

## **2012 Minutes of the Somerville Licensing Commission**



**2012 Minutes of the Somerville Licensing Commission**  
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**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Wednesday  
January 18, 2012  
6:00 p.m.**

**MINUTES**

Chairman Upton called the meeting to order. Present were Commissioner John J. McKenna and Executive Secretary Jenneen M. Pagliaro.

Minutes of the November 21, 2011 meeting were accepted as submitted.

**COMMUNICATIONS**

Alcoholic Beverages Control Commission notifying the Commission that Fat Hen, LLC d/b/a LaBrasa, 118-120 Broadway has withdrawn their application that was pending at the ABCC (The Licensing Commission approved this All-Forms 7 Day Alcoholic Beverages Restaurant license at the Oct. 17, 2011 hearing). The Board took Administrative notice and placed the item on file.

Notifying the Board that Namaskar, 236 Elm St. has returned the All-Forms 7 Day Alcoholic Beverages Restaurant License to the City. The restaurant is still open, however they are no longer serving alcohol. The Board placed this item on File.

Somerville Licensing Commission Communication to certain licensees reiterating BYOB regulations in Somerville. The Board requests that the Assistant City Solicitor draft a letter to be mailed to all licensees advising them of the rules and regulations.

**RULES**

**CONTINUED FROM DECEMBER 20, 2011 MEETING**

Consideration for amending The Somerville Licensing Commission Rules and Regulations to require that new liquor license applicants undergo training for the sale of alcohol to underage individuals.

Cory Mashburn from Somerville Cares About Prevention spoke about what the City program does. Mr. Mashburn suggested that the City require new liquor license holders to be required to go thru training with the City to prevent of Underage Drinking.

Commissioner Upton made a motion for the City Solicitor to work with Cory Mashburn from Somerville Cares About Prevention to draft an amendment to the Licensing Regulations and submit for consideration at the next Licensing Hearing.

Motion was seconded.

### **STATUS**

Present: Attorney Ann Vigorito & Patrick Buben

Atty. Vigorito, representing PLPB DDBG LLC d/b/a Deco Restaurant, 425 Washington St. came before the Commission to give status update on opening of establishment.

Atty. Vigorito stated that the renovations are about 60 percent complete and the owner plans to be open in the spring.

The Commission warned the applicant that the establishment should be open soon or the Commission would consider taking the license back due to failure to operate for such a long period of time.

A motion was made and seconded,

The applicant is to appear back before this Board at the April 23, 2012 meeting for another status update.

### **Status Update**

### **Continued from December 20, 2011**

Present: Attorney Ann Vigorito

Attorney Vigorito, representing Las Brisas, 561 McGrath Highway came before the Commission to give a status update on the Wine and Malt license pending at the Alcoholic Beverage Control Commission.

Atty. Vigorito stated that she has been in contact with the ABCC and stated that she was told no decision had been made on the application.

Commissioner McKenna would like the City to take the license back from Las Brisas.

Chairman Upton stated we can't do that because they do not have the license yet. The license is currently pending at the ABCC.

Chairman Upton suggested that the applicant write a letter to the ABCC to see what the hold up is on this license.

Commissioner McKenna made a motion to revoke the liquor license approval for Las Brisas, if this matter is not resolved at the ABCC.

A Motion to Lay this matter on the table and continue this matter until next Licensing hearing.

Motion was seconded.

**Transfer of Stock**

**Uptown Café, Inc. d/b/a Johnny D's Uptown Lounge**  
**17-27 Holland St.**

Present Attorney Ann Vigorito

Atty. Vigorito, representing Uptown Café, Inc. d/b/a Johnny D's Uptown Lounge, 17-27 Holland St., came before the Commission requesting approval for transfer of stock from Tina DeLellis to Tina DeLellis Revocable Trust and then from Tina DeLellis Revocable Trust to Carla DeLellis.

Atty. Vigorito stated that the application was before the Commission at a previous hearing. The application was approved by the City and sent to the ABCC for approval. The ABCC returned the application and requested that the applicant to re-file the Transfer of Stock from the Trust before the can approve the original transfer to Carla DeLellis

On a motion duly made and seconded, it was

VOTED: to grant the Transfer of Stock as submitted.

**Change of Manager**  
**Club License**

**Winter Hill Yacht Club, Inc.**  
**130R Foley St.**

Present: Joseph Basile

Mr. Basile came before the Commission requesting change of Manager from Norman LeBlanc to Joseph Basile.

Mr. Basile has bar tending experience.

Commissioner Upton suggested that Mr. Basile may consider taking a Tips Training Course or speaking with Corey Mashburn.

Upon a motion duly made and seconded, it was

VOTED: To approve the Change of Manger as submitted.

**ENTERTAINMENT LICENSES**

Due to recent developments it has come to the Commissions attention that some of the Clubs do not hold Entertainment license.

**American Legion Post 19**  
**124 Highland Ave.**

Present: Dave Chamberlain

Mr. Chamberlain came before the Commission requesting approval of an Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

On a motion duly made and seconded, it was

VOTED: To approve the Entertainment License as presented.

**Somerville City Club**  
**20 Innerbelt Rd.**

Present: Robert King

Mr. King came before the Commission requesting approval of an Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

On a motion duly made and seconded, it was

VOTED: To approve the Entertainment License as presented.

**Dante Club**  
**5 Dante Terrace**

Present: Michael Capasso

Mr. Capasso came before requesting approval of an Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

On a motion duly made and seconded, it was

VOTED: To approve the Entertainment License as presented.

**Portuguese American Civic League**  
**26 Springfield St.**

Present: Izidro Mendonca

Mr. Mendonca came before the Commission requesting approval of an Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

On a motion duly made and seconded, it was

VOTED: To approve the Entertainment License as presented.

**Greek American Social Construction Club, Inc.**  
**79 Bow St.**

Present: Michael Pergantis

Mr. Pergantis came before the Commission requesting approval of an Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

On a motion duly made and seconded, it was

VOTED: To approve the Entertainment License as presented.

**CONTINUED FROM NOVEMBER 21, 2011 MEETING**

Present: Ann Vigorito & Robert Hardy

George Dilboy Post 529, VFW 371 Summer St., requesting approval for a Entertainment license at the new location, 343-349, 351 Summer St. Entertainment License consisting of Entertainment by Performers, Patrons and Devices.

Commissioner McKenna questioned why the hurry to get this License and feels it would be good to see over a course of time how the post handles functions at the current location. Since heightened awareness has come about with oversight in regards to Clubs

Atty. Vigorito requests that the Board vote on this tonight. They are currently running a business and the Board will call them in is they have any issues.

The neighbors raised a question in regards to proper notice being sent out to abutters and if this is the legal address.

Atty. Vigorito stated this is the legal address and everyone was notified.

Commissioner McKenna noted Postal Address isn't that important and the address is not evidence of anything.

Mr. O'Shea brought up a violation currently pending before the ABCC.

Atty. Vigorito stated she spoke to someone at the ABCC and this violation is in regards to officers and directors not relative to the address.

Chairman Upton stated it is up to the ABCC to approve the change of officers. It would be best to address the ABCC. This issue is not for this Board at this time.

Upon a motion duly made and seconded, it was

VOTED: To continue this matter until the March meeting.

### **VIOLATION**

Sligo Pub, 237A Elm St. to show cause why the All Forms Alcoholic Beverages 7-Day Restaurant license, Common Victualer, Entertainment License of the above-referenced establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of the above referenced General Laws, Code of Massachusetts Regulations and the Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.09.e. - When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.

Somerville Licensing Commission Rule 1.14.b.- Licensees shall call the police and an ambulance and take all other reasonable steps to assist patrons and persons who are injured in or on the licensed premises or whose injuries have occurred outside the premises but have been brought to the attention of the licensee.

Somerville Licensing Commission Rule 1.13.a.(5)- Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licensed premises. Such efforts may include, but are not limited to: (5) calling for police assistance as necessary to protect patrons against injury or to evict unruly patrons or to uncover

unlawful conduct or to give medical assistance and providing police with requested information.

This matter to be continued until the February 22, 2012 hearing.

There being no further business, the meeting was adjourned.

Respectfully Submitted

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Wednesday  
February 22, 2012  
6:00 p.m.**

**MINUTES**

Chairman Upton called the meeting to order. Present were Commissioner John J. McKenna and Executive Secretary Jenneen M. Pagliaro.

Minutes of the December 20, 2011 & January 18, 2012 meetings were accepted as submitted.

**COMMUNICATIONS**

Alcoholic Beverage Control Commission notice of Decision- Woody's Liquors, 523 Broadway. The Board took administrative Notice.

Alcoholic Beverage Control Commission notice of Decision- George Dilboy Post VFW, 371 Summer St. The Board took administrative Notice.

Alcoholic Beverage Control Commission notice of Hearing, Pavan Restaurant Group, Inc., d/b/a Diva, 246-248 Elm St. The Board took administrative Notice.

Alcoholic Beverage Control Commission notice of Decision, Las Brisas, 561 McGrath Highway. The Board took administrative Notice.

**RULES**

**CONTINUED FROM JANUARY 18, 2012 MEETING**

Assistant City Solicitor Jason Grossfield along with Cory Mashburn from Somerville Cares About Prevention submitting a proposed amendment to change the Somerville Licensing Commission Rules and Regulations to require that new liquor license applicants undergo training for the sale of alcohol to underage individuals.

On a motion duly made and seconded, it was

VOTED: to adopt the proposed amendment as submitted.

**Non-Renewal of Common Victualer Licenses**

Las Brisas, 561 McGrath Highway (Attorney Ann Vigorito stated the Las Brisas has closed the business as of February 2012).

**SPECIAL ALCOHOL LICENSES**

**Boston Jewish Music Festival**

**Mr. Crepes**

**51 Davis Sq.**

Present: Joseph Baron

Mr. Baron came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a Post Concert Reception to be held at on March 1, 2012 from 9:30PM-11:00PM.

This will be a champagne toast to be held at Mr. Crepes, 51 Davis Sq. This will follow a concert that is being held at the Somerville Theater.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**COMMON VICTUALER LICENSES**

**Roc Group, Inc.**

**d/b/a Zing Wings Pizza & Grille**

**711 Broadway**

Present: Attorney William Goldberg

Atty. Goldberg, representing Roc Group, Inc. d/b/a Zing Wings Pizza & Grille, 711 Broadway came before the Commission requesting approval of a Common Victualer License.

The business is being taken over by current employees of the restaurant.

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualer License as presented.

**Café Tango**  
**16 Bow St.**

Present: Vicky Magaletta

Ms. Magaletta came before the Commission requesting approval of a Common Victualler License for Café Tango at 16 Bow St.

Ms. Magaletta stated this would be a coffee shop/bakery

Ald. Gerwartz & Ald. Sullivan supports this application.

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualler License as presented.

**MDD Operations, LLC**  
**d/b/a Amsterdam Falafelshop**  
**248 Elm St.**

Present: Matthew D'Alessio

Mr. D'Alessio came before the Commission requesting approval of a Common Victualler License for Amsterdam Falafelshop at 248 Elm St.

This space is currently occupied by Diva Restaurant Lounge. The landlord is putting up a wall to make a separate spot for this new establishment. Diva will keep part of the original restaurant.

This will have 19 seats approx. 1200 sq. feet

Ald. Gerwartz supports this application

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualler License as presented.

**Elm Street Donuts,**  
**LLC d/b/a Dunkin Donuts**  
**244 Elm St.**

Present: Craig Nolan

Mr. Nolan came before the Commission requesting approval of a Common Victualler License for Dunkin Donuts at 244 Elm St.

This is an existing business changing ownership.

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualer License as presented.

**Highland Ave. Donuts, LLC**  
**d/b/a Dunkin Donuts**  
**154 Highland Ave.**

Present: Craig Nolan

Mr. Nolan came before the Commission requesting approval of a Common Victualler License for Dunkin Donuts at 154 Highland Ave.

This is an existing business changing ownership.

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualer License as presented.

**Powder House Donuts, LLC**  
**Dunkin Donuts**  
**850 Broadway**

Present: Craig Nolan

Mr. Nolan came before the Commission requesting approval of a Common Victualler License for Dunkin Donuts at 850 Broadway.

This is an existing business changing ownership.

On a motion duly made and seconded, it was

VOTED: to grant the Common Victualer License as presented.

**Status Update**  
**Continued from January 18, 2012**

Las Brisas, 561 McGrath Highway to give status update on the Wine and Malt license pending at the Alcoholic Beverage Control Commission. (This matter is being continued from the January meeting. The Board suggested that the applicant contact the ABCC for an answer before the next meeting).

This application was DENIED at the Alcoholic Beverages Control Commission. Atty. Vigorito stated that Las Brisas has closed the business permanently.

**Wine and Malt Package Store**  
**Change of Location**

Himgiri Enterprises, Inc. d/b/a K-2 Beer & Wine requesting approval for a change of location of the Wine and Malt package Store license from 545 McGrath Highway to 514 Medford St. (Alderman O'Donovan has requested a continuance to allow the applicant to conduct neighborhood outreach).

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**Change of Floor Plan**

**Terranova Inc.**  
**d/b/a Mikes Restaurant**  
**9 Davis Sq.**

Present: Maria Terranova

Ms. Terranova came before the Commission requesting approval for a change of floor plan.

Ms. Terranova stated the amount of seats would not change. They would be removing booths and extending the bar area.

On a motion duly made and seconded, it was

VOTED: to grant the Change of Floor Plan.

**Alterations To Premises**

**SDH Assoc. Corp.,**  
**d/b/a Five Horses Tavern**  
**400 Highland Ave.**

Present: Sarah Hanson

Ms. Hanson came before the Commission requesting approval to serve alcoholic beverages at the outdoor seating area.

Ms. Hanson stated the outdoor area will have 6 tables and 12 seats.

Ald. Gerwartz is in favor of the application.

On a motion duly made and seconded, it was

VOTED: to grant the Alteration to extend the premises.

**Transfer of License**  
**Change of Location**

Requesting transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License from New Asia Restaurant to Broadway BBQ, also approval for a Common Victualer license and Entertainment consisting of Entertainment by Performers, Patrons and Devices to be situated at 118-120 Broadway.

Attorney DiGirolamo requested a continuation of this matter so the owners can have a neighborhood meeting.

**NEW ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**  
**NON TRANSFERRABLE**  
**(2 AVAILABLE)**

**Fat hen LLC, d/b/a La Brasa**  
**130 Broadway**

(Attorney Joseph Hanley)

Atty. Hanley, representing La Brasa came before the Commission requesting approval for a New All Forms Alcoholic Beverages 7 Day Restaurant license and a Common Victualer license.

Atty. Hanley stated this applicant was approved at a previous meeting for a different location but the application was withdrawn from the ABCC.

The owner Mr. McClennan has 30 years restaurant experience.

East Somerville Main Streets is in support of this application

Ald. White, Desmond, Connolly & Roche are in support.

George Proakis of OSPCD recommends approval of this license.

On a motion duly made and seconded, it was

VOTED: to grant the Wine and Malt Restaurant license.

**FFDJ, LLC**  
**d/b/a The Wine Bar**  
**89 Holland St.**

Present: Attorney Ann Vigorito

Atty. Vigorito, representing The Wine Bar came before the Commission requesting approval for a New All Forms Alcoholic Beverages 7 Day Restaurant license and a Common Victualer license.

Felisha Foster will be the manager and has 13 years restaurant experience.

The application was heard at a prior meeting, However the Commission only had one license to issue and another establishment received the license.

Ald. Sullivan, Desmond, Connolly & Gerwitz are in support of this application

George Proakis of OSPCD recommends approval of this license.

On a motion duly made and seconded, it was

VOTED: to grant the Wine and Malt Restaurant license.

**Yuksel-Berti**  
**d/b/a Istanbul'Lu**  
**237 Holland St.**

Present: Attorney William Goldberg

Atty. Goldberg, representing Istanbul' Lu came before the Commission requesting approval for a New All Forms Alcoholic Beverages 7 Day Restaurant license.

Atty. Goldberg stated this establishment has applied a couple of times but has not been able to secure a license.

George Proakis of OSPCD is not recommending approval at this time.

Atty. Goldberg made a motion to withdraw this application.

On a motion duly made and seconded, it was

VOTED: to Withdraw the Wine and Malt Restaurant application.

**VIOLATIONS**

**Sligo Pub**

**237A Elm St.**

Present: Assistant City Solicitor Jason Grossfield & Attorney Richard DiGirolamo

Atty. DiGirolamo, representing, Sligo Pub came before the Commission to show cause why the All Forms Alcoholic Beverages 7-Day Restaurant license, Common Victualer, Entertainment License of the above-referenced establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of the above referenced General Laws, Code of Massachusetts Regulations and the Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.09.e. - When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.

Somerville Licensing Commission Rule 1.14.b.- Licensees shall call the police and an ambulance and take all other reasonable steps to assist patrons and persons who are injured in or on the licensed premises or whose injuries have occurred outside the premises but have been brought to the attention of the licensee.

Somerville Licensing Commission Rule 1.13.a.(5)- Licensees shall make all reasonable and diligent efforts to ensure that illegal activities do not occur at the licensed premises. Such efforts may include, but are not limited to: (5) calling for police assistance as necessary to protect patrons against injury or to evict unruly patrons or to uncover unlawful conduct or to give medical assistance and providing police with requested information.

ASC Grossfield read the license violations into the record. ASC Grossfield stated that on October 10, 2011. A patron fell inside the establishment and broke their. The bar tender on duly directed a patron to help him carry the injured woman outside to the back parking lot. The Police were not called.

ASC Grossfield and Sligo Pub came up with joint disposition of a 3 day roll back of hours to 11:30PM to be served February 27,28 & 29, 2012 also that within 30 days of this meeting the licensee shall review the requirements of the SLC with all servers and staff and shall complete training with Somerville Cares About Prevention relative to best practices for service of alcohol.

On a motion duly made and seconded, it was

VOTED: To accept the joint recommendation.

**Pavan Rest. Group, Inc.**  
**d/b/a Diva**  
**246-248 Elm St.**

Present: Assistant City Solicitor Jason Grossfield and Attorney William Goldberg

Attorney Goldberg, representing Diva came before the Commission to show cause why the All Forms Alcoholic Beverages 7 Day Restaurant license, Common Victualer license, Entertainment and 2AM Closing License issued to the above establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violations of Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.04. (c) No licensee may issue special admissions passes or "V.I.P." cards except according to the following rules:

- (1)A licensee may issue special passes;
- (2)The special passes must state the calendar year on the face of the pass;
- (3)The special pass may not entitle the passholder to free drinks or to a discount on drinks;
- (4)The licensee must keep a list of the names and addresses of all pass-holders and must have such list available if requested by the Commission;
- (5)The licensee is responsible for ensuring that persons are picked to be passholders on a rational basis and not on any basis that invidiously discriminates.

Somerville Licensing Commission Rule 1.04.(g) Licensees shall not permit entrance to the premises by more persons than the number approved by the Commission for the capacity of the premises minus the number of employees working in the public areas at the time; provided, however, that at premises where the Commission has approved a capacity which is less than the capacity figure approved by the Inspectional Services Dept., the licensee need not deduct the number of employees from the capacity figure set by the Commission so long as the total number of individuals does not exceed said capacity figure approved by the Inspectional Services Department.

Somerville Licensing Commission Rule 1.06.b. The licensed premises shall conform to the floor plan approved by the Commission with regard to the structures and the walls at the premises, as well as with regard to all tables, chairs, booths, bars, counters, barstools, dance floors or areas, railing partitions, and other barriers at the premises. Any changes in the floor plan or any renovations of any kind may not be made without notification to the Commission and the prior approval of the Commission. The floor plan shall be drawn to scale. It shall include the location and dimensions of all equipment

Somerville Licensing Commission Rule 1.06.e. No outside area may be used as a waiting area or other gathering place for patrons without prior approval by the Commission.

Somerville Licensing Commission Rule 1.09.a. It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances.

Somerville Licensing Commission Rule 1.09. e. When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.

204 CMR 4.00: **PROHIBITION OF CERTAIN PRACTICE**

204-4.03: Certain Practices Prohibited

(1) No licensee or employee or agent of a licensee shall:

(d) sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;

(2) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under 204 CMR 4.03.

Assistant City Solicitor Jason Grossfield read the violation into the record. Police Sgt. Sean Sheehan stated that on December 31, 2011 he was called to the Diva Lounge for officer assistance. Upon arrival, he noticed a line outside of the establishment. Upon speaking to a few of the patrons Sgt. Sheehan was told that Diva was holding an open bar party and had sold tickets on the internet. Upon entering the establishment Police questioned the manager in regards to the occupancy load. The Police noted that they were well over the allowed occupancy. The Fire Dept. was called to the business and determined that no further persons were to be permitted entry due to the occupancy limit, and subsequently, the licensee was cited for the violation of the Massachusetts Fire Code

on 1/8/12 in relation to the event held on December 31, 2011. The overcrowding in the Diva Lounge amounted to an extreme public safety hazard with real potential for dire consequences in an emergency, and the police report of Sgt. Sheehan indicates that multiple police officers responded to the scene due to the number of persons seeking entry to the premises

The manager acknowledged that the number of tickets sold for the New Year's party exceeded the occupancy limit for the premises and that so-called VIP passes were sold. Evidence of online ticket sales, which were made available to the public for purchase, was received by the Commission, including the official Facebook page of the licensee, and various other websites advertising that a ticket to said party would include open bar for the unlimited, free purchase of drinks included in the price of a ticket, VIP tickets, and DJ's. Representatives of the licensee further acknowledged that tables were moved within the restaurant portion of the premises and that a rope was erected outside on the sidewalk for persons waiting to enter the premises, without the approval of the licensing commission. The licensee further indicated that no count was kept which would allow it to determine the occupancy levels of the restaurant versus the bar section of the premises.

Assistant City Solicitor Jason Grossfield advised that this was the licensee's second major violation of the licensing commission's rules and regulations within a three-year period and recommended a disposition in accordance with the commissions' guidelines.

Based on the testimony and exhibits received during the hearing as well as the facts set out herein and in the Notice of Hearing.

On a motion duly made and seconded,

VOTED: the Commission voted to sanction the establishment by suspending the 2AM closing license effective immediately and the licensee may not apply again for one year, the Common Victualler License closing hour is hereby rolled back until 11:00PM for 30 Days, the All-Forms Alcohol License is suspended for 7 days to be served over a 75 day period and the representing attorney shall send a letter with the dates, The Entertainment License is hereby conditioned to only permit Background music and 3 televisions. No other Entertainment is allowed and the licensee may not apply for any additional Entertainment for 2 years.

There being no further business, the meeting was adjourned.

Respectfully

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
March 19, 2012  
6:00 p.m.**

Chairman Andrew Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna and Executive Secretary Jenneen M. Pagliaro.

**COMMUNICATIONS**

Alcoholic Beverages Control Commission Notice of Suspension-Mike's Bar, 97 Washington St. The Board took Administrative notice.

Alcoholic Beverages Control Commission Notice of Suspension-Post 19 American Legion, 124 Highland Ave. The Board took Administrative notice.

**RULES**

Consideration for a Proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". After some brief discussion a motion was made to "Table" this matter.

Motion Seconded, Continued until next meeting.

Consideration for a Proposed amendment to Somerville Licensing Commission Rules and Regulations regarding rule 7.10 to change the minimum seating capacity requirements for Wine and Malt Restaurants.

This is being considered to give the smaller deserving establishments a chance to apply for a Wine and Malt License. Under current guidelines an establishment must have at least 28 seats.

George Proakis of OSPCD submitted a proposed amendment for changes to the seating requirements for Beer & Wine licenses. The new requirement would be a minimum of 12 seats instead of 28 seats.

Commissioner Vaccaro feels 12 seats is too few seats.

Commissioner McKenna is in favor and feels it will help the smaller family businesses.

A couple of people spoke in favor of this change.

On a motion duly made and seconded, it was

VOTED: to approve the rule change as submitted.

**SPECIAL ALCOHOL LICENSES**

**Trustees of Tufts College**  
**Tufts Catering**

Present: Eric Hamel

Mr. Hamel came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at an Art Gallery Reception on March 29, 2012 from 8PM-11PM at Remis Sculpture Court, 15 Lower Campus Rd.

Experienced Servers will be dispensing the alcoholic beverages.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: To grant the Special Alcohol license as presented.

**St. Anthony's Church**  
**12 Properzi way**

Present: Father Ademir Guerini

Father Guerini came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for an Easter Brunch on April 8, 2012 from 1:30PM-5:30PM at St. Anthony's School Hall.

Experienced Servers will be dispensing the alcoholic beverages.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: To grant the Special Alcohol license as presented.

**St. Anthony's Church**  
**12 Properzi way**

Present: Father Ademir Guerini

Father Guerini came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Diner Dance on April 14, 2012 from 8:00PM-12:00AM at St. Anthony's School gym.

Experienced Servers will be dispensing the alcoholic beverages.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: To grant the Special Alcohol license as presented.

**COMMON VICTUALLER LICENSES**

**Omaha Holdings**  
**LLC d/b/a Roast Beef & Pizza King**  
**147B Highland Ave.**

Present: Rasheed Warab

Mr. Warab came before the Commission requesting approval of a Common Victualler license at 147B Highland Ave.

This is an existing business with a new owner.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualler license as presented.

**ENTERTAINMENT LICENSES**

**Café Tango**  
**16 Bow St. 1<sup>st</sup> floor**

Present: Vicky Magaletta

Ms. Magaletta came before the Commission requesting approval for an Entertainment License consisting of Entertainment by Performers & Entertainment by Devices for 16 Bow St., 1<sup>st</sup> floor.

On a motion duly made and seconded, it was

VOTED: to approve the Entertainment License as presented.

**Tango Society of Boston**  
**16 Bow St., 2<sup>nd</sup> floor**

Present: Vicky Magaletta

Ms. Magaletta came before the Commission requesting approval for an Entertainment License consisting of Entertainment by Performers & Entertainment by Patrons for 16 Bow St., 2<sup>nd</sup> floor.

On a motion duly made and seconded, it was

VOTED: to approve the Entertainment License as presented.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**PLEDGE OF LICENSE**

Demeter Hospitality, LLC d/b/a Daddy Jones, 525 Medford St. requesting approval for a Pledge of License to East Cambridge Savings Bank. Attorney Richard DiGirolamo requested this matter be continued to the April 23, 2012 hearing.

**NEW EXTENDED HOURS LICENSE**

**Rockwell Restaurant Group**  
**LLC d/b/a Davis Square Theatre/Foundry on Elm**  
**255 Elm St.**

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval to extend its official closing hour from 1AM to 2AM.

The Chamber of Commerce spoke in support of this application.

No one spoke in opposition to this application.

On a motion duly made and seconded, it was

VOTED: to approve 2AM License as presented.

**ALTERATIONS TO PREMISES**

**Prospect Hill Properties, Inc  
d/b/a The Independent  
75 Union Sq.**

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval for an extension of premises to serve alcoholic beverages at an Outdoor Seating area.

Mr. Kelly stated this was a new idea. He would rent out three parking spaces from the City. He would fence off the area and have 48 seats.

The other City offices have not approved this idea yet.

On a motion duly made and seconded, it was

VOTED: to approve Alterations to premises license, subject to all City Approvals.

**Pavan Restaurant, Inc.  
d/b/a Diva**

Present: Attorney William Goldberg

Atty. Goldberg came before the Commission requesting approval to alter the premises at 246-248 Elm St. by placing a wall between 246 & 248 Elm St. Diva will now only occupy 246 Elm St.

Atty. Goldberg stated that the business will be closing the lounge side at 248 Elm St. With a wall. A new business will be occupying that space.

On a motion duly made and seconded, it was

VOTED: to approve Alterations to premises.

**George Dilboy Post 529 VFW  
371 Summer St.**

Present: Robert Hardy

Mr. Hardy, Commander for The Dilboy Post came before the Commission requesting approval to alter the premises by down sizing the main function hall on the first floor from 2000 sq. ft to 1437 sq. ft to be in compliance with the Massachusetts Fire Codes.

Mr. Hardy stated that the City Building Department requested that the Dilboy Post erect a wall. The State Fire Marshall and OCSHA approved the drawing to do the change. The size of the main function hall had to be changed to come in to compliance with the Fire Marshall.

The Dilboy Post has been shut down for 11 weeks

Mr. Hardy stated that the Change of Officers came back from the ABCC needing some corrections which they are working to fix.

George O'Shea an abutter stated that the Post did not get approval before doing the renovations.

Claudio Murrow spoke in regards to outstanding issues.

Chairman Upton questioned as to why the Post didn't get approval before the renovations.

Mr. Hardy stated he didn't know and is trying to correct the issue.

The Commission would like everyone who wishes to speak to please give their home address for the record.

Everyone is welcome to speak. However The Board feels direct abutters are more impacted and may take their testimony over someone who isn't directly affected by this establishment.

On a motion duly made and seconded, it was

VOTED: to approve Alterations to premises.

**CONTINUED FROM FEBRUARY 22, 2012**

**Wine and Malt Package Store**  
**Change of Location**

**Himgiri Enterprises, Inc.**  
**d/b/a K-2 Beer & Wine**  
**514 Medford St.**

Present: Attorney William Goldberg

Atty. Goldberg, representing K-2 Beer & Wine came before the Commission requesting approval for a change of location of the Wine and Malt package Store license from 545 McGrath Highway to 514 Medford St.

Atty. Goldberg stated a neighborhood meeting was held and Alderman O'Donovan was present. A large number of neighbors came to the meeting. They had no objections to this move. K-2 already has a convenience store in this neighborhood and is very well respected.

Two e-mails from neighbors in support were submitted into the record.

Courtney O'Keefe, a neighbor spoke in favor.

On a motion duly made and seconded, it was

VOTED: to approve Change of Location.

**Transfer of License**  
**Change of Location**

Requesting transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License from New Asia Restaurant to Broadway BBQ, also approval for a Common Victualer license and Entertainment consisting of Entertainment by Performers, Patrons and Devices to be situated at 118-120 Broadway. Attorney Richard DiGirolamo requested this matter be continued to the April 23, 2012 hearing.

**CONTINUED FROM JANUARY 18, 2012**

George Dilboy Post 529, VFW, 371 Summer St. requesting approval for an Entertainment License at the new location 343-349, 351 Summer St. Entertainment License consisting of Entertainment by Performers, Patrons and Devices. Attorney Richard DiGirolamo requested this matter be continued to the April 23, 2012 hearing.

The Commission to consider clarification of the February 22, 2012 decision in regards to Pavan Restaurant Group, Inc. d//b/a Diva, 246-248 Elm St.

Assistant City Solicitor Jason Grossfield spoke to clarify the decision from the February 22, 2011 Licensing hearing. The decision is as follows:

The Licensing Commission unanimously voted to sanction the establishment by suspending the 2AM closing license effective immediately and the licensee may not apply again for one year, the Common Victualler License closing hour is hereby rolled back to 11PM for 30 days, 24 days of which are held in abeyance for 1 year with no violations, and 6 days of which shall be served immediately concurrent with the dates for which the liquor license is suspended ( 3/12, 3/23, 3/25, 4/3, 4/11, 4/19 and 4/28/12) and Entertainment License is hereby conditioned to only permit Background music and 3 televisions. No other Entertainment is allowed and the licensee may not apply for any additional Entertainment for 2 years.

There being no further business, the meeting was adjourned.

Respectfully submitted  
Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
April 23, 2012  
6:00 p.m.**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the February 22, 2012 & March 19, 2012 meetings were accepted as submitted.

**COMMUNICATIONS**

Brunello Bistro, 349 Broadway notifying the Commission that the establishment will be closed for vacation/installation of some new equipment for approximately four weeks. The Board took Administrative Notice and placed the communication on file.

Massachusetts State Lottery Commission re: Keno-To-Go.  
The Board took Administrative Notice and placed the communication on file.

Alcoholic Beverages Control Commission notice of suspension-Pavan Restaurant Group, Inc. d/b/a Diva, 246-248 Elm St. The Board took Administrative Notice and placed the communication on file.

**RULES**

**THIS MATTER WAS TABLED AT THE MARCH 19, 2012 HEARING.**

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". A motion was made to continue this item until next meeting.

**STATUS UPDATE**  
**CONTINUED FROM JANUARY 18, 2012 HEARING**

**PLPB DDBG LLC d/b/a Deco Restaurant**  
**425 Washington St**

Present: Richard DiGirolamo

Atty. DiGirolamo, representing Deco Restaurant came before the Commission to give a status update on the opening of establishment.

Atty. DiGirolamo stated that the establishment needs to install a sprinkler system and are having trouble finding a contractor. The establishment hopes to be open in July. Atty. DiGirolamo made a request to come back in 90 days for another update.

Commissioner McKenna feels that it is ridiculous that this place is taking too long to open.

Chairman Upton motioned for the licensee to appear back before the Commission in 30 days with a copy of sprinkler fitters agreement, a time line and cost of the project.

Motion was seconded,

This matter to be continued until the next meeting.

**COMMON VICTUALER LICENSES**

**O's Nuts LLC**  
**349 Highland Ave.**

Present: Brian K. Quinn

Mr. Quinn came before the Commission requesting approval of a Common Victualer license for 349 Highland Ave.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Royal Punjab Enterprises, Inc.**  
**d/b/a Pizza Palace**  
**222 Somerville Ave.**

Present: Attorney William Goldberg

Atty. Goldberg, representing Pizza Palace came before the Commission requesting approval of a Common Victualer license for 222 Somerville Ave.

The new owner has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Oliveira's Steak House**  
**120 Washington St.**

Present: Edilson Oliveira

Mr. Oliveira came before the Commission requesting approval of a Common Victualer license for 222 Somerville Ave.

Mr. Oliveira has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**SPECIAL ALCOHOL LICENSES**

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Dinner Dance on April 28, 2012 from 7:00PM-12:00AM at St. Anthony's School Gymnasium.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Birthday Party on May 5, 2012 from 7:00PM-12:00AM at St. Anthony's School Gymnasium.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Mother's Day Feast on May 12, 2012 from 8:00PM-12:00AM at St. Anthony's School Gymnasium.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Birthday Party on May 19, 2012 from 6:00PM-12:00AM at St. Anthony's School Gymnasium.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Maridien Da Costa

Ms. Da Costa came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for St. John's Feast on June 23, 2012 from 7:00PM-12:00AM at St. Anthony's School Yard.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St Ann's Parish**  
**50 Thurston St.**

Present: Peter Regan

Mr. Regan came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Quiz Night Trivia on April 28, 2012 from 7:00PM-11:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Hellenic Association of Somerville**  
**d/b/a Dormition of the Virgin Mary Greek Orthodox Church**  
**29 Central St.**

Present: Phillip Dres

Mr. Dress came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Hall Fundraiser on May 5, 2012 from 4:00PM-12:00AM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Cantina La Mexicana**  
**247 Washington St.**

Present: Robert Rendon

Mr. Rendon came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Cinco de Mayo to be held outdoors in the Parking Lot on May 5, 2012 from 3:00PM to 9:30PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Prospect Hill Properties, Inc.**  
**d/b/a The Independent**

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Cinco de Mayo to be held outdoors in the Parking Lot on May 5, 2012 from 3:00PM to 9:30PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Jimmy Fund DFCI**  
**d/b/a M.O.M's Run 5K for Cancer**

Present: Gordon Pilotte

Mr. Pilotte came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a post Road Race gathering to be held in Parking lot behind the Burren on May 13, 2012 from 11:00AM-3:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Redbones Barbecue**  
**55 Chester St.**

Present: Robert Gregory

Mr. Gregory came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Annual Bike to Work Week Party to be held outdoors at Chester St. to Herbert St. Intersection on June 4, 2012 from 5:00PM-10:00PM. (rain date June 11, 2012)

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Trustees of Tufts College**  
**Tufts Catering**

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Alumni Relations-Class of 1972 Reunion Reception to be held at Remis Sculpture Court, 15 Lower Campus Rd. on May 19, 2012 from 6:30PM-7:30PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Trustees of Tufts College**  
**Tufts Catering**

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Conference Bureau-Medford Rotary Club Dinner to be held at Alumnae Lounge, 40 Talbot Ave. on June 16, 2012 from 6:30PM-9:30PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Trustees of Tufts College**  
**Tufts Catering**

Present: Patti Klos

Ms. Klos came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Fletcher School BBQ to be held at Fletcher Field, Professor's Row on May 18, 2012 from 7:00PM-9:45PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**FARMER WINERY LICENSES**

**Still River Winery**

Present: Margot Holtzman

Ms. Holtzman came before the Commission requesting approval a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption for The Hyper-Local Craft Brew Tasting of Wine, Beer, Mead and Cider Event to be held at The Armory, 191 Highland Ave. on June 16, 2012 from 3:00PM-10:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Farmer Winery License as presented.

**Zoll Brothers Private Cellars, LLC**

Present: Frank Zoll

Mr. Zoll came before the Commission requesting approval a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption for The Hyper-Local Craft Brew Tasting of Wine, Beer, Mead and Cider Event to be held at The Armory, 191 Highland Ave. on June 16, 2012 from 3:00PM-10:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Farmer Winery License as presented.

**WINE AND MALT RESTAURANT  
CORDIALS AND LIQUEURS**

**Alfresco Ristorante  
382 Highland Ave.**

Present: Ann Vigorito

Atty. Vigorito, representing Alfresco Ristorante, 382 Highland Ave. came before the Commission requesting approval for Alfresco Ristorante to serve cordials and liqueurs.

Ms. Vigorito stated that cordials and liqueurs would help the business compete with the other restaurants in the area that have full liquor licenses.

On a motion duly made and seconded, it was

VOTED: to grant the request for cordials and liqueurs.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**2AM LICENSE**

**The Rosebud,**  
**381 Summer St.**

Present: William Nichols

Mr. Nichols came before the Commission requesting approval to extend its official closing hour from 1AM to 2AM on the weekends at The Rosebud, 381 Summer St.

Mr. Nichols stated that he had spoken with the neighbors and they had no problem with this request. They would have two door men and a crowd manager on duty.

A motion was made to approve this application contingent to the applicant getting a note from Alderman Rebecca Gerwitz stating she doesn't have a problem with this establishment having a 2AM license.

On a motion duly made and seconded, it was

VOTED: to grant the 2AM License contingent upon Ald. Gerwitz approval.

Commissioner Vaccaro Voted NO

**TRANSFER OF LICENSE**  
**CHANGE OF LOCATION**  
**COMMON VIC & ENT LICENSE**

**AnnexTW, Inc.**  
**d/b/a Bronwyn**

Present: Attorney Richard Perlmutter

Atty. Perlmutter, representing Annex TW, Inc., d/b/a Bronwyn came before the Commission requesting to transfer the All-Forms Alcoholic Beverages 7 Day Restaurant License from H.I.O. Restaurant, Inc., d/b/a Café Belo, 120 Washington St. (Business closed-License taken by Court Civil Action) also requesting approval for a change of

location to 235 Washington St., a New Common Victualer License and an Entertainment License for entertainment consisting of entertainment by performers and devices. (A previous approved transfer of this license was withdrawn at the ABCC).

This location was formerly Ronnarong. Ronnarong held a City Owned Wine and Malt License and has turned the license back to the City

Brownwyn is purchasing this All-Forms of Alcohol license from New Asia for this location.

The owners have restaurant experience.

Two people spoke in favor of this application.

No one spoke in opposition.

On a motion duly made and seconded, it was

VOTED: to approve the transfer and Change of location of the All Forms 7 Day Restaurant License, Common Victualer License and Entertainment License as presented.

**CONTINUED FROM MARCH 19, 2012**

**PLEDGE OF LICENSE**

**Demeter Hospitality, LLC d/b/a Daddy Jones**  
**525 Medford St.**

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo, representing Daddy Jones came before the Commission requesting approval for a Pledge of License to East Cambridge Savings Bank.

This license was approved at a previous Licensing Commission Hearing and the bank is now requesting a pledge of the license.

On a motion duly made and seconded, it was

VOTED: to approve the Pledge of License.

**CONTINUED FROM MARCH 19, 2012**

**TRANSFER OF LICENSE**

**CHANGE OF LOCATION**

**COMMON VIC & ENT. LICENSE**

**BBQ LLC d/b/a East End Grill**  
**118-120 Broadway.**

Present: Attorney Ann Vigorito

Atty. Vigorito, representing East End Grill came before the Commission requesting a transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License from New Asia Restaurant to Broadway BBQ LLC d/b/a East End Grill, a change of location, a Common Victualer license and Entertainment consisting of Entertainment by Performers, Patrons and Devices to be situated at 118-120 Broadway.

The Owners have restaurant experience.

This location is the old Khoury's State Spa.

A neighborhood meeting was held and 70 people attended.

The Chamber of Commerce is in support.

East Somerville Mains Streets are in support.

On a motion duly made and seconded, it was

VOTED: to approve the transfer of the All Forms Alcoholic Beverages 7 Day Restaurant License, Change of Location, Common Victualer license and Entertainment License.

**CONTINUED FROM MARCH 19, 2012**  
**ENTERTAINMENT LICENSE**

**George Dilboy Post 529**  
**VFW, 371 Summer St.**

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo came before the Commission requesting approval for an Entertainment License at the new location 343-349, 351 Summer St. Entertainment License consisting of Entertainment by Performers, Patrons and Devices. Attorney Richard DiGirolamo requested this matter be continued to the April 23, 2012 hearing.

Atty. DiGirolamo stated the ZBA granted a Special Permit in December 2011 an appeal is pending of the ZBA decision.

The Current Post has a COA from the City and is still closed. The Post needs the ABCC approval to re-open.

Atty. DiGirolamo stated they need the approval of the Entertainment license to complete the deal.

The Board is in receipt of a letter from Mr. Robinson and Mr. O'Shea.

The Board has been informed by the City Solicitor that a decision of this Board is not appealed to this Board. They should make appeals to the ABCC.

A couple of neighbor voiced concerns and some were opposed to this License.

Atty, DiGirolamo stated that the Dilboy Post serves a need in the Community and host a lot of charity events.

Commissioner Vaccaro made a request to hold this matter over for 3 months.

Commissioner McKenna stated he wanted to vote tonight and made a motion to approve.

Chairman Upton seconded the motion

On a motion duly made and seconded, it was

VOTED: to approve the Entertainment License

Commissioner Vaccaro Voted NO

**WINE AND MALT LICENSES**  
**TWO NON-TRANSFERRABLE LICENSE AVAILABLE**

**Yusel-Berti, Inc.**  
**d/b/a Istanbul Lu**  
**237 Holland St.**

Present: Attorney William Goldberg

Atty. Goldberg representing Istanbul Lu, came before the Commission requesting approval for a Wine and Malt Restaurant License.

This establishment has been before the Board for an All Forms License a couple of other times without success. They were not eligible to apply for a Wine and Malt license because of the seating amount requirements. They are here today because the rules have changed on the required amount of minimum seating and they do now qualify.

This is the only Turkish Restaurant in the City.

The Chamber of Commerce is in support.

OSPCD recommends approval of this application.

On a motion duly made and seconded, it was

VOTED: To grant the Wine and Malt Restaurant License.

**Aguacate Verde**  
**13 Elm St.**

Present: Sylvia DeLasota

Ms. DeLasota came before the Commission requesting approval for a Wine and Malt Restaurant License.

This is the second time Ms. DeLasota has applied for a Wine and Malt license.

The business offers fresh & healthy meals and has partnered with Shape Up Somerville.

This license would increase foot traffic.

A signed petition of 50 people in support was submitted for the record.

Four neighbors spoke in support of this application.

Alderman O'Donovan in support.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application.

**Ebi Sushi Bar**  
**290 Somerville Ave.**

Present: Attorney Jared Chrislip

Atty. Chrislip representing, EBI Sushi Bar came before the Commission requesting approval for a Wine and Malt Restaurant License.

This location was previously licensed for Wine and Malt.

A petition with 400 signatures in support was submitted for the record.

Ten hands went up in support and 7 people spoke in support of this application.

Mimi Graney of Union Square Main Streets spoke in support of this application.

The Chamber of Commerce in support.

OSPCD recommends approval of this application.

On a motion duly made and seconded, it was

VOTED: To grant the Wine and Malt Restaurant License.

**Yoshi's Japanese Korean Cuisine**  
**132 College Ave.**

Present: Attorney Neil Berman

Atty. Berman, representing Yoshi's came before the Commission requesting approval for a Wine and Malt Restaurant License.

The establishment is located near Davis Sq. Yoshi's feels they need a license to compete with the other business in the area that serve alcohol. They are committed to Somerville with or without the liquor license.

Atty. Berman stated he spoke with Ald Gerwitz and that she is in support.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application.

**Bearface Food, LLC.**  
**d./b/a The Bearded Pig**  
**445 Somerville Ave.**

Present: Michael Schmidt

Mr. Schmidt came before the Commission requesting approval for a Wine and Malt Restaurant License **ALSO**, a New Common Victualer License and an Entertainment License consisting of Entertainment by devices.

This will be a new BBQ restaurant.

Mimi Graney of Union Square Main Streets spoke in support of this application.

Two people spoke in support of this license.

OSPCD did not recommend this license be approved.

The applicant made a request to WITHDRAW this application for The Wine and Malt license.

On a motion duly made and seconded, it was

VOTED: To Withdraw The Wine and Malt Restaurant application  
and To grant the New Common Victualer and Entertainment License.

There being no further business, the meeting was adjourned.

Respectfully submitted  
Jenneen M. Pagliaro  
Executive Secretary



-  
**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
May 21, 2012  
6:00 p.m.**

**MINUTES**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro

**COMMUNICATIONS**

Alcoholic Beverages Control Commission Notice of Hearing-Woody's Liquors  
The Board took Administrative Notice and placed the communication on file.

Alcoholic Beverages Control Commission Notice of Hearing-George Dilboy Post #529  
VFW and Notice of Decision. The Board took Administrative Notice and placed the communication on file.

Alfresco Restaurant, 382 Highland Ave. notifying the Commission that the establishment will be closed for approximately three weeks for some minor renovations. The Board took Administrative Notice and placed the communication on file.

**RULES**

Consideration as to whether to recommend an amendment to Somerville Ordinance 2-219 in regards to minimum time period between publication of notice and hearing date for certain applications. The Ordinance was changed last year to require publication for two (2) weeks instead of three (3). A further amendment was to require "that a public hearing be held not less than three weeks after the notice's first appearance. The current Ordinance raised procedural concerns for the License Commission and its timeline for newspaper ads and the Commission's monthly meeting dates. The Board requested a communication be sent to the Board of Aldermen requesting the change as written.

**CONTINUED FROM APRIL 23, 2012 HEARING.**

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of “Last Call”. A motion was made to continue this item until next meeting, the motion was seconded.

**STATUS UPDATE**

**Farmer’s Bounty**  
**234 Elm St.**

Present: Ram Selhi

Mr. Selhi came before the Commission to discuss the status of the Wine and Malt Package store license. (Store has closed). Mr. Selhi stated that the rent was too much and has decided to look for another location for his store and is making progress in doing so. The Board requests that Mr. Selhi come back to next months meeting with a status report.

**CONTINUED FROM APRIL 23, 2012 HEARING**

**PLPB DDBG LLC d/b/a Deco Restaurant**  
**425 Washington St.**

Present: Attorney Anne Vigorito & Patrick Buben

Atty. Vigorito, representing Deco Restaurant came before the Commission to give a status update on opening of the establishment.

Atty. Vigorito stated that the Contractors have started the necessary work and a timeline for opening the business should be around September 2012.

The Board made a request that that the licensee appear back before this board at next months meeting with any updated paperwork and a progress report.

**COMMON VICTUALER LICENSES**

**Lotus Xpress**  
**167 Broadway**

Present: Yenlin Chen

Mr. Chen came before the Commission requesting approval of a Common Victualer license for 167 Broadway.

Mr. Chen stated he would be doing some renovations.

Mr. Chen has restaurant experience.

Along with the application, a menu and floor plan were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Kee Kar Lau, Inc.**  
**626C Somerville Ave.**

Present: Zihang Li came before the Commission requesting approval of a Common Victualer license for 626C Somerville Ave.

Mr. Li stated this business was located on Broadway for many years but do to a fire they had to find a new location.

Along with the application a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**COMMON VICTUALER AND ENTERTAINMENT LICENSE**

**Punjabi Grill**  
**236 Elm St.**

Present: Azar Malik

Mr. Malik came be the Commission requesting approval of a Common Victualer license and for an Entertainment License consisting of Entertainment by devices.

This location was formerly The Namaskar Restaurant.

Mr. Malik has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license & Entertainment License as presented.

**Yak & Yeti**  
**719 Broadway**

Present: Frank Dardeno

Mr. Dardeno came before the Commission requesting approval of a Common Victualer license and for an Entertainment License consisting of Entertainment by devices.

Mr. Dardeno stated the only change to the business will be a new owner.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license & Entertainment License as presented.

**SPECIAL ALCOHOL LICENSES**

**Portuguese American Civic League**

Present: Dino Mendoza

Mr. Mendoza came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Annual Feast to the Holy Spirit to be held in parking lot across from the club at 26 Springfield St. on July 13 & July 14 from 7PM-12AM and July 15 from 3PM-12AM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**SPECIAL FARMER WINERY LICENSES**

**Westport Rivers Inc.**

Present: David Neilson

Mr. Neilson representing Westport Rivers, Inc. came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for

off-premise consumption at the Davis Square Farmers Market on Wednesdays May 23 thru November 21, 2012 from 12PM-6PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Lexington Consulting Group, Inc.**  
**d/b/a Turtle Creek Winery**

Present: Kip Kumler

Mr. Kumler came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Hyper-Local Craft Brew Tasting at The Armory, 191 Highland Ave. on June 16, 2012 from 3PM-10PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Coastal Vineyards**

Present: David Neilson

Mr. Neilson came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Hyper-Local Craft Brew Tasting at The Armory, 191 Highland Ave. on June 16, 2012 from 3PM-10PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Coastal Vineyards**

Present: David Neilson  
requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Farmers Market on Saturdays from June 2-November 17, 2012 from 9AM-1PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Lexington Consulting Group, Inc.**

**d/b/a Turtle Creek Winery**

Present: Kip Kumler

Mr. Kumler came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Farmers Market on Saturdays from June 2-November 17, 2012 from 9AM-1PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Lexington Consulting Group, Inc.**  
**d/b/a Turtle Creek Winery**

Present: Kip Kumler

Mr. Kumler came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14-September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Coastal Vineyards**

Present: David Neilson

Mr. Neilson came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Still River Winery**

Present: Margot Holzman

Ms. Holzman came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the

Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Grape Island Inc.**  
**d/b/a Mill River Winery**

Present: Donna Martin

Ms. Martin came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Zoll Brothers Private Cellars LLC**  
**d/b/a Zoll Cellars**

Present: Frank Zoll

Mr. Zoll came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Green River Ambrosia LLC**

Present: Michael Grainey

Mr. Grainey came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

**Alfalfa Farm Winery**

Present: Richard Adelman

Mr. Adelman came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at the Union Square Swirl & Slice Farmers Market on Thursdays June 14- September 20, 2012 from 5-8PM.

On a motion duly made and seconded, it was

VOTED: to grant the Special Farmer Winery license as presented.

Mimi Graine of Union Square Main Streets spoke about the Union Square Farmers Markets.

There being no further business, the meeting was adjourned.

Respectfully

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Wednesday  
June 20, 2012  
6:00 p.m.**

**MINUTES**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro John J. McKenna, Inspector Warren Chaille and Executive Secretary Jenneen M. Pagliaro.

Minutes of the April 23, 2012 & May 21, 2012 meetings were accepted as submitted.

**COMMUNICATIONS**

Board of Aldermen's approval of the re-appointment of the Somerville Licensing Commission Board members. John Long, the City Clerk swore the Board member in at end of meeting.

Alcoholic Beverage Control Commission Notice of Hearing-AnnexTW, Inc.  
The Board took Administrative notice and placed the item on file.

Himigiri Enterprises, Inc., d/b/a K-2 Beer & Wine withdrawing the change of location of Malt & Wine package store license. (Unable to come to an agreement with the landlord).  
The Board took Administrative notice and placed the item on file.

**CONTINUED FROM MAY 21, 2012 HEARING.**

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". A motion was made to continue this item until next meeting.

**STATUS UPDATE**

PLPB DDBG LLC d/b/a Deco Restaurant, 425 Washington St. to give status update on the opening of the establishment.

Present: Attorney Anne Vigorito

Atty. Vigorito representing Deco Restaurant. Atty. Vigorito stated that Patrick Buben, the owner of this establishment passed away recently.

Atty. Vigorito stated she has been in touch with Mr. Buben's lawyer and will work with the lawyer on what will happen with this establishment and the license.

Chairman Upton stated that the ABCC gives 6 months for a situation like this. to be resolved. However the six months is to begin this month and not in August.

The Board requested that Atty. Vigorito appear back before the Board in August to discuss any progress made.

**Farmer's Bounty**  
**234 Elm St.**

Present: Ram Sehli

Mr. Sehli came before the Commission regarding the status of the Wine and Malt package Store license.

Chairman Upton asked to be recused from this matter.

Mr. Sehli stated that he has been unable to find a new location for his business and he has been in contact with a broker. The broker has found a potential buyer.

A motion to continue this matter to August was made and seconded.

**WINE AND MALT RESTAURANT LICENSE**  
**Change of D/B/A**

**Alfresco Restorante, Inc.**  
**382 Highland Ave.**

Present: Omar Mhiuldin

Mr. Mhiuldin came before the Commission requesting approval to change the d/b/a name of Alfresco Restorante, Inc. to "M3".

Mr. Mhiuldin stated he is changing the menu to help business and has hired a new chef.

Upon a motion duly made and seconded, it was

VOTED: to approve the d/b/a name change

There being no further business, the meeting was adjourned.

Respectfully submitted

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
July 16, 2012  
6:00 p.m.**

**MINUTES**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

**COMMUNICATIONS**

Communication from Alderman John Connolly, regarding Posting a Notice on Premises for consideration. A motion was made to refer this item back to Ald. Connolly to consider passing an Ordinance, resolution or a communication to this board to hold a hearing on.

**CONTINUED FROM JUNE 20, 2012 HEARING.**

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". A motion was made to continue this item until next meeting. A motion was made to continue until next meeting, the motion was seconded.

**COMMON VICTUALER LICENSES**

Capital Brasil Multi Services, 99 Broadway notifying the board of the name change to Big Bite Barbecue. (Same owners). No one showed up, this matter to be continued until next meeting.

GOL Market, Inc. 376 Mystic Ave., Thathyanno Desa  
No one showed up, this matter to be continued until next meeting.

**Pastelaria Broadway, Inc.**  
**192A Broadway**  
**Charles Cunha**

Present: Charles Cunha & Carlos DeOliveira

Mr. Cunha came before the Commission requesting approval of a Common Victualer license at 192A Broadway.

This is an existing business with a new owner.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**IYO Cafe**  
**234 Elm St.**

Present: Bryan Poisson

Mr. Poisson came before the Commission requesting approval of a Common Victualer license at 234 Elm St.

This business will serve frozen yogurt.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**MAN-O-SALWAS**  
**66 Summer St.**

Present: Irfan Qureshi

Mr. Qurreshi came before the Commission requesting approval of a Common Victualer license at 66 Summer St.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**SPECIAL ALCOHOL LICENSES**

**Ambisco Inc.,**  
**d/b/a Redbones BBQ**  
**55 Chester St.**

Present: Robert Gregory

Mr. Gregory came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at the Annual Block party to be held at Chester & Herbert Sts. Intersection on July 30, 2012, rain date Aug. 6, 2012, 5-10 PM.

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Matthew Price**  
**Starlabs Recording Studio**

Present: Matthew Price

Mr. Price came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at an Open House/Yard Sale, BBQ & Concert on July 28, 2012 12PM-9PM at 32 Prospect St. Parking Lot.

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Wine and Malt Package Store**  
**Change of Location**

**Hingiri Enterprises, Inc.**  
**d/b/a K-2 Beer & Wine,**  
**514 Medford St.**

Present: Attorney Bernard Goldberg

Atty. Goldberg, representing K-2 Beer & Wine came before the Commission requesting approval for a change of location of the Wine and Malt package Store license from 545 McGrath Highway to 500 Medford St.

Atty. Goldberg stated that K-2 Beer & Wine came before the Commission in March of this year to transfer this license to 514 Medford St. However that deal fell through. They have found another location in the same area located at 500 Medford St.

One neighbor spoke in support.

Two e-mails from neighbors with concerns were submitted in the record.

On a motion duly made and seconded, it was

VOTED: to approve the Change of Location of the Wine and Malt Package Store license.

### **VIOLATION**

#### **On the Hill Tavern** **499 Broadway**

Present: Assistant City Solicitor Jason Grossfield, Timothy Taddia & Robert Antonelli

On the Hill Tavern came before the Commission to show cause why the All Forms Alcoholic Beverages 7-Day Restaurant license, 2AM Closing License, Common Victualer, Entertainment License of the above-referenced establishment should not be modified, suspended, revoked, or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.09.a- It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances.

Somerville Licensing Commission Rule 1.09.c- Licensees shall act reasonably and diligently to disperse loiterers or patrons who attempt to congregate in front of or at the licensed premises. Failure of the licensee to keep persons from congregating at the licensed premises may lead to disciplinary action against the licensee for allowing a public nuisance. Reasonable steps to be taken by the licensee may include, but are not limited to:

- (1) maintaining the front door in a closed position;

- (2) asking loiterers to disperse;
- (3) calling the police if loiterers refuse to disperse;
- (4) requesting a police detail or stationing an employee at the front door to disperse loiterers;

Somerville Licensing Commission Rule 1.09.e. - When any noise, disturbance, misconduct, disorder, act or activity occurs in the licensed premises, or in the area in front of or adjacent to the licensed premises, or in any parking lot provided by the licensee for the use of its patrons, which in the judgment of the Commission adversely affects the protection, health, welfare, safety or repose of the residents of the area in which the licensed premises are located, or results in the licensed premises becoming the focal point for police attention, or is offensive to public decency, the licensee may be held in violation of the license and subject to proceedings for suspension, revocation or modification of the license.

Assistant City Solicitor Jason Grossfield read the violations into the record.

ASC Grossfield stated that the alleged offense occurred on June 3, 2012. ASC Grossfield stated that a group of people were congregating out front of On the Hill Tavern causing a disturbance. A great deal of Police backup was necessary to resolve the situation, which resulted in a three individuals being arrested.

Officer Robert Driscoll was on the scene the night of the incident and read the police report into the record.

The Licensee did not feel it was fair to take the blame for every situation that happens near the business, However they did come to a Joint disposition with the Assistant City Solicitor Jason Grossfield.

The Licensing Commission voted to accept the recommended disposition of the City and the licensee with a roll back of hours from 2:00AM to 1:00AM on Friday and Saturday evenings for three consecutive weeks beginning July 20, 2012. The Licensee is required to have Police Details for Friday and Saturday evenings. The Licensing Commission will review the Police Detail requirements at the August 20, 2012 Licensing Hearing.

Commissioner Vaccaro abstained from voting on this matter.

There being no further business, the meeting was adjourned.

Respectfully Submitted

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
August 20, 2012  
6:00 p.m.**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the June 20, 2012 & July 16, 2012 meetings were accepted as submitted.

**COMMUNICATIONS**

Communication from The Alcoholic Beverage Control Commission Notice of Suspension-Woody's Liquors, 523 Broadway. The Board took Administrative Notice and placed the Communication on file.

Communication from The Paddock Restaurant, notifying the Board that they have closed their business. The Board took Administrative Notice and placed the Communication on file.

**CONTINUED FROM JULY 16, 2012 HEARING**

Consideration for a proposed amendment to Somerville Licensing Commission Rules and Regulations relative to Prohibition of the announcement of "Last Call". A motion was made to continue this item until next meeting. The motion was seconded.

**SPECIAL ALCOHOL LICENSES**

**Bull McCabe's  
366A Somerville Ave.**

Present: Brian Manning

Mr. Manning came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for an Outdoor Music Festival to be held in Parking Lot on Sept. 22, 2012 from 10:00AM-10:00PM. Rain date Sept. 23, 2012.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Father Ademir Guerini

Father Guerini came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Private Birthday Party on August 25, 2012 from 6:30PM-11:30PM at The School Gymnasium.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Winterhill Pub**  
**d/b/a Olde Magoun Salon**  
**518 Medford St.**

Present: Greg Coughlin

Mr. Coughlin came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for Paulaner Biergarten Tour to be held outdoors in the Magoun Sq. Lot on Sept. 15, 2012 from 12:00PM-6:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

Alderman Connolly supports this application.

One neighbor spoke in support.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Hellenic Association of Somerville**  
**d/b/a Dormition of the Virgin Mary Greek Orthodox Church**  
**29 Central St.**

Present: Phillip Dres

Mr. Dres came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for the Annual Feast on Sept. 7, 2012 from 5:00PM-11:00PM, Sept. 8, 2012 from 12:00PM-12:00AM & Sept. 9, 2012 from 12:00PM-9:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Hellenic Association of Somerville**  
**d/b/a Dormition of the Virgin Mary Greek Orthodox Church**  
**29 Central St.**

Present: Phillip Dres

Mr. Dres came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Honk Fest on October 6, 2012 from 7:00PM-1:00AM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Maurice Martin**

Present: Maurice Martin

Mr. Martin came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Honk Fest

dinner for musicians on Oct. 5, 2012 6:00PM-1200MA at the TAB building, Council on Aging room.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

Alderman Connolly supports this application.

**Re/Max Heritage Green**  
**20 Holland St.**

Present: Linda O’Koniewski

Ms. O’Koniewski came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for The Grand Opening Sept. 12, 2012 from 4:00PM-8:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**The Burren**  
**247 Elm St.**

Present: Desmond Rushe

Mr. Rushe came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for 5K BBQ & Post Road Race festival to be held in Parking Lot on Grove St. on Aug. 26, 2012 11:00AM-6:00PM.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Redbones Barbecue**  
**Chester St.**

Present: Nick Gregory

Mr. Gregory came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for "Oktoberfest" to be held at Chester St. to Herbert St. Intersection on Sept. 30, 2012 7:00AM-7:00PM, rain date October 7, 2012.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**COMMON VICTUALER LICENSES**

Capital Brasil Multi Services, 99 Broadway notifying the board of the name change to Big Bite Barbecue.

This is a name change only with no other changes to the business.

On a motion duly made and seconded, it was

VOTED: to allow the name change.

**GOL Market, Inc.**  
**376 Mystic Ave.**  
**Thathyanno Desa**

Present: Thiathyanno Desa

Mr. Desa Came before the Commission requesting approval of a Common Victualer license at 376 Mystic Ave.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Doowee and Rice, LLC**  
**868 Broadway**  
**Duy Tran**

Present: Duy Tran

Mr. Tran Came before the Commission requesting approval of a Common Victualer license at 868 Broadway.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**OL Davis Square, LLC**  
**d/b/a Orange Leaf**  
**256 Elm St.**  
**Joe Benson**

Present: Joe Benson

Mr. Benson came before the Commission requesting approval of a Common Victualer license at 256 Elm St

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

Chairman Upton recused himself.

**Raccor Foods, LLC**  
**d/b/a Top Speed Pizza**  
**8 Highland Ave.**  
**Darrell Laws**

Present: Darell Laws

Mr. Laws came before the Commission requesting approval of a Common Victualer license at 8 Highland Ave.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Dreamy Flavor Brunch & Restaurant**  
**129 Broadway**  
**Nilson DeAsevedo**

Present: Nilson DeAsevedo

Mr. DeAsevedo came before the Commission requesting approval of a Common Victualer license at 129 Broadway.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**CLUB LICENSE**

**NEW OFFICERS OR DIRECTORS**

**George Dilboy Post 529 Inc.VFW**  
**371 Summer St.**

Present: Robert Hardy

Mr. Hardy came before the Commission requesting a change of Officers/Directors on the All Forms Alcohol Club License.

On a motion duly made and seconded, it was

VOTED: to approve the change of Officers/Directors.

Alderman Connolly supports this application

**STATUS**

**CONTINUED FROM JUNE 20, 2012 MEETING**

**PLPB DDBG LLC**  
**d/b/a Deco Restaurant**  
**425 Washington St.**

Present: Attorney Ann Vigorito

Atty. Vigorito came before the Commission to give a status update on the sale of the All forms Alcoholic beverages 7-day Restaurant license.

Atty. Vigorito stated that the family attorney is in presently in Spain but they have a buyer and will be filing the paperwork soon.

On a motion duly made and seconded, it was

VOTED: to continue this matter to the October hearing.

**Farmer's Bounty**  
**234 Elm St.**

Regarding the status of the Wine and Malt package store license. The owner sent a letter stating his would not be able to attend the meeting.

The Board placed this item on file.

**CONTINUED FROM JULY 16, 2012 MEETING**

**On the Hill Tavern**  
**499 Broadway**

Present: Robert Antonelli & Tim Taddia

Mr. Antonelli & Mr. Taddia came before the Commission for the review of the mandatory Friday and Saturday night police details ordered at the July 16, 2012 Licensing hearing.

Mr. Antonelli stated that the business had shut down at 1AM as per the Decision of the violation from last months hearing. Mr. Antonelli stated that only fifty percent of the time did the Police details that were requested show up. They have had no problems without the detail on duty.

Investigator Chaille stated they have had no issues.

One neighbor spoke in support of this business.

The owners stated they would have two doorman on duty Friday and Saturday nights to avoid having to hire police details.

On a motion duly made and seconded, it was

VOTED: To discontinue the mandatory Police Details for Friday and Saturday nights and instead require two doormen on duty for those night.

Vito abstained from voting.

**Late Item**

**Special Alcohol**

**DDH Hotel Somerville LLC**  
**d/b/a Holiday Inn Hotel**  
**30 Washington St.**

Present: Jim Harvey

Mr. Harvey came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages for a Brazilian Outdoor Concert on September 23, 2012 from 12:00PM-8:00PM to be held in parking lot.

This is an outdoor concert from Noon until 8PM. The staff will be identified with uniforms. The alcohol will be in a fenced in area. They will use wrist bands and have a check point.

Experienced servers will be dispensing the alcohol.

Police and Fire Details have been requested.

\*\*\*Alderman Connolly supports this application.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

There being no further business, the meeting was adjourned.

Respectfully Submitted

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
September 17, 2012  
6:00 p.m.**

Chairman Andrew Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Consideration for a proposed change to the Somerville Licensing Commission's Rules and Regulations requiring any applicants wishing to change the ownership of a business that serves alcoholic beverages, post in the business's window a public notice advertising the change.

The Board voted to refer this item to ASC Jason Grossfield to draft a text as to how this is going to work and continued this matter until the next Licensing Hearing.

**CONTINUED FROM AUGUST 20, 2012 HEARING**

Consideration for a proposed amendment to Somerville Licensing Commission's Rules and Regulations relative to Prohibition of the announcement of "Last Call".

On motion duly made and seconded, it was

VOTED: To Place Item on File.

**COMMON VICTUALER LICENSES**

**Legendary Burger Concepts, Inc.  
d/b/a Burger Dive  
702 Assembly Square Drive  
Brad Dalbeck**

Present: Brad Delbeck

Mr. Delbeck came before the Commission requesting approval for a Common Victualer license at 702 Assembly Sq. Drive.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

Mr. Delbeck has restaurant experience.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

Mr. Delbeck has restaurant experience.

**SPECIAL ALCOHOL LICENSES**

**St. Anthony Parish**  
**12 Properzi Way**

Present: Father Ademir Guerini

Father Guerini came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at a Dinner Dance on October 6, 2012 from 8PM-12AM.

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Rockwell Restaurant Group. LLC d/b/a Foundry on Elm**  
**255 Elm St.**

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at October Fest to be held in Davis Sq. on Sept. 30, 2012 from 12PM-7PM (Rain date Oct. 7, 2012).

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Prospect Hill Properties**  
**d/b/a The Independent**  
**75 Union Sq.**

Present: Ken Kelly

Mr. Kelly came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at The Annual Fluff Festival to be held in Union Sq. on Sept. 29, 2012 from 3PM-8PM (Rain date Sept. 30, 2012).

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**VIR II/MaxPac Square Owner, LLC**  
**d/b/a Maxwell's Green**  
**1 Maxwell Green**

Present: Stephen Mackey

Mr. Mackey came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at Chamber of Commerce Meeting on October 18, 2012 5PM-9PM.

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**Transfer of Stock**  
**New Officers & Directors**

**381 Summer Street Restaurant, Inc.**  
**d/b/a Rosebud**

Present: Attorney Jon Kennedy

Atty. Kennedy representing The Rosebud came before the Commission requesting approval to transfer 100% of stock from Evangelos Nichols to William E. Nichols and for a change of officer and director.

Atty. Kennedy stated that this would be a transfer of ownership from father to son. In 2009 changes were made to the business at the Secretary of State's office but not with the City & the Alcoholic Beverages Control Commission. This business is going to be sold but the paperwork must be correct before the filing of the transfer to the new owner can take place.

Upon a motion duly made and seconded, it was

VOTED: To approve transfer of stock and change of officers as presented.

**Pledge of License**

**AnnexTW, Inc. d/b/a Bronwyn**  
**255 Washington St.**

Present: Tim Weisman

Mr. Weisman came before the Commission requesting approval to pledge the All Forms Alcoholic Restaurant license to Cambridge Trust.

Mr. Weisman stated that he needed a bank loan to do refurbishing of the business and hopes to be open by December.

Upon a motion duly made and seconded, it was

VOTED: To approve the pledge of license.

**WINE AND MALT PACKAGE STORE LICENSE**

**Pledge of License**

**Himgiri Enterprises, Inc.**  
**d/b/a K-2 Beer and Wine**

Present: Attorney William Goldberg

Atty. Goldberg representing K-2 Beer and Wine came before the Commission requesting approval to pledge the Wine and Malt Package Store License to The Winter Hill Bank,

Massachusetts Business Development Corporation & United States Small Business ADM.

Atty. Goldberg stated that the business needs the financing to rehab the building. Upon a motion duly made and seconded, it was

VOTED: To approve the pledges of the license.

**Transfer of License**

**Reliable Market, Inc.**  
**45 union Sq.**

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo, representing Reliable Market came before the Commission requesting approval to transfer the Wine and Malt Package Store License to NEW Reliable Market, Inc., d/b/a Reliable Market, 45 Union Square.

Upon a motion duly made and seconded, it was

VOTED: To approve the Transfer of the Wine and Malt Package Store License.

**WINE AND MALT RESTAURANT LICENSE**

**Change of Manager**

Center for Arts at the Armory, 191 Highland Ave., requesting a change of manager from Debra McLaughlin to Tracey Stark. (Paperwork was incomplete and no one from the Armory came to the meeting).

**Late Items**

**Common Victualer License**

**Teele Sq. Cafe**  
**1133 Broadway**  
**Binoj Pradhan**

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo came before the Commission requesting approval for a Common Victualer license at 1133 Broadway.

Along with the application, a menu, floor plan and lease were submitted for the Commissioner's consideration.

This location was previously the I-Café Restaurant.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**Special Alcohol License**

**Paesani D'Italia**  
**149A Highland Ave.**

Present: Rocco DiRenzo

Mr. DiRenzo requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at a Dinner Reception for State Police from Italy on October 14, 2012 from 6:30PM-12AM.

Mr. DiRenzo stated that the Italian Police are coming to town and he wants to host a dinner for them. Mr. DiRenzo stated that for the past 9 years this has been a gentlemen's club and does not serve alcohol and is not open to the public.

Chairman Upton stated any service of alcohol will require a license.

Investigator Chaille questioned Mr. DiRenzo about this place being a garage.

Mr. DiRenzo answered no to Investigator Chaille's question.

Police and Fire Details were requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

There being no further business, the meeting was adjourned.

Respectfully

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
October 15, 2012  
6:00 p.m.**

Chairman Andrew Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the August 20, 2012 & September 17, 2012 meetings were accepted as submitted.

**COMMUNICATIONS**

Massachusetts State Lottery Commission re: Keno-To-Go. The Board took Administrative Notice and placed the communication on file.

Fauji Corp. d/b/a Farmers Bounty notifying the Commission that the agreement to sell the Wine and Malt package Store license has been terminated by the buyer. Fauji Corp. is currently marketing the license and hopes to have an agreement shortly. The Board took Administrative Notice and placed the communication on file.

**CONTINUED FROM SEPTEMBER 17, 2012 MEETING**

Assistant City Solicitor Jason Grossfield submitting a draft for a proposed change to the Somerville Licensing Commission's Rules and Regulations requiring any applicants wishing to change the ownership of a business that serves alcoholic beverages to post in the business's window a public notice advertising the change.

The Board voted to continue this matter until the November meeting and requested ASC Grossfield revise the draft and to invite the Board of Aldermen to appear for their input.

**COMMON VICTUALER LICENSES**

**Pizza Palace  
222 Somerville Ave.  
Remon Tawfeer**

Present: Remon Tawfeer

Mr. Tawfeer came before the Commission requesting approval for a Common Victualer license at 222 Somerville Ave.

Mr. Tawfeer has restaurant experience.

Along with the application, a menu, floor plan and lease were submitted for the Commissioners consideration.

On a motion duly made and seconded, it was

VOTED: to approve the Common Victualer license as presented.

**SPECIAL ALCOHOL LICENSES**

**Sally O'Briens**  
**335 Somerville Ave.**

Present: Liam Mannion & Jackie Rossetti

Mr. Mannion came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at Octoberfest @ SomerStreets to be held in Union Sq. on Oct. 28, 2012 from 1PM-6PM.

Ms. Rossetti stated the Octoberfest will be working with the Summer Streets festival.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**Bull McCabe's**  
**336A Somerville Ave.**

Present: Brian Manning

Mr. Manning came before the Commission requesting approval of a Special Alcohol License for the purpose of dispensing and selling alcoholic beverages at Octoberfest @ SomerStreets to be held in Union Sq. on Oct. 28, 2012 from 1PM-6PM.

Experienced servers will be dispensing the alcohol.

Police and Fire details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**CONTINUED FROM AUGUST 20, 2012 MEETING**

**STATUS UPDATE**

**PLPB DDBG LLC**  
**d/b/a Deco Restaurant**  
**425 Washington St.**

Present: Atty. Ann Vigorito & Andrea Mobilia

Atty. Vigorito representing Deco Restaurant came before the Commission to give a status update on sale of the All Forms Alcoholic Beverages 7-Day Restaurant License.

Atty. Vigorito stated that a number of people are interested in purchasing the business and they hope to have a P & S by the next meeting.

On a motion duly made and seconded, it was

VOTED: to continue this matter to the November hearing.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**CHANGE OF MANAGER**

**Holiday Inn**  
**30 Washington St.**

Present: Therese Almond

Ms. Almond came before the Commission requesting a change of manager from James Harvey to Therese Almond.

Ms. Almond has 25 years of hotel experience.

On a motion duly made and seconded, it was

VOTED: to approve the change the manager.

**NEW OFFICERS/DIRECTORS, NEW STOCKHOLDERS**

**AND TRANSFER AND ISSUANCE OF STOCK**

**99 Restaurant & Pub,**  
**20 Cummings St.**

Present: Joan Baldasarre

Ms. Baldasarre came before the Commission requesting approval for New Officers/Directors, New Stockholders and Transfer and Issuance of Stock.

Ms Baldasarre stated this paperwork has already been filed with the ABCC.

This will be the same management and the structure will remain the same.

On a motion duly made and seconded, it was

VOTED: to approve New Officers/Directors, New Stockholders and Transfer and Issuance of Stock.

**ALTERATIONS TO PREMISES**  
**EXTENSION OF CV AND ENTERTAINMENT LICENSES**

**Painted Burro, Inc.**  
**219 Elm St.**

Present: Atty. Adam Dash

Atty. Dash, representing Painted Burro came before the Commission requesting approval for alteration of premises to extend the business into the space next door known as 217 Elm St. also for approval for Entertainment and CV extension.

This business wants to extend into the space currently occupied by Spikes Junk Yard dog.

On a motion duly made and seconded, it was

VOTED: to approve the alterations to premises, CV and Entertainment extension.

**VIOLATION**

**La Internacional Food Corporation**  
**318 Somerville Ave.**

Present: Assistant City Solicitor Jason Grossfield & Byron Cabrara

Bryon Cabrara came before the Commission to show cause why the Wine and Malt Package Good Store license issued to the above-referenced establishment should not be

modified, suspended or revoked or the hours during which sales of alcoholic beverages may be made reduced for alleged violation of Somerville Licensing Commission Rules and Regulations to wit:-

Somerville Licensing Commission Rule 1.08. 1. Alcoholic beverages licensees are forbidden to make a sale or delivery of alcoholic beverages or alcohol to a person who is intoxicated.

Massachusetts General Laws Chapter 138, Section 69: Sales or Delivery to Intoxicated Persons Prohibited. No alcoholic beverage shall be sold or delivered on any premises licensed under this chapter to an intoxicated person.

The date of the alleged offense was August 1, 2012.

Assistant City Solicitor Jason Grossfield read the violations into the record. ASC Grossfield stated that the business was selling alcohol to intoxicated persons. Based on a discussion with the licensee and the fact that the establishment has had no past incidents. ASC Grossfield and Mr. Cabrera came to a recommended disposition of a “Warning”

On a motion duly made and seconded, it was

VOTED: To accept the recommended disposition of the City and the licensee and the Commission sanctioned the establishment with a Warning.

**2:00 AM Closings**

**All Forms Alcoholic Beverages 7 Day Restaurant Licenses**

**2AM ANNUAL LICENSE REVIEW**

The following licensees appeared before the Commission for the annual review of their extension of hours until 2:00AM.

<u>Date Approved</u>	<u>Business</u>	<u>Address</u>
9/29/05	Precinct	70 Union Square
9/29/05	The Independent	75 Union Square
03/19/2012	Foundry on Elm	255 Elm St.
12/21/05	Casey’s	171 Broadway
9/29/05	P J Ryan’s	239-241 Holland Street
4/26/06	Olde Magoun Saloon	518 Medford Street
12/27/05	On the Hill Tavern	499 Broadway

Each licensee’s file was reviewed for incidents/complaints and all were found to be suitable to continue with their extended hours.

PJ Ryan’s will be continued until the November meeting. (No show).

On a motion duly made and seconded, it was

VOTED: To extend the 2AM license for one more year.

**(ONE) ALL FORMS ALCOHOLIC BEVERAGES  
7 DAY RESTAURANT (CITY LICENSE-NON TRASFERRABLE)**

Chairman Upton stated for the record that he has a legal case with the attorney for applicant #16 (Cobble Hill), but has no involvement with the applicant. He disclosed the potential conflict of interest publicly and verbally before the start of the hearing. Chairman Upton also stated that he would file a disclosure form with his appointing authority .

**Amelia's Kitchen, Inc.  
1137 Broadway**

Present: Delio Susi

Mr. Susi came before the Commission requesting approval for an All Forms Alcoholic Beverages 7 Day Restaurant License. (Currently holds a Wine & Malt license).

Mr. Susi has a Wine and Malt License and would like to upgrade to an All Forms.

OSPCD is not recommending approval of this at this time.

Chamber of Commerce is in support of this applicant.

The Board closed the hearing on this item to hear other applicants.

**Mark Food Enterprises, Inc.  
d/b/a Oliveira's Steak House  
120 Washington St.**

Present: Attorney Ann Vigorito

Atty. Vigorito, representing Oliveira's Steak House came before the Board requesting approval for an All Forms Alcoholic Beverages 7 Day Restaurant License **AND** approval for an Entertainment License consisting of Entertainment by performers, patrons and devices.

Atty. Vigorito stated that the former establishment that was located at this address held a liquor license. However that license was sold to someone in another part of the city. Oliveira's is leasing this space. They feel a liquor license will enhance their business.

OSPCD is not recommending approval of this at this time.

Chamber of Commerce is in support of this applicant.

The Board closed the hearing on this item to hear other applicants.

**Cobble Hill LLC**  
**81 Park St.**

Present: Attorney Joseph Hanley

Atty. Hanley representing Cobble Hill came before the Commission requesting approval for an All Forms Alcoholic Beverages 7 Day Restaurant License **ALSO** requesting approval of a Common Victualer License and Entertainment License consisting of Entertainment by devices.

The new owners currently work at the Highland Kitchen. They are purchasing the real estate. This will be a unique concept. They will use local produce and plan to have a green roof concept. They will have on site parking. Thirty letters of support were submitted for the record. They plan to open in about one year's time.

Two people spoke in favor.

Alderman Heuston is in support.

OSPCD is recommending approval of this application.

Chamber of Commerce is in support of this applicant.

The Board closed the hearing on this item to hear other applicants.

**Aguacate Verde**  
**13 Elm St.**

Present: Sylvia DeLasota

Ms. DeLasota came before the Commission requesting approval for an All Forms Alcoholic Beverages 7 Day Restaurant License.

This is the third time Ms. DeLasota has applied for an alcohol license.

She feels she needs to have a license to compete with the Cambridge businesses and the license will increase foot traffic and enhance her restaurant.

A petition of approximately 250 signatures supporting this applicant was submitted for the record.

The Board closed the hearing on this item to hear other applicants.

**Hearing was re-opened**  
**Amelia's Kitchen**

A motion was made to withdraw this application.

Motion to withdraw was accepted.

WITHDRAWN

**Mark Food Enterprises, Inc.**  
**d/b/a Oliveira's Steak House**

Commissioner Vaccaro made a motion to approve this application

However the motion was NOT seconded.

A motion was made to withdraw this application.

Motion to withdraw was accepted.

WITHDRAWN

In Regards to the application for an Entertainment License for Oliveira's Steak House

A motion was made to approve, the motion was seconded.

It was voted: to approve the Entertainment License as submitted.

**Cobble Hill LLC**

A motion was made to approve this application.

The motion was seconded.

It was voted: To approve the All Forms Alcoholic Beverages 7 Day Restaurant License.

Commissioner Vaccaro voted NO

In regards to the Common Victualer and Entertainment License,

The Board made a motion to approve

The motion was seconded.

The Board voted to: Grant the Common Victualer and Entertainment License.

**Aguacate Verde**

A motion was made to withdraw this application.

Motion to withdraw was accepted.

WITHDRAWN

There being no further business, the meeting was adjourned.

Respectfully submitted

Jenneen M. Pagliaro  
Executive Secretary



**City of Somerville  
Licensing Commission**

**Senior Center  
Tufts Administration Building  
167 Holland Street**

**Regular Meeting  
Monday  
November 19, 2012  
6:00 p.m.**

Chairman Upton called the meeting to order. Present were Commissioners Vito Vaccaro, John J. McKenna, Inspector Warren Chaille & Executive Secretary Jenneen M. Pagliaro.

Minutes of the October 15, 2012 meeting were accepted as submitted.

Approval of extension of hours until 2AM on New Years Eve for All Forms Restaurants. A motion was made and seconded to allow the extension of hours on New Years Eve.

Consideration of a policy to draft guidelines for Public Complaints. The Board voted to adopt a policy for anyone with a complaint to fill out a Complaint form which will be reviewed by the Licensing Commission Investigator and action will be taken if needed. The Board voted to adopt the draft guidelines for filing complaints.

**CONTINUED FROM OCTOBER 15, 2012 MEETING**

Assistant City Solicitor Jason Grossfield submitting a draft for a proposed change to the Somerville Licensing Commission's Rules and Regulations requiring any applicants wishing to change the ownership of a business that serves alcoholic beverages to post in the business's window a public notice advertising the change.

This reflects the discussion from the last meeting.

A motion was made and seconded to approve the amendment to The SLC rules and regulations.

Commissioner Vaccaro voted "NO"

**COMMON VICTUALER & ENTERTAINMENT LICENSES**

SRI SHAKTI Corp. d/b/a Dosa Temple requesting approval to change the d/b/a name on the Common Victualer license at 447 Somerville Ave. To Dosa N Curry.

This is a name change only to avoid confusion with another restaurant of the same name.

On a motion duly made and seconded, it was

VOTED: to approve the name change.

**NE Frog Pond, LLC**  
**d/b/a Pinkberry**  
**263 Elm St.**

Present: Attorney Adam Dash

Atty. Dash, representing Pinkberry came before the Commission requesting approval for a Common Victualer and for an Entertainment License consisting of Entertainment by devices.

Atty. Dash stated this is not a self serve yogurt business, more of an upscale operation.

The Chamber of Commerce spoke in support.

Along with the application, a copy of the floor plan, menu and lease were submitted for the Commissioner's consideration.

On motion a duly made and seconded, it was

VOTED: to grant the Common Victualer & Entertainment Licenses as submitted.

**Legendary Burger Concept, LLC**  
**d/b/a Burger Dive**  
**702 Assembly Sq. Drive**

Present: Brad Delbeck

Mr. Delbeck came before the Commission requesting approval for an Entertainment License consisting of Entertainment by devices.

On motion a duly made and seconded, it was

VOTED: to grant the Entertainment License as submitted.

**SPECIAL ALCOHOL LICENSE**

**St. Anthony's Parish**  
**12 Properzi Way**

Present: Father Ademir Guerini

Father Guerini came before the Commission requesting approval of a Special Alcohol license for the purpose of dispensing and selling alcoholic beverages at a New Years Eve Party on Dec. 31, 2012 from 8:00PM-1:00AM.

Experienced servers will be dispensing the alcoholic beverages.

Police and Fire Details have been requested.

On a motion duly made and seconded, it was

VOTED: to grant the Special Alcohol license as presented.

**SPECIAL FARMER WINERY LICENSES**

**Zoll Brothers Private Cellars, LLC**

Present: Frank Zoll

Mr. Zoll came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on Twenty Two consecutive Saturdays, Dec. 1, 2012 thru April 30, 2013 from 9:30AM-2:30PM.

On a motion duly made and seconded, it was

VOTED: To approve the Special Farmer Winery license as submitted.

**David Neilson d/b/a Coastal Vineyards**

Mr. Neilson came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on Twenty Two consecutive Saturdays, Dec. 1, 2012 thru April 30, 2013 from 9:30AM-2:30PM.

On a motion duly made and seconded, it was

VOTED: To approve the Special Farmer Winery license as submitted.

**Lexington Consulting Group, Inc.**  
**d/b/a Turtle Creek Winery**

Present: Kip Kumler

Mr. Kumler came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on Twenty Two consecutive Saturdays, Dec. 1, 2012 thru April 30, 2013 from 9:30AM-2:30PM.

On a motion duly made and seconded, it was

VOTED: To approve the Special Farmer Winery license as submitted.

Still River Winery requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on Twenty Two consecutive Saturdays, Dec. 1, 2012 thru April 30, 2013 from 9:30AM-2:30PM.  
\*\*\*NO SHOW\*\* Placed on File.

**Green River Ambrosia**

Present: Garth Shaneyfelt

Mr. Shaneyfelt came before the Commission requesting approval of a Special Farmer Winery License to sell wine produced by the licensee for off-premise consumption at The Somerville Winter Farmer's Market to be held at the Center for Arts at the Armory, 191 Highland Ave. on Twenty Two consecutive Saturdays, Dec. 1, 2012 thru April 30, 2013 from 9:30AM-2:30PM.

On a motion duly made and seconded, it was

VOTED: To approve the Special Farmer Winery license as submitted.

**CONTINUED FROM OCTOBER 15, 2012 MEETING**

**STATUS UPDATE**

**PLPB DDBG LLC**  
**d/b/a Deco Restaurant**  
**425 Washington St.**

Present: Attorney Richard DiGirolamo & Andrea Mobilia

Atty. DiGirolamo representing Deco Restaurant came before the Commission to give a status update on sale of the All Forms Alcoholic Beverages 7-Day Restaurant License.

Andrea Mobilia is handling the estate of Patrick Buben and stated that the property is under agreement and they plan to file for the transfer of the License at the January hearing.

**All Forms Alcoholic Beverages 7 Day Restaurant Licenses**

**2:00 AM Closings Reviews**

The following licensees appeared before the Commission for the annual review of their extension of hours until 2:00AM.

2/26/07	The Burren	247 Elm Street
8/27/07	Fasika	145-147 Broadway
5/2/08	The Joshua Tree	256 Elm Street
12/14/09	Orleans Restaurant	59-65 Holland St.
11/15/10	Trina's Starlite Lounge	3 Beacon St.
09/29/05	PJ Ryans	239-241 Holland St.

Each licensee's file was reviewed for incidents/complaints and all were found to be suitable to continue with their extended hours.

**ALL ALCOHOL PACKAGE STORE LICENSES**

**Transfer of Stock**

**New Officers/Directors**

**MVP Liquors, Inc.,**  
**d/b/a Sav-Mor Liquors**  
**2153 Mystic Valley Pkwy**

Present: Ben Weiner & Robert Weiner

Mr. Weiner came before the Commission requesting approval for Transfer of stock and to appoint New Officers and Directors.

Mr. Weiner stated that these changes are for the transfer of ownership to his children who have been involved in the business for years.

The Chamber of Commerce is in support.

Upon a motion duly made and seconded. It was

VOTED: To approve the Transfer of Stock and New Officers/Directors.

**Starl Liquors, Inc.**  
**d/b/a Sav-Mor Discount Liquors**  
**15-17R McGrath Hwy**

Present: Ben Weiner & Robert Weiner

Mr. Weiner came before the Commission requesting approval for Transfer of stock and to appoint New Officers and Directors.

Mr. Weiner stated that these changes are for the transfer of ownership to his children who have been involved in the business for years.

The Chamber of Commerce is in support.

Upon a motion duly made and seconded. It was

VOTED: To approve the Transfer of Stock and New Officers/Directors

**WINE AND MALT PACKAGE STORE LICENSE**

**Transfer & Change of location**

**Fauji Corp, d/b/a Farmers Bounty**  
**234 Elm St.**

Present: Attorney Richard DiGirolamo

\*Chairman Upton rescued himself.

Atty. DiGirolamo, representing Union Mart came before the Commission requesting approval for a transfer of the Wine and Malt package store license and approval for a change of location of the license to Everest Mart, Inc., d/b/a Union Mart at 71-72 Union Sq.

Atty. DiGirolamo stated that the new owner has experience with handling alcohol. The lease will be good until 2016.

Upon a motion duly made and seconded. It was

VOTED: To approve the Transfer of License and Change of Location.

**ALL FORMS ALCOHOLIC BEVERAGES**  
**7 DAY RESTAURANT**

**Transfer of License**  
**Pledge of License & Pledge of Stock**  
**Common Victualer & Entertainment Licenses**

**Merry Inc.**  
**d/b/a Sarma**  
**249-251 Pearl St.**

Present: Attorney Richard DiGirolamo

Atty. DiGirolamo representing Sarma, 249-251 Pearl St. came before the Commission requesting the transfer of MCDA, Inc. d/b/a The Paddock Restaurant's All Forms Alcoholic Beverages 7 Day License, a Pledge of the License and Pledge of Stock to R & R Trust, New Common Victualer and approval for an Entertainment License consisting of Entertainment by performers and Devices.

The new owners have restaurant experience.

A major renovation will be done to the space and the business plans to open around May of 2013.

Upon a motion duly made and seconded. It was

VOTED: To approve the Transfer of License, Pledge of License & Pledge of Stock. Common Victualer & Entertainment Licenses.

There being no further business, the meeting was adjourned.

Respectfully submitted

Jenneen M. Pagliaro  
Executive Secretary