pending submission of application and department approvals

Darbar Grill - Conditionally Approved pending submission of application and department approvals

Diesel - Conditionally Approved pending submission of application and department approvals

Elm St. Tap Room - Conditionally Approved pending submission of application and department approvals

Genki Ya - Conditionally Approved pending submission of application and department approvals

Kung Fu Tea - Conditionally Approved pending submission of application and department approvals

Martsa on Elm - Conditionally Approved pending submission of application and department approvals

O’Ginger - Conditionally Approved pending submission of application and department approvals

Pokeworks - Conditionally Approved pending submission of application and department approvals

Punjabi Grill (is now Darbar Grill) – * see Darbar Grill above

Redbones - Conditionally Approved pending submission of application and department approvals

Snappy Kitchen (s/b Snappy Ramen) - Conditionally Approved pending submission of application and department approvals

Starbucks - Conditionally Approved pending submission of application and department approvals

Chairman Lynch confirmed this count with Sue Thomas For a Total of:

7 Current applications

**14 Have not yet applied – *This total is actually 13, per the Secretary. #11 Punjabi Grill is now #3 Darbar Grill. See above not.*

Dragon Pizza – This would be an additional outdoor seating license, Provisionally approved as part of Economic Development Schematic for Streatery on Elm. Conditionally Approved pending submission of application and department approvals

Added Dragon Pizza for the Economic Development Schematic if an application is submitted for this process.

****New Total 15 Have not yet applied - *This total is actually 14 (including Dragon Pizza for Econ. Dev. Schematic)**

Chairman Lynch read this MOTION FOR APPROVAL:

MOTION: I move to provisionally approve the establishments just reviewed favorably 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.

LATE ITEMS

NEW Applications

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4.

LICENSE #	BUSINESS NAME	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE
ALM20-000095	Sligo Pub (parklet)	237A Elm St	NEW	NEW TEMPORARY	YES	NEW	PUBLIC
ALM20-000096	Los Paisanos	62 Broadway	NEW	NEW TEMPORARY	YES	NEW	PUBLIC
ALM20-000097	Dali	415 Washington St	NEW	NEW TEMPORARY	YES	NEW	PUBLIC
ALM20-000098	Vinny's at Night	76 Broadway	NEW	NEW TEMPORARY	YES	NEW	PUBLIC

Sligo Pub (Parklet) – This late application is part of the Economic Development Schematic. This application was not approved. This pub serves pre- packaged food, and has a Common Victualler License. Sue Thomas stated they are working with Dragon Pizza to partner together. The ABCC requires food service with alcohol. Chairman Lynch stated that this he was unsure on this application, as this is a precedent setting sharing arrangements. This outdoor seating is not parklet seating. The applicant will be using the rear lot. Sue Thomas stated she would work with both Sligo Pub and Dragon Pizza on this matter, and submit a proposal.

This application was not approved - Continued until July 1, 2020 Licensing Commission Meeting

Los Paisanos – This application is for social distant sidewalk seating. Conditionally Approved pending department approvals

Dali - This application was submitted for sidewalk seating. Cortney Kirk states the sidewalk is too narrow for this seating and she has recommended Parklet seating. Economic Development will work with the applicant on this. Conditionally Approved pending department approvals

Vinny's at Night - This application is for a Parklet on Broadway. Conditionally Approved pending department approvals

Sue Thomas, Economic Development has requested a special meeting be scheduled for next week due to the July 4, 2020 Busy Holiday. The Commission scheduled a Special Meeting for Wednesday, July 1, 2020 at 2pm in order to comply with the 48 Hour Open Meeting Notice.