

**City of Somerville  
Licensing Commission**

**Regular Meeting by Remote Participation**

**Monday  
February 22, 2021  
6:00pm**

**Published February 17, 2021, at 5:20pm**

**Published February 22, 2021, at 5:00pm**

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/3578944846352100110>.

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.

**COMMUNICATIONS**

1. Minutes of January 25, 2021 Regular Meeting – (Incomplete)

2. **ABCC Advisory - ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY  
REGARDING INCREASING RETAILER'S CAPACITY LIMIT TO FORTY PERCENT**

On February 4, 2021, Governor Charlie Baker increased certain retailers' capacity limits from 25% to 40%.

**As of Monday, February 8, 2021, all retail alcohol licensees may increase their customer occupancy to 40% capacity limit. This applies to indoor and outdoor seating separately.**

For on-premises licensees, the 40% capacity limit is based on a licensee's seating capacity. Questions regarding seating capacity should be directed to your local licensing authority.

For off-premises licensees, the 40% capacity limit is calculated by the occupancy load as stated on a licensee's certificate of inspection issued under the State Building Code.

Workers/staff are excluded from the occupancy count.

Licensees for on-premises consumption are reminded that food must be served with alcohol sales, as explained in the ABCC's August 10, 2020, Advisory.

These licensees are also reminded of the 90-minute time limit per table, with a maximum of 6 patrons per table, which remains in effect.

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. All questions should be directed to the ABCC Executive Director Ralph Sacramone at [rsacramone@tre.state.ma.us](mailto:rsacramone@tre.state.ma.us) or (617) 727-3040 x 731.

(Issued February 5, 2021)

3. **Somerville Licensing Commission Advisory sent to Licensee's on 2/5/21**

Somerville Businesses to Remain at 25% Capacity Limit

The City of Somerville will not join the Commonwealth in raising capacity limits on Monday February 8 for certain businesses. Capacity limits in Somerville businesses will remain at 25% or the limit set in the business's City-approved health and safety plan until further notice.

Somerville also continues to hold the limit on attendance at outdoor gatherings to stricter levels than the Commonwealth with no more than 10 persons until further notice. The limit applies to both indoor and outdoor gatherings of any kind unless otherwise specifically permitted in City activity-specific guidelines.

*For more information and regular COVID-19 updates, visit [www.somervillema.gov/coronavirus](http://www.somervillema.gov/coronavirus) and sign up for City alerts at [www.somervillema.gov/Alerts](http://www.somervillema.gov/Alerts). Community members are encouraged to sign up for every alert method: phone call, text, email. Also follow [FB.com/SomervilleCity](https://www.facebook.com/SomervilleCity) and [@SomervilleCity](https://twitter.com/SomervilleCity).*

4. Communication from Chairman Lynch dated 2/16/21:

Urging this Commission to review its Rules and Regulations and prepare a timeline to produce any proposed amendments.

4a. Communication from Chairman Lynch dated 2/22/21:

Submitting a preliminary status report of licensees that have indicated permanent closure, temporarily closed (hibernation) or have yet to renew their 2021 Somerville License Commission license. This report will be frequently updated as more information becomes available.

**Existing All Forms Alcohol**  
**Private License**  
**Requesting**  
**A Change of Officers/Directors/LLC Managers**

5. Fraiman Enterprises Inc. d/b/a The Somerville Theater, 55 Davis Sq. requesting approval for an a Change in Officers/Directors/LLC Managers

**From:**

Douglas Fraiman – President, Director  
Melvin L. Fraiman – Treasurer, Director (removing)  
Beatice Z. Fraiman – Clerk, Director (removing)

**To:**

Richard B. Fraiman – President, Treasurer, Director (adding)  
Lenie S. Fraiman – Secretary, Director (adding)  
(ALM20-000172)

*Alteration of Premises was approved under this amendment ALM20-000172 at the January 25, 2021 Licensing Commission Meeting. Change of Officers/Directors/LLC Managers was inadvertently not updated on Jan. Agenda and requires approval*

