

**City of Somerville
Licensing Commission**

Regular Meeting by Remote Participation

**DRAFT OF THE
Minutes of the Regular Meeting
Monday, August 16, 2021, 2021 at 6:30pm
Posted Friday, September 17, 2021, at 11:30am
REVISED – POSTED Wednesday, September 22, 2021 at 1:15pm**

The meeting was called to order at 6:31pm. Present were Commissioners, Lynch, Allen, and Lindgren, Capt. Dennis Sullivan of the Fire Dept., Sean Keane, of the Fire Dept., Sgt. Warren Chaille of the Police Dept., Charlotte Leis of Office of Strategic Command and Community Development, Secretary to the Commission Lori Batzek, City Clerk, Kimberly Wells, Members of the City Staff, Applicants and members of the public.

The meeting adjourned at 9:21pm

There is not a recording of this meeting available online due to a Technical Failure

**Monday
August 16, 2021
6:30pm**

**Published Monday, August 12, 2021 at 6:30pm
Published Monday, August 16, 2021 at 3:40PM**

Pursuant to Chapter 20 of the Acts of 2021, this meeting of the Licensing Commission will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website.

Copy & paste the following link into your internet browser to view this meeting live:

<https://attendee.gotowebinar.com/register/3687554808766633488>

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

COMMUNICATIONS

1. Minutes of the Regular Licensing Commission Meeting from 5/17/21

The minutes were approved on a roll call vote with 2 in favor (Allen, Lynch), 0 opposed, and 1 abstained (Lindgren).

2. Minutes of the Regular Licensing Commission Meeting from 6/21/21

The minutes were approved on a roll call vote with 2 in favor (Allen, Lynch), 0 opposed, and 1 abstained (Lindgren).

***Continued from 3/15/21 Regular Licensing Commission Meeting,
4/26/21 Special Licensing Commission Meeting,
5/17/21 Licensing Commission Meeting and 6/21/21 Licensing Commission Meeting**

*Status of Communication from Chairman Lynch dated 2/16/21, Urging the Commission to review its Rules and Regulations and prepare a timeline to produce any proposed amendments. This communication was placed on the February 22, 2021 Agenda. Commissioner Allen submitted revised rules and regulations to City Clerk, John Long for review on 5/14/21. John Long proposed changes to this draft on 6/14/21 & 6/15/21

*see #3

***Continued from 5/17/21 & 6/21/21 Licensing Commission Meetings**

*Commissioner Allen proposing the removal of Section 4.

*see #3

***Continued from 5/17/21 & 6/21/21 Licensing Commission Meetings**

*Commissioner Allen proposing language to update Section 1.12.b to explicitly not apply to breastfeeding.

*see #3

3. Commissioner Allen proposing a new set of Rules and Regulations

The commission discussed the rules and regulations changes, proposed by Commissioner Allen. Additional information is required. These revisions will be submitted to Kim Wells, City Clerk, the secretary to the commission and the Law Department for their review and recommendations.

The Commission continued this item to the next Licensing Commission Meeting for September 2021, on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

4. By the authority of the Commission, a reconsideration is proposed for the rescinded Amplification for the Entertainment by Devices and Performers License, for Outdoor Seating, for The Center for the Arts at the Armory at 191 Highland Ave.

Outdoor Amplification was Rescinded on 7/19/21

This item was withdrawn. **Withdrawn by request of Stephanie Scherpf by email on 8/16/21.**

5. Request from the Office of Strategic Planning and Community Development for the Somerville Licensing Commission to adopt the recommended policy, regarding Group B Recreational Marijuana sequencing of issuing licenses.

The Commission discussed this item with Ms. Leis from the Planning Division. There were concerns about what would happen if multiple Group B applicants were approved in the same meeting. The recommendation from the Planning Division was to use the MAC score. Ms. Leis stated there are currently 12 executed CHA agreements and expressed no issues with the Group status, of applicants, who have yet to appear before the commission for approval. The item will be further discussed at the next meeting.

SPECIAL ALCOHOL LICENSES

Continued from 6/21/21 Licensing Commission Meeting

6. East Somerville Main Streets , 3 Glen St. requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Foodie Crawl 2021 to be held Outdoors at Deano's Pasta outdoor parking lot at 15 Garland St. on 9/21/21 from 6:00pm – 10:00pm with a Rain date of 9/22/21
(PEL21-000083)

Chair Lynch invited the applicant to speak. The applicant described the plan for seating in two parking lots at Deano's and Mount Vernon, with parklet seating along Broadway as well. The Commission expressed concerns about the parklet seating, specifically accessibility in accordance with the ADA and street safety with the proximity to the roadway.

The Commission approved the Special Alcohol License with the condition that it permits the Alcohol and Entertainment portions of the license only, on a roll call vote of 3 in favor (Lindgren, Allen, Lynch) and 0 opposed. Chair Lynch suggested that the applicant re-apply for the outdoor seating component with plans to demonstrate how they will address the safety concerns.

7. Groundwork Somerville, 337 Somerville Ave #2B requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Groundwork Somerville's Harvest Gala to be held Outdoors at 138 South St. on September 18, 2021 from: 5:00pm – 9:00pm
(PEL21-000093)

Chair Lynch invited the applicant to speak. The applicant shared the plans for the annual gala event, to be held on tier own property. The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

8. PKL Boston LLC d/b/a PKL Boston– Shana Weller approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for PKL Boston to be held Outdoors at 325-375 Assembly Row from August 30, 2021 to September 28, 2021 from 8:00am – 11:00pm.
(PEL21-00009704)

Chair Lynch invited the applicant to speak. The applicant shared that they have received 30 day licenses for several months, and they are hoping for another. The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

9. Night Shift Brewing – Matt Eshelman, requesting approval of a Special Alcohol License for the purpose of dispensing and/or selling alcoholic beverages for Owl’s Nest at Assembly Row by Night Shift Brewing to be held Outdoors at 325-375 Assembly Row from August 30, 2021 to September 28, 2021 from 11:00am – 10:00pm

An additional request is being made, to expand the perimeter to include the green space adjacent to the location, (with games and Adirondack chairs)
(PEL21-000104)

Chair Lynch invited the applicant to speak. The applicant shared that they have received 30 day licenses for several months, and they are hoping for another. The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.
Chair Lynch reminded staff to make sure that the City is aware of the changes to the space. Ms. Batzek confirmed that she will do so.

10.

EXISTING LICENSE
COMMON VICTUALLER WITH
INDOOR ENTERTAINMENT BY DEVICES AND OUTDOOR PRIVATE PATIO
SEATING

PERMANENT Outdoor Entertainment by Devices License (APPROVED ON 7/19/21 for a *Temporary Outdoor Entertainment by Devices License – no Ad was required*) AD placed for Permanent Outdoor Entertainment by Devices License on 8/4/21

Sweetgreen Boston, LLC d/b/a Sweetgreen, 345 Assembly Row requesting approval of a Permanent Outdoor Entertainment by Devices License.
(ALM21-000065)

FOR: PERMANENT

ENTERTAINMENT BY DEVICES
OUTDOORS

Entertainment by Devices - Outdoor Seating		LICENSE #	BUSINESS NAME	ADDRESS	APP. TYPE
PERMANENT					
APPL. DATE					
7/8/2021	Regular Meeting - 7/19/21	ALM21-000065	Sweetgreen	345 Assembly Row	Entertainment by Devices for Outdoor Seating

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

Chair Lynch invited the applicant to speak. The applicant shared that they want to install several small Bluetooth speakers, to play the same music on the patio that is playing indoors.

No members of the public spoke at the public hearing.

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

11.

TEMPORARY
OUTDOOR SEATING

Entertainment by Devices - Outdoor Seating		LICENSE #	BUSINESS NAME	ADDRESS	APP. TYPE
Temporary					
APPL. DATE					
8/6/2021	Regular Meeting - 8/16/21	ALM21-0000715	Siam Ginger	22 Bow St.	Parklet Seating – 16 Seats

(ALM21-000071)

Chair Lynch invited the applicant to speak.

The City Engineer confirmed that the seating did not pose a concern.

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

12.

NEW
COMMON VICTUALLER

Keb Companies Inc.
d/b/a Subway 58318
271 Broadway
Kevin Buyinza
Hours of Operation: Mon-Fri: 9am-8pm, Sat: 10am-8pm & Sun: 11am-5pm
(AL21-000028)

Chair Lynch invited the applicant to speak. The applicant shared that he has one other franchise location and looks forward to being in Somerville. The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

NEW
COMMON VICTUALLER

13.

X & W PaPa Inc.
d/b/a PaPa Sushi
499 Broadway
Wei Xu
Yi Xu
Hours of Operation: Mon-Thu: 11:30am-10:30pm, Fri-Sat: 11:30am-11:00pm, Sun:
11:30am-10:00pm
(AL21-000030)

Chair Lynch invited the applicant to speak. The applicant shared that she will be taking over part of the former Dark Horse Public House space. The space will be divided by the owner, and the applicant will only be leasing one part. The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

14.

Continued from 7/16/21 – Due to Abutter Requirement

NEW 7 Day Wine & Malt License
Enhancement Area
Common Victualler, Entertainment by Devices Indoors
and Sunday Hours Licenses

Vinal General LLC d/b/a Vinal General Store, 220 Somerville Ave. requesting approval of an Enhancement Area 7 Day Wine and Malt Alcohol License, a Common Victualler License, an Entertainment by Devices License and a Sunday Hours License

Hours of Operation:

To Serve Food: Mon-Fri, 11am-8pm, Sat-Sun, 8am-8pm

To Serve Alcohol: Mon-Fri, 11am-8pm, Sat, 8am-8pm & Sun, 10am-8pm

(AL21-000022)

Approved on /16/21 – Abutters were not notified.

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

Per request of the applicant, placing this on the August 2021 Agenda. Requires abutters notice. AD was placed on 8/4/21. Awaiting abutters notices.

Continued from 7/16/21

Chair Lynch invited the applicant to speak. The applicant stated that the hours of operation should be changed for Alcohol Service to 11am-8pm, 7 days a week. Chair Lynch asked if the abutters notices were received. The secretary will confirm.

No members of the public spoke at the public hearing.

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

15.

Existing License

Private

All Forms Alcohol Package Store License

Pledge of License

DBRC Ventures, LLC d/b/a Proof, 8-10 Main Street requesting approval for a Pledge of License to Winter Hill Bank, FSB, ATIMA

(ALM21-000038)

Approved by The Licensing Commission on 5/17/21. The secretary was awaiting additional documentation.

This item was withdrawn. Secretary Lori Jean Batzek withdrew this application due to posting this on the agenda in error. This application was approved by the commission on 5/17/21.

16.

Existing License
Assembly Row
All Forms Alcohol 7 Day Restaurant
Change of Manager

LSF Legal on the Mystic LLC d/b/a Legal on the Mystic, 301 Greate River Rd.
requesting approval of a Change of Manager from Charlotte Wirtanen to Christopher P.
Castellana
(ALM21-000066)

Chair Lynch invited the applicant to speak.

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

17.

Existing License
All Forms Alcohol 7 Day Restaurant
Assembly Row
Change of Officer/Directors/LLC Managers

RCSH Operations Inc. d/b/a Ruth's Chris Steakhouse, 375 Revolution Drive requesting approval for a Change of Officers from (Remove) Arne Haak, EVP, CFO, Treasurer & Secretary to (Add) Kristy L. Chipman, EVP & CEO, (Add) Marcy N. Lynch Secretary and (Add) Stephen G. Szucks Treasurer
(ALM21-000068)

Chair Lynch invited the applicant to speak. Applicant stated 2 spelling corrections were needed: Szucs and Kristy Chipman as CFO

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

18.

Existing License
Private
All Forms Alcohol Package Store License
Change of D/B/A

MVP Liquors Inc. d/b/a Sav Mor Liquors, 2153 Mystic Valley Parkway requesting approval for a Change of D/B/A from Sav Mor Liquors to Sav-Mor Spirits
(ALM21-000144)

Chair Lynch invited the applicant to speak.

The Commission approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

19.

NEW
All Forms 7 Day Alcohol Restaurant License
Enhancement Area
Common Victualler and Sunday Hours License

Mavericks at Washington LLC d/b/a Juliet, 263 Washington St. requesting approval for an Enhancement Area All Forms 7 Day Alcohol License, a Common Victualler License and a Sunday Hours License.

Hours of Operation for Food Service: Sun-Sat: 8am-12am

Hours of Operation for Alcohol Service: Sun-Sat: 10am-12am

(AL21-000023)

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

Chair Lynch invited the applicant to speak. Applicant has another restaurant in vicinity with the same d/b/a. They will be changing the old license d/b/a to something like Petite Juliet with a new concept and menu. Chair Lynch recommended the applicant speak with the secretary to clear up any questions on these licenses. No members of the public spoke at the public hearing. The Commission provisionally approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

20.

NEW
Wine & Malt 7 Day Alcohol Restaurant License
Enhancement Area
and Sunday Hours License

Adhikari Inc. d/b/a India Palace, 233 Elm St requesting approval of an Enhancement Area 7 Day Wine & Malt Alcohol License and a Sunday Hours License.

Hours of Operation: for Food Service and Alcohol: Sun-Sat: 11am-11pm

Already has a CV License AL21-000003

(AL21-000027)

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

Chair Lynch invited the applicant to speak. Applicant had a liquor license for 1 year in Maynard. Applicant is Tips Certified and will ensure staff is as well. No members of the public spoke at the public hearing.

The Commission provisionally approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.

21.

TRANSFER
PRIVATE ALL FORMS 7 DAY RESTAURANT
Common Victualler, Indoor Entertainment by Devices & Performers Licenses
And Sunday Hours License

Thirsty Scholar Barrrom LLC d/b/a The Thirsty Scholar, 70 Beacon St. requesting approval for a Transfer of a Private All Forms 7 Day Alcohol Restaurant License, a Common Victualler License, an Indoor Entertainment by Devices and Performers License and a Sunday Hours License.

Hours of Operation for Food and Alcohol Service: Mon-Thu: 5pm-1am and Fri-Sun:
10am-1am
(AL21-000029)

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

Chair Lynch invited the applicant to speak. Applicant states there will be 125 seats and no changes are being made to the premises or menu. Applicant is a joint owner of the Tamworth and several other establishments. No members of the public spoke at the public hearing. The Commission provisionally approved the application on a roll call vote of 3 in favor (Lindgren, Allen, Lynch), and 0 opposed.