Continued from January 25, 2021

Existing All Forms Alcohol  
Private License  
Requesting  
Change of Manager

6. Parisi's d/b/a Mike's Bar, 97 Washington St. requesting a Change of Manager from Robert Parise to Jana Brinkhaus (ALM20-000176)

*Applicant requested to continue this item for the February 22, 2021 Licensing Commission Meeting. Unable to stay past 9:15pm*

Transfer  
Private All Forms Package Store License

7. 88 Broadway, Inc. d/b/a Sullivan Square Liquors for 88 Broadway requesting a Transfer of an All Forms Package Store License from E Broadway Inc. d/b/a Sullivan Square Liquors for 88 Broadway to 88 Broadway, Inc. d/b/a Sullivan Square Liquors for 88 Broadway (AL21-000002)

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

8. COMMUNICATION - CONTINUED FROM NOVEMBER 16, 2020  
Motion read, however this was not voted on by the commission

Economic Development is requesting the Licensing Commission to conditionally approve outdoor seating licenses wishing to operate past January 11, 2021 on a case by case basis contingent upon DPW, Fire, Engineering and OSPCD review. For all other licenses, we are requesting to resume outdoor seating starting March 1st, 2021.

**Secretary's Note:**

*After review of the video and minutes taken of this Licensing Commission Meeting, this motion may not have been voted on and may need to appear and be approved, for the February, 2020 Licensing Commission Meeting*

*MOTION: I move to allow the use of private property and the public ways for all holders of Outdoor Seating Licenses issued by this Licensing Commission from March 1, 2021 through March 31, 2021, notwithstanding the provisions of Licensing Commission Regulation 1.18h, through December 31, 2021. All other conditions apply, unless otherwise modified by the Governor or State or City legislation. Licensed users of the public way shall be discontinued upon notice by the Licensing Commission, Director of Inspectional Services, Commissioner of Public Works, Chief Fire Engineer, or City Engineer that the outdoor seating and all related equipment must be removed so the public way can be accessed for a public purpose, including, but not limited to, snow removal, street repair, and underground utility work.*

Continued from January 25, 2021

EXISTING TEMPORARY OUTDOOR SEATING – ADDING SEATING & GREENHOUSES

Public Property Seating – Request to begin service on March 1, 2021

TEMPORARY OUTDOOR PATIO SEATING  
DUE TO GOVERNOR BAKER'S ORDER

**Requesting**

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

9.

FOR NEXT LC MEETING															
LICENSE #	BUSINESS NAME	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE	TENT	HASP	FLOOR PLAN	CONTROL ENG.	SPCD	FIRE	INSURED	WINTER CERT.
ALM20-000177	Genki Ya	246 Elm St.	Expansion of Temp. Outdoor Seating	from 20 to 32 Seats & Add. Greenhouses	Yes	Current/Temp	Public	Greenhouses	Yes	Yes	Yes			Yes	Yes

*Applicant not in attendance when this item was called at the Licensing Commission Meeting on January 25, 2021. Continued until the February 22, 2021 Licensing Commission Meeting.*

10.

LICENSE #	BUSINESS NAME	ADDRESS	STATUS	APP. TYPE	COMPLETE	CURRENT/NEW	PUBLIC/PRIVATE	TENT	HASP	FLOOR PLAN	CONTROL ENG.	SPCD	FIRE	INSURED	WINTER CERT.
ALM21-000001	Celeste	21 Bow St.		4 Seats & 2 Greenhouses on the sidewalk	No	Current	Public	Greenhouses	Yes	Yes	Yes	w/cond.	Yes	Yes	Yes

**LATE ITEM**

**POSSIBLE VIOLATION**

- 11. Request to Speak to the Somerville License Commission  
From: Bonnie Denis, Chair of SCPD  
Regarding: Possible Violation  
Name of Business: Alpine Restaurant Group d/b/a Pizzeria Posto  
Address: 187 Elm St.  
Date: 2/19/